

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 15th day of November 2023, at 8:30 A.M.

Present:	Commissioners	Thomas A. Abbate James Asmus Patricia Beckerle (absent)
	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. The contractor is installing the additional structural bracing. Truss installation will follow.
 - b. Construction related to site work, AOP, Well 21 and GAC buildings is ongoing.
 - c. Substantial completion is currently estimated to be March 2024 under the best-case scenario.
2. Well 22 Facility Improvements & AOP Treatment: NCDOH and NYSDOH have indicated that official approval documents are forthcoming. Building demolition and excavation is underway. Substantial completion date is September 24, 2024. GC has been slow to commence work.
3. Kirby Lane AOP: AOP commissioning, testing and startup is underway. The goal is to be substantially complete in March 2024. D&B is preparing a significant contract modification document for the proposed blowoff diffusion well installation.
4. Southwoods Road - New Well and Treatment Facility:

- a. Well Construction Contract: Layne has provided a plan to address the incomplete development and water quality issues.
 - b. Treatment Facility Contracts: D&B has addressed comments from NCDOH. An approval is expected shortly. Underground electrical and plumbing installations completed on nitrate treatment side of the building. Concrete slab and masonry work to follow. Large equipment deliveries scheduled for January.
5. PTAS at the Wheatley Rd. Site (Well 6 & 16): MCC delivery currently scheduled for May 2024. Contractors are addressing punch list items and additional work requested by JWD.
 6. Split Rock Tank Booster Station: The Contractor has indicated that the revised shipping date for the booster station is February 19, 2024.
 7. Syosset Tank Replacement: Landmark is performing punch list activities. Contract modification No. 4 (currently on pending agenda list) will be rolled into contract modification for unused line items for contract closeout. Demolition of the existing tank is underway. Schedule is to be mostly completed by the end of this month.
 8. Pump Rehabilitation Projects:
 - Well 18: The existing pump has been removed. Well will be inspected before installing the new pump.
 - Well 19: The existing pump has been removed. Well will be inspected before installing the new pump.
 - Well 26: D&B is reviewing pump test results and will update the design, if needed.
 - Well 30: D&B is reviewing the shop drawing submittal.
 9. Convent Road Facility Architectural Improvements: D&B is finalizing the contract documents for a bid opening January 19th, 2024.

Mr. Logan then requested that a bid date be set for Contract No. C2-24 Convent Road Facility Architectural Improvements. After discussion, the Commissioners set a bid date for Friday, January 19th, 2024 at 9:00AM.

10. Water Service Gooseneck Replacement: D&B is preparing public outreach documents to address NCDOH's verbal comments.
11. Water Main Improvements:
 - LIE Service Road Connection: The property owner has indicated that they do not want to provide an easement. Alternatives are being evaluated.

- National Grid Water Main Relocation: Mr. Ingham and Mr. Logan are drafting a deposit for cost agreement letter.
- Work will commence upon completion of a developer's agreement and receipt of payment from National Grid. Deposit for cost agreement letter, work needs to be done by April, because they are working with PSEG. PSEG will not do the work during peak AC season. Mike & Pete are working on a letter which will be out by the end of the week, requesting a \$30,000 deposit.

12. Main Plant SCADA Improvements: D&B is working with the Contractor to close out the contract.

13. Transfer Switch Replacements: Contractor is addressing punch list and close out items. D&B has submitted a proposal amendment for additional work.

Mr. Merklin then presented to the Commissioners a proposal for additional engineering services for the construction phase of the replacement of the transfer switches at the Main Office, Well 3, Well 29 & Well 30 sites. Mr. Merklin explained that D&B performed additional services including Well 3 Motor Control Center (MCC) modifications, Well 29 Automatic Transfer Switch (ATS) and additional inspection work for the not to exceed fee of \$8,400.00 thereby amending their original proposal (approved by the Board of Commissioners on January 20, 2021) from \$45,000.00 to \$53,400.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve D&B's proposal to provide additional engineering services for the construction phase of the replacement of the transfer switches at the Main Office, Well 3, Well 29 & Well 30 sites in the not to exceed fee of \$8,400.00 to be charged to Capital Project Account No. H-8397-879-2303 Transfer Switch Replacement.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	ABSENT

14. Juneau Pump Station Improvements: MCC scheduled for delivery and installation in January 2024.

15. Wheatley Tank Altitude Valves: Piping work has been completed. Scheduling startup and testing. Temporary SCADA connections will be made until the PTAS project has been completed.

16. Grant Opportunities:

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

17. Wheatley Tank Anniversary Inspection: Discussing repair recommendations with manufacturer.

18. Requirements Contracts:

- a. Contract execution is underway for:
 - i. GAC Vessel Pre-purchasing
 - ii. Instrumentation and Controls
 - iii. PBS/CBS Compliance
- b. Hydrogen Peroxide Purchasing – D&B is confirming that the District can piggyback on the Hicksville Contract. District would save \$0.17/gallon by piggybacking on the Hicksville Contract. D&B will obtain a letter from USP stating that they will honor the piggybacking clause in HWD contract.
- c. GAC Media Purchasing: D&B is preparing an updated draft. Bid date will be set for January 19, 2024.
- d. SCADA Managed Services will be negotiated as a professional service.

Mr. Logan then requested that a bid date be set for Contract No. G4-24 Requirements Contract for Replacement of Granular Activated Carbon. After discussion, the Commissioners set a bid date for Friday, January 19th, 2024 at 9:00AM.

19. PFAS Treatment at Wells 18, 19 & 29: D&B is updating the draft BODR to reflect the recent Drinking Water Quality Council (DWQC) recommendations.

Discussion was held regarding the motions passed by the NYS Drinking Water Quality Council on November 3, 2023. Mr. Merklin informed the Commissioners that Jim Van Horn from D&B is currently reviewing the report and will present the Commissioners with an overview at a future meeting.

20. Jericho Tank Rehabilitation: A 60 percent draft will be submitted in late November.

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

22. Election Database: Work will commence upon receipt of the updated database from Nassau County, which is expected on November 20th.

23. GIS Improvements: D&B met with JWD to finalize the scope of work. D&B is preparing a draft proposal for review by JWD.

24. Wheatley Grading and Paving: D&B prepared a draft proposal for design of final grading and paving of the site.

Status of Proposed Development Projects – Engineers Report

1. Engineers Country Club: D&B is performing the additional evaluation work.
2. Country Club Developers: Bids will be received November 17th.
3. Cove Edge Road Property Owners: D&B will commence work upon receipt of payment 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.

Monthly Report of the Superintendent was ordered filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period November 1, 2023 to November 14, 2023 had been completed and all were within state and federal standards.

Mr. Logan then presented to the Commissioners Contract Modification No. 3 from Bensin Contracting Inc. for Contract No. C11-22 1,4 Dioxane and PFOA Treatment at Stillwell Lane (Wells 20 & 21) for work completed in support of returning wells to service for summer 2023 pumping season including existing chemical safety panel modifications, modifications to existing Well 20 Cla Val Pilot Replacement, purchase and provide spare rupture disks for the site and Well 20 & 21 temporary motors due to electrical equipment delays in the amount of \$51,589.55. The additional work was covered under the \$100,000.00 Item No. 5 Allowance after reallocating the \$100,000.00 Item 4 Allowance to Misc. Work with no overall increase to the cost of the project. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No.3 from Bensin Contracting Inc. for Contract No. C11-22 1,4 Dioxane and PFOA Treatment at Stillwell Lane (Wells 20 & 21) in the amount of \$51,589.55 to be charged to the Misc. Work Allowance line in the contract with no overall increase to the total cost of the project.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

Mr. Logan then presented to the Commissioners Contract Modification No. 12 from J. Anthony Enterprises Inc. for Contract No. C8-20 PTAS at Wheatley Road Facility Well Nos. 6 & 16 for caulking interior joints, door frames, expansion joints, additional painting in the new PTAS building and painting Well 6 building in the not to exceed amount of \$34,770.23. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No. 12 from J. Anthony Enterprises Inc. for Contract No. C8-20 PTAS at Wheatley Road Facility Well Nos. 6 & 16 in the amount of \$34,770.23 to be charged to Capital Project Account No. H-8397-010-2303 PTAS at Well Nos. 6 & 16.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

Mr. Logan then presented to the Commissioners Contract Modification No. 7 Bensin Contracting Inc. for Contract No. C6-21 Kirby Lane AOP – Mechanical Construction for furnishing all material and labor to install a new stilling well at the Kirby Lane booster building in the not to exceed amount of \$7,062.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No. 7 from Bensin Contracting Inc. for Contract No. C6-21 Kirby Lane AOP – Mechanical Construction in the amount of \$7,062.00 to be charged to Capital Project Account No. H-8397-011-2303 Kirby Lane AOP System.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

Mr. Logan then requested a \$5,000.00 blanket purchase order increase for PO No. 23-00145 for Requirements Contract No. G7-23 for Electrical Work at Various Facilities with Bensin Contracting Inc. Miss Cannon then requested that the Commissioners approve the following budget transfer(s) to cover the blanket increase:

A-8340-000-4651	Electrical Repairs	\$5,000.00
A-8340-000-4150	B&M Supplies and Repairs	(\$2,500.00)
A-8340-000-4160	Safety Supplies	(\$2,500.00)

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

RESOLVED that the Commissioners approve the above listed budget transfers and blanket increase.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

Mr. Logan had requested authorization from the Commissioners via email to purchase a new stove and microwave for the Superintendent's Cottage. He informed the Commissioners that he obtained three quotes. The lowest quote obtained was from Home Depot in the amount of \$1,978.85. After discussion, the Commissioners authorized the purchase.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of October 30, 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 October 17, 2023 and October 30, 2023. After discussion, the report was ordered filed.

Miss Cannon then requested authorization to transfer \$350,000.00 from the FNBLI General Fund Checking Account to the FNBLI Investment Account in order to maximize interest. After discussion, the Commissioners authorized the bank transfer.

Miss Cannon then reported that the Bank Reconciliations for the month of October 2023 were completed. After discussion, the Commissioners ordered the Bank Reconciliations filed.

Miss Cannon informed the Commissioners that the District received \$6,049,401.88 from NYS Environmental Facility Corporation under the NYS WIIA Grant program for expenditures initially paid by the Town of Oyster Bay under various bond authorizations.

These expenditures were initially paid through various bond authorizations until Grant Agreements were signed and Utilization Plans were approved. Miss Cannon informed the Commissioners that she and Miss Blum consulted with Rob Darienzo, Director of Finance for the Town of Oyster Bay and Jill Lemke from JKL Municipal Accounting as to what the District's options were and determined that the best course of action for the District was to return the \$6,049,401.88 to the Town of Oyster Bay and request that they increase the District's expenditure budget for the various bond authorizations, increase corresponding revenue budget for grant funding and upon receipt, record the cash and grant revenue; thereby making these funds available for current and future capital projects. After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve returning funds received from NYS EFC under the NYS WIIA program and request the Town deposit said funds in the District's revenue accounts for grant funding and increase the corresponding bond authorization expenditure accounts as follows:

2013 Bond Authorization,	\$ 750,000.00
NYS WIIA Project No. 17861 Nitrate Removal	\$ 750,000.00
2019 Bond Authorization	\$4,064,405.50
NYS WIIA Project No. 19005 -PTAS @ Well 6 & 16	\$2,250,000.00
NYS WIIA Project No. 18686 -Kirby Lane AOP	\$1,814,405.50
2020 Bond Authorization	\$1,234,996.38
NYS WIIA Project No. 18782-Merry Lane AOP	\$1,234,996.38
Grand Total	\$6,049,401.88

FURTHER BE IT RESOLVED that the Commissioners authorize the transfer of \$4,000,000.00 from H-0204-0000 NY CLASS Construction Fund to H-0203-0000 FNBLI Construction Fund checking account in order to be able to return the \$6,049,401.88 to the Town of Oyster Bay.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

Miss Cannon then presented the Commissioners with a letter from Nicole Morton of Salerno Brokerage Corp. (the District's Insurance Broker), regarding the renewal of the District's Worker's Compensation Policy. Ms. Morton obtained three (3) options for review for the upcoming renewal (Utica National Insurance, the District's current insurance provider, PERMA and NYSIF Safety Group). After discussion, the Commissioners opted to renew the District's Workers Compensation policy with PERMA for a two-year period in the

amount of \$68,897.00 for year one and the estimated amount of \$67,084.00 for year two, (rate dependent on loss ratio %) with an effective date of November 29, 2023. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the District renew its worker's compensation policy with PERMA for the period of November 29th, 2023 through November 29th, 2025 to be charged to Operating Account No. A-9040-000-8030 Workers Compensation Insurance. The first-year payment to be made in full at the start of the contract or November 29, 2023 and the second-year payment to be made on November 29, 2024.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

RESOLUTION TO JOIN MUNICIPAL GROUP SELF-INSURANCE PROGRAM

WHEREAS, the Commissioners of the Jericho Water District desire to secure the Jericho Water District's obligation to provide workers' compensation benefits, as applicable, through participating in a group self-insurance program of which the Jericho Water District will be a member,

The Commissioners of the Jericho Water District, duly convened in regular session, and do hereby resolve, pursuant to, and in accordance with the provisions of Section 50 3-a of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows:

Section 1. The Commissioners of the Jericho Water District do hereby resolve to secure the Jericho Water District's obligation to provide workers' compensation benefits, as applicable, through participation in a group self-insurance plan of which the Jericho Water District will be a member;

Section 2. The Commissioners of the Jericho Water District do hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers' compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York;

Section 3. In order to affect the Jericho Water District's membership in said group self-insurance program, the Commissioners of the Jericho Water District hereby authorize to execute and enter into the Public Employer Risk Management Association Workers' Compensation Program Agreement, on behalf of the Jericho Water District.

Section 4. This Resolution shall take effect immediately for coverage effective November 29, 2023.

VOTE AYES 2 NOES 0 ABSENTIONS 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle ABSENT

Discussion was then held on procedures to be followed for the upcoming District Election for Commissioner to be held on Tuesday, December 12, 2023 between the hours of 4:00PM and 9:00 PM at the District Office located at 125 Convent Road, Syosset, NY. Also discussed was the requirement to appoint a District Clerk and Election Inspectors/Poll Workers to constitute the Jericho Water District Election Board. Upon a motion duly made and seconded, it was

RESOLVED that Kathleen Cannon, Business Manager for the District be named District Clerk for the purpose of overseeing the 2023 Election and the following resident Election Inspectors/Poll Workers of the Jericho Water District hereby be appointed to constitute the Jericho Water District Board of Elections for the 2023 Annual District Election; Karen Fletcher, Debra Riccinto, Victoria Emma, Erica Napolitano and Christine Henner, with technical assistance from, Amanda Blum, Jill Galantini and Suet-Yee Huang, and it was

FURTHER RESOLVED that the Commissioners adopt a Jericho Water District Election Policy, (attached to the end of these minutes).

VOTE AYES: 2 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle ABSENT

Miss Cannon then requested the Commissioners to be available to sign two (2) additional check batches on November 29, 2023 and December 28, 2023 in order to process year-end vendor payments. After discussion, the Commissioners agreed to the additional check batches.

Miss Cannon informed the Commissioners that she had received a request from Ms. Emily January of VRC Investigations requesting any and all documents related to ADW Construction at the job at 66 Stillwell Lane, Woodbury. Miss Cannon sent Ms. January a letter acknowledging receipt of her FOIL request within five (5) days of the receipt of her request as required under Section 89 (3) of the Freedom of Information Law, stating that her request will be granted or denied, (in whole or part), within approximately thirty (30) days.

Miss Cannon informed the Commissioners that she had received a FOIL request from Ms. Debra Sauerman of Construction Information Systems on November 8, 2023, requesting the unit pricing of the awarded vendor for Contract No. C1-21, Requirements

Contract for Chemical Bulk Storage and Petroleum Bulk Storage Tank Alarm Maintenance and Repairs. Miss Cannon complied with the request on November 9, 2023.

Miss Cannon informed the Commissioners that the District was notified by the New York State and Local Retirement System (NYSLRS) that their accounting firm, KPMG, chose the District for an audit of census data provided to NYSLRS and used in their calculation of total pension liability and contribution revenue reported in their annual financial statements. The District was contacted by KPMG with a list of requested reports and data for a sample of employees that are members of NYSLRS. Ms. Blum prepared the information and uploaded it to their secure portal before their deadline of Friday, November 17, 2023.

Miss Cannon then presented the Commissioners with an Engagement Letter for the 2023 Audit from the District's accounting firm, Cullen & Danowski LLP requesting a fee of \$28,300.00. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve hiring Cullen & Danowski to conduct the District's Audit for the fiscal year ended 12/31/2023 for the not to exceed fee of \$28,300.00 and authorized Commissioner Abbate and Miss Cannon to execute the agreement on behalf of the District.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

Miss Cannon clarified with the Commissioners that the previously approved renewal of the District Dental Insurance Plan with Cigna Healthcare at a 4.4% increase that was discussed at the October 18, 2023 Board Meeting was incorrect. In receiving the renewal paperwork, Cigna was proposing a 2% increase over the current policy if keeping the annual plan maximum of \$2,000/yr. or an additional 4.4% increase (total increase of 6.4%) over the current policy if changing the annual plan maximum to \$3,000.00. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the District renew its Dental Insurance Plan with an annual plan maximum of \$3,000.00 with Cigna Healthcare effective January 1, 2024 to December 31, 2024 at a 6.4% increase over the current year.

VOTE	AYES	2	NOES	0	ABSENTIONS	0
Commissioner Abbate			AYE			
Commissioner Asmus			AYE			
Commissioner Beckerle			ABSENT			

Pending agenda items list was read and filed.

The following claims were then audited and approved for payment: General Fund #27930 to #27962, Construction Fund #2694 and Installation Fund #4180.

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


Secretary