

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

held at the office of the District in Syosset, Nassau County, New York, on the 18<sup>th</sup> day of January 2023, at 8:30 A.M.

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

Commissioner Abbate called the meeting to order at 8:30 a.m.

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

Monthly report of Engineer was read and ordered filed.

1. Well 20 & 21 AOP Treatment: Construction is underway. Waiting for NCDH and NYSDOH approvals of the contract documents. Phase 1 scheduled for May 2023 to allow existing facility to operate through summer.
2. Well 22 Facility Improvements & AOP Treatment: Waiting for NCDH approvals for contract documents. Responding to NYSDOH comments on contract documents. D&B has prepared recommendation letters for award of the 3 prime contracts.

Mr. Merklin then presented to the Commissioners a letter from Mr. Anthony Eagan, of D&B Engineers and Architects, D.P.C. stating that he reviewed the six (6) bid proposals received on January 6, 2023 for Contract No. C12-22R 1,4-Dioxane and PFOA Treatment Facility at Well 22 – General Construction. East End Materials d/b/a East End Group was the low bidder for the contract with a total bid price of \$3,577,000.00. Bid prices from one (1) contractor was corrected for unit price calculation errors. Despite correction, this does not change whether East End Materials d/b/a East End Group is the low bidder. Based on his findings of the contractor's past and present performances and thorough research of references, and his review of the bid proposals, Mr. Eagan recommended award of the General Construction Contract for the 1,4-Dioxane and PFOA Treatment Facility at Well 22 be made to East End Materials d/b/a East End Group for the total amount of

\$3,577,000.00. Upon Notice of Award, the awarded Contractor shall be requested to provide all specified insurance and bonds. Additionally, the awarded Contractor shall submit the MWBE and SDVOB Utilization Plans no more than ten (10) business days after the Notice of Award to ensure compliance with the NYSEFC Program requirements. After discussion, and upon motion duly made and seconded, it was

RESOLVED that Contract No. C12-22R 1,4-Dioxane and PFOA Treatment Facility at Well 22 – General Construction be awarded to East End Materials d/b/a East End Group of Yaphank, New York the lowest responsible bidder with a bid that conforms to the bid specifications of the District in the bid amount of \$3,577,000.00 to be charged to Capital Account No. H-8397-020-2303 Well No. 22 AOP System.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
Commissioner Abbate		AYE				
Commissioner Asmus		AYE				
Commissioner Beckerle		AYE				

Mr. Merklin then presented to the Commissioners a letter from Mr. Anthony Eagan, of D&B Engineers and Architects, D.P.C. stating that he reviewed the seven (7) bid proposals received on January 6, 2023 for Contract No. C13-22R 1,4-Dioxane and PFOA Treatment Facility at Well 22 – Electrical Construction. JVR Electric, Inc. was the low bidder for the contract with a total bid price of \$1,495,000.00. Based on his findings of the contractor's past and present performances and thorough research of references, and his review of the bid proposals, Mr. Eagan recommended award of the Electrical Construction Contract for the 1,4-Dioxane and PFOA Treatment Facility at Well 22 be made to JVR Electric, Inc. for the total amount of \$1,495,000.00. Upon Notice of Award, the awarded Contractor shall be requested to provide all specified insurance and bonds. Additionally, the awarded Contractor shall submit the MWBE and SDVOB Utilization Plans no more than ten (10) business days after the Notice of Award to ensure compliance with the NYSEFC Program requirements. After discussion, and upon motion duly made and seconded, it was

RESOLVED that Contract No. C13-22R 1,4-Dioxane and PFOA Treatment Facility at Well 22 – Electrical Construction be awarded to JVR Electric, Inc. of Ronkonkoma, New York the lowest responsible bidder with a bid that conforms to the bid specifications of the District in the bid amount of \$1,495,000.00 to be charged to Capital Account No. H-8397-020-2303 Well No. 22 AOP System.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
Commissioner Abbate		AYE				
Commissioner Asmus		AYE				
Commissioner Beckerle		AYE				

Mr. Merklin then presented to the Commissioners a letter from Mr. Anthony Eagan, of D&B Engineers and Architects, D.P.C. stating that he reviewed the five (5)

bid proposals received on January 6, 2023 for Contract No. C14-22R 1,4-Dioxane and PFOA Treatment Facility at Well 22 – Mechanical Construction. Philip Ross Industries, Inc. was the low bidder for the contract with a total bid price of \$4,343,000.00. Bid prices from one (1) contractor was corrected for unit price calculation errors. Despite correction, this does not change whether Philip Ross Industries, Inc. is the low bidder. Based on his findings of the contractor’s past and present performances and thorough research of references, and his review of the bid proposals, Mr. Eagan recommended award of the Mechanical Construction Contract for the 1,4-Dioxane and PFOA Treatment Facility at Well 22 be made to Philip Ross Industries for the total amount of \$4,343,000.00. Upon Notice of Award, the awarded Contractor shall be requested to provide all specified insurance and bonds. Additionally, the awarded Contractor shall submit the MWBE and SDVOB Utilization Plans no more than ten (10) business days after the Notice of Award to ensure compliance with the NYSEFC Program requirements. After discussion, and upon motion duly made and seconded, it was

RESOLVED that Contract No. C14-22R 1,4-Dioxane and PFOA Treatment Facility at Well 22 – Mechanical Construction be awarded to Philip Ross Industries, Inc. of Melville, New York the lowest responsible bidder with a bid that conforms to the bid specifications of the District in the bid amount of \$4,343,000.00 to be charged to Capital Account No. H-8397-020-2303 Well No. 22 AOP System.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
Commissioner Abbate		AYE				
Commissioner Asmus		AYE				
Commissioner Beckerle		AYE				

3. Kirby Lane AOP: Work is behind schedule primarily due to delays associated with electrical and controls. A plan is being developed to maintain the operation of the existing facility through August 25<sup>th</sup> when the Compliance Deferral expires. A meeting with the electrical equipment vendor was held on January 17<sup>th</sup> to discuss options to expedite the equipment.
4. Southwoods Road - New Well and Treatment Facility:
  - a. Well Construction Contract: Waiting for water quality results from lab prior to commencing with final pump test.
  - b. Treatment Facility Contracts: Preconstruction meeting is scheduled for January 20<sup>th</sup>.
5. PTAS at the Wheatley Rd. Site (Well 6 & 16): Contractual Substantial Completion date was March 4, 2022. Project was delayed due to electrical equipment delivery delays. A meeting has been scheduled with the

Electrical Contractor to discuss an approach to allow the facility to be started up, tested, and operated before the summer.

6. Split Rock Tank Booster Station: Work is behind schedule. Contract Substantial Completion is February 16<sup>th</sup>. A delay letter is being prepared. The one-year anniversary repair work has been completed. D&B is working with the contractor to close out the contract.
7. Wells 18 & 19 Drainage Improvements: Punch list status will be verified prior to contract closeout.
8. Syosset Tank Replacement: Landmark will be completing the concrete pedestal this week or next, weather permitting. Waiting for a response from SHPO on the tank demolition alternatives analysis. Draft contract documents for demolition of the existing tank will be submitted to JWD in February.
9. Pump Rehabilitation Projects:
  - Well 31: Waiting for Maintenance Bond to close out contract.
  - Well 17: Punch list completed. Waiting for Maintenance Bond to close out contract.
  - Well 29: Well, is being cleaned before pump is installed.
  - Well 18 & 19: Work will begin after Well 29 is returned to service.
10. Convent Road Facility Architectural Improvements: D&B has submitted the 60 percent design documents for JWD review.
11. Water Service Gooseneck Replacement: Waiting for NCDH review and approval. After discussion, the Board directed Mr. Merklin to notify the Contractor that their contract will not be renewed for 2023. Upon receipt of approval from NCDH, the contract documents will be updated and rebid.
12. Glen Head and Roosevelt Avenue Water Main Improvements: The Developer has indicated that the water main easement is available if it can be shared with PSEG. D&B has requested a meeting with PSEG and is waiting for their Real Estate Group to provide their availability. A proposal will be prepared for design after the easements have been negotiated.
13. Main Plant SCADA Improvements: A punch list has been sent to the Contractor.
14. Transfer Switch Replacements: D&B is evaluating whether the existing generator has the capacity to operate Well 3 along with the ancillary

equipment at Wells 3 & 4 prior to authorizing additional work to be performed. Well 29 start up will be scheduled for the same day as Well 3. D&B is evaluating a request for contract modification for additional work at Well 3.

15. Juneau Pump Station Improvements: It is anticipated that the MCC will be ready for installation in the fall of 2023.

16. Merry Lane Water Main As-Builts: Preparation work has started for the water main delineation.

17. Wheatley Tank Altitude Valves: Bids will be received on February 10<sup>th</sup>.

18. Requirements Contracts:

- i. Pump Maintenance: Bids will be received on February 24<sup>th</sup>.
- ii. Road Restoration: Contract execution is underway.
- iii. Water Distribution System Repairs: Contract execution is underway.
- iv. Electrical Improvements: Bids will be received on January 20<sup>th</sup>, 2023.
- v. Liquid Sodium Hypochlorite: Bids will be received on January 20<sup>th</sup>, 2023.

Mr. Merklin then requested that the Commissioners revise the bid date (set last meeting) for Contract No. G3-23R Requirements Contract for Well and Booster Pump Maintenance from February 10, 2023 to February 24, 2023. After discussion, the Commissioners revised the bid date for Contract No. G3-23R for Friday, February 24, 2023 at 9:00 a.m.

19. BIL Grant Applications: The funding list has been published. Funding was not approved for Well 3 AOP or Wells 18 & 19 PFAS. Still waiting for announcement on funding for Lead Service Line Replacements (LSLRP).

20. GAC Media Purchase Contract: The pilot protocol has been submitted to NCDH.

21. Wheatley Tank Assistance: D&B submitted a proposal for Anniversary Inspection.

Mr. Merklin then presented to the Commissioners a proposal for engineering services for the Anniversary Inspection of the Wheatley Road Elevated Tank for the not to exceed fee of \$7,000.00 which includes initial data collection and drawing review, site evaluation and post-site evaluation. A separate proposal will be prepared for observation and inspection of repairs pending the outcome of the

anniversary inspection. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal to provide engineering services for the Anniversary Inspection of the Wheatley Road Elevated Tank for the not to exceed fee of \$7,000.00 to be charged to Capital Account No. H-8397-002-2303 Wheatley Tank Rehabilitation.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
Commissioner Abbate		AYE				
Commissioner Asmus		AYE				
Commissioner Beckerle		AYE				

22. Wheatley Tank Antenna Installations: This work will be performed when the tank is removed from service in March.

23. 2022 AWQR: This work will commence upon receipt of water quality data.

#### Status of Proposed Development Projects – Engineers Report

1. Jericho Plaza Hotel: D&B has commenced with the evaluation.
2. Engineers Country Club: D&B is performing the evaluation of the request for water availability.
3. Marriott at Milleridge Inn Water Main: The developer has indicated that they wish to proceed with executing an agreement for the construction of the water main.
4. Farnum Subdivision: No action until authorized by the Board.
5. Oaks at Mill River: The cost estimates will be sent to the developer upon receipt of funds.
6. Tam O'Shanter Development: Waiting for developer response regarding April 25, 2022 letter from NCDH about conditional letter of water availability.
7. Laurel Hollow Service Area Extension: No new activity since the last report.
8. Woodbury Hills Development: No new activity since the last report.
9. Silver Path Estates Request for Water Availability: No new activity since the last report.

10. Country Club Developers: No new activity since the last report.

11. Aveley Residential Development: No new activity since the last report.

Mr. Carman informed the Commissioners that due diligence period for the purchaser to complete a Phase I study had run out and that the purchaser has not produced any findings. As set forth in the contract of sale, the sale of 160 Robins Lane should take place on or about March 1, 2023.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period January 4, 2023 to January 17, 2023 had been completed and all were within state and federal standards.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of January 17, 2023. 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 January 4, 2023 and January 17, 2023. After discussion, the report was ordered filed.

Miss Cannon then informed the Commissioners that she received a notification from First National Bank of Long Island (FNBLI) that the interest rate has increased for 2.5%.

Miss Cannon then requested authorization to transfer \$10,220,000.00 from the Districts bank accounts with FNBLI to NYCLASS to maximize interest earned as listed below:

Investment Account with FNBLI to NYCLASS GF Investment Account	\$5,000,000.00
Investment Account with FNBLI to NYCLASS Reserve Account	\$2,200,000.00
Construction Fund with FNBLI to NYCLASS Construction Fund	\$3,000,000.00

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

RESOLVED that the Commissioners authorize Miss Cannon to transfer the funds from FNBLI to NYCLASS as listed above.

VOTE                      AYES:              3              NOES:              0              ABSTENTIONS:              0

Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Miss Cannon reported that Ms. Barbato will be paid \$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 second 50% accrual payout in the amount of \$69,500.23 be made to Jane Barbato on the pay date of January 20, 2023. 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 2023.

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

Miss Cannon then requested the Commissioners authorize the following budget transfer(s):

To fund advertisement of additional bid notices for 12-31-2022, (nunc pro tunc)

A-8310-000-4460	Advertising	\$ 2,000.00
A-8310-000-4420	IT Computer Services	(\$ 2,000.00)

After discussion, and upon motion duly made and seconded, the Commissioners authorized the budget transfer(s).

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			AYE			

Miss Cannon informed the Commissioners that she received the following two (2) requests to waive penalties:

1. Account No. 50059900-0 in the amount of \$64.40
2. Account No. 55471400-0 in the amount of \$64.72

Miss Cannon informed the Commissioners that no penalty on any of the above accounts have been waived in the last five (5) years. After discussion, the Commissioners authorized Miss Cannon to waive penalties on the accounts listed above and instructed her to send revised bills to the consumers, (nunc pro tunc).



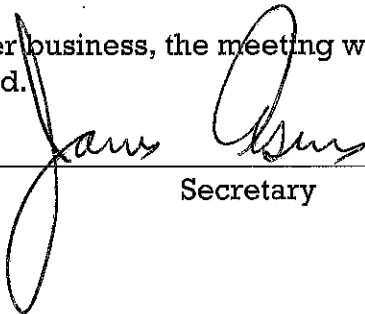
Miss Cannon informed the Commissioners that the District Staff discovered a billing error on two accounts while checking into a beacon leak alert last week. Apparently, the original meter change paperwork had the incorrect endpoint sticker placed on the work orders resulting in the accounts being billed incorrectly going back to 2019. Miss Cannon informed the Commissioners that after discovering this error, a search was done over all accounts for any additional errors. District Staff is still reviewing the list of possible affected accounts. The Commissioners authorized Miss Cannon to correct the billing on both accounts and any additional accounts with billing errors found in the search going forward.

Pending agenda items list was read and filed.

The Board went into Executive Session at 9:40 am to discuss pending litigation matters and personnel and reentered at 9:55 am with no action taken.

The following claims were then audited and approved for payment: General Fund #27125 to #27149, Construction Fund #2639 to #2643 and Installation Fund #4164 to #4165.

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

  
Secretary