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

held remotely via telephone conference, on the 2nd day of March 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, stating same.

A discussion was held in regards to the most recent CDC guidance released on February 25th, 2022 and the end of the NYS mask mandate. The CDC only recommends mandatory masking in counties where community COVID-19 levels are considered "high"; currently Nassau County is designated as a low-risk area. The District will continue to monitor the CDC Community Levels Map for changes in community infections/hospitalizations and will pivot if necessary. After discussion, the Commissioners suspended ALL Jericho Water District COVID-19 policies regardless of vaccination status effective today, Wednesday March 2, 2022. Commissioner Abbate instructed Mr. Logan and Miss Cannon to prepare a memo to employees informing them of the decision.

Monthly report of Engineer was read and ordered filed.

- 1. 2022 Bond Issue: The TOB bond hearing was held on March 1st.
- 2. Well 20 & 21 AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. D&B submitted the 60 percent draft drawing to JWD and Mr. Logan in the process of reviewing.
- Well 22 Facility Improvements & AOP Treatment: Waiting for comments from NCDH and NYSDOH on BODR. D&B will submit 60 percent draft drawings in about a week.

- 4. Kirby Lane AOP: D&B responded to NCDH comments on the contract documents. Approval is pending. Contract execution is underway for the three prime contracts. AOP purchase order has been issued to Trojan.
- 5. Southwoods Road -New Well and Treatment Facility:
  - a. Well Construction Contract: Bids will be opened on March 4th.
  - b. Treatment Facility Contracts: D&B is addressing NCDH comments relating to the requirement for pilot testing in the Basis of Design Report (BODR) for the Treatment Facility. The next submittal to JWD will be 60 percent complete drawings in mid-March.
- 6. 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. Targeting startup in mid to late summer. A discussion was held regarding potential liquidated damages. It was then decided that the electrical contractor will be required to submit to D&B/JWD an explanation, including proof from vendors, as to the cause of the delay and a realistic projected completion date. As requested by Commissioner Asmus, the Contractor provided calculations justifying the use of the 100-ton crane for installation of the packed tower.

Mr. Merklin presented to the Commissioners Contract Modification No. 5 from J. Anthony Enterprises for Contract No. C8-20 PTAS at Wheatley Road Facility Well Nos. 6 & 16 General Construction for rigging services for the PTAS tower installation in the amount of \$12,932.68. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners approved Contract Modification No. 5 for Contract No. C8-20, PTAS at Wheatley Road Facility Well Nos. 6 & 16 General Construction from J. Anthony Enterprises in the amount of \$12,932.68 to be paid under the \$50,000.00 contingency line item of the contract.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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7. Split Rock Tank Booster Station: The pump station pre-purchase bids were received on February 25<sup>th</sup>. D&B is reviewing the bids and will make a recommendation at the next Board Meeting. Bids for the facility construction will be received on March 4<sup>th</sup>.

- 8. Wells 18 & 19 Drainage Improvements: Work is ongoing through the winter as weather and material procurement allows. Paving and site restoration will be completed in the spring.
- 9. Syosset Tank Replacement Planning: D&B is addressing JWD comments on the 60 percent contract documents.
- 10. Water Service Gooseneck Replacement: Contract execution is underway.

11. Pump Rehabilitation Projects:

- Well 31: JWD has requested approval from NCDH to operate the well. Contractor intends to submit further justification for additional costs after the work is completed.
- Well 17: Delivery date requested from Contractor.
- Well 29: Delivery date requested from Contractor.

12. Requirements Contracts:

- Flow Control Valves: Contract execution is underway.
- Chlorine Purchasing: D&B has submitted a recommendation for award.

Mr. Logan informed the Commissioners that he received a notification from Twin County Swimming Pools who were dissatisfied with the results of the rebid of Contract No. G3-22. They feared that because the original bid results were posted on the District's website before the error was discovered, it was possible that other vendors had seen their bid price. Mr. Ingham confirmed that the District had no choice but to rebid the contract due to failure to advertise the original bid. As soon as the error was discovered the original bid results were immediately removed from the District's Website. It is apparent that there was no serious objection as Twin County emailed Mr. Logan indicating that they would be more than happy to fill in if the new bidder was delinquent on deliveries.

- Instrumentation and Controls: D&B has submitted a recommendation for Award.
- Electrical: D&B has submitted a recommendation for award.

Mr. Merklin then reported that he had reviewed the two (2) bid proposals received on February 18, 2022, for Contract No. G3-22R Supply and Delivery of Liquid Sodium Hypochlorite. Tortorella Autochem, LLC was the low bidder with a price of \$1.57 per gallon (from March 2, 2022 through December 31, 2022) with the option to renew for two (2) additional years at 5% increase each year (January 1, 2023 through December 31, 2023 and January 1, 2024 through December 31, 2024). Based on his findings of the Contractor's past and present performances, and his review of the bid proposal, Mr. Merklin recommended award of the contract for the Supply and Delivery of Liquid Sodium Hypochlorite be made to Tortorella

Autochem, LLC of Southampton, NY. After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. G3-22R, Supply and Delivery of Liquid Sodium Hypochlorite be awarded to Tortorella Autochem LLC. of Southampton, NY as the lowest responsible bidder with a bid that conforms with the bid specifications of the District in the amount of \$1.57/gallon for the period of March 2, 2022 through December 31, 2022.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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Mr. Merklin then reported that he had reviewed the three (3) bid proposals received on February 18, 2022, for Contract No. G5-22 Requirements Contract for the Maintenance of Instrumentation and Controls. Eagle Control Corp. was the low bidder for the contract with a total three-year cumulative bid value of \$362,850.00. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal, Mr. Merklin recommended award of the Requirements Contract for the Maintenance of Instrumentation and Controls be made to Eagle Control Corp. of Yaphank, NY. Since this is a requirements contract, bid proposals were reviewed based on the lowest total cumulative bid for all bid items over the three-year period. At this time, the District will award the contract for their 1st year bid value (contract period covering March 2, 2022 through December 31, 2022) of \$120,950.00 and at the discretion of the District, the contract can be extended for a 2<sup>nd</sup> year and 3<sup>rd</sup> year (contract period covering January 1, 2023 through December 31, 2023 and January 1, 2024 through December 31, 2024) at a 0% increase each year. The actual contract value will vary depending on the quantity of work orders performed during the contract duration and the actual quantity of each unit price item incurred during the performance of work. After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. G5-22, Requirements Contract for the Maintenance of Instrumentation and Controls be awarded to Eagle Control Corp. of Yaphank, NY as the lowest responsible bidder with a bid that conforms with the bid specifications of the District for the period covering March 2, 2022 through December 31, 2022.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commission Commission Commission	ner Asmus		AYE AYE AYE			

Mr. Merklin then reported that he had reviewed the five (5) bid proposals received on February 18, 2022, for Contract No. G6-22 Requirements Contract for the Electrical Maintenance and Repairs. Baltray Enterprises, Inc. d/b/a Bancker Electric was the low bidder for the contract with a total three-year cumulative bid value of \$31,082.76. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal, Mr. Merklin recommended award of the Requirements Contract for the Maintenance of Instrumentation and Controls be made to Bancker Electric of Islip, NY. Since this is a requirements contract, bid proposals were reviewed based on the lowest total cumulative bid for all bid items over the three-year period. At this time, the District will award the contract for their 1st year bid value (contract period covering March 2, 2022 through December 31, 2022) of \$10,073.00 and at the discretion of the District, the contract can be extended for a  $2^{nd}$  year (contract period covering January 1, 2023 through December 31, 2023) at a 3% increase and 3rd year (contract period covering December 31, 2023 and January 1, 2024 through December 31, 2024) at a 2.5% increase. The actual contract value will vary depending on the quantity of work orders performed during the contract duration and the actual quantity of each unit price item incurred during the performance of work. After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. G6-22, Requirements Contract for Electrical Maintenance and Repair be awarded to Bancker Electric of Islip, NY as the lowest responsible bidder with a bid that conforms with the bid specifications of the District for the period covering March 2, 2022 through December 31, 2022.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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- 13. Glen Head Water Main Improvements: Evaluating alternative pipe routes.
- 14. Main Plant SCADA Improvements: Contract execution is underway. D&B has submitted a proposal to provide construction phase services.

Mr. Merklin then presented the Commissioners with a proposal for construction management services for Contract No. C1-22 SCADA Improvements and Maintenance from D&B Engineers and Architects for the not to exceed fee of \$24,000.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B Engineers and Architects proposal for design services during construction for Contract No. C1-22 SCADA Improvements and Maintenance for the not to exceed fee of \$24,000.00 to be charged to Capital Account No. No. H-8397-880-2010 SCADA System Replacement.

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

- 15. Transfer Switch Replacements: Waiting for a delivery date from the Contractor.
- 16. Juneau Pump Station Improvements: Bids will be received on March 18th.
- 17. Main Plant Basement Improvements: JWD is reviewing draft drawings.
- 18.2021 Annual Water Quality Report (AWQR): A draft spreadsheet will be submitted to JWD this week.
- 19. Merry Lane Water Main As-Builts: D&B has submitted a drat as-built drawings for review.
- 20. VA Update: D&B has submitted a proposal to update the District's Vulnerability Assessment (VA).

Mr. Merklin then presented the Commissioners with a proposal for engineering services related to updating the District's Vulnerability Assessment (VA) and developing a non-confidential Emergency Response Plan (ERP) from D&B Engineers and Architects for the not to exceed fee of \$12,000.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B Engineers and Architects proposal for the District's Vulnerability Assessment Update for the not to exceed fee of \$12,000.00 to be charged to Operating Account No. A-8340-000-4430 Engineering Services.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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21. Convent Road Architectural Improvements: D&B is preparing a proposal to prepare contract documents for miscellaneous improvements at the various facilities located at the Convent Road site.

Status of Proposed Development Projects – Engineers Report

- 1. Oaks at Mill River: D&B is preparing cost estimates for the water main and pump station construction.
- 2. The Center for Developmental Disabilities (The Center) Water Main Improvements: Contract will be closed out in the spring after final punch list work is complete.
- 3. Tam O'Shanter Development: D&B has submitted a follow up letter to NYSDEC, requesting a response to the first letter. NYSDEC forwarded an email response to the first letter that was sent to the incorrect email address.
- 4. Laurel Hollow Service Area Extension: No new activity since the last report.
- 5. Woodbury Hills Development: No new activity since the last report.
- 6. Silver Path Estates Request for Water Availability: No new activity since the last report.
- 7. Marriott at Milleridge Inn Water Main: No new activity since the last report.
- 8. Country Club Developers: No new activity since the last report.
- 9. Aveley Residential Development: No new activity since the last report.

Mr. Ingham reported that the Town of Oyster Bay's Town Board approved the District's application for \$39,149,150.00 in Bond financing at their meeting on March 1<sup>st</sup>, 2022 via Town Resolution Nos.156A-2022 and 156B-2022. Mr. Ingham then informed the Commissioners that the District is required to record a certified copy of the Order with the Office of the County Clerk within ten (10) days from the adoption date of March 1<sup>st</sup>, 2022. After discussion, the Commissioners requested Mr. Ingham record the Order with the County Clerk within the next ten (10) days as required by the Town of Oyster Bay.

Miss Cannon then presented the following budget transfers for the Commissioners approval:

## To establish Budgets as per the 2022 Bond Issue for Capital Projects

H-8397-017-2303	Tank Rehabilitations	\$ 9,191,150.00
H-8397-020-2303	Well No. 22 AOP System	\$10,436,000.00
H-8397-021-2303	Well No. 20 & 21 AOP System	\$19,522,000.00
	Total 2022 Bond Issue	\$39,149,150.00

## Corresponding Revenue Accounts

H-7017-5710 Tericho Tank Rehabilitation \$ 9,191,150.00

H-7020-5710 Well No. 22 AOP System \$10,436,000.00 H-7021-5710 Well No. 20 & 21 AOP System \$19,522,000.00 Total 2022 Bond Issue \$39,149,150.00

After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize the Business Manager to execute the above listed budget transfers.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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Commissioner Beckerle			AYE			

Monthly report of the Superintendent was read and ordered filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period February 16, 2022, to March 1, 2022, had been completed and all were within state and federal standards.

Mr. Logan updated the Commissioners on the insurance claim for Mr. Staiano pertaining to the damage to his tire and rim from the large pothole at 106 Cold Spring Road. The insurance company (Zurich) has determined they will pay for the replacement of the one tire and rim that was damaged.

Mr. Logan informed the Commissioners via email on Friday February 25th, 2022 of damage to the Juneau Blvd. booster station after an ice storm. The District lost power to the booster pump due to heavy ice build up on the primary wires on Juneau Blvd. When PSEG made their repair an energized the lines, it caused the motor control center (MCC) to smoke. The booster station provides pressure to the homes in "The Gates" neighborhood. The District did not have a requirements contract for electrical maintenance and repair work in place, as it expired on December 31, 2021, and the Commissioners just awarded the new contract at their meeting today to Bancker Electric. Mr. Logan opted to call in Bancker Electric to make the emergency repair. Bancker agreed to make the repairs based on the lines items in their bid proposal for G6-22 awarded today.

Mr. Logan then presented to the Commissioners a letter from Chief Wayne R. Placella of East Norwich Volunteer Fire Co. requesting GIS data for fire hydrants in their District. After discussion, the Commissioners requested that Mr. Logan and Mr. Merklin review the request to see what's entailed with supplying the information.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of February 28, 2022. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners a Purchase Order by Expense Account Report listing all purchase orders issued between February 15, 2022 and February 28, 2022. After discussion, the report was ordered filed.

Miss Cannon then informed the Commissioners that she received the first half of the taxes collected by the Town of Oyster Bay in the gross amount of \$3,798,991.48; \$318,384.73 of which was for the 2021 water bills in arrears that the County attached to consumers tax bills. The Town of Oyster Bay deducted \$3,390,493.75 to pay the District's required debt service payment, resulting in a net check of \$408,497.73.

Miss Cannon presented to the Commissioners a letter from Badger Meter for the renewal of the Long Island Water Conference Purchasing Cooperative (LIWCPC) Quote for the period of April 1st, 2022 through March 31st, 2023 noting an 8.63% increase due to industry PPI. After discussion, the Commissioners agreed to continue to utilize the LIWPC contract for the purchase of meters, endpoints and other supplies.

Miss Cannon then reported that she sent out Requests for Proposals, (RFPs) for Contract No. G1-22, Office Cleaning Services to thirteen cleaning companies and received back the following:

	Professional Cleaning People	Commercial Building Maintenance Corp	Strong Arm Contracting	Jani King of New York
<b>Monthly Service</b>				
Charge for Regular,				
Weekly and Monthly Services	\$610.00	\$657.00	\$1,500.00	\$1,161.00
Quarterly Service Charge	\$175.00	\$345.00	\$400.00	\$873.00
Semi-Annual Service Charge	\$1,530.00	\$1,244.00	\$1,200.00	\$1,665.00
Total RFP Line Items	\$2,315.00	\$2,246.00	\$3,100.00	\$3,699.00
Total Annual Amount	\$11,080.00	\$11,752.00	\$22,000.00	\$20,754.00

In addition to the above services, the RFP asked for ala carte services for specific items, (cleaning of floors, windows, carpet, etc.). Miss Cannon reported that she reviewed the proposals in detail and based on her review and past performance of Professional Cleaning People, Inc., she recommended the District contract with Professional Cleaning People for the period of April 1, 2022 through December 31, 2022 with the option to extend for two additional years at a 0% increase. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners award Contract No. G1-22 to Professional Cleaning People, Inc. of Bohemia, New York for Office Cleaning Services in the amount of \$11,080.00 for the period of April 1, 2022 through December 31, 2022 with an option to extend for two additional years at 0% increase plus additional charges for all carte services as detailed in their request for proposal.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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Miss Cannon informed the Commissioners that she received the preliminary bid results from Roslyn Water District's bid for the Purchase of Liquid Caustic Soda received on February 17th, 2022. The bid will be awarded to Univar Solutions, USA for the period of March 25, 2022 through March 25, 2023 at a cost of \$45.89/dry CWT for a delivery of 3,000 gallons, two (2) drops. The Jericho Water District will "piggyback" off of the Roslyn Water District bid under the terms of the Long Island Water Conference Purchasing Cooperative (LIWCPC). Miss Cannon explained that that the District is currently paying \$37.57/dry CWT for a delivery of 3,000 gallons, two (2) drops, this will equate to a 22.15% increase over the current contract terms, but is in line with the substantial increase in caustic raw material costs and chemical supply shortage expenses. After discussion, the Commissioners agreed to purchase caustic soda from Univar Solutions, USA based upon the Roslyn Water District's contract for these services.

Miss Cannon presented to the Commissioners a spreadsheet that calculated the amount of accrued time owed to employee Conor White in the amount of \$998.02. Mr. White returned all uniforms, keys and badges to Mr. Logan After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved the accrual payout to Mr. White in the amount of \$998.02.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
Commission Commission Commission			AYE AYE AYE			

Miss Cannon then informed the Commissioners that she received a request to waive a penalty on Account No. 31055800-0 in the amount of \$89.89. Miss Cannon informed the Commissioners that no penalty on this account has been waived in the last five (5) years. After discussion, the Commissioners authorized Miss Cannon to waive the penalty on the account and send the consumer a revised bill.

At 9:00 a.m., Commissioner Abbate opened the public hearing to hear comments on appropriating funds from the Repair Reserve Fund for the purpose of funding the maintenance, repair and replacement of flow control valves throughout the District in the amount of \$376,500.00.

At 9:10 a.m., Commissioner Abbate noted that there were no speakers and closed the hearing. After discussion, and upon motion duly made and seconded the Commissioners unanimously enacted the following resolution:

RESOLUTION AUTHORIZING THE TREASURER TO APPROPRIATE FUNDS FROM THE REPAIR RESERVE FUND AND FROM THE EXCESS BALANCE IN A CAPITAL PROJECT ACCOUNT ORIGINALLY FUNDED FROM THE REPAIR RESERVE, FOR THE PURPOSE OF PROVIDING FUNDING FOR THE MAINTENANCE, REPAIR AND REPLACMENT OF FLOW CONTROL VALVES THROUGHOUT THE DISTRICT THE AMOUNT OF \$376,500.00

**WHEREAS**, the Board of Commissioners approved appropriated funds be set aside for the purpose of establishing a Repair Reserve Fund in accordance with § 6-d of General Municipal Law; and

WHEREAS, effective February 16, 2022 the Repair Reserve Fund (A-0880) had a balance of \$437,684.57; and

WHEREAS, on February 4, 2022 the District received bid proposals for a requirements contract for the maintenance and replacement of flow control valves that the Superintendent utilized to estimate the cost to maintain or replace the valves in 2022 to be \$376,500.000, including engineering, legal, and a contingency allowance; and

WHEREAS, as of February 16, 2022 capital project account no. H-8397-873-2102 Pump House No. 12 Rehabilitation had an excess balance of \$13,244.56 and capital project account no. H-8397-878-2303 Woodbury Tank Altitude Valve Vault had an excess balance of \$91,166.89 which was originally funded from appropriating funds from the Repair Reserve (A-0880); and

**WHEREAS**, the Superintendent of the District has reported that based on current flow measurements and maintenance records from each wellsite, the Cla-Val, Ross and Watts flow control valves need to be rebuilt and recalibrated; and

**WHEREAS**, maintaining the District's flow control valves would accurately measure the water produced from each well as required by the NYSDEC permit to operate public water supply wells; and

**WHEREAS**, the District held a public hearing on the  $2^{nd}$  of March, 2022 at 9:00 a.m. to consider appropriating moneys from the Repair Reserve Fund (A-0880) in the amount of \$272,088.55 and transferring \$13,244.56 from excess funds in capital

project account no. H-8397-873-2102 Pump House No. 12 Rehabilitation and transferring \$91,166.89 from excess funds from capital project account no. H-8397-878-2303 Woodbury Tank Altitude Valve, for the purpose of funding flow control valve maintenance throughout the District in the estimated amount of \$376,500.00; and

**WHEREAS**, funds would be appropriated from the Reserve Fund Account without incurring any additional debt service payments for principal and interest and, therefore, be cost beneficial to the District taxpayers; and

**WHEREAS**, the funding of repair reserve projects in the Jericho Water District is a Type II action pursuant to SEQRA as defined by 6 N.Y.C.R.R. \$617(c)(1)(2) and therefore no further SEQRA review is required; and

## NOW THEREFORE,

**BE IT RESOLVED** that the Board of Commissioners hereby authorizes the Treasurer to appropriate \$272,088.55 from the Repair Reserve Fund (A-0880) and transfer \$13,244.56 from H-8397-873-2102 Pump House No. 12 Rehabilitation and transfer \$91,166.89 from H-8397-878-2303 Woodbury Tank Altitude Valve to capital project account no. H-8397-886-2303 Flow Control Valve Maintenance.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
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Mr. Logan then provided the Commissioners an update on the H2M's projects:

- New Elevated Tank at Wheatley Road Site: Anniversary inspection scheduled for the end of March. Waiting for Johnson Controls to complete their work.
- 2. Woodbury Villas Water Main Installation: Mr. Ingham prepared a new developers agreement for Phase 2. The District is now waiting for the deposit before it can start the bidding process.
- 3. Well Nos. 9 & 14 Nitrate and VOC Removal Facility: Upsizing of the gas line should commence within the next 10 days. Should be able to close out the project before June.
- 4. Well Nos. 9 & 14 Emerging Contaminant Treatment: Expecting to schedule bid dates for mid-April.

Pending agenda items list was read and filed.

The following claims were then audited and approved for payment: General Fund #26247 to #26277.

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

Secretary