

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 4th day of October 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: Waiting for OSHA report regarding the accident on site. Cracks in block identified through structural inspection. D&B is evaluating alternatives to repair the damage. It appears that the building will need additional structural support and bracing before moving forward with construction (at no additional cost to the District). D&B submitted two proposals for additional services related to the accident.

Mr. Merklin then presented to the Commissioners a proposal for engineering services in support of litigation regarding the August 3, 2023 Incident. After review, the Commissioners tabled the proposal, and requested Mr. Merklin inform them of any additional effort spent for their review and approval on a time and expense basis in accordance with annual rates defined in their retainer agreement.

Mr. Merklin then presented to the Commissioners a proposal for engineering services for assistance in response to the August 3, 2023 incident that occurred at the new GAC building located at 66 Stillwell Lane for the not to exceed fee of \$15,000.00. D&B is providing engineering assistance to the District with additional site inspections, report reviews, correspondence, design modifications and as needed services in response to the incident to continue to proceed with the work. After discussion, the Commissioners authorized Mr. Merklin to prepare a formal change modification for their review and

approval under Contract No. C9-22 1,4 Dioxane & PFOA Treatment at Stillwell Lane – Well Nos. 20 & 21 General Construction with Philip Ross Industries to charge the contract for the additional engineering services.

- b. Construction on site is underway again. Working on truss and conduit installation at AOP building. Conducting preliminary sampling of AOP.
 - c. Electrical equipment delivery date is currently 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: Waiting for NCDOH and NYSDOH approvals. Miss Cannon reported that Utilization Plans and Waivers were approved for JVR Electrical and Philip Ross Industries; the EFC requested additional information from East End Group before approval of their Utilization Plans and Waivers. On site construction is underway. Monitoring contractor progress and response to lateness letter and meetings. East End Group responded to Mr. Merklin's September 7th, 2023 claiming delays were due to D&B's request for submitted shop drawings (a standard request on all contracts) which they have yet to produce. Mr. Merklin, Mr. Ingham and Mr. Logan to meet regarding notice to the bonding company for delay claims.
3. Kirby Lane AOP: Controls testing and shake out is scheduled for October. Performance testing will be in November. The initial proposal for a diffusion well to address on-site blowoff drainage issues is higher than expected. D&B will request a separate proposal from the Mechanical Contractor.
4. Southwoods Road - New Well and Treatment Facility:
 - a. Well Construction Contract: Letter to Layne and their bonding company has been sent. Layne was on site on Saturday to evaluate alternatives to straighten the non-plumb upper casing. This issue will most likely delay construction of the treatment facility. To date, the District has not received clean samples for turbidity. D&B recommends allowing Layne to visually inspect the upper casing which was observed to be out of alignment and then perform a plumbness and alignment test. D&B will make this request and include a reasonable deadline for the work to be completed. If the issues with the well cannot be corrected by Layne or Layne is unresponsive, JWD will be forced to bring in an alternate contractor to correct the well, the cost of which will be deducted from Layne's contract.
 - b. Treatment Facility Contracts: D&B has addressed comments from NCDOH. An approval is expected shortly. Foundation, conduit and floor slab construction is underway. Well problems delaying some of the foundation work and impacting the rest of the job.

5. PTAS at the Wheatley Rd. Site (Well 6 & 16): The MCC was scheduled to be delivered last month, but it wasn't delivered. D&B is scheduling a follow up meeting with the EC and equipment vendor. Contractors are addressing punch list items and additional work requested by JWD. Facility is still operational using temporary electrical equipment.
6. Split Rock Tank Booster Station: Tentative delivery of pump station is mid-November.
7. Syosset Tank Replacement: Waiting for water quality test results before submitting certification to NCDOH. Received good BACs, awaiting IOCs and VOCs. NCDOH will be here today at 3:00pm, to inspect the completed works. Currently, the Old Syosset tank has 5 feet in it, if NCDOH approval is given this afternoon, the new tank will be online tomorrow. Paving should be completed next week. Demolition contract bids were received on September 29th. D&B is reviewing the four (4) bids for their recommendation of award.
8. Pump Rehabilitation Projects:
 - Well 29: Contract has been closed out.
 - Well 18: Anticipated pump delivery in mid-October.
 - Well 19: Pump installation will be scheduled in mid-October.
 - Well 26: Scheduling the initial pump test.
 - Well 30: Initial pump test completed. D&B reviewing results.
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:
 - LIE Service Road Connection: Working with property owner regarding water main location and easement.
 - National Grid Water Main Relocation: Work will commence upon completion of a developer's agreement and receipt of payment from National Grid. Received correspondence with National Grid that they are anxious to get started. Mr. Logan and Mr. Ingham will have the developer's agreement prepared by the end of this week.
 - 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: A punch list has been prepared and contract close out is underway.
 14. Juneau Pump Station Improvements: Outdoor switchgear has been installed. Indoor MCC scheduled for delivery and installation in January 2024.
 15. Merry Lane Water Main Delineators: JWD staff is working on preparing and installing permanent markers.
 16. Wheatley Tank Altitude Valves: Contractor will be on site to perform piping work when the tank is out of service later this month. Coordination meeting has been scheduled.
 17. Grant Opportunities:
 - a. Waiting for announcement on BIL funding for Lead Service Line Replacement (LSLRP)
 - b. Waiting for responses on WIIA applications.
 18. Wheatley Tank Anniversary Inspection: Caldwell has retained NUCO to provide rigging for the inspection next week. The tank has been emptied.
 19. Requirements Contracts:
 - a. D&B is preparing the following requirements contract for bidding on October 20th:
 - i. GAC Vessel Pre-purchasing- contract sent to JWD for review
 - ii. Instrumentation and Controls
 - iii. PBS/CBS Compliance
 - iv. Hydrogen Peroxide Purchasing
 - b. GAC Media Purchasing: A draft will be submitted in mid-October.
 - c. SCADA Managed Services will be negotiated as a professional service
- Mr. Merklin then requested that a bid date be set for Contract No. G9-24 Requirements Contract for Supply and Delivery of Peroxide. After discussion, the Commissioners set a bid date for Friday, October 20th, 2023 at 9:00AM.
20. PFAS Treatment at Wells 18, 19 & 29: A draft BODR will be submitted in late October.
 21. Jericho Tank Rehabilitation: A 60 percent draft will be resubmitted in late November.
 22. Evaluation of System Capacities: D&B is working with JWD to develop a detailed scope of work.

23. Election Database: Work will commence upon receipt of updated database from Nassau County.

24. 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: D&B has started the additional evaluation work.
2. Country Club Developers: JWD received email from Marc Underberg authorizing the District to move forward with the project. D&B will proceed with engineering work.
3. Cove Edge Road Property Owners: Coordinating a meeting next week to discuss the proposal with the HOA. D&B can start on evaluation work once JWD receives funds from the HOA.
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, Superintendent Logan, Commissioner Abbate and James Carman, Esq. attended a lengthy Court ordered Settlement Conference before Judge Driscoll in the Merrick lawsuit on Monday, September 25, 2023.

The Board went into Executive Session at 9:13 am to discuss pending potential litigation matters and re-entered at 9:23 am with the following actions taken:

Mr. Ingham was given unanimous authorization by the Board to present a counteroffer to the one made by Merrick at the September 25th Settlement Conference.

Monthly Report of the Superintendent was ordered filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period September 20, 2023 to October 3, 2023 had been completed and all were within state and federal standards.

Mr. Logan requested authorization to set up a separate blanket purchase order in the amount of \$37,000.00 with Pace Analytical for required AOP testing for the start up of the Merry Lane AOP facility to be charged to Capital Project Account No. H-8397-012-2303 Merry Lane AOP System. Mr. Logan explained that the Kirby Lane contract included required AOP testing for start-up. After discussion, the Commissioners authorized the expense.

Change Modification No. 5 from WEB Construction Corp. for Contract No. C4-22 AOP at Merry Lane – General Construction in the amount of \$35,541.50 was tabled pending answers to Commissioner Asmus' questions to Mr. Weber regarding wage rates.

Mr. Logan then presented to the Commissioners a preliminary Contract Modification from Bensin Contracting, Inc. for Contract No. C6-21 AOP at Kirby – Mechanical Construction for labor, material, services and equipment associated with the installation of an Ultrasonic tank level transmitter at a cost of approximately \$9,800.00. D&B will prepare a formal change order for review and approval by the Commissioners at a future board meeting. The Commissioners should also expect an additional change modification for the electrical work associated with the installation from Rolands Electric.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of October 2, 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 19, 2023 and September 29, 2023. After discussion, the report was ordered filed.

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

<u>Increase Budgets for 25% WH from NYS WIIA Grant – Temp Loan (nunc pro tunc)</u>			
Expense	H-8397-011-2303	Kirby Lane AOP	\$1,000,000.00
Revenue	H-0711-5710	Kirby Lane AOP	(\$1,000,000.00)
Expense	H-8397-012-2303	Merry Lane AOP	\$ 500,000.00
Revenue	H-0712-5710	Merry Lane AOP	(\$ 500,000.00)
Expense	H-8397-014-2300	Service Connection	\$1,102,000.00

Revenue	H-0714-5710	Service Connection	(\$1,102,000.00)
Expense	H-8397-018-2303	New 3MG Tank	\$ 398,000.00
Revenue	H-0718-5710	New 3MG Tank	(\$ 398,000.00)

To fund water supplies for taps scheduled in 2023

A-8340-000-4190	Water Supplies	\$ 25,000.00
A-8330-000-4690	Carbon Replacement	(\$ 25,000.00)

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
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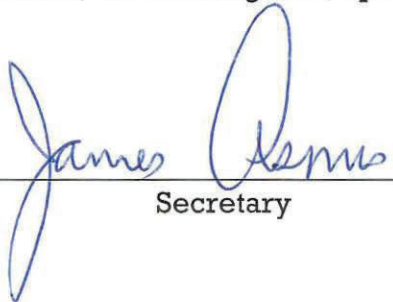
Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Mr. Logan then provided the Commissioners with 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 sometime in November.

Pending agenda items list was read and filed.

The following claims were then audited and approved for payment: General Fund #27814 to #27855 and Construction Fund #2686 to #2687.

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



 Secretary