

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS  
of  
JERICHO WATER DISTRICT

held remotely via telephone conference, on the 5<sup>th</sup> day of January 2022, at 8:30 A.M.

Present:	Commissioners	Thomas A. Abbate James Asmus Patricia Beckerle
	Attorney	Michael F. Ingham
	Superintendent	Peter F. Logan
	Business Manager	Kathleen Cannon
	Asst. Business Manager	Amanda Blum
	Engineer	William D. Merklin

In response to the concerns relative to the Coronavirus (COVID-19), today's meeting of the Board of Commissioners and all meetings until further notice will be held via a phone-conferencing platform pursuant to Chapter 417 of the NYS Laws of 2021. A roll call was taken to assure that those listed were in attendance and that a quorum of the Board was present. Members of the public were given the opportunity to call in and listen to the meeting live. The Board Meeting was recorded and will later be transcribed. A notice was posted on the District's website, [www.jerichowater.org](http://www.jerichowater.org), stating same.

Ms. Blum gave the COVID-19 report which included:

1. A vaccinated Commissioner who was last in the office on December 14, 2021, tested positive on December 16, 2021, and was released from her isolation period on December 27, 2021.
2. A vaccinated office employee who was last at work on December 22, 2021 and tested positive that same day. The employee had minimal symptoms, worked remotely throughout her isolation and was released by NCDH yesterday, January 4, 2022.
3. An unvaccinated office employee who was last at work on December 22, 2021, started having symptoms that same day and tested positive Thursday, December 23, 2021. The employee worked remotely throughout the majority of her isolation and was released by NCDH yesterday, January 4, 2022.
4. A vaccinated office employee who was last at work on December 17, 2021, started having minimal symptoms on December 24, 2021 and tested positive on December 26, 2021. The employee had already been working remotely and quarantining due to exposure. The employee worked remotely

throughout her isolation and was scheduled to be released by NCDH yesterday, January 4, 2022.

5. A vaccinated office employee who was last at work on December 23, 2021, started having symptoms on December 28, 2021 and tested positive that same day. The employee had already been working remotely and quarantining due to exposure. The employee will work remotely (as long as she is able) throughout her isolation and is scheduled to be released by NCDH Saturday, January 8, 2022.
6. A vaccinated service department employee who was last at work on December 28, 2021, started having symptoms that same day and tested positive on December 29, 2021. The employee is scheduled to be released from isolation by NCDH on Saturday, January 8, 2022.
7. A vaccinated service department employee who was last at work on December 31, 2021, started having symptoms on December 28, 2021 and tested positive on December 30, 2021. The employee is scheduled to be released from isolation by NCDH on Saturday, January 8, 2022.

Miss Cannon reported that beginning December 27<sup>th</sup>, 2021 through January 7<sup>th</sup>, 2022, the office staff (with the exception of employees with private offices), have been working remotely due to the rise in COVID-19 infection rates within the community. After completing contact tracing efforts, it was determined that none of the office cases listed above were related. Thankfully, with the ability to work remotely, the office staff were able to perform all job responsibilities despite much of the staff being under precautionary quarantine or isolation order. With the office staff working remotely, the District has closed to the public through January 7<sup>th</sup>, 2022 and will reopen Monday, January 10<sup>th</sup>, 2022 when all office staff return to work on site.

Mr. Logan reported that beginning on January 3<sup>rd</sup>, 2022, the service department staff will be split into Team A and Team B. Team A will report to work from 8:00AM to 4:00PM every day and Group A will report to work from 7:00AM to 3:00PM every day. Each week thereafter, the groups will alternate their start times. This schedule will continue through January 14<sup>th</sup>, 2022.

Miss Cannon reviewed the updated CDC guidance and NYSDOH guidance for COVID-19 isolations and quarantines. After discussion, the Commissioners decided to continue to keep the current policies of the District the same until further guidance has been issued.

Minutes of the previous meeting(s) were read and approved unanimously.

Monthly report of Engineer was read and ordered filed.

1. Annual Retainer Agreement for Engineering Services: D&B has submitted a draft agreement for engineering services for 2022.
2. Bond Issue: Final report was presented to the Commissioners for review and approval.

Mr. Merklin presented to the Commissioners the Engineer's Bond Report from D&B Engineers and Architects for funding in the amount of \$39,149,150.00 for needed improvements in various well stations, tanks and distribution infrastructure as initially identified and prioritized in the District's 10-year capital plan. After discussion, and due consideration and upon motion duly made and seconded, it was

RESOLVED, that the following preambles and resolution be adopted:

WHEREAS, the Jericho Water District conducted a regularly scheduled Board Meeting on Wednesday, January 5, 2022 at 8:30 a.m.; and

WHEREAS, D&B Engineers and Architects presented a 2022 Bond Report identifying priority projects for improvements to various well stations, tanks and distribution infrastructure along with treatment facilities to remove emerging contaminants; and

WHEREAS, after review and due deliberation upon reading the engineer's report, the following resolution was duly moved, seconded and unanimously adopted.

NOW THEREFORE in consideration of the above recitals, be it unanimously resolved:

FIRST, that the 2022 Bond Report prepared by D&B Engineers and Architects be duly approved and adopted as the District's official titled plan to make capital improvements to the District;

SECOND, that the District's counsel is directed to prepare a formal petition to the Town Board of Oyster Bay for capital improvements financing as described in the 2022 Engineer's Report in an amount not to exceed \$39,149,150.00.

VOTE                      AYES:                      NOES:                      0                      ABSTENTIONS:                      0

Commissioner Abbate  
 Commissioner Asmus  
 Commissioner Beckerle

3. Well 20 & 21 AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. D&B is preparing the 60 percent draft contract documents for mid-February.

4. Well 22 Facility Improvements & AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. D&B is preparing the 60 percent draft contract documents for mid-February.
5. Kirby Lane AOP: Comments received from NYSDOH. The comments will not impact the documents that are currently out for bids. Waiting for comments from NCDH. Bids will be opened for January 21<sup>st</sup>. Finalizing AOP purchase order with District's insurance broker.
6. Southwoods Road -New Well and Treatment Facility: NCDH approved the well design report pending receipt of NYSDEC permit approval. Well construction contract has been submitted to NCDH. NCDH has provided comments on the Basis of Design Report (BODR) for the Treatment Facility. D&B is working with the treatment equipment manufacturer to verify responses. Progress drawings for the treatment facility have been submitted to JWD.
7. PTAS at the Wheatley Rd. Site (Well 6 & 16): Contractual Substantial Completion date is March 4, 2022. Project is delayed due to electrical equipment delivery delays, which is anticipated in March 2022. A hard date for delivery has not yet been provided.
8. Well 20 GAC Treatment for Simazine Removal: The work is complete except for minor paint touch up to be done in the spring. The final invoice and maintenance bond has been requested for contract close out.
9. Split Rock Tank Booster Station: D&B is finalizing the pump station pre-purchase contract. Bid dates can now be established. 90 percent contract documents for the on-site construction will be submitted by the end of January.

Mr. Merklin then requested that a bid date be set for the Purchase of the Prefabricated Booster Pump Station at Split Rock Road, Contract No. C2-22. After discussion, the Commissioners set a bid date for Friday, February 4<sup>th</sup>, 2022 at 9:00AM.

10. Split Rock Tanks Drainage Pipe: Punch list has been completed. Final payment and maintenance bond has been requested.
11. Wells 18 & 19 Drainage Improvements: Work is still ongoing as contractor is waiting for some materials. Paving and site restoration will be completed in the spring.
12. Syosset Tank Replacement Planning: Soil borings have been completed. 60 percent contract documents will be submitted by the end of January.

13. Water Service Gooseneck Replacement: Bids were received on December 10<sup>th</sup>. D&B and JWD met with the low bidder to discuss their bid. A recommendation will be made prior to the next Board Meeting.

14. Pump Rehabilitation Projects:

- Well 31: Positive bacteriological results were received. Blowing off and resampling. Contractor intends to submit further justification for additional costs after the work is completed.
- Well 17: D&B is reviewing shop drawings.
- Well 29: D&B is reviewing shop drawings.

15. Requirements Contracts:

- Flow Control Valves: D&B is preparing a draft of the contract documents.
- Electrical: D&B is preparing a draft of the contract documents.
- Instrumentation and Controls: D&B is preparing a draft of the contract documents.
- Chlorine Purchasing: Bids will be opened on January 7<sup>th</sup>.

16. McCoun's Lane Water Main Improvements: A recommendation for final payment and contract close out has been submitted to JWD.

17. Glen Head Water Main Improvements: Evaluating alternative pipe routes.

18. Main Plant SCADA Improvements: Bids will be opened on February 4<sup>th</sup>.

19. Transfer Switch Replacements: Initial transfer switch submittals were rejected. Waiting for resubmittal and delivery dates.

20. Juneau Pump Station Improvements: D&B is addressing JWD comments on the draft contract documents. A bidding schedule will be determined once a response has been received from the Town with regards to the adjacent property lease or license agreement.

Mr. Ingham informed the Commissioners that the Town of Oyster Bay will permit a license agreement for the adjacent property. Mr. Ingham is preparing the agreement and will share the draft with Mr. Logan and Mr. Merklin for their review and comments.

21. Main Plant Basement Improvements: D&B has submitted draft contract drawings for JWD review.

22. GIS Maintenance: D&B submitted a proposal for continued GIS maintenance service for 2022.

Mr. Merklin then presented the Commissioners with a proposal from D&B Engineers and Architects, D.P.C. for Annual GIS Maintenance in the total not to exceed amount of \$10,000.00, to expire on December 31<sup>st</sup>, 2022. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal for Annual GIS Maintenance in the total not to exceed amount of \$10,000.00 to be charged to Account No. A-8340-000-4430 Engineering Services.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

23. 2021 Annual Water Quality Report (AWQR): D&B submitted a proposal for assistance with the preparation of the 2021 AWQR.

Mr. Merklin then presented the Commissioners with a proposal for analyzing laboratory sampling results for inclusion in the 2021 Annual Water Quality Report (AWQR), for the District in the not to exceed amount of \$8,300.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved D&B Engineers and Architect's proposal for engineering services for analyzing laboratory sampling results for the inclusion of the 2021 Annual Water Quality Report (AWQR), for the District in the not to exceed amount of \$8,300.00 to be charged to Operating Account No. A-8340-000-4430 Engineering Services.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

24. Merry Lane Water Main As-Built: D&B is preparing as-built drawings with the available information from the Contractor.

Status of Proposed Development Projects – Engineers Report

1. The Center for Developmental Disabilities (The Center) Water Main Improvements: The punch list has been completed. Requested final invoice and maintenance bond.
2. Tam O'Shanter Development: No new activity since the last report.

3. Laurel Hollow Service Area Extension: D&B will commence with work upon execution of an agreement and receipt of funds from the Village of Laurel Hollow.
4. Amazon Warehouse (former Cerro Wire Site): Construction is underway.
5. Woodbury Hills Development: No update since last meeting.
6. Silver Path Estates Request for Water Availability: No update since last meeting.
7. Marriott at Milleridge Inn Water Main: No update since last meeting.
8. Country Club Developers: No update from last meeting.
9. Tam O'Shanter Development: No update from last meeting.
10. Aveley Residential Development: No update from last meeting.

Mr. Ingham informed the Commissioners that he received guidance and filing requirements from the Public Service Commission (PSC) related to the COVID-19 Moratorium on Service Terminations and Deferred Payments Agreement (DPA). Mr. Ingham reviewed the guidance with Miss Cannon, who made updates to the District's DPA. The PSC extended the deferral period until June 30, 2022, with bills being due 180 days later (or by December 31<sup>st</sup>, 2022). Consumers who qualify will have the option to enroll in the DPA through this period. Any unpaid balances after the deferral period ends will be placed on the 2023 tax rolls.

Mr. Ingham informed the Commissioners that NYS Senate Bill No. S2628, requiring certain employers to give prior notice to employees when engaging in electronic monitoring, was signed into law by the Governor. After review of the law, Mr. Ingham did not believe the District was required to comply due the District being a political subdivision of the State. Mr. Ingham will prepare an opinion on the matter to present to the Commissioners at their next meeting.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period December 15, 2021, to January 4, 2021, had been completed and all were within state and federal standards.

Mr. Logan then presented to the Commissioners Contract Modification No. 1 from Bensin Contracting for JWD Contract No. C8-21, Drainage Improvements at Well No. 18 & 19 to remove and replace the existing concrete stoop outside the back door of Well No. 19 for the not to exceed fee of \$4,120.00. Mr. Logan reported that this contract modification would be deducted from the \$50,000 allowance and therefore not increase in the total contract amount. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approved Contract Modification No. 1 for Contract No. C8-21, Drainage Improvements at Well No. 18 & 19 from Bensin Contracting in the amount of \$4,120.00 to be charged to the contingency line of the project.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
	Commissioner Abbate		AYE			
	Commissioner Asmus		AYE			
	Commissioner Beckerle		AYE			

Mr. Logan then presented to the Commissioners Contract Modification No. 4 from J. Anthony Enterprises Inc. for JWD Contract No. C8-20, PTAS at Wheatley Road Facility Wells 6 & 16 – General Construction. Under the contract, all of the caustic in both tanks was to be removed. However, there was substantially more caustic in the tanks than what was first believed. The additional charge was to remove the surplus caustic from the underground storage tanks at Well 6 and 16 for the not to exceed fee of \$24,403.00. Mr. Logan reported that \$18,938.00 of this contract modification would be deducted from the \$50,000 allowance leaving a net increase to the contract in the amount of \$5,465.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approved Contract Modification No. 4 from J. Anthony Enterprises Inc. for JWD Contract No. C8-20, PTAS at Wheatley Road Facility Wells 6 & 16 – General Construction in the amount of \$24,403.00; \$18,938.00 to be charged to the contingency line of the project and increasing the total contract amount by \$5,465.00.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
	Commissioner Abbate		AYE			
	Commissioner Asmus		AYE			
	Commissioner Beckerle		AYE			

Mr. Logan then presented to the Commissioners Contract Modification No. 14 from Hinck Electrical Contractor Inc. for JWD Contract No. C17-17, Well Nos. 9 & 14 Nitrate & VOC Removal Facility- Electrical Contract for the furnishing and installation of a chemical leak sensor and integration with monitoring panel for the not to exceed fee of \$5,333.72. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approved Contract Modification No. 14 from Hinck Electrical Contractor Inc. for JWD Contract No. C17-17, Well Nos. 9 & 14 Nitrate & VOC Removal Facility- Electrical Contract in the amount of \$5,333.72 to be charged to Capital Project Account No. H-8397-008-2303 Nitrate Removal Plant.



VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Mr. Logan then presented to the Commissioners Contract Modification No. 1 from Bancker Construction Corp. for JWD Contract No. C13-17A, Water Main Improvements-McCouns Lane-Open Cut Installation for contract close out of credits for unused line items resulting in a net credit of \$28,791.18. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approved Contract Modification No. 1 from Bancker Construction Corp. for JWD Contract No. C13-17A, Water Main Improvements-McCouns Lane-Open Cut Installation for the net decrease of \$28,791.18 to the overall final cost of the project.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Mr. Logan notified the Commissioners of an emergency repair to a 3" Service on 25A West and Mill River Road on December 21, 2021. Due to the complexity of the repair, Mr. Logan decided to call in Bancker Construction Corp. to repair the service, utilizing the District's Requirements Contract for Emergency Water Main Repairs.

Mr. Logan informed the Commissioners of a service leak on White Oak Tree Rd. on December 29, 2021. This service was repaired by Bancker Construction Corp. last year. Bancker fixed the leak under warranty at no charge to the District.

Mr. Logan notified the Commissioners of an emergency repair to a water service at 1081 Route 106, East Norwich on December 30, 2021. Due to the complexity of the repair, Mr. Logan decided to call in Bancker Construction Corp. to repair the service, utilizing the District's Requirements Contract for Emergency Water Main Repairs.

Mr. Logan then presented to the Commissioners the final "As Is" Market Value reports from Ciotta - THR Valuation Associates District owned properties, 61 Saratoga Dr. (formerly Well 15), Jericho and 160 Robbins Ln. (formerly Well 10) Jericho. The wells on these sites were abandoned in the early 2000's, and the District is interested in selling off both parcels. Mr. Ingham stated that there is no restrictions or procedural hurdles to sell these municipal properties. Miss Cannon will reach out to the District's auditors to see if there are any restrictions that they know of that

would interfere with the sale of the property and report back to Mr. Ingham. After discussion, the Commissioners instructed Mr. Logan to contact a broker regarding the sale of the property.

Mr. Logan presented to the Commissioners an additional "As Is" Market Value report from Ciotta – THR Valuation Associates for a 1-acre parcel of land part of 24 Wolver Hollow Rd., Upper Brookville. The Board instructed Mr. Logan to reach out to the Village of Upper Brookville to negotiate the potential purchase of this property.

Mr. Logan reported an update on the letter from Mr. Joseph Capone, President of Total Fire Protection regarding the 111 Crossways Park Drive, Woobury NY discussed at the last board meeting. Mr. Logan informed the Commissioners that Mr. Capone conceded and will be installing a fire and domestic service per the District's Ordinances.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of January 3, 2021. After discussion, the report was ordered filed.

Miss Cannon then advised the Commissioners that she received a notification from First National Bank of Long Island (FNBLI) that the interest rate decreased from 0.35% to 0.25% effective December 15<sup>th</sup>, 2021.

Miss Cannon then presented and reviewed with the Commissioners a Purchase Order by Expense Account Report listing all purchase orders issued between December 14, 2021 and January 3, 2022. After discussion, the report was ordered filed.

Miss Cannon then requested authorization to transfer \$500,000.00 from the General Fund Checking Accounts to the Investment Account in order to maximize interest. After discussion, the Commissioners authorized the bank transfer.

Miss Cannon then presented to the Commissioners with calculation of the accrual payout for Jane Barbato who retired on December 31, 2021 in the amount of \$139,000.46. Miss Cannon reported that Ms. Barbato will be paid \$69,500.23 (50% of her accrual payout) on January 21, 2022 and \$69,500.23 (remaining 50% of her accrual payout) on January 20<sup>th</sup>, 2023. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners authorize the 50% accrual payout in the amount of \$69,500.23 be made to Jane Barbato on the pay date of January 21, 2022. It was

FURTHER RESOLVED, that the Commissioners approve a budget transfer in the amount of \$69,500.23 from A-9020-000-8020 Employee Accrual Payout to A-8310-000-1100 Office Salaries to fund the accrual payout for 2022.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Miss Cannon then informed the Commissioners that Superintendent Peter Logan will be paid \$88,363.26 (remaining 40% of his accrual payout) on January 21, 2022. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners authorize the remaining 40% accrual payout in the amount of \$88,363.26 be made to Peter Logan on the pay date of January 21, 2022. It was

FURTHER RESOLVED, that the Commissioners approve a budget transfer in the amount of \$88,363.26 from A-9020-000-8020 Employee Accrual Payout to A-8340-000-1100 Plant Salaries to fund the accrual payout for 2022.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Miss Cannon then reported that in the 2021 District's Annual Operating Budget, the Commissioner budgeted \$1,250,000.00 in A-9950-000-9020 Transfer to Assigned Fund Balance to be transferred to A-0915-0000, Unreserved Fund Balance Designated for Debt Service. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioner approve transferring \$1,250,000.00 from the 2021 Operating Budget A-9950-000-9020 to Unreserved Fund Balance for Debt Service.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Miss Cannon then informed the Commissioners that she received a request for reduction of their 3<sup>rd</sup> Quarter and 4<sup>th</sup> Quarter 2021 water bills on Account No.

21415600-0 by the owner due to multiple leaks on their water service. Miss Cannon informed the Commissioners that a reduction to these bills would be in line with the District's policy to allow excess water usage, in excess of the three (3) year average usage, be charged at a rate equal to the District's cost to pump 1,000 gallons of water. Miss Cannon indicated that all required documentation had been received. The adjustment to this account for the 3<sup>rd</sup> quarter 2021 bill resulted in the total water charge being reduced to \$819.28 from \$1,191.96, a reduction equal to \$372.68. The adjustment to this account for the 4<sup>th</sup> quarter 2021 bill resulted in the total water charge being reduced to \$812.80 from \$1,242.79, a reduction equal to \$429.99. This account also received a penalty in the amount of \$119.20 that qualifies to be waived under District Policy. After discussion, the Commissioners approved the reduction and instructed Miss Cannon to send a revised bill.

Miss Cannon informed the Commissioners that she received a request to waive a penalty on Account No. 55479728-0 in the amount of \$68.67. Miss Cannon informed the Commissioners that no penalty had been waived in the last five (5) years on this account. After discussion, the Commissioners authorized Miss Cannon to waive the penalty on the account and instructed her to send a revised bill to the consumer.

Miss Cannon informed the Commissioners that she received a request to waive a penalty on Account No. 45461401-2 in the amount of \$67.47. Miss Cannon informed the Commissioners that no penalty had been waived in the last five (5) years on this account. After discussion, the Commissioners authorized Miss Cannon to waive the penalty on the account and instructed her to send a revised bill to the consumer.

Mr. Logan gave the Commissioners a project status report for the H2M projects:

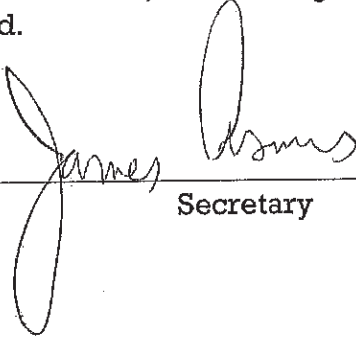
1. New Elevated Tank at Wheatley Road Site: Next week all of the work required under the contract should be completed. H2M received a ten page close out request from Caldwell Tank. Mr. Ingham will set a meeting with H2M to discuss the request.
2. Well Nos. 9 & 14 Nitrate and VOC Removal Facility: Down to punch list items. The outstanding issue is the proposal from Philip Ross to increase the size of the gas line going from the meter to the gensets at Wells 9 & 14. Discussion was held regarding getting another proposal for the work.
3. GIS Data Development: Complete

Pending agenda items list was read and filed.

The Board of Commissioners went into Executive Session at 10:03 a.m. to discuss personnel and legal matters and returned at 10:18 a.m. with no action taken.

The following claims were then audited and approved for payment: General Fund #26048 to #26133, Construction Fund #2584 and Installation Fund #4147 to #4148.

There being no further business, the meeting was, upon motion duly made and seconded and adjourned.

  
Secretary