

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 10th day of January 2024, 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.
 - b. Facility Construction: Masonry, painting and piping work are ongoing. Well 21 cleaning and inspection completed. Schedule concerns due to electrical equipment delivery. Most equipment will be delivered in January, but ATS delivery is now moved to 2025.
2. Well 22 Facility Improvements & AOP Treatment: Mr. Ingham is directed to schedule a meeting with the GC and their bonding company to discuss the delays in completing the work. Substantial completion date is September 24, 2024, per the contract.
3. Kirby Lane AOP: AOP Commissioning, testing and startup is underway. The best-case substantial complete date of April 2024 appears to be slipping to May 2024, Additional information will be provided as progress is made.
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. Concrete flatwork, retaining wall, piping and masonry work is ongoing. Treatment equipment deliveries are scheduled for January 11th. Trusses will be installed after equipment installation. An accident was reported on site.

Mr. Logan informed the Commissioners that he received notification from , The Barnes Firm, that there had been an accident at the site on Tuesday, December 26th, 2023. Mr. Logan stated that when he received the notification, he immediately called the contractor, Construction Consultants of Long Island (CCLI) to find out what happened, and why we were not notified at the time of the accident. Apparently, the accident happened on Friday, December 15th, 2023, and not the date that was on the notice from the attorney. Mr. Logan sent the notice of claim to our insurance brokers, Salerno Insurance Brokers, for them to follow up.

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 the 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 shipping date for the booster station is February 19, 2024. D&B will confirm in the coming weeks.
7. **Syosset Tank Replacement:** D&B is working with Landmark to close out the contract. Grass and asphalt restoration will be performed in the spring. Waiting for direction from NYSDEC regarding lead concentrations in soil surrounding the old tank. D&B is working 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: Pump has been released for fabrication.
 - Well 30: Pump has been released for fabrication.
9. **Convent Road Facility Architectural Improvements:** Bids will be received on January 19th.
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 prepared a revised draft layout utilizing the existing easement for JWD review.

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

Miss Cannon then presented to the Commissioners Contract Modification No. 5 from Lexington Technologies for Contract No. C1-22 SCADA Improvements and Maintenance for contract close out and unused line items for the net decrease of \$68,999.00 from the overall cost of the contract thereby amending the original contract price from \$324,636.28 to \$255,637.28. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve Contract Modification No. 5 from Lexington Technologies for Contract No. C1-22 SCADA Improvements and Maintenance for contract close out and unused line items for the net decrease of \$68,999.00.

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

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 10th. D&B has requested a schedule from the Contractor for installation.

15. Wheatley Tank Altitude Valves: D&B has prepared a punch list.

16. Grant Opportunities: Waiting for announcement on BIL funding for Lead Service Line Replacement (LSLRP).

17. Wheatley Tank Anniversary Inspection: The tank was returned to service prior to the end of the year. Waiting for Caldwell to follow up with a proposed method of identifying areas requiring repairs. Mr. Logan is looking to have work done this Spring.

18. Requirements Contracts:

- a. GAC Media Purchasing: A draft has been submitted.
- b. SCADA Managed Services: A managed service agreement is being drafted.

19. PFAS Treatment at Wells 18, 19 & 29: A draft BODR has been submitted.

20. Jericho Tank Rehabilitation: D&B is reviewing the 60 percent draft in-house prior to submitting to JWD.

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

22. GIS Improvements: D&B submitted a draft proposal to JWD for review.

Mr. Merklin then presented the Commissioners with a proposal from D&B Engineers and Architects, D.P.C. for the continued Development of GIS for Water Distribution Infrastructure. Updates will include geophysical location, GIS development, Intersection Map Integration, Tap Card Integration and Water Main As-Built Integration for the total not to exceed fee of \$74,000.00. District staff will be utilized in some aspects of the project in order to keep costs down. D&B staff assigned to this task will typically have a rate between \$84.00 and \$103.00 and will be more Jr. staff.

The Board of Commissioners then expressed their desire to fund the GIS Improvements project by appropriating the Capital Reserve Fund (A-0878). After discussion, and upon motion duly made and seconded, the Commissioners unanimously passed the following resolution:

RESOLUTION AUTHORIZING THE TREASURER TO TRANSFER FUNDS WITHIN THE CAPITAL IMPROVEMENT RESERVE FUND FOR THE PURPOSE OF PROVIDING FUNDING FOR ENGEERING FOR THE DEVELOPMENT OF GIS FOR WATER DISTRIBUTION INFRASTRUCTURE IN THE AMOUNT OF \$74,000.00

WHEREAS, the Board of Commissioners approved appropriated funds be set aside for the purpose of Capital Improvements by establishing a Capital Improvement Reserve Fund in accordance with § 6-c of General Municipal Law; and

WHEREAS, effective January 10, 2024, the Capital Improvement Reserve Fund (A-0878) had a balance of \$2,626,605.00; and

WHEREAS, the District received an engineering proposal from D&B Engineers & Architects in the amount of \$74,000.00 for the development of GIS for water distribution infrastructure; and

WHEREAS, the specific tasks to be performed include geophysical locating, GIS development, intersection map integration, tap card integration, and water main as- built integration; and

WHEREAS, as of January 10, 2024, the capital project account H-8397-880-2303, SCADA System Replacement, (originally funded by appropriating the capital reserve fund), had an excess balance of \$272,538.00; and

WHEREAS, the Board of Commissioners desires to fund Engineering Costs for the development of GIS for water distribution infrastructure with the excess balance in the above listed account in the total amount of \$74,000.00; and

WHEREAS, funds would be transferred from the excess balance in the existing capital project account initially funded from the Capital Improvement Reserve Fund (A-0878) without incurring any additional debt service payments for principal and interest and, therefore be cost beneficial to the District taxpayers; and

WHEREAS, this resolution is adopted subject to permissive referendum as set forth in Town Law Section 90 and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and

WHEREAS, the funding of capital improvement projects in the Jericho Water District is a Type II action pursuant to SEQRA as defined by 6 N.Y.C.R.R. §617.5 (c)(5) and therefore no further SEQRA review is required; and

NOW THEREFORE,

BE IT RESOLVED that the Board of Commissioners hereby authorizes the transfer of \$74,000.00 from H-8397-880-2010, SCADA System Replacement to capital project account no. H-8397-877-2010, GIS Improvements.

FURTHER BE IT RESOLVED THAT the Treasurer/Clerk is hereby authorized and directed to, within ten (10) days after the adoption of this resolution, cause this resolution to be published in the District's official newspaper and (b) posted on both the sign boards of the Town of Oyster Bay and the District pursuant to Town Law, together with a notice of adoption thereof.

VOTE	AYES	3	NOES	0	ABSENTIONS	0
------	------	---	------	---	------------	---

Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

23. Wheatley Grading and Paving: D&B is preparing a schedule which will allow the work to be performed in the spring.

24. Exemption Reporting: D&B has submitted a proposal to prepare quarterly reports for the emerging contaminants exemption. The first report has been completed for JWD's use.

Mr. Merklin then presented to the Commissioners a proposal from D&B Engineers and Architects D.P.C. for Professional Engineering Services for the NYSDOH MCL Exemption Quarterly Reporting for the duration of the MCL exemption recently granted by the New York State Department of Health (NYSDOH) in the amount of \$6,500.00. This exemption has extended the District's existing MCL compliance deadline for the 1,4-dioxane until August 25, 2024. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve the proposal from D&B for Professional Engineering Services for the NYSDOH MCL Exemption Quarterly Reporting in the amount of \$6,500.00 to charged to Operating Account No. A-8340-000-4430 Engineering Services.

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

Status of Proposed Development Projects – Engineers Report

1. Engineers Country Club: A draft memorandum is being reviewed in-house prior to submittal to JWD.
2. Country Club Developers: D&B has prepared the conformed contract documents. D&B and JWD will work with the developer to obtain an easement.
3. Cove Edge Road Property Owners: All available data has been received and D&B completed a site walkthrough. Evaluation work has commenced.
4. National Grid Water Main Relocation: Payment has been received from National Grid. D&B will commence the design work.

The Board of Commissioners went into Executive Session at 9:01 a.m. to discuss personnel and legal matters and returned at 9:07 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 December 20, 2023 to January 9, 2023 had been completed and all were within state and federal standards.

Mr. Logan presented to the Commissioners a letter of resignation from employee James Wenzel, Water Servicer Trainee, whose last day on payroll will be January 12, 2024. The Commissioners wished Mr. Wenzel well in his future endeavors.

Mr. Logan provided the Commissioners with an update regarding the request from the owners at 44 Sherman Drive, Syosset for a hold harmless agreement due to their koi pond encroaching on the District Convent Road property line. Mr. Logan has been trying to get the surveyor who performed a complete survey of the Convent Rd. property back in 2021, as part of the Syosset tank construction/demo, to come back and re-survey the property, since there is a discrepancy between the District's survey and the one presented by the owners of 44 Sherman Dr. In the meantime, Mr. Logan will draft a letter explaining that the District is still investigating but, at this time, the homeowner will not be required to remove the koi pond.

Mr. Logan notified the Commissioners of a Water Main Break on Sugar Toms Lane in East Norwich on January 4, 2024. The District's repair crew's was finally able to locate the main which was approximately 12' below the road. The District is not equipped to safely repair a main at that depth. Mr. Logan called Bancker Construction Corp. to repair the water main utilizing the District's Requirements Contract for Emergency Water Main Repairs. In order to get water back to residents, Mr. Logan instructed Bancker to create two (2) dead end mains. Mr. Logan will inform the Commissioners of the cost once the invoice is received. Mr. Logan also requested a proposal from D&B to run a new main from Sunny Hill Dr. to Rte. 106 and replace approximately four (4) to five (5) water services to loop the system again.

Mr. Logan informed the Commissioners that he received a phone call from the attorney of the owner of 60 Wolver Hollow Road. This address is in front of 58 Wolver Hollow Rd., which several years ago (2019) had a service leak that flowed onto 60 Wolver Hollow Rd.'s property and caused damage. Apparently, this case is still continuing, and the attorney was requesting that Mr. Logan certify a copy of meter readings for 58 Wolver Hollow Rd. that Mr. Logan, under advisement of counsel, was able to provide to the owner back in 2019. Mr. Logan will discuss this further with Mr. Ingham and report back to the BOC at the next meeting.

Congratulations to Commissioner Abbate who has served 20 dedicated years of service to the District!

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of January 8, 2024. 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 19, 2023 and January 8, 2024. After discussion, the report was ordered filed.

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

Miss Cannon presented to the Commissioners a letter of resignation from employee Christine Henner, Auditing Assistant, whose last day on payroll will be January 19, 2024. The Commissioners wished Ms. Henner well in her future endeavors.

Miss Cannon presented to the Commissioners a letter from Mr. David S. Phillips, P.E. Chief of the Design Section of the Bureau of Water Supply Protection for the New York State Department of Health thanking the District for applying to the NYS WIIA grant program. However, the letter goes on to explain that the District was not selected to receive an award because the application was deemed incomplete and missing the SHPO Project Review Determination Letter. Based on the review of the application it appeared that this determination was in fact included in the application. The Commissioners requested D&B investigate the issue and respond back to NYSDOH if necessary to have them reconsider.

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

To fund negative balances in payroll expenditure lines (PP#1 2023 Accrual, Vacation, BuyBack etc.-2023 Budget Transfer

A-8310-000-1100	Office Full Time Salaries	\$ 8,911.64
A-8310-000-1300	Office Overtime Salaries	\$ 1,493.74
A-8340-000-1100	Plant Full Time Salaries	(\$10,405.38)

To fund purchase of New Cellular Endpoint Troubleshooting Tablets-2024 Budget Transfer

A-8340-000-2020	Equipment & Machinery	(\$ 6,500.00)
A-8340-000-4010	Plant Computer Equipment	\$ 6,500.00

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 reported that in the 2023 District's Annual Operating Budget, the Commissioners budgeted \$500,000.00 in A-9950-000-9020 Transfer to Assigned Fund Balance to be transferred to A-0915-0000, Unreserved Fund Balance Designated for Debt Service. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve transferring \$500,000.00 from the 2023 Operating Budget A-9950-000-9020 to Unreserved Fund Balance for Debt Service.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate AYE
 Commissioner Asmus AYE
 Commissioner Beckerle AYE

Miss Cannon reported that the January 2023 Nassau County Civil Service Commissioner Payroll Certification for the payroll dated January 20, 2023 was approved with no disapprovals therefore extending the District's certification to January 2024.

Miss Cannon then requested authorization for her and Ms. Blum to participate in the NYSGFOA Annual Conference in Albany, New York to be held April 17th to April 19th, 2024. After discussion and upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize Miss Cannon and Ms. Blum to attend the NYSGFOA Annual Conference.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate AYE
 Commissioner Asmus AYE
 Commissioner Beckerle AYE

Miss Cannon then presented to the Commissioners a letter from the Office of the Comptroller for the Town of Oyster Bay regarding the GASB Statement 75 Other Post Employment Benefits for the year ending December 31, 2023. The Town Board authorized the contract with USI Consulting Group, Inc. for providing actuarial services to the Town and its participating District (including JWD) to comply with the GASB. The fees for the service are \$1,150.00 for the Biennial GASB 75 Valuation and report, \$275.00 for the disclosure update FYE 5/31/2024 and \$275.00 FYE 5/31/2025 for the total amount of \$1,700.00. Miss Cannon informed the Commissioners that she submitted payment to the town by the required deadline of January 19, 2024 in order for the District to participate.

Miss Cannon informed the Commissioners that she received the following six (6) requests to waive penalties:

1. Account No. 45555660-0 in the amount of \$53.15.
2. Account No. 45601230-0 in the amount of \$130.22.
3. Account No. 50061826-0 in the amount of \$63.47.
4. Account No. 50205600-0 in the amount of \$108.47.
5. Account No. 55804675-0 in the amount of \$56.10.
6. Account No. 50061814-0 in the amount of \$109.97.

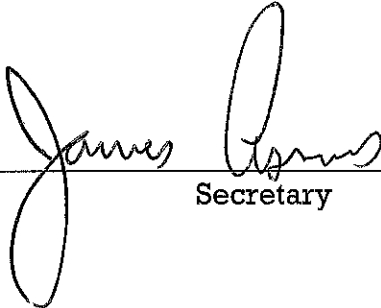
Miss Cannon informed the Commissioners that no penalty on the above accounts had been waived in the last five (5) years. After discussion, the Commissioners authorized Miss Cannon to waive penalties on the accounts listed above and instructed her to send revised bills to the consumers.

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 #28072 to #28136, Construction Fund #2705 to #2708, and Installation Fund # 4184 to 4185.

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


Secretary