

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 20<sup>th</sup> day of December 2023, at 8:30 A.M.

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

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.
- b. Facility Construction: AOP equipment installation is underway and building enclosures are nearly completed. Schedule concerns due to electrical equipment delivery. Most equipment will be delivered in January, but ATS will be in April or potentially sometime in 2025. If the electrical equipment is delayed, a backup plan is being developed so the wells can be operated during the peak pumping season in 2024. The facility can be operated without backup power if the ATS is delayed.

2. Well 22 Facility Improvements & AOP Treatment: General Contractor is falling behind schedule. A meeting was held with the Contractor to discuss delays. The substantial completion date is September 24, 2024 per the contract. D&B has been trying to work with the General Construction Contractor (GC) to get a dewatering plan approved. Aside from directing the means and methods of the plan, which the contractor has been asking of the engineers, D&B continues to refer the GC back to the contract documents. The prime contractor feels that it is not their responsibility to submit shop drawings, even though it is in the

contract to do so. The GC has indicated that they did not review the contract specifications prior to submitting their bid. There have been discussions between the District and D&B regarding reporting contractor to the bonding company, with a decision to be forthcoming. Every effort will be made to get the facility operational prior to the summer of 2025.

3. Kirby Lane AOP: AOP commissioning, testing and startup is underway. The best-case substantial complete date of April 2024 appears to be slipping. Additional information will be provided as progress is made.

Mr. Merklin then presented to the Commissioners Contract Modification No. 5 from Rolands Electric, Inc. for Contract No. C5-21, Kirby Lane AOP Electrical Contract and Contract Modification No. 8 from Bensin Contracting, Inc. for Contract No. C6-21, Kirby Lane AOP Mechanical Construction. The change modification reallocates \$42,101.00 from Roland Electric's General Allowance budget to Bensin's General Allowance budget in order to fund the new diffusion well (Change Modification No. 10 for C6-21 as outlined below). After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve Contract Modification No. 5 from Rolands Electric, Inc. for Contract No. C5-21, Kirby Lane AOP Electrical Contract and Contract Modification No. 8 from Bensin Contracting, Inc. for Contract No. C6-21, thereby reducing the General Allowance budget for C5-21 by \$42,101.00 (decreasing the total contract price to \$3,393,799.00) and adding \$42,101.00 to the General Allowance budget for C6-21 (increasing the total contract price to \$3,889,644.25).

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

Mr. Merklin then presented to the Commissioners Contract Modification Nos. 9-10 from Bensin Contracting for Contract No. C6-21, Kirby Lane AOP – Mechanical Contract as follows:

1. Contract Modification No. 9: To reallocate \$100,000.00 from the fire suppression allowance budget to the General Allowance budget in order to complete the change order requested by the District.
2. Contract Modification No. 10: To furnish all material and labor to install a new Diffusion Well for the not to exceed fee of \$142,101.00 to be charged to the General Allowance with no overall increase to the total cost of the project.

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

RESOLVED, that the Commissioners approve Contract Modification Nos. 9-10 from Bensin Contracting for Contract No. C6-21, Kirby Lane AOP – Mechanical Contract for the total not to exceed fee of \$142,101.00 to be charged to the General Allowance line of the contract with no overall increase to the total cost of the project.

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

4. Southwoods Road - New Well and Treatment Facility:

- a. Well Construction Contract: Layne will return to the site to address the outstanding well construction issues in mid-March. This will allow the building construction to continue in the meantime.
- b. Treatment Facility Contracts: D&B is addressing comments from NCDOH. An approval is expected shortly. Masonry work continues. Treatment equipment deliveries are scheduled for January 11<sup>th</sup>. Trusses will be installed after equipment installation.

5. PTAS at the Wheatley Rd. Site (Well 6 & 16): MCC delivery currently scheduled for May 2024. Working with National Grid to evaluate gas supply limitations for generator. 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 punch list is completed. D&B is working with Landmark to close out the contract. Existing tank demolition is completed. Grass and asphalt restoration will be performed in the Spring. D&B is reviewing a letter from NCDOH regarding high lead concentrations in the existing soils. D&B is collaborating with the surveyor to address discrepancies with the property line survey.

8. Pump Rehabilitation Projects:

- Well 18: Contractor is performing the well cleaning work.
- Well 19: Contractor is performing the well cleaning work.
- Well 26: D&B updated the design based on the initial pump test results and is currently reviewing a shop drawing from the Contractor.
- Well 30: D&B is reviewing the shop drawing submittal.

9. Convent Road Facility Architectural Improvements: Bids will be received on January 19<sup>th</sup>.

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 (Hunt's Club Road): D&B is evaluating the potential use of an existing easement.
- National Grid Water Main Relocation: Letter sent to National Grid. Work will commence upon completion of a developer's agreement and receipt of payment from National Grid. National Grid has notified the District that payment is in transit.

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

13. Transfer Switch Replacements: Contractor is addressing punch list and close out items.

14. Juneau Pump Station Improvements: MCC is scheduled for delivery and installation on January 10<sup>th</sup>.

15. Wheatley Tank Altitude Valves: Work is substantially complete. D&B is preparing a punch list.

16. Grant Opportunities:

- a. Waiting for announcement on BIL funding for Lead Service Line Replacement (LSLRP)
- b. 2023 WILA Grants were announced. JWD did not receive any additional grants.

Miss Cannon informed the Commissioners that the District had listed (5) projects for this round of WILA Grant funding, Convent Road Wells 3,4 & 5 – Large Scale Treatment Facility, Jericho Turnpike Well 12 – Treatment for PFAS compounds with GAC, Jericho Turnpike Well 13 – Treatment for PFAS compounds with GAC, Sunnyside Well 23 – Treatment for PFAS compounds with GAC and Glen Cove Road Wells 27 & 28 – Treatment for PFAS compounds with GAC but did not receive funding this round. The District's 2024 Capital Plan will be revisited to re-prioritize projects.

17. Wheatley Tank Anniversary Inspection: The tank is being cleaned, disinfected, and will be returned to service upon receipt of acceptable bacteriological results. A meeting was held with Caldwell on December 18<sup>th</sup> to discuss the interior coating repairs to be performed in the fall of 2024. Caldwell is preparing a report showing where previous repairs were made, D&B is requesting the entire interior coating be redone (since the tank has held water, there is no way to test which portions of the interior coating will fail in the future). A follow up

meeting will be held with Caldwell to discuss their proposed alternative to repairs requested by D&B.

**18. Requirements Contracts:**

- a. GAC Media Purchasing: A draft will be submitted to JWD this week.
- b. GAC Vessel Purchasing: JWD is issuing a PO for purchase using the existing Contract. JWD is executing the new contract.
- c. SCADA Managed Services: D&B and JWD are drafting a managed service agreement.

19. PFAS Treatment at Wells 18, 19 & 29: A conceptual design review meeting has been completed. A draft BODR will be submitted later this month.

20. Jericho Tank Rehabilitation: The 60 percent draft design is delayed but will be completed prior to the end of the year.

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

22. GIS Improvements: D&B is preparing a draft proposal for review by JWD.

23. Wheatley Grading and Paving: D&B has started the preliminary design work.

24. PFAS Regulatory Update: D&B will present an update on the impact of proposed regulations on JWD's wells based on the most recent water quality data.

Mr. Van Horn presented to the Commissioners an update on the impact of proposed regulations on the District's Wells. The New York State Drinking Water Quality Council made recommendations to the NYSDOH for changes to the regulations which will require public notifications for each of the PFAS compounds included in the EPA 533 method when they are detected at any level. Because of the different capabilities of various laboratories, the notifications levels will therefore vary. Notifications to the DOH will be required within 24 hours. The required methods of notification have not yet been determined. It is anticipated that the draft regulations will be published early in 2024. There will be a 60 day public comment period. D&B said that all water suppliers should comment on the public notification requirements.

D&B said that based on a review of the most recent water quality data, the proposed changes to the NYS sanitary code will not change the District's current plans for PFAS treatment. However, recent PFOA data at Wells 23 and 28 do suggest that treatment may be needed to address the proposed USEPA regulations that are anticipated to be released in early 2024. If adopted, these regulations will go into effect in 3 years following the publication date. D&B recommended that the District begin planning for PFAS treatment at Wells 23 and 28.

After discussion, the Commissioners requested that Mr. Merklin submit a proposal for Engineering Services to produce a Basis of Design Report for removal of PFOA at Well Nos. 23 and 28 for their review and approval at a future board meeting.

Status of Proposed Development Projects – Engineers Report

1. Engineers Country Club: D&B is performing the additional evaluation work.
2. Country Club Developers: D&B has prepared the conformed contract documents. D&B is working on an approach regarding the easement of future right-of-way.
3. Cove Edge Road Property Owners: D&B sent a letter requesting additional information from CERPOA.

The Board of Commissioners went into Executive Session at 9:32 a.m. to discuss personnel and legal matters and returned at 9:38 a.m. with no action taken.

Monthly report of the Superintendent was read and ordered filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period November 15, 2023 to December 19, 2023 had been completed and all were within state and federal standards.

Mr. Logan presented to the Commissioners a letter of resignation from employee Anthony LaMarca, Water Meter Servicer, whose last day on payroll is January 1, 2024. The Commissioners wished Mr. LaMarca well in his future endeavors. Mr. Logan informed the Commissioners that Mr. LaMarca returned all uniforms, keys, and badges. Miss Cannon then presented the Commissioners with a calculation of the accrual payout for Mr. LaMarca. After discussion, and upon motion duly made and seconded, it was

RESOLVED, that the Commissioners authorize the accrual payout be made to Anthony LaMarca on the pay date of January 5<sup>th</sup>, 2024.

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

Mr. Logan presented to the Commissioners a retirement letter from employee, Michael Rowe, who will retire from the District on February 29<sup>th</sup>, 2024 (last day on payroll will be February 28<sup>th</sup>, 2024) after more than 13 years of service with the District as a Water Plant Operator. In his letter Mr. Rowe thanked the Commissioners for the knowledge and experience he has obtained and was grateful for the opportunity he was given to work for the Jericho Water District. The Commissioners wished him well in his retirement.

Mr. Logan then presented to the Commissioners a Contract Modification No. 1 from Lexington Technologies, Inc. for Contract No. G2-24, Requirements Contract for the Maintenance of Instrumentation and Controls. The change modification removes Specification Section 01850- Instrumentation and Control Testing and associated requirements from the Contract at a \$0.00 value change to the contract. The work is not necessary nor required and costs not included in the bid submitted. Should a problem arise, the District can request on a case-by-case basis and incur costs under other bid items. After discussion and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve Contract Modification No. 1 from Lexington Technologies, Inc. for Contract No. G2-24, Requirements Contract for the Maintenance of Instrumentation and Controls at a \$0.00 value change to the contract.

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

Mr. Logan then presented to the Commissioners a Contract Modification No. 2 from Construction Consultants LI, Inc. for Contract No. C17-22, for Construction of the Well 33 Pump Station – General Construction. The change modification is for labor and material to install temporary heat to the (3) equipment pads that require painting before tanks and grating can be installed in the amount of \$8,437.41. After discussion and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve Contract Modification No. 2 from Construction Consultants LI, Inc. for Contract No. C17-22, for Construction of the Well 33 Pump Station – General Construction in the amount of \$8,437.41 to be charged to the general allowance line of the contract with no overall increase to the contract value.

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

Discussion was held regarding the proposed contract modifications to extend the Trojan AOP system warranties on AOP systems at Well Nos. 20, 21 & 22. Miss Cannon explained that when the Trojan reactors were purchased for the Merry Lane & Kirby Lane site, the units came with a 5-year warranty. During the budget process the District noticed that the Trojan Warranty for Well Nos. 20, 21 & 22 reactors was 3 years from delivery. D&B explored options to extend the warranties on these reactors for an additional 36 months at an estimated cost of \$92,215.02 for Well Nos. 20 & 21 and \$39,501.60 for Well No. 22. These

change orders are still being negotiated with the contractors and will be presented to the Commissioners at a future meeting for their review and approval.

Mr. Logan then presented to the Commissioners a copy of the Nassau County Department of Health's (NCDOH) 2023 Sanitary Survey that conducted field inspections at all District Well Sites and Tank locations on October 2-4<sup>th</sup> in order to determine the level of compliance of the District's water system with the requirements of Part 5 of the New York State Sanitary Code (NYSSC). Mr. Logan reported that the District is in compliance with 22 of the 24 requirements listed in the report and in violation of the (2) requirements related to cross connection control and inspection of non-residential facilities. To address these violations, Mr. Logan plans on following the procedures that have been set up to focus on non-compliance by commercial properties. Starting in January 2019, the District issued fines for all non-residential properties that did not test their backflow devices in the previous year. The NCDOH requires that the District provide them a written response within thirty (30) days addressing the sanitary issues listed in the report. After discussion, the commissioners requested that Mr. Logan comply with NCDOH's request for a written response within thirty (30) days.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of December 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 December 5, 2023 and December 18, 2023. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners the Budget to Actual Report for the month ended November 30, 2023. After discussion, the report was ordered filed.

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

To fund PT Office Salaries through 12/31/23

A-8310-000-1200	PT Office Salaries	\$5,277.00
A-8310-000-1210	Summer Salaries	(\$ 2,277.00)
A-8340-000-1200	PT Plant Salaries	(\$ 3,000.00)

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

VOTE                      AYES:            3            NOES:            0            ABSTENTIONS:    0

Commissioner Abbate            AYE  
Commissioner Asmus            AYE



Commissioner Beckerle

AYE

Miss Cannon then informed the Commissioners that she received a request from Paul Romanotto, Hicksville Water District's Union Representative requesting a copy of the District's Employee Contract. Miss Cannon reported that she sent the letter acknowledging receipt of his FOIL request within five (5) days of receipt of his request as required under Section 89 (3) of the Freedom of Information Law, stating his request will be granted or denied, (in whole or part), within approximately thirty (30) days. After discussion, the Commissioners directed Miss Cannon to comply with the FOIL request.

Miss Cannon informed the Commissioners that she received the following three (3) requests to waive penalties:

1. Account No. 20151162-0 in the amount of \$56.72.
2. Account No. 25468450-2 in the amount of \$1.25.
3. Account No. 25468450-2 in the amount of \$110.72.

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

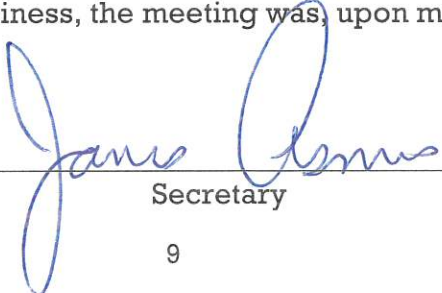
Miss Cannon then informed the Commissioners that she received a request from a consumer on Account No. 55907850-0 for reduction to their 3<sup>rd</sup> quarter 2023 water bill due to a leak on their water service. Miss Cannon informed the Commissioners that a reduction to this bill would be in line with the District's policy to allow excess water usage, in excess of the three (3) year average usage, be charged at a rate equal to the District's cost to pump 1,000 gallons of water. Miss Cannon indicated that all required documentation had been received. The adjustment to this account resulted in the total water charge being reduced to \$349.39 from \$475.19, a reduction equal to \$125.80. After discussion, the Commissioners approved the reduction and instructed Miss Cannon to send a revised bill.

Mr. Logan then provided the Commissioners with an update on the H2M project, Merry Lane AOP, which is awaiting Health Department approval.

Pending agenda items list was read and filed.

The following claims were then audited and approved for payment: General Fund #28034 to #28071 and Construction Fund #2702 to #2704.

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

  
Secretary