

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 20th day of September 2023, at 8:30 A.M.

Present:	Commissioners	Thomas A. Abbate James Asmus Patricia Beckerle
	Attorneys	Michael F. Ingham Gregory W. Carman Jr.
	Superintendent	Peter F. Logan
	Business Manager	Kathleen Cannon
	Asst. Business Manager	Amanda Blum
	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:
 - a. Construction Accident: Old trusses have been removed. New trusses are on site. Waiting for OSHA report regarding the accident. D&B received the second structural inspection report and is reviewing.
 - b. Electrical equipment delivery date is scheduled for February 2024, which will result in a best-case Substantial Completion on May 1, 2024. The existing facility will remain operational until the new treatment is approved for operation.

2. Well 22 Facility Improvements & AOP Treatment: D&B has responded to NCDOH and NYSDOH comments on contract documents. Approvals will be provided shortly. MWBE documents will be processed upon NYSDOH approval above. On site construction has commenced. Discussion regarding late submittals for critical equipment. On September 7th, 2023, Mr. Merklin drafted and sent a letter to the president of East End Group (EEG), Mr. James Funfgeld, the general contractor for this project. The letter stated that while the notice to proceed had been issued in March of this year, EEG had not fully taken advantage of the additional allowance time in the contract, and that any delays in completing their portion of the project would be a result of their own lack of action.

3. Kirby Lane AOP: Updated sampling protocol has been sent to NCDOH for approval. The goal is to start sampling and testing at the end of September. D&B has requested a cost proposal for the installation of a diffusion well to address on-site blowoff drainage issues.
4. Southwoods Road - New Well and Treatment Facility:
 - a. Well Construction Contract: D&B has prepared a draft letter to Layne and their bonding company addressing their failure to be responsive, well alignment problems and the issues with water quality.
 - b. Treatment Facility Contracts: D&B has addressed comments from NCDOH. An approval is expected shortly. Foundation and floor slab construction is underway.
5. PTAS at the Wheatley Rd. Site (Well 6 & 16): The MCC was scheduled to be delivered this month, however a solid date has not been provided. D&B is scheduling a follow up meeting with the EC and the equipment vendor. Contractors are addressing punch list items and additional work requested by JWD.
6. Split Rock Tank Booster Station: Tentative delivery of pump station is mid-November.
7. Syosset Tank Replacement: Tank filling and sampling process is underway. JWD is awaiting sample results. Substantial completion anticipated by the end of September or early October. Bids will be received for the demolition contract on September 29th.
8. Pump Rehabilitation Projects:
 - Well 29: Working on contract close out.
 - Well 18: Anticipated pump delivery in mid-October.
 - Well 19: Pump installation will be scheduled in mid-October.
 - Well 26 & 30: D&B is coordinating initial pump tests.
9. Convent Road Facility Architectural Improvements: D&B is preparing final draft contract documents.
10. Water Service Gooseneck Replacement: D&B is preparing updated public outreach documents to address NCDOH's verbal comments.
11. Water Main Improvements:
 - Well No. 11 Water Main Repairs: D&B is preparing a proposal for water main improvements in the vicinity of Well 11.
 - LIE Service Road Connection: Markout and survey work is underway.

- National Grid Water Main Relocation: Work will commence upon completion of a developers agreement and receipt of payment from National Grid.
- Roosevelt Avenue: D&B is working with JWD to develop an alternative route to replace the 14-inch main.

12. Main Plant SCADA Improvements: Contract close out underway.

13. Transfer Switch Replacements: Contract close out underway.

14. Juneau Pump Station Improvements: Outdoor equipment has shipped from the manufacturer, but no delivery date has been given. A schedule for installation has been requested. Indoor MCC scheduled for delivery and installation in January 2024.

15. Merry Lane Water Main Delineators: Permanent markers must be purchased and installed by JWD.

16. Wheatley Tank Altitude Valves: Coordinating work with a planned shutdown for tank inspection in October.

17. Grant Opportunities:

- a. Waiting for announcement on BIL funding for Lead Service Line Replacement (LSLRP)
- b. WIIA applications have been submitted.

18. Wheatley Tank Anniversary Inspection: This work will be performed in the fall of 2023.

19. Compliance Exemption: The District is holding a public hearing today at 9:00am. Public notice was published in the September 15th issue of the Oyster Bay Guardian and posted on the District's website.

20. Requirements Contracts:

- a. D&B is preparing the following requirements contract for bidding on October 20th:
 - i. GAC Vessel Pre-purchasing
 - ii. Instrumentation and Controls – draft to be submitted to JWD this week.
 - iii. PBS/CBS Compliance – draft to be submitted to JWD this week.
- b. GAC Media Purchasing: Schedule for this work will likely follow above contracts. Contract was sent to JWD for review.

- c. D&B is assisting the District with procurement options for the purchase of hydrogen peroxide, and the possibility of piggybacking on Hicksville's contract.
- d. D&B is assisting the District in a SCADA Managed Service Agreement as a Professional Service. A preliminary meeting was held with the District's managed IT provider for the office network.

Mr. Merklin then requested that a bid date be set for the Contract No. C1-24 Requirements Contract for the Purchase of Granular Activated Carbon System, G1-24 Requirements Contract for CBS/PBS Tank Alarm Maintenance, and Contract No. G2-24 Requirements Contract for Maintenance of Instrumentation and Controls. Superintendent Logan requested a bid date be set for Roof Repair at District Headquarters, Contract No. G10-22. After discussion, the Commissioners set a bid date for all the above for Friday, October 20th, 2023 at 9:00AM.

21. PFAS Treatment at Wells 18, 19 & 29: D&B is preparing a draft BODR for review by JWD.

22. Jericho Tank Rehabilitation: The scope memorandum has been finalized and detailed design is underway. Schedule is to have 60 percent contract documents before the end of the year.

23. Evaluation of System Capacities: D&B is working with JWD to develop a detailed scope of work.

24. Election Database: D&B has submitted a proposal to update the Nassau County Election List of Registered Voters data within the District's GIS database.

Mr. Merklin then presented the Commissioners with a proposal from D&B Engineers and Architects D.P.C. for assistance with election mapping and Nassau County Board of Election registered voters list in the total not to exceed amount of \$2,300.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal for assistance with election mapping in the not to exceed fee of \$2,300.00 to be charged to Account No. A-8340-000-4430 Engineering Services.

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

25. GIS Improvements: D&B is working with JWD to develop a scope of work and proposal for enhancements to the GIS database.

Status of Proposed Development Projects – Engineers Report

1. Engineers Country Club: Payment has been received for the additional evaluation work. D&B will start this work shortly.
2. Country Club Developers: Work will commence upon receipt of authorization from the developer.
3. Cove Edge Road Property Owners: D&B will evaluate the feasibility of taking over the existing water mains and installing individual meters after payment has been received. The District reached out to C.E.R.O.P.A. legal counsel, Elisabetta Coschignano, asking for a contact name so that a meeting could be set up.
4. Jericho Plaza Hotel: JWD has sent the letter of water availability.
5. Tam O'Shanter Development: JWD sent a conditional letter of water availability.
6. Marriott at Milleridge Inn Water Main: No action required.
7. Farnum Subdivision: JWD has sent a letter of water availability. Design of water mains and loop connections will be discussed as part of the developer's agreement.
8. Laurel Hollow Service Area Extension: No new activity since the last report.
9. Silver Path Estates Request for Water Availability: No new activity since the last report.
10. Aveley Residential Development: No new activity since the last report.

Mr. Ingham reported that he had prepared a memorandum regarding the filing of election petitions under Town Law Section 215 (20). The law states that petitions must be filed at least 30 (thirty) days prior to the date of the election, therefore, this year election petitions must be received by November 9th, 2023 due to the Veteran's day being on Friday November 10th, 2023.

At 9:00 A.M., Commissioner Abbate suspended the regular meeting of the Board of Commissioners and opened the public hearing to hear and consider comments on the New York State Department of Health August 25, 2023 Exemption from the Maximum Contaminant Levels for 1,4-dioxane. A public notice was placed in the Oyster Bay Guardian on September 15, 2023. It was further noted that the hearing notice was placed on the District's website and the District's own sign board located just outside the main gate.

At 9:10 A.M., Commissioner Abbate noted that there were no speakers and closed the hearing.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period September 6, 2023 to September 19, 2023 had been completed and all were within state and federal standards.

Mr. Logan then presented to the Commissioners a preliminary Contract Modification from WEB Construction Corp. for Contract No. C4-22 AOP at Merry Lane – General Construction for additional labor, material, services and equipment costs for demolition, removal and dumping of the existing asphalt paving and to furnish and install new asphalt paving in those areas at a cost of approximately \$37,318.58. H2M will prepare a formal change order for review and approval by the Commissioners at a future board meeting.

Mr. Logan presented to the Commissioners Contract Modification No. 11 from J Anthony Enterprises for Contract No. C8-20 PTAS @ Wheatley Road Facility Wells 6 & 16 – General Construction in the amount of \$45,700.00 to excavate and prepare approximately 6190 sq. ft of asphalt repairs including saw cutting, removing of asphalt if needed and grading and to place approximately 130 tons of binder at 3" thick. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve Contract Modification No. 11 for C8-20 PTAS @ Wheatley Road Facility Wells 6 & 16 – General Construction in the total not to exceed amount of \$45,700.00 to be charged to Capital Project Account No. H-8397-010-2303 PTAS at Well Nos. 6 & 16 (thereby increasing the overall contract price including prior change orders from \$2,877,735.02 to \$2,923,435.02).

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

Mr. Logan discussed with the Commissioners a potential change order for Contract No. C6-22 Merry Lane AOP Mechanical Construction with Philip Ross Industries for the upsizing of the existing tank overflow pipe from 8" to 16" for the estimated fee of \$20,000.00. H2M will prepare a formal change order for review and approval by the Commissioners at a future board meeting.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of September 18, 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 September 2, 2023 and September 18, 2023. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners the Budget to Actual Reports for the month ended on August 31, 2023. After discussion, the report was ordered filed.

Miss Cannon then presented to the Commissioners a schedule of consumer accounts with unpaid balances as of May 31st, 2023, in the amount of \$366,104.39. As required the list was forwarded to the Town of Oyster Bay, Town of North Hempstead, and the Nassau County Assessor's Office for the inclusion on the 2023/2024 Tax Roll. In addition, it will be uploaded into the Nassau County's Direct Assessment Portal. After discussion, the report was ordered filed.

Miss Cannon informed the Commissioners that the Town of Oyster Bay Budget Hearing has been scheduled for October 17, 2023.

Miss. Cannon reported that Miss Cannon filed the required 2024 NYS Tax Cap Compliance form with the Office of the State Comptroller on September 8th, 2023.

A discussion was held regarding the procedures for the upcoming District Election for Commissioner scheduled for Tuesday, December 12th, 2023. Voters will enter through the side door of the headquarters building, will stop at three stations (check in, receive ballot, cast ballot) and leave out of the main lobby door. After discussion and upon motion duly made and seconded the following resolution was presented:

RESOLUTION REGARDING THE 2023 ANNUAL ELECTION

WHEREAS, Section 213-a. of the Town Law provides for a system of registration for Water District Elections, and

WHEREAS, a register of eligible water district voters must be prepared prior to Water District Elections, and

WHEREAS, such register shall be prepared from the names of persons who have registered with the Nassau County Board of Elections.

BE IT RESOLVED that the voter registration books and records of the Nassau County Board of Elections prepared by it for use in the District's said annual elections shall constitute the Register of Voters of the Jericho Water District for use at the District's said election on Tuesday, December 12th, 2023, and

BE IT FURTHER RESOLVED that the Chairperson of the Election and each Election Inspector and Ballot Clerk be compensated for their respective services in preparing the Voters Registration Register and annual attendance at the Annual Election.

BE IT FURTHER RESOLVED that should the Chairperson or any Inspector and Ballot Clerk be unable or refuse to assume or perform his or her duties, then the Board of

Water Commissioners may provide for an alternate Chairperson or Inspector and Ballot Clerk who shall assume the office of Chairperson or Inspector and Ballot Clerk, and

BE IT FURTHER RESOLVED that the Board of Water Commissioners may provide for any clerical help which they may deem necessary, and such clerical help, if any, shall perform their duties under the direction and control of the Chairperson and Inspectors of Election.

BE IT FURTHER RESOLVED that pursuant to Article 13, Section 212 of the Town Law, an election of the Jericho Water District will be held at the Water District's headquarters, 125 Convent Road, Syosset, New York, on Tuesday, December 12th, 2023 between the hours of 4:00 p.m. and 9:00 p.m. for the purpose of electing one Water Commissioner for a term of three (3) years beginning on January 1, 2024 and ending on December 31, 2026, and

BE IT FURTHER RESOLVED that the following persons shall be entitled to vote for Water Commissioner at the aforesaid election: a person who shall have been registered to vote with the Nassau County Board of Elections and whose name has been placed on the District's Register pursuant to Section 213-a of the Town Law and who shall have resided in the Jericho Water District for at least thirty (30) days next preceding said election to be held on Tuesday, December 12th, 2023, and

BE IT FURTHER RESOLVED that pursuant to Section 215(20) of the Town Law, candidates for the office of Water Commissioners shall file their names and nominations in petition form with the Secretary of the Board of Water Commissioners of the Jericho Water District at its headquarters at 125 Convent Road, Syosset, New York no later than the close of business at 4:00 p.m. on or before Thursday, November 9th, 2023 and that such nomination petitions must be subscribed by at least twenty-five (25) registered voters of the Jericho Water District, and

BE IT FURTHER RESOLVED that a legal notice to the registered voters and residents of the Jericho Water District setting forth this Resolution be published one time in the official newspapers of the Jericho Water District; posted on the websites of the District and the Town of Oyster Bay; placed on the signboard of the Town; and conspicuously posted in three or more public locations within the District.

The foregoing Resolution was duly moved and seconded, and the following vote was cast:

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

Miss Cannon then requested authorization to hire NewGen Strategies & Solutions (formally Municipal & Financial Services Group) to complete an update to the five-year comprehensive water and tax rate analysis for the budget year 2025 through 2029 for the not to exceed fee of \$19,960.00. Municipal & Financial Services Group (MFSG) performed the District's original water and tax rate analysis back in 2018/2019 which included recommendations through the 2024 budget. After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize the hiring of New Gen Strategies & Solutions to conduct a five-year water and tax rate analysis update for the not to exceed fee of \$19,960.00 to be charged to Operating Account No. A-8310-000-4480 Other Professional Services.

VOTE AYES: 3 NOES: 0 ABSENTIONS: 0

Commissioner Abbate AYE
 Commissioner Asmus AYE
 Commissioner Beckerle AYE

Miss Cannon then requested authorization for her and Ms. Blum to attend the NYS GFOA Fall Seminar on October 13, 2023 at Trento in Farmingdale and the Holiday Seminar on December 7, 2023 at the Irish Coffee House, East Islip for a cost of \$95.00 per person. After discussion, the Commissioners authorized Miss Cannon and Ms. Blum to attend the conference.

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

<u>To correct error D&B Invoice Paid from H Fund (TOB and Bond) to A Fund (nunc pro tunc)</u>		
A-8340-000-4430	Engineering Services	\$ 3,500.00
A-8340-000-4480	Other Professional Service	(\$ 3,500.00)

Miss Cannon reported that the District will return the funds to the Town of Oyster Bay paid out of the bond in error to correct their records as well.

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

RESOLVED, that the Commissioners approve the above listed budget transfer(s).

VOTE AYES 3 NOES 0 ABSENTIONS 0

Commissioner Abbate AYE
 Commissioner Asmus AYE
 Commissioner Beckerle AYE

Miss Cannon then presented to the Commissioners an email from Ms. Carrie Adduci, Esq. from Certilman Balin Attorneys complimenting District employee Vicky Emma for being a pleasure to deal with when obtaining final water meter readings for her various property closings. She went on to say in her email that Vicky is overall pleasant, accommodating, prompt, thorough and proactive. The Commissioners were delighted to hear such positive feedback from Ms. Adduci and the email was ordered filed in the employee's personnel file.

Miss Cannon then presented to the Commissioners with a quote from A.C. Schultes for major repairs to the booster pump pulled from the Juneau Booster Station in the amount of \$6,875.00 which will be used as a spare. Miss Cannon explained that the work to remove the existing booster pump and replace with a spare on the shelf was done under the District's Requirements Contract No. G3-23R for Well and Booster Pump Maintenance; however, the refurbishment repair work was not included as line items in the requirements contract and would be subject to obtaining three quotes under the District's Procurement Policy. Due to the nature of the work, the District determined that the quotation process authorized by GML 104 (b) is not cost effective in the procurement of the major repairs to the booster pump as it would require a vendor to inspect and examine the pump at their own premises before they could quote the cost of repair. The Commissioners determined that the delivery off-site to the first vendor, and then redelivery off-site to the second vendor and a third vendor would be a significant drain on District resources in both time and manpower and is not financially practical compared to the cost of repair. Mr. Logan informed the Commissioners additional line items will be included in the next Requirements Contract bid for this type of work. Miss Cannon will also review the District's Procurement Policy for potential revisions to present to the Commissioners at a later date. Mr. Ingham mentioned that he thought that the District's current procurement policy did address situations such as this, namely automotive repairs, and it was agreed that this situation, in fact, should be handled in a similar fashion. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize A.C. Schultes to repair the booster pump in the not to exceed amount of \$6,875.00 to be charged to Operating Account No. A-8340-000-2304 Motors & Pumps for Wells.

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

Miss Cannon informed the Commissioners that she received a request for reduction of their third quarter and fourth quarter water bills on Account No. 30113900-0 by the owner due to a leak on main service line which was fixed on August 28th, 2023. Miss Cannon informed the Commissioners that a reduction to these bills would be in line with the District's policy to allow excess water usage, in excess of the three (3) year average

usage, to be charged at a rate equal to the District's cost to pump 1,000 gallons of water. Miss Cannon indicated that all documentation had been received. The adjustment for the third quarter bill resulted in the total water charge being reduced to \$638.26 from \$994.70, a reduction equal to \$356.44. Miss Cannon informed the Commissioners that once the consumers fourth quarter reading is obtained in November, adjustments will be made in the same manner. After discussion, the Commissioners approved the reduction to the consumers third and fourth quarter bills and instructed Miss Cannon to send revised bills.

Miss Cannon reported that the District received back executed renewal letters from all vendors with contracts expiring on December 31, 2023 that could be extended through December 31, 2024 except for one (which will receive a follow up this week).

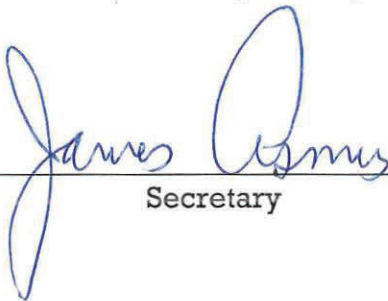
Mr. Logan then provided the Commissioners an update on the Merry Lane AOP project with H2M. Mr. Logan informed the Commissioners that the project is moving along and the new facility should be up and running within the next month and a half.

Pending agenda items list was read and filed.

The Board went into Executive Session at 9:22 am to discuss pending potential litigation and personnel matters and re-entered at 9:38 am with no actions taken.

The following claims were then audited and approved for payment: General Fund #27759 to #27789 and Construction Fund #2682 to #2684.

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


Secretary