

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

held remotely via telephone conference, on the 4th day of January 2023, at 8:30 A.M.

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

Reorganization Meeting was then held as follows:

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

RESOLVED that titles for Commissioners are to be as follows:

Thomas A. Abbate	- Chairman
James Asmus	- Secretary
Patricia A. Beckerle	- Treasurer

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon informed the Commissioners that she had received a Retainer Schedule of Fees from Mr. Ingham for legal services for the period of January 1, 2023 thru December 31, 2023 at the rate of \$3,750.00 per month for routine retainer work; \$225.00 per hour for special projects; \$300.00 per hour for general litigation and ordinance enforcement; and \$550.00 per contract. Miss Cannon indicated the rates were the same as 2022 rates. After discussion, the Commissioners accepted and approved the Fee Schedule for fiscal year 2023.

Upon motion duly made and seconded, it was

RESOLVED that Michael F. Ingham of Carman, Callahan & Ingham be retained as Attorneys for the District for the year 2023.

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 Retainer Agreement from D&B Engineers and Architects for engineering services for the period of January 1, 2023 to December 31, 2023 that included a fee of \$12,000.00 per year for basic engineering services (a 100% increase from last years fee). After discussion, the Commissioners accepted and approved the Retainer Agreement for fiscal year 2023.

Upon motion duly made and seconded, it was

RESOLVED that D&B Engineers and Architects, P.C. be retained as Engineers for the District for the year 2023.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon informed the Commissioners that at their December 13, 2022 Board Meeting they approved executing an Engagement Letter with Cullen & Danowski, LLP to audit the District's books and records for the fiscal year ended December 31, 2022 including updating the District's fixed asset records and calculating depreciation expense in the amount not to exceed \$27,300.00. Upon motion duly made and seconded, it was

RESOLVED that Cullen & Danowski, LLP be retained as Auditors for the District for the year 2023.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Upon motion duly made and seconded, it was

RESOLVED that Salerno Insurance Brokerage be retained as Insurance Broker for the District for the year 2023.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon informed the Commissioners that she received the Managed IT Agreement with Maureen Data Systems (MDS) effective January 1, 2023 for the monthly fee of \$2,254.00 (with current number of devices, users and workstations). After discussion, the Commissioners accepted and approved the IT Managed Service Agreement for 2023. Upon motion duly made and seconded, it was

RESOLVED that Maureen Data Systems (MDS) be retained as the IT Service Providers for the District for the year 2023.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Upon motion duly made and seconded, it was

RESOLVED that the Oyster Bay Guardian be designated as the official newspaper for the District for the year 2023.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Upon motion duly made and seconded, it was

RESOLVED that the following bank(s) were designated as depositories for the Jericho Water District for the year 2023:

First National Bank of Long Island – Woodbury Branch
New York Cooperative Liquid Assets Securities Systems (NYCLASS)

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Discussion was held on the District's current policy for procurement procedures. Miss Cannon distributed a revised policy to the Commissioners which highlighted the proposed changes to the policy. After discussion and review by the Commissioners, it was decided that the District's 2023 Procurement Policy with revisions and Uniform Guidance Purchasing Policy Addendum be adopted

Upon motion duly made and seconded, it was

RESOLVED that the 2023 Procurement Policy and Uniform Guidance Purchasing Policy Addendum is hereby adopted by the Board of Commissioners, (Attached to the end of these minutes). It was

FURTHER RESOLVED that in accordance with NYS General Municipal Law Section 104(b) paragraph (f), the Jericho Water District appoints Superintendent Peter F. Logan and Business Manager Kathleen Cannon as Procurement Officers for 2023.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Discussion was then held on the District's current Policy for Investment Procedures. Miss Cannon distributed a revised policy to the Commissioners which highlighted the proposed changes to the policy. After discussion, and review by the Commissioners, it was decided that the District's Investment Procedures Policy, be adopted.

Upon motion duly made and seconded, it was

RESOLVED that the 2023 Investment Policy is hereby adopted by the Board of Commissioners, (Attached to the end of these minutes).

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon informed the Commissioners that the New York State Comptroller had promulgated and amended reporting rules for "elected and appointed officials" under 2 NYCRR 315.4 that requires the District to adopt a Standard Work Day Resolution at each Reorganization Meeting. After discussion, and upon motion duly made and seconded, it was

RESOLVED the attached 2023 Standard Work-Day Resolution was adopted, (Attached to the end of these minutes).

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon advised the Commissioners that the adopted Budget for 2023 included rate increases for water usage for both inside and outside water rates. After discussion, and upon motion duly made and seconded, it was

UNANIMOUSLY RESOLVED that, effective April 1, 2023, Sec. 3-B, Rates, under Article III entitled Deposits, Rates and Charges appearing in the Rules and Regulations heretofore enacted by this District change rates from the rates set on January 5, 2022 and the rates are set and adopted as follows:

Section 3-B Rates
Jericho Water District Water Rates for 2023
Effective Date April 1, 2023

\$12.50 Minimum per quarter	
0 to 10,000 gallons	\$1.25 per 1,000
10,001 to 30,000 gallons	\$1.31 per 1,000
30,001 to 100,000 gallons	\$2.50 per 1,000
100,001 to 200,000 gallons	\$3.31 per 1,000
Over 200,000 gallons	\$3.75 per 1,000

Water supplied outside the boundary of the District:

\$16.30 Minimum per quarter	
0 to 10,000 gallons	\$1.63 per 1,000
10,001 to 30,000 gallons	\$1.70 per 1,000
30,001 to 100,000 gallons	\$3.25 per 1,000
100,001 to 200,000 gallons	\$4.30 per 1,000
Over 200,000 gallons	\$4.88 per 1,000

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon presented to the Commissioners the 2023 Price List and Fee Schedule to be updated as part of Article XIV of the District's ordinances. After Discussion and upon motion duly made and seconded it was

RESOLVED that the District set the 2023 Price List and Fee Schedule and update Article XIV of the District Ordinances accordingly. A complete price list for water supplies sold by the District will be kept on file. (2023 Price List and Fee Schedule for Article XIV of District Ordinance is Attached to the end of these minutes).

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon then advised the Commissioners that the District was required to appoint a FOIL Officer. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Business Manager be appointed the District's FOIL Officer for the year 2023. It was

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon then presented to the Commissioners the Jericho Water District Listing of Files by Subject Matter for the fiscal year ended December 31, 2022. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners adopt the Jericho Water District Listing of Files by Subject Matter for the fiscal year ended December 31, 2022 and instructed Miss Cannon to post the list on the District's website. (Attached to the end of these minutes)

Miss Cannon then advised the Commissioners that the District was required to appoint a Records Management Officer. After Discussion and upon motion duly made and seconded, it was

RESOLVED that the Assistant Business Manager be appointed the District's Records Management Officer for the year 2023.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon then requested the Commissioners approve that the Board of Commissioners and designated staff become members of and attend workshops, conferences and or meetings, (if applicable), for the following organizations:

New York State AWWA
Nassau Suffolk Water Commissioners Association (NSWCA)
Long Island Water Conference (LIWC)
NYS Government Finance Officers Association (NYSGFOA)
New York State Society of CPAs

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

RESOLVED that the Commissioners authorize the membership to and the attendance of workshops, conferences and meetings to the above listed organizations for Commissioners and or designated staff with attendance at NYS GFOA and NYS Society of CPA events requiring Board of Commissioner approval prior to attendance.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Upon motion duly made and seconded, it was

RESOLVED that the District adopt a Calendar of Board Meetings for the year 2023. (Attached to the end of these Minutes).

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

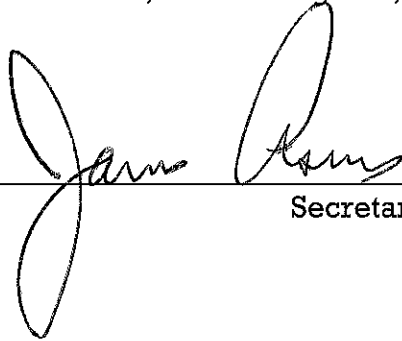
Upon motion duly made and seconded, it was

RESOLVED that the District reaffirm the petty cash fund in the amount of \$100.00 and the cash draw in the amount of \$200.00 and directs that said fund be utilized in accordance with the requirements of Town Law §215 subparagraph (1-c).

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

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



Secretary



2023 SCHEDULE OF BOARD MEETINGS

Date of Meetings

January 4, 2023	Reorganization Meeting
January 18, 2023	
February 1, 2023	
February 15, 2023	
March 1, 2023	
March 15, 2023	
April 5, 2023	
April 19, 2023	
May 3, 2023	
May 17, 2023	
June 7, 2023	
June 21, 2023	
July 5, 2023	
July 19, 2023	
August 2, 2023	
August 16, 2023	
September 6, 2023	
September 7, 2023	Public Hearing on 2024 Budget 9:00AM
September 20, 2023	
October 4, 2023	
October 18, 2023	
November 1, 2023	
November 15, 2023	
December 6, 2023	
December 12, 2023	Commissioner Election & Certification Meeting 9:00PM
December 20, 2023	

NOTE: All meetings are at 8:30AM unless otherwise noted.

Jericho Water District Procurement Policy Adopted 1/4/2023

Purpose: Adopt procurement policies and bidding thresholds to assure the prudent and economical use of public monies in the best interests of the taxpayers of the Jericho Water District.

The District shall make an initial determination whether the procurement contract or contract for public works exceeds the competitive bidding thresholds established by NYS General Municipal Law. In making such determination, the Board of Commissioners (BOC) may utilize recommendations of the District Engineer, Superintendent and/or Business Manager regarding the estimated cost of the contract. These recommendations may be based upon professional experience and history of this particular type of contract.

All contracts subject to competitive bidding shall be let in conformance with existing statutory and case law. Contracts under the bidding thresholds of General Municipal Law Sec. 104(b) shall be awarded as set forth herein.

In accordance with NYS General Municipal Law Section 104(b) paragraph (f), the Jericho Water District identifies the individual or individuals responsible for purchasing as follows:

Peter F. Logan, Superintendent
Kathleen Cannon, Business Manager

Note: Assistant Superintendent, Peter J. Ranaldo, IV and Assistant Business Manager, Amanda Blum may authorize purchase requisitions and sign purchase orders in the absence of the Superintendent and or the Business Manager.

The Commissioners of the District, as detailed in this Procurement Policy will review purchase contracts of individual items between \$5,000 and \$20,000 and Public Works Contracts between \$10,000 and \$35,000 to ascertain whether or not it is in the best interest of the District to enter into a formal competitive bid process in lieu of the three (3) written quotes in order to assure the prudent and economical use of public monies in the best interests of the taxpayers of the District.

The District has determined that the competitive bidding process would not be in its best interest to undergo competitive bidding for minor items because it would not be cost effective. Utilizing the time of skilled District employees to document purchases of minor goods and services would be costlier than any savings which might be realized through the 104(b)-procurement process. Accordingly, the Business Manager and Superintendent are authorized to use their best business discretion to contract for individual items under the threshold limits set forth below. Goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner as to assure the prudent and economical use of public moneys in the best interest of the taxpayers; to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting an

internal policy and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, section 103 or of any other general, special, or local law. As indicated, three verbal or written quotations must be documented if the District anticipates that the cost of each item will exceed the indicated monetary thresholds set forth below:

PURCHASE CONTRACTS OF INDIVIDUAL ITEMS BELOW \$20,000

Under \$3,500	At the discretion of Superintendent or Business Manager
\$3,500-\$7,500	Three verbal, written, e-mailed or faxed quotes
\$7,500-\$20,000	Three written quotes (option to request quotes be returned in a sealed envelope to Superintendent or Business Manager by a certain date & time at the discretion of the Superintendent or Business Manager)

PUBLIC WORKS CONTRACTS FOR INDIVIDUAL PROJECTS BELOW \$35,000

Under \$5,000	At the discretion of Superintendent or Business Manager
\$5,000-\$10,000	Three verbal, written, e-mailed or faxed quotes
\$10,000-\$35,000	Three written quotes (option to request quotes be returned in a sealed envelope to Superintendent or Business Manager by a certain date & time at the discretion of the Superintendent or Business Manager)

At each Board meeting the Business Manager shall print a Purchase Order by Expense Account Report, listing all purchase orders issued between Board meetings for the Commissioners to review. The purchase order report shall identify which purchase orders were issued at the discretion of the Superintendent and Business Manager and which purchase orders were issued via the competitive bidding process, (i.e. JWD Contract, NYS Contract, County Contract, Town Contract, Purchasing Alliance, etc.).

For Public Works Contracts between \$10,000 and \$35,000 the District shall require a written contract be prepared by the District's attorney, Carman, Callaghan & Ingham and executed by both the District and the vendor, unless requirement waived by the Commissioners.

Public Works Contracts shall be registered with the New York State Department of Labor for the purpose of obtaining a prevailing wage schedule. The District shall notify all vendors interested in submitting a quote, (verbal, faxed, e-mailed or written), that the District is required to pay prevailing wages as determined by the Department of Labor and provide the vendor with the NYS DOL registered PRC#.

If a contract is awarded to other than the lowest bidder, the District's Engineer, Superintendent or Business Manager shall provide a written justification and documentation detailing the information why the bid should be identified as "non-responsive" or the

bidder identified as "non-responsible". This information shall become part of the bid file. The following may be considered by the Board in making such award:

1. The vendor's inability to provide items as specified.
2. Inability or failure to deliver materials or services in a timely fashion as required by the bid documents.
3. The substitution of alternate items for those bids without informing the District whether or not such substitutions are equal to or better than the item specified.
4. Varying in any way from prescribed procedure and/or specifications for the performance of the subject service or contract, without the expressed permission of the District.
5. Products which do not meet the District's standards as determined through its own testing and evaluation procedures, whether conducted in-house or using third-party analysis/testing. Failure to provide independent testing documentation which substantiates whether substitute equipment or products meet or exceed bid specifications.
6. The past performance and/or reliability of the bidder.
7. The failure or difficulty of the bidder in providing proper certificates of insurance or performance bonds, when required.
8. Use by vendors or subcontractors that provide inferior products or services.
9. Failure to provide adequate references, and/or loss of certification from material suppliers as a qualified installation contractor.
10. Failure to provide samples of alternate bid items when requested.
11. Failure to provide a complete bid.
12. Bid Mistake – Error in compiling bid.

Consultation with the Board's legal counsel is recommended if the lowest bidder is not selected, prior to award.

The competitive bidding requirements under General Municipal Law, section 103 do not prohibit the District from awarding a contract when only one bid is received. However, the Commissioners reserve the right to reject the sole-bid in order to obtain competitive pricing. If the Commissioners award a contract when a sole-bid is received, the District's Engineer, Superintendent or Business Manager will document in the project file the number of vendors/contractors that requested or were sent bid packages and reasons for not submitting said bid.

By prior experience the District has determined that the quotation process authorized by GML 104 (b) is not cost effective in the procurement of automotive repairs that require a vendor to inspect and examine the vehicle at his own premises before they can quote the cost of the repair. The Commissioners determined that the delivery off-site to the first vendor and then re-delivery off-site to the second and a third vendor would be a significant drain upon District resources in both time and manpower and is not financially practical compared to the approximate cost of each repair. Therefore, for automotive repairs the Superintendent and or Business Manager are authorized to obtain repairs in his or her business discretion on an as needed basis without verbal or written quotations in an amount not to exceed \$5,000 per repair and an annual aggregate amount of \$20,000.

Also, by prior experience the District has determined that the quotation process authorized by GML 104 (b) is not cost effective for several general categories of minor

goods and services. Accordingly, the Superintendent and the Business Manager are authorized to use their best executive discretion to purchase the items set forth below providing that they do not exceed the annual aggregates set for each category. Even in those situations where minor items are procured without formal quotation through executive discretion of the Superintendent or the Business Manager, the primary purpose of the policy is to obtain quality goods and services at the lowest reasonable price

<u>CATEGORIES</u>	<u>ANNUAL AGGREGATE LIMIT</u>
Water Conservation including, pamphlets and rulers, showerheads, dye and toilet bags	\$ 5,000.00
De-icer and salt de-icer	\$ 5,000.00
Sand & Gravel Cold Patch (State, County, Town or other local government contracts should be utilized if vendors are located within a 15-mile radius of the District).	\$ 10,000.00
Hardware, nuts & bolts, lumber batteries & light bulbs	\$ 10,000.00

Additionally, the District has determined that the quotation process authorized by GML 104 (b) is not cost effective in the procurement of saw cuts for road openings. This method requires specialized equipment in addition to having to operate under emergency conditions which would preclude the securing of several quotes.

The Superintendent will use his best efforts to purchase and stock automobile, truck parts and fluids from vendors who have been pre-authorized under New York State bid, Nassau County bid, the Town of Oyster Bay bid, or any other authorized government agency allowed pursuant to General Municipal Law 103 and 104. To the extent that the District needs cannot be accommodated by purchasing under other government agency bids, the Superintendent and Business Manager may exercise their executive discretion to procure automobile and truck parts where the annual aggregate does not exceed \$20,000.

The District shall document the solicitation and receipt of proposals or quotations submitted in response thereto. Documentation shall be maintained for each noncompetitive procurement proposal, containing a record of all solicitations, contracts, and negotiations. The file shall also contain a copy of the requisition or purchase order authorizing the procurement.

As required, reasonable efforts will be made under the appropriate circumstances of each job to solicit a minimum of three verbal or written alternative quotations for the proposed contract. If the District is unable to obtain the required number of proposals or quotations, the attempts made at obtaining the proposals will be documented in writing. The failure to obtain the minimum proposals will not bar the procurement. The unintentional failure to fully comply with the provisions of this General Municipal Law, Section 104-b, shall

not be grounds to void action taken or give rise to a cause of action against the Jericho Water District or any officer or employee thereof.

The District recognizes the value of catalogue bidding and requirements contracts as effective methods of soliciting competitive prices for select items. The District authorizes such bidding for the following contracts: paving repairs; water supplies; maintenance of instrumentation and controls; electrical repairs, well & booster pump maintenance & repairs, emergency water distribution system repairs, tank and alarm maintenance & repairs and the purchase of water meters, endpoints and lids.

In an effort to reduce administrative costs and increase efficiencies, on August 1, 2012 NYS added a new subdivision 16 to GML Section 103 also known as the "Piggy-backing Law" that authorized political subdivisions and districts therein to purchase apparatus, materials, equipment & supplies and to contract for services related to the installation and maintenance or repair of those items, through the use of contracts let by United States or any agency thereof, any State or any political subdivision or district therein. Procurements that are below the monetary thresholds set forth in Section 103 are exempt from the requirements of GML 103 and are therefore subject to the local governments own procurement policy that are adopted pursuant to GML Section 104-b. Accordingly, the District elects to adopt the "Piggy-backing Law" and its rules and regulations referred to above into the Procurement Policy of the District. The "Piggy-backing Law" allows the District to take advantage of competitive pricing obtained by purchasing alliances whose contracts have been let by the United States or any agency thereof, and state or any political subdivision or district therein. Therefore, the District elected to join and to utilize the following cooperative purchasing alliances:

1. The Cooperative Purchasing Network (TCPN) – Adopted 11/21/2012
2. Sourcwell (formerly, National Joint Purchasing Alliance (NJPA) – Adopted on 5/15/13
3. Omnia Partners (formerly National Intergovernmental Purchasing Alliance, National IPA) – Adopted on 9/16/15
4. Long Island Water Conference Purchasing Cooperative (LIWCPC) – Adopted on 5/15/13
5. National Cooperative Purchasing Alliance (NCPA) – Adopted on 11/6/19
6. Region 8 Education Service Center Purchasing Alliance (TIPS) – Adopted on 4/7/21

The District recognizes the statutory exceptions to this procurement policy set forth in General Municipal Law, Sec. 103 and Sec. 104, and State Finance Law, Sec. 160(8), (SDVOB), Sec. 163(6), (MWBE) and Sec. 175(b) (goods made by the blind), as well as true leases, and sole source procurements. It also recognizes the ability to purchase from alternative purchasing sources authorized by NYS General Municipal Law including certain Federal GSA contracts and preferred sources listed as part of the NYS Preferred Source Program.

When the need for the procurement of goods or services arises out of an unforeseen occurrence or condition, whereby circumstances affecting public building, public property, the life, health, safety or property of the inhabitants of a political subdivision, are involved, the District reserves to itself its rights to forego this procurement policy in emergency circumstances pursuant to General Municipal Law, Sec. 103(4). The Board of Commissioners

shall pass a resolution declaring an emergency, prior to the purchase, if feasible. Thereafter, the Board may make emergency purchases, without competitive bidding or obtaining price quotations. The District further reserves to itself its statutory and common law rights to reject any and all bids which the Board of Commissioners, in its sole discretion, determines are not in the best interests of the District.

Professional services require special or technical skill, training, or expertise and are declared exempt from the bidding process. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a professional service fits into this category, the District shall take into consideration the following guidelines: (1) whether the services are subject to State licensing or testing requirements; (2) whether substantial formal education or training is a necessary pre-requisite to the performance of the services; and (3) whether the services require a personal relationship between the individual and District official. Professional or technical services shall include, but not be limited to, the following services: services of general counsel; labor counsel; services of a retained engineer; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; water sampling; printing and website services involving extensive art work; and computer software or programming services for customized programs, service involved in substantial modification and customizing of pre-packaged software and managed IT services.

The District recognizes that printing and graphic design services for the newsletter, stationary and website requires a certain amount of expertise and artwork. Accordingly, the District will secure these goods and services using a request-for-proposal process.

Documentation and explanation are required whenever a contract is awarded to other than the lowest responsible quote.

District staff will provide proof or compliance with procurement and purchasing guidelines with claims submitted for audit by the Commissioners. Claim packets will include all documentation necessary for Commissioners to approve payment including a purchase order, invoice, proof of receipt of goods or services, and any additional supporting documentation the Commissioners may require in order to approve a claim for payment.

Note: Original invoices are preferred; however electronic invoices and invoices received via e-mail and facsimile will be accepted if accompanied by an invoice that includes a unique invoice number that can be entered into the District's accounting system to avoid duplicate payments from occurring.

All purchase orders in amounts greater than \$5,000 shall be signed by a Commissioner prior to orders being placed. Blanket Purchase Orders greater than \$5,000 require the signature on the initial encumbrance and for any increases to that encumbrance greater than \$5,000, but not on the individual payments.

The Board of Commissioners shall annually review its procurement procedures and when needed, update this policy and procedures.

The Business Manager shall be responsible for conducting an annual evaluation of the effectiveness of the procurement policy and procedures and an evaluation of the control procedures established to ensure compliance with the procurement policy and shall be responsible for reporting back to the Board of Commissioners.

The unintentional failure to comply fully with the provisions of General Municipal Law, section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Jericho Water District or any officer or employee thereof.

Uniform Guidance Purchasing Policy Addendum

The entity will follow the procedures for all federal purchases as required by the Code of Federal Regulations (CFR) Sections 200.320 to 200.327. This includes federally funded projects that are passed through the State of New York.

The objective of the policy is to ensure that:

- Oversight must be maintained to ensure contractors perform in accordance with terms/conditions/specifications of contracts
- Contracts are awarded only to responsible contractors
- Records must be sufficiently maintained to detail the history of procurement
- Transactions are conducted in a manner providing full and open competition
- Potential bidders are not being precluded from qualifying during the solicitation period (including local preference policies)
- Avoid acquisition of unnecessary or duplicative items

In addition, the entities' purchasing procedures will include the following requirements in accordance with the CFR:

CFR Section	Requirement	Procedures
200.321	Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.	The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible, including:
		1 Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
		2 Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
		3 Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
		4 Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
		5 Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
		6 Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

CFR Section	Requirement	Procedures
200.322	Domestic preferences for procurements.	As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all sub awards including contracts and purchase orders for work or products under this award.
200.323	Procurement of Recovered Materials	State Requirement
200.324	Contract cost and price	<p>The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.</p> <p>The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.</p> <p>Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under subpart E of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.</p> <p>The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.</p>

CFR Section	Requirement	Procedures
200.325	Federal awarding agency or pass-through entity review	<p>The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.</p>
		<p>The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates</p>
200.326	Bonding requirements.	<p>For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:</p> <p>a A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.</p> <p>b A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.</p>

CFR Section	Requirement	Procedures
		<p>c A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.</p>
200.327	Contract provisions	<p>The non-Federal entity's contracts must contain the applicable provisions described in appendix II to this part.</p> <p>A Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.</p> <p>B All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.</p> <p>C Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b)</p> <p>D Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction").</p>

CFR Section	Requirement	Procedures
		E Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5).
200.327	Contract provisions	F Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit
		<p data-bbox="927 648 1484 1035">organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.</p> <p data-bbox="870 1041 1484 1388">G Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). V</p> <p data-bbox="870 1394 1484 1749">H Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." S</p>

		I Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
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Uniform Guidance Purchasing Policy Addendum

Uniform Guidance defines 5 methods of procurement and the requirements for each type. This schedule has been adjusted to reflect the requirements from NYS GML. The entities' policy is to follow the procedures as required and as described in the following table:

Procurement Type	Dollar Threshold	Procedures
Micro-purchase – Individual Items	Under \$3,500.00	No bid or quote required if price is considered to be reasonable. Reasonableness could be determined by comparing the price to past purchases or other published prices and/or requesting prices from more than one vendor.
Micro-purchase – Public Works Individual Projects	Under \$5,000.00	No bid or quote required if price is considered to be reasonable. Reasonableness could be determined by comparing the price to past purchases or other published prices and/or requesting prices from more than one vendor.
		When possible, purchases will be distributed equitably among a range of qualified vendors

Small purchases - Purchase Contracts	\$3,501- \$7,499	Three verbal, written, e-mailed or faxed quotes
Small purchases - Purchase Contracts	\$5,001- \$9,999	Three verbal, written, e-mailed or faxed quotes
Medium purchases - Purchase Contracts	\$7,500- \$19,999	Three written quotes (option to request quotes be returned in a sealed envelope to Superintendent or Business Manager by a certain date & time at the discretion of the Superintendent or Business Manager)
Medium purchases - Purchase Contracts	\$10,000- \$34,999	Three written quotes (option to request quotes be returned in a sealed envelope to Superintendent or Business Manager by a certain date & time at the discretion of the Superintendent or Business Manager)
		Price does not need to be deciding factor

Sealed bid - Purchase Contracts	\$20,000 and greater	Bids must be formally solicited from an adequate number of vendors (2 or more)
Sealed bid - Public Work Contracts	\$35,000 and greater	Bids must be publicly advertised
		Bids/RFP package will provide sufficient response time

			The request for bid or proposal will clearly define details and scope of the project, the items or services requested from the bidder including the timeline
			Bids will be opened publicly
			Bids will be awarded based upon firm fixed price contract made in writing to the lowest responsive and responsible bidder
			Any or all bids may be rejected by the District for based upon cancellation of the project, change in needs or any other valid reason. The reason for rejecting all bid must be formally documented

	Dollar		
Procurement Type	Threshold		Procedures
Competitive proposal - Purchase Contracts	\$20,000.00 and greater		Bids must be publicized and identify all evaluation factors and their relative importance
Competitive proposal - Public Work Contracts	\$35,000.00 and greater		Bids must be solicited from an adequate number of qualified sources
			The award will be based upon a written method for conducting technical evaluations of the proposals and selecting recipients
			Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered

Noncompetitive proposal (sole source)			May be used only when the item is available only from a single source, the public exigency or emergency will not permit a delay resulting from competitive solicitation, federal awarding agency or pass-through entity expressly authorizes its use in response to a written request, or after solicitation of a number of sources competition is determined inadequate
			Justification of the use of noncompetitive proposal must be documented
			Research on availability from multiple sources must be documented
			Documentation of authorization must be retained
			Any initial solicitations from multiple sources which are concluded to be inadequate, and such reasoning, must be documented

This policy was developed based upon the online CFR requirements as of April 21, 2021, and the requirements listed under section 103 and 104-B of General Municipal Law of New York State.

Also note the following form from the Office of the New York State Comptroller's Office for additional guidance.

<https://www.osc.state.ny.us/files/local-government/publications/pdf/seekingcompetition.pdf>

**Jericho Water District
Investment Policy
Adopted: 1/4/2023**

PURPOSE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

- to conform with all applicable federal, state, and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer and the Business Manager who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept and other relevant information including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and level of authority for key individuals involved in the investment program.

PRUDENCE

All participants in the investment process shall seek and act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Jericho Water District to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

DIVERSIFICATION

Jericho Water District will make every effort to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling when it is in the best interest/beneficial to the District and its consumers.

INTERNAL CONTROLS

The Chief Fiscal Officer or Business Manager having custody of money is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition that transactions are executed in accordance with management's authorization and recorded properly and are managed in compliance with applicable laws and regulations.

DESIGNATION OF DEPOSITARIES

<u>Depository Name</u>	<u>Maximum Amount</u>
First National Bank of Long Island	\$ 25,000,000
New York Cooperative Liquid Assets Securities System (NYCLASS)	\$ 25,000,000

The banks and trust companies that are authorized for the deposit of moneys will be (re)authorized annually at the Board of Commissioners reorganization meeting in January.

SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company of the Jericho Water District, including all demand deposits, certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by one of the following:

1. A pledge of "eligible securities" with an aggregate "market value", (as provided by General Municipal Law § 10), that is at least equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. A pledge of pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within the State at the bank or trust company.
3. A "letter of credit" payable to the Jericho Water District as security for the payment of 140 percent of the aggregate amount of deposits and the agreed upon interest, if any. An "eligible letter of credit" shall be an irrevocable letter of credit issued in favor of the Jericho Water District, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the

principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.

4. An "eligible surety bond" payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
5. An "irrevocable letter of credit" issued in favor of the Jericho Water District by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as a security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of the Jericho Water District shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro-rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities (or pro-rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the Jericho Water District, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Jericho Water District or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by the entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rate portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or a pro-rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, the Jericho Water District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing for any other deposit or other bank liability. The agreement

shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreement shall also include all other provisions necessary to provide the Jericho Water District with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral and may contain other provisions that the governing board deems necessary.

PERMITTED INVESTMENTS

As authorized by General Municipal Law § 11, the Jericho Water District authorizes the Chief Fiscal Officer and Business Manager to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations issued pursuant to LFL Art. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Jericho Water District;
- Obligations of the State of New York;
- Money Market Accounts
- Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r.
- New York Cooperative Liquid Assets Securities System (NYCLASS) local government investment pool. Collateral as required by New York State General Municipal Law.

All investment obligations shall be payable or redeemable at the option of the Jericho Water District within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the Jericho Water District within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained and shall be secured as provided in this document.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the Jericho Water District authorized to be invested may be comingled for investment purposes, provided that any investments of comingled moneys shall be payable or redeemable at the option of the Jericho Water District within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law § 11. The separate identity of the sources of these funds shall always be maintained and income received shall be credited on a pro rate basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Jericho Water District shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Jericho Water District. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer and Business Manager are responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

PURCHASE OF INVESTMENTS

The Chief Fiscal Officer and Business Manager are authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board of Commissioners.
3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the Board of Commissioners.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Jericho Water District by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law §10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Jericho Water District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing for any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected

interest in the securities and the agreement may also contain other provisions that the governing board deems necessary. The security and the custodial agreements shall also include all other provisions necessary to provide the Jericho Water District with a perfected interest in the securities.

The Chief Fiscal Officer and Business Manager where authorized, can direct the bank or trust company to register and hold the evidence of investments in the name of the nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law § 10(3)(a) and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

PROCEDURE FOR INVESTING

1. Analyze balance in checking accounts weekly to determine if funds are available. Maintain required deposit balance in checking accounts.
2. Determine amount of checks to be drawn for week.
3. Estimate amount of revenue to be received for week.
4. Funds available for investing will be split between Money Market accounts and NYCLASS local government investment pool, reserving the option to invest in T-Bills and CDs through FNBLI.

ONLINE BANKING

In order to perform business effectively, the Jericho Water District has approved online banking as a means to have real time information regarding bank balances and transactions. In addition, the movement of cash balances between bank accounts can be done electronically in order to have the funds readily available for the payment of District obligations. By virtue of this Investment Policy, the Board of Commissioners, the Superintendent, Business Manager, Assistant Business Manager and Supervisor of Water Conservation and Billing will have access to online banking. Main functions will be limited based on position and consideration of adequate segregation of duties.

ANNUAL REVIEW AND AMENDMENTS

The Jericho Water District shall review this investment policy annually and it shall have the power to amend this policy at any time.

APPENDIX A

SCHEDULE OF ELIGIBLE SECURITIES

1. Obligations issued or fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.

2. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

3. Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

4. Obligations issued by state (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

5. Zero coupon obligations of the United States government marketed as "Treasury strips".

6. Repurchase agreements are authorized subject to the following restrictions:

- a. All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- b. Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- c. Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- d. No substitution of securities will be allowed.
- e. The custodian shall be a party other than the trading partner.

STANDARD WORKDAY RESOLUTION

WHEREAS, the Commissioners of the Jericho Water District are eligible to participate in the New York State Retirement System; and

WHEREAS, the New York State Comptroller has been delegated the authority to promulgate rules and regulations for the reporting of service and salary information for all system participants under Retirement and Social Security Law §34; and

WHEREAS, the Comptroller has previously adopted reporting rules in 2 NYCRR 315; and

WHEREAS, the Comptroller has now promulgated amended reporting rules for "elected and appointed officials" under 2 NYCRR 315.4 effective January 1, 2009; and

WHEREAS, the District is covered by these new rules by virtue of the elected positions of its three Commissioners;

NOW THEREFORE, in compliance with the Comptroller's Reporting Rules and upon motion duly made and seconded, be it

Unanimously Resolved as follows:

FIRST, the standard workday for the elective office of Water District Commissioner for the purposes of retirement reporting for the year ending December 31, 2023 shall be six (6) hours per day;

SECOND, a record of work activity (ROA) for a period of three (3) consecutive months and/or records of the actual hourly time worked by the elected Commissioners, shall be utilized for reporting time earned in the retirement system and these written time records shall be maintained by the District.

THIRD, the elected officials encompassed by the standard six (6) hour workday and their respective term expiration dates are (see detailed schedule attached)

FOURTH, a copy of this resolution shall be posted on the official signboard of the Town Clerk of the Town of Oyster Bay for a minimum of thirty (30) days;

FIFTH, a copy of this resolution shall be posted on the official signboard of the Jericho Water District and the District's website for a minimum of thirty (30) days:

SIXTH, after said thirty (30) day posting period has expired a certified copy of this resolution and an affidavit of posting shall be filed with the New York State Comptroller.

Jericho Water District
Location Code: 50034
2023 Standard Work Day Resolution
Adopted Resolution on January 4, 2023

Title	Name	Last Four Digits Social Security	Tier One	Standard Work Day	Term Begins	Term Ends	Record of Activity Results	Participates in Time Keeping
Commissoner	Thomas A. Abbate	XXX-XX-8659		6 Hours	1/1/2022	12/31/2024	2.85	
Commissioner	James Asumus	XXX-XX-7903		6 Hours	1/1/2023	12/31/2025	2.36	
Commissioner	Patricia A. Beckerle	XXX-XX-9117	X	6 Hours	1/1/2021	12/31/2023	N/A	

Article XIV of District Ordinances
Policies and Procedures

Jericho Water District
2023 Price List and Fee Schedule
Adopted by the Board Of Commissioners on January 4, 2023

Service	January 2023 Fee
Fireline Demand Charges (size of connection from district main)	
2" Diameter	44.00
3" Diameter	62.00
4" Diameter	125.00
6" Diameter	367.00
8" Diameter	733.00
Hydrant Permit Fee (For Tree Sprayers)	350.00
Hydrant Permit Fee (Construction)	350.00
Flow Test	400.00
Testing of Meters at Consumer's Request:	
3/4 and 1 inch meters	100.00
1 1/2 and 2 inch meters	250.00
Connection Fee 1" Service	900.00
Connection Fee 1 1/2 " to 2" Service	1,000.00
Connection Fee Larger than 2"	1,200.00
Sprinkler Permit	150.00
Bounced Check Fee	20.00
Bid Deposit Fee (when required)	100.00
Plan Review Fee for RPZ	250.00
Fine for Untested Backflow Device - Non-residential	250.00

Non-Access Fine (Remotes & Meter Pit Conditions) 250.00
 Section 12C Violations of Ordinances, Rules and Regulations

Charge for Damaged/Broken/Lost Cellular Endpoint 119.35
 (Price based on current Water Meter Bid plus 25% markup-updated April 1st each year)

Charge for Damaged/Broken/Lost Radio Read Endpoint 178.46
 (Price based on current Water Meter Bid plus 25% markup-updated April 1st each year)

Charge for Damaged/Broken Water Meter

3/4"	178.48
1"	256.08
1.5"	737.14
2"	900.09
3"	2,566.50
4"	3,120.00
6"	6,983.43

(Price based on current Water Meter Bid plus 25% markup-updated April 1st each year)

Charge for Damaged/Broken/Lost Composite Meter Pit Lid

C53	102.50
X43	72.50
A3H	66.25
X33	71.25
Ford #10	178.75

(Price based on current Water Meter Bid plus 25% markup-updated April 1st each year)

Deposit for Irrigation Meter 500.00

Service Department Charges for Property Damage

Straight time	40.00/hr
Overtime	60.00/hr
Doubletime	80.00/hr
Truck Charge	25.00/hr
Saw Cut Machine Charge	75.00/hr
Backhoe Charge	50.00/hr
Arrow Board Charge	75.00/hr

Cost to Pump Water Rate 1.98
 (Price changes every April 1st, based on Prior Year Revenue and Expenitures - BOC Approved)

Water Supplies sold by Jericho Water District Various
 (Price based on current Water Meter Bid plus 25% markup-updated April 1st each year)

**Jericho Water District
Listing of Files by Subject Matter
As of 12-31-2022**

Pursuant to Public Officers Law §87(3)(c), the following is a reasonably detailed current list by subject matter, of all records in the possession of the Jericho Water District, whether or not available under the Freedom of Information Law, Public Officers Law, Article 6. This list will be updated annually and was last updated for fiscal year ended December 31, 2022.

General

1. Official Minutes
2. Board Meeting Agendas
3. Proof of Notice of Publication
4. General Correspondence
5. Election Files
6. Operational Policies
7. FOIL Requests
8. Easements & Deed Records
9. Ordinances
10. Insurance Policies

Archive Records/Record Management

1. Inventory of Records
2. Retention Schedule

Fiscal

1. Financial Reports
 - a. Audited Annual Reports
 - b. External Audits
2. Monthly, Quarterly and Other Periodic Reports
3. Banking Records
4. Debt Service Reports & Schedules
5. Grant Award and Payment Records
6. Annual Budgets
7. Payments Claims & Warrants
8. General Accounting
 - a. General Ledger – summary of receipts and disbursements
 - b. Subsidiary Ledgers-providing details of General Ledger Accounts
 - c. Journal Entries and Budget Transfers
9. Procurement Records and Contracts
 - a. Bid Awards and Contracts
10. Billing Records

Human Resource Records

1. Payroll Records
2. Personnel Records
3. Civil Service Records

Plant Operations

1. Water Service and Connection Records
2. Plant Maintenance Records
3. Water Sampling, Lab Testing and Reporting Records
4. Service Department Work Records
5. Cross Connection Records
6. Disaster Preparedness Plans