

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 7th day of February 2024, at 8:30 A.M.

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

Commissioner Asmus 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: Lighting and GAC Building and Well 21 improvements are ongoing. Electrical equipment is scheduled for delivery on February 29th. The generator is scheduled for delivery. D&B will seek conditional approval from NCDOH to operate only through the GAC equipment for summer 2024.

Mr. Merklin then presented to the Commissioners Contract Modification No. 3 from Philip Ross Industries Inc. for Contract No. C9-22, 1,4-Dioxane & PFOA Treatment at Stillwell Lane (Wells 20 & 21), Mechanical Construction, to credit contract for additional engineering services associated with the August incident, including additional site visits and inspections review of prepared and submitted reports and correspondence with the Town regarding the Stop Work Order in the booster building in the amount of \$9,940.54 thereby decreasing the original contract from \$3,736,285.00 to \$3,726,344.46. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No. 3 from Philip Ross Industries Inc. for Contract No. C9-22, 1,4-Dioxane & PFOA Treatment at

Stillwell Lane (Wells 20 & 21), Mechanical Construction, in the credit amount of \$9,940.54 thereby decreasing the original contract from \$3,736,285.00 to \$3,726,344.46. It was

FURTHER RESOLVED that the Commissioners approve Invoice No. 153310 from D&B Engineers and Architects D.P.C. in the amount of \$9,940.54 (thereby increasing their approved fee for engineering from \$604,000.00 to \$613,940.54) for additional engineering services associated with the August incident, including additional site visits and inspections review of prepared and submitted reports and correspondence with the Town regarding the Stop Work Order to be charged to Capital Project Account No. H-8397-021-2303 Well No. 20 & 21 AOP System (with no overall change to the cost of the project).

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

2. Well 22 Facility Improvements & AOP Treatment: The contract with the General Construction contractor has been terminated. D&B is working to close out the contract. A goal for new GC bids is March 15th. The current Substantial completion date of September 24th, 2024 will be extended for the PC and EC as appropriate. A new schedule is being estimated based on the proposed GC contract dates. D&B is working with JWD to determine the financial impacts of the termination, new GC bid and delays to other contracts.

Mr. Merklin then requested that a bid date be set for the 1,4-Dioxane and PFOA Treatment at Well 22, General Construction, Contract No. C5-24. After discussion, the Commissioners set a bid date for Friday, March 15, 2024 at 9:00AM.

3. Kirby Lane AOP: Final startup testing is anticipated for late March. The best-case substantial completion dated is estimated for May 2024. Additional information will be provided as progress is made.
4. Southwoods Road - New Well and Treatment Facility:
 - a. Well Construction Contract: Layne scheduled to return to site in mid-March will likely to be pushed back until conflicting scaffolding can be removed.
 - b. Treatment Facility Contracts: D&B has addressed the latest round of NCDOH comments. Trusses will be installed the week of February 12th following delivery of some large diameter piping. No new information regarding reported accident.
5. PTAS at the Wheatley Rd. Site (Well 6 & 16): D&B and JWD met with the Electrical Contractor last week. They indicated that the MCC delivery is scheduled for May

24, 2024. A meeting will be held with National Grid to evaluate the cause of gas supply limitations for the generator. Operational tests will be performed under maximum load for confirmation. Contractors are addressing punch list items and additional work requested by JWD.

6. Split Rock Tank Booster Station: D&B met with Patterson regarding the delivery of the booster station. They are now unable to estimate a delivery date due to delays in receiving electrical equipment. Patterson submitted a letter regarding the delays with supporting letter from the supplier of the electrical equipment, Schneider Electric. Discussion was held regarding the vendors inability to supply the District with a delivery date after over a year of the electrical equipment being on order. Mr. Ingham and Mr. Merklin will work on drafting a delay letter to the contractor.
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 site. D&B will review available survey information to identify potential discrepancies with the property line survey. Commissioner Asmus requested that Superintendent Logan prepare a letter on behalf of the District to Landmark complimenting them for their outstanding performance and professionalism while constructing the new Syosset Tank.
8. Pump Rehabilitation Projects:
 - Well 18: Contractor is completing the well cleaning work. Video inspection will be performed this week. Angle drive will be removed from the site for modifications.
 - Well 19: Contract is completing the well cleaning work. Video inspection will be performed this week.
 - Well 26: Pump is in fabrication. Shop test results anticipated by end of February.
 - Well 30: Pump is in fabrication. Shop test results anticipated by end of February.
9. Convent Road Facility Architectural Improvements: Bids were received on January 19th. A recommendation letter has been submitted for the Barn Roof Replacement contract. The low bidder for the Architectural Improvements Contract has requested to withdraw their bid. D&B has reviewed the qualifications of the second bidder and found them to be deficient. D&B is now reviewing the qualifications of the third bidder.

Mr. Merklin then reported that he had reviewed the five (5) bid proposals received by the District on January 19th, 2024 for Contract No. C3-24 Miscellaneous Architectural Improvements at Convent Road, Roof Replacement for Storage Garage. Barret Roofs, Inc. was the low bidder for the Contract in the amount of \$308,000.00. Long Island Roofing and Repairs Service Corp. made an error in calculating the total price of their bid however the

corrected bid price did not affect whether Long Island Roofing was the low bidder. Based on his findings of the Contractor's past and present performances, and his review of the bid proposal, Mr. Merklin recommended award of the contract for the Roof Replacement for Storage Garage be awarded to Barret Roofs Inc. of South Hackensack, New Jersey. After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. C3-24 Miscellaneous Architectural Improvements at Convent Road, Roof Replacement for Storage Garage be awarded to Barret Roofs, Inc. as the lowest responsible bidder with a bid that conforms with the bid specifications of the District in the amount of \$308,000.00 to be charged to Capital Project Account No. H-8397-887-2102 DH-Architectural Improvements.

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

10. Water Service Gooseneck Replacement: D&B is preparing updated public outreach documents to address NCDOH's verbal comments.

11. LIE Service Road Water Main Connection (Hunts Club Road): D&B is locating the existing easements on the property to evaluate the feasibility for this project.

12. Main Plant SCADA Improvements: This contract has been closed out.

13. Transfer Switch Replacements: Contract close-out documents are being prepared.

14. Juneau Pump Station Improvements: The Contractor has submitted details for the temporary equipment. D&B has returned the submittal with comments. The intent is to install this equipment before the end of February 2024. The permanent equipment is scheduled for delivery in June and will be installed in the fall of 2024. Commissioner Asmus requested that the Contractor verify in writing that the temporary equipment will be installed at no cost to the District.

15. Wheatley Tank Altitude Valves: Punch list and outstanding SCADA work remains to be completed.

16. Grant Opportunities:

- a. BIL Grant received for Well 12 PFAS project in the amount of \$5,000,000.00 (WIA grant denied). D&B and JWD will evaluate water quality data over the coming months.

- b. D&B working on SHPO determinations for the Convent Road Treatment Project WIIA grant application. Project will be resubmitted in June 2024.
 - c. D&B is working on the next round of WIIA grant applications due on June 14, 2024.
 - d. Waiting for announcement on BIL funding for Lead Service Line Replacements (LSLRP).
17. Wheatley Tank Anniversary Inspection: Caldwell submitted a letter regarding their proposed approach to the interior coating repairs. D&B said that the letter does not address one of the primary concerns of identifying the areas requiring repairs. D&B will respond to Caldwell's letter requesting additional information. It is likely that this work will be rescheduled for the spring of 2025 to avoid conflicts with operations and other planned projects.
18. Requirements Contracts:
- a. GAC Media Purchasing: After some discussion, it was decided to eliminate the multi-year contract extension provision from the contract. The contract will be a single term with an expiration of December 31, 2025.
 - b. SCADA Managed Services: A managed service agreement is being drafted.
19. PFAS Treatment at Wells 18, 19 & 29: D&B is incorporated JWD comments on draft BODR, Final will be submitted to NCDOH and NYSDOH by end of February. A 60 percent design submittal is scheduled for May.
20. Jericho Tank Rehabilitation: D&B met with JWD on February 6th to review comments on the 60 percent submittal. A final draft will be submitted by the end of March 2024.
21. Evaluation of System Capacities: D&B is working with JWD to develop a detailed scope of work.
22. GIS Improvements: D&B has started the work and is preparing a schedule.
23. Wheatley Grading and Paving: D&B is preparing draft contract documents. JWD requested a bid date of March 15, 2024. D&B will coordinate with JWD to confirm this schedule.
- Mr. Merklin then requested that a bid date be set for the Wheatley Site Grading & Paving, Contract No. C6-24. After discussion, the Commissioners set a bid date for Friday, March 15, 2024 at 9:00AM.
24. Exemption Reporting: The next report is due on April 10th, 2024.
25. 2024 Bond Issue: D&B is assisting the District with their 2024 Bond Application.

Status of Proposed Development Projects – Engineers Report

1. Engineers Country Club: D&B is preparing a draft memorandum for review by the District.
2. Country Club Developers: The Notice to Proceed has been sent. A preconstruction meeting has been scheduled for February 6th. D&B and JWD will work with the developer to obtain an easement following installation of the main.
3. Cove Edge Road Property Owners: Evaluation work is underway.
4. National Grid Water Main Relocation: D&B intends to submit the plans and specs for NCDOH approval in February.

Miss Cannon presented to the Commissioners an engagement agreement from Littler Mendelson, P.C. to provide legal services in the area of labor and employment law at an as needed hourly rate. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners authorize execution of the Littler Mendelson, P.C. engagement agreement for District representation in connection with general labor and employment matters that may arise from time to time at the hourly rates listed in the Engagement Letter to be charged to Operating Account No. A-8310-000-4410.

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

Mr. Ingham then presented to the Commissioners the following resolution:

**JERICO WATER DISTRICT
STANDARDIZATION RESOLUTION FOR TROJAN UV FLEX 100
ADVANCED OXIDATION PROCESS SYSTEMS**

WHEREAS, on October 26, 2020, the New York State Department of Health (“NYSDOH”) adopted a new Maximum Contaminant Level (“MCL” for 1,4-Dioxane at 1 part per billion (“ppb”); and

WHEREAS, on March 17, 2021, the Commissioners of the Jericho Water District initiated proactive planning and preparation by issuance of a sole source/ emergency resolution regarding the purchase of Trojan UV Flex AOP Systems.

WHEREAS, pursuant to that emergency resolution declaration, the District tasked its Engineer and Superintendent to research and investigate the most effective method of

treating 1,4-Dioxane to reduce levels in the raw water of several of its wells to meet these proposed new regulations in a timely manner; and

WHEREAS, the Engineer and Superintendent previously reported to the Board that the only Advanced Oxidation Process ("AOP") treatment systems approved to date by the New York State Department of Health are those which are manufactured by Trojan Technologies Group; and

WHEREAS, the Engineer and Superintendent further reported to the Board that they had conducted nearly a dozen pilot studies of multiple treatment technologies; and

WHEREAS, the Engineer and Superintendent had previously recommended to the Board that the Trojan UV Flex 100, low pressure high output ultraviolet light and hydrogen peroxide AOP system ("Trojan AOP system") is the most effective treatment technology currently available to the District; and

WHEREAS, based upon that recommendation, the District has purchased seven (7) Trojan AOP systems to treat District's distribution capacity deploying same at four (4) of its impacted facilities; and

WHEREAS, by letter dated December 15, 2021, to Superintendent Paul J. Granger of the Hicksville Water District the Trojan company confirmed that they will not honor their "equipment performance guarantee" without the use of Trojan approved "lamps, ballasts and other components which are approved and validated by Trojan technologies" (letter enclosed to this Resolution); and

WHEREAS, on February 7, 2024, the Engineer submitted a written memorandum to the Board (annexed hereto) recommending that the District standardize upon the Trojan AOP system and associated equipment as this protocol would allow the District to:

- 1- achieve and maintain operational consistency;
- 2- permit the District's staff to familiarize themselves with the same AOP equipment/operations having similar controls and standard operating procedures, thus simplifying both training and routine operations with respect to this specific technology thus minimizing operational errors;
- 3- secure and stock an inventory of uniform original equipment manufacturer spare parts, as to date, replacement parts from alternate suppliers have not been verified to meet or exceed the treatment and operational goals established in the respective designs; and

WHEREAS, District's counsel had informed the Board that the General Municipal Law authorizes standardization of equipment when in the best interest of the District (See Comptroller's Decision annexed):

NOW THEREFORE, under the authority vested in the District under General Municipal Law §103, Subdivision 5 and in consideration of the above recitals;

Be It Unanimously

RESOLVED, that it is in the best interest of the District to standardize its acquisition of Trojan UV Flex 100, low pressure high output ultraviolet light and hydrogen peroxide AOP systems including the reactors, control panels, hydrogen peroxide feed systems and associated accessories.

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

Discussion was held regarding Prevailing Wage Schedules in District contracts. Mr. Ingham will be preparing a letter to NYS Department of Labor, requesting them to put out a statewide bulletin stating what was indicated to the District; that the prevailing wage schedule should not be included in District contracts. As per NYSDOL, the Prevailing Wage Schedule could change from day to day, and the District should only be referencing the PRC# and NYS DOL website link associated with the project in the bid specifications.

Miss Cannon then presented to the Commissioners Contract Modification No. 1 from Philip Ross Industries for Contract No. C19-22, Construction of the Well 33 Pump Station, Mechanical Construction, to furnish and install ten (10) feet of additional column pipe, shaft and all accessories due to the pumping level in the wall being lower than anticipated from the test well in the amount of \$2,841.30. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No.1 from Philip Ross Industries for Contract No. C19-22, Construction of the Well 33 Pump Station, Mechanical Construction, in the amount of \$2,841.30 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
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Commissioner Abbate	ABSENT
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Miss Cannon presented to the Commissioners Contract Modification No. 1 from Hinck Electrical Contractor Inc. for Contract No. C5-22 AOP Treatment at Merry Lane, Electrical Construction for additional labor, material and equipment to replace circuit

breakers and power feeders to the two (2) electric unit heaters in the chemical room in the amount of \$3,092.29. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No. 1 from Hinck Electrical Contractor Inc. for Contract No. C5-22 AOP Treatment at Merry Lane, Electrical Construction in the amount of \$3,092.29 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
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Commissioner Abbate	ABSENT
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Miss Cannon presented to the Commissioners Contract Modification No. 4 from Hinck Electrical Contractor Inc. for Contract No. C2-21 Transfer Switch Replacement at Various Sites for contract close out for unused remaining SCADA allowance and Misc. Work Allowance resulting in a net credit of \$17,894.57. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No. 4 from Hinck Electrical Contractor Inc. for Contract No. C2-21 Transfer Switch Replacement at Various Sites for contract close out resulting in a net credit of \$17,894.57 thereby decreasing the overall cost of the contract from \$173,212.75 to \$155,318.18.

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

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of February 5, 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 January 23, 2024 and February 5, 2024. After discussion, the report was ordered filed.

Miss Cannon reported that the Bank Reconciliations for the month of January 2024 were completed. After discussion, the Commissioners ordered the Bank Reconciliation filed.

Miss Cannon then requested that the Commissioners approve the following Budget Transfer(s):

To reclass Computers, Software & Printers from fixed asset account to operating, (nunc pro tunc).

A-8310-000-2010	Computers, Software & Equipment	(\$5,000.00)
A-8310-000-4010	Computers, Software & Equipment	\$5,000.00

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

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

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

Miss Cannon informed the Commissioners that NYS announced WIIA grant funding availability of \$325 Million with an application deadline of June 14th, 2024. This round of WIIA grant awards will fund 70% of net eligible project costs for projects that address emerging contaminants above the State determined Maximum Contaminant Level (MCL) with no cap on the total award. WIIA grant awards for all other drinking water projects will be awarded up to 60% of net project costs up to a maximum of \$5 Million. D&B will assist the District with preparing applications by the deadline date.

Miss Cannon informed the Commissioners that she received a request from the New York State Department of Labor for certified payroll and invoice associated with the Roof Repair work done at the District office on December 13th and 14th, 2023 by Long Island Roofing. Miss Cannon complied with their request.

Miss Cannon informed the Commissioners that on January 29, 2024, one of the District's fire hydrants located on Syosset-Woodbury Road, Woodbury was damaged in a vehicular accident. The District invoiced the registered owner of the vehicle involved in the accident for the repairs to the hydrant; the police report noted that the vehicle was uninsured. Miss Cannon presented to the Commissioners a letter from the owner of the registered vehicle requesting a monthly installment plan to pay the invoice. After discussion, the Commissioners authorized the payment plan.

Miss Cannon then informed the Commissioners that she received a request for reduction on their 4th Quarter 2023 and 1st Quarter 2024 water bill on Account No. 70050560-0 by the owner due to a leak on their main service line. 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, be charged at a rate equal to the District's cost to pump 1,000 gallons of water. The adjustment to the fourth quarter 2023 water bill resulted in the total water charge being reduced to \$311.22 from \$408.99, a reduction equal to \$97.77. The adjustment to the first quarter 2024 water bill

resulted in the total water charge being reduced to \$591.11 from \$923.45, a reduction equal to \$332.34. After discussion, the Commissioners approved the reduction and instructed Miss Cannon to send a revised bill to the consumer.

Miss Cannon informed the Commissioners that she received the following two (2) requests to waive penalties:

1. Account No. 60102480-0 in the amount of \$56.72.
2. Account No. 60102530-0 in the amount of \$51.82.

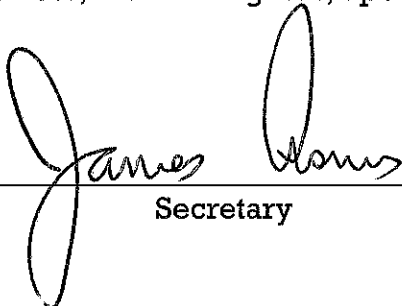
Miss Cannon informed the Commissioners that no penalty on any of the above accounts have been waived in the last five (5) years. After discussion, the Commissioners authorized Miss Cannon to waive penalties on the accounts listed above and instructed her to send revised bills to the consumers.

Miss Cannon informed the Commissioners that Ursula Carney of PERMA, the District's new Worker's Compensation Insurance provider, conducted a site inspection on January 23, 2024 in which she visited the District's Main Office Headquarters, Jericho Tank Site and Wheatley Tank Site. Miss Cannon explained that Ms. Carney met with Amanda Blum, Jill Galantini, Edward Keenan, Peter Ranaldo, Joseph Suriano and Matthew McCarthy (the District's Safety Officers) and herself. The District received a copy of the site inspection report on January 25th, 2024. Miss Cannon reviewed the report and emailed it to Superintendent Logan, Peter Ranaldo, Edward Keenan and Alex Serio outlining priority items and observations, recommended training and sample policies. The District will be assembling a safety committee. Amanda Blum and Jill Galantini will be responsible for maintaining training records. There was a lot of information provided in the report, but the staff is committed to setting up a safety program that will benefit all. Establishing a timeline will be imperative to make sure the District addresses the comments in the site inspection report and out a comprehensive Safety Policy in place.

Pending agenda items list was read and filed.

The following claims were then audited and approved for payment: General Fund #28172 to #28209 and Construction Fund #2713 to #2715.

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


Secretary