

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 6th day of March 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(s)	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: Process piping installation is underway, the pump for Well 21 will be installed this month, and work continues within the AOP and GAC buildings. Electrical equipment is unfortunately delayed. The EC is working to provide a revised delivery schedule. D&B is coordinating with NCDOH for approval to operate only through the GAC equipment for summer 2024. OSHA has yet to provide a report regarding the accident on site.
2. Well 22 Facility Improvements & AOP Treatment: D&B is working to close out the terminated GC contract. Bids for the new General Construction Contract will be received on March 15th. Prebid site walk was conducted on March 5th. The current substantial completion date is September 24, 2024, but due to the new GC contract currently being bid, the new Substantial Completion date will be May 1, 2025, and will be extended to the EC and PC contracts as well. D&B is working with JWD to determine the financial impacts of the GC termination. The PC will be charging \$1,000/month to store the AOP reactor after April until it is delivered to the site. A change order will be executed for storage.

3. Kirby Lane AOP: Final startup testing is anticipated for later this month. The best-case substantial completion date 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 has notified D&B that they will be closing their Long Island office in April. Requests for additional information have received no response thus far. D&B is drafting a letter to the bonding company.
 - b. Treatment Facility Contracts: D&B has addressed the latest round of NCDOH comments and NCDOH has verbally approved the Contract Documents. Waiting on final approval. Building construction is ongoing, trusses are being installed next week, roofing will follow. No new information regarding the reported accident.
5. PTAS at the Wheatley Rd. Site (Well 6 & 16): MCC delivery is scheduled for May 24, 2024, which will be installed in the fall. A meeting will be held with National Grid this month 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 sent a delay letter to Patterson regarding delays in procuring electrical equipment. In response, Patterson is reviewing options with their distributor to move the project forward.
7. Syosset Tank Replacement: D&B is working with Landmark and JWD to close out the contract. Grass and asphalt restoration will be performed in the spring. Waiting for directions from NYSDEC regarding lead concentration in soil surrounding the old tank site. D&B is reviewing available survey information to identify potential discrepancies with the property line survey.
8. Pump Rehabilitation Projects:
 - Well 18 & 19: Installation of pumps is anticipated to be completed this month. A schedule has been requested.
 - Well 26 & 30: The pumps have been released and are expected in 10-12 weeks.
9. Convent Road Facility Architectural Improvements: D&B provided conformed contracts for the Barn Roof Replacement. Legal is arranging for the signing. TDI, the second bidder for the improvements, provided six (6) additional references, which D&B is reviewing. So far only one of the additional references has responded. Legal is reviewing TDI's bid bond. D&B is also reviewing the qualifications of the third bidder, which thus far appear to be adequate.

10. Water Service Gooseneck Replacement: D&B is preparing updated public outreach documents to address NCDOH's verbal comments and will be providing draft documents to JWD for review this week.
11. LIE Service Road Water Main Connection (Hunts Club Road): D&B reviewed the deeds and verified an existing easement is included on the east side of 50 Jericho Quadrangle. The next step is to approach the Meadow Brook Club for an easement to connect to Hunt Drive. Mr. Inghan requested Mr. Merklin to forward the easement to him for his review.
12. Juneau Pump Station Improvements: The temporary equipment with being delivered around the middle of the month and then a meeting to coordinate the temporary installation will be held with the District. The permanent equipment is scheduled for delivery in June and will be installed in the fall of 2024. D&B is working with the District's security vendor to provide information regarding their work.
13. Wheatley Tank Altitude Valves: Punch list and outstanding SCADA work remains to be completed. NCDOH approval has been received and we are coordinating with Bensin commissioning of the valve.
14. Grant Opportunities:
 - a. BIL Grant received for Well 12 PFAS project in the amount of \$5,000,000.00 (WIIA grant denied). D&B and JWD will evaluate water quality data over the coming months.
 - b. D&B is working on the next round of WIIA grant applications due on June 14, 2024.
15. Wheatley Tank Anniversary Inspection: D&B is coordinating with a third-party inspector to advise on potential methods to identify interior areas requiring repairs.
16. Requirements Contracts: GAC Media Purchasing: The GAC Media Purchasing Contract will be bid on March 29th.
17. PFAS Treatment at Wells 18, 19 & 29: The BODR was submitted to NCDOH and NYSDOH in February. A 60 percent design submittal is scheduled for May. D&B is assisting JWD with responding to the EFC regarding the outstanding missing items required for the Grant Agreement. Deadline to comply with missing items is June 30, 2024.
18. Jericho Tank Rehabilitation: A final draft will be submitted by the end of March 2024. The intended schedule is to receive bids in early August and begin construction work in fall of 2024.

19. Evaluation of System Capacities: D&B is working with JWD to develop a detailed scope of work.
20. GIS Improvements: D&B is working with JWD to obtain the required information and progress the work.
21. Wheatley Grading and Paving: D&B is working on grading modifications and realigning the entrance as requested by JWD. A revised alignment plan will be provided this week for review by the District. The project schedule will be coordinated with the removal of caustic tank at Well 7 by others.
22. Exemption Reporting: The next report is due on April 10th, 2024.
23. 2024 Bond Issue: D&B is assisting the District with their 2024 Bond Application.
24. 2024 Capital Plan: D&B is assisting the District with the 2024 Capital Plan.
25. 2023 AWQR: D&B will be providing a draft Table 1 for review by the District this week.

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: Construction work started in late February and will be completed this week. D&B and JWD will work with the developer to obtain an easement following completion of the work.
3. Cove Edge Road Property Owners: Evaluation work is underway. D&B is preparing a draft memorandum for review by the District.
4. National Grid Water Main Relocation: The Contract documents will be submitted to NCDOH for approval this week. The project schedule will be coordinated with National Grid; however, based on conversations with National Grid the project is anticipated to start in late April or early May.

Mr. Merklin then requested that a bid date be set for the NYS Route 106 Watermain Offset for National Grid, Contract No. I1-24. After discussion, the Commissioners set a bid date for Friday, March 29, 2024 at 9:00AM.

Monthly Report of the Superintendent was read and ordered filed.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period of February 21, 2024 to March 5, 2024 had been completed and all were within state and federal standards.

Mr. Logan then reported that only one (1) bid was received on January 19th, 2024 for Contract No. G5-24, Requirements Contract for the Purchase of Sodium Chloride "Solar Salt", even though it was publicly advertised and Mr. Logan sent out emails to four (4) vendors. Univar Solutions was the low/only bidder for the contract with a total bid price of \$257.80 per ton. Based on his review of the bid documents and the contractor's past and present performances, Mr. Logan recommended award of the contract be made to Univar Solutions, for the amount bid of \$257.80 per ton (minimum delivery of 25 tons) for the year 2024; \$283.58 per ton for 2025; and \$311.75 per ton for the year 2026. Mr. Logan noted that there were several exceptions proposed by the vendor in the bid document including: Univar Solutions will not extend the contract to members of the LIWC automatically, without prior delivery site approval; exception clause for delivery was removed, lead-time is six business days with the order being placed before 3:00PM; any new JWD delivery site must approve prior delivery approval before extending contract pricing to the new site; the District must order twenty-five (25) tons at a time. Mr. Logan informed the Commissioners that he approved of all the above contract exceptions. After discussion and upon motion duly made and seconded, it was

RESOLVED that Contract No. G5-24, Requirements Contract for the Purchase of Sodium Chloride "Solar Salt" be awarded to Univar Solutions of Morrisville, PA, the lowest responsible bidder with a bid that conforms to the bid specifications on the District in the amount of \$257.80 per ton.

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

Mr. Logan informed the Commissioners that he received a request from the New York State Department of Labor for certified payrolls associated with the Construction of Well No. 33 Pump Station - Electrical Construction with Haugland Energy, LLC. Miss Cannon informed the Commissioners that she complied with their request.

Mr. Logan informed the Commissioners that he received a request to waive a backflow fine on owner of Account No. 36607701-1. Mr. Logan explained that the test was received by the District, but the test was associated with the wrong account. After discussion, the Commissioners instructed Mr. Logan to waive the fine assessed.

Mr. Logan reported that he received a copy, delivered by USPS, of a subpoena for Non-Party Disposition for the Stillwell Accident on August 3rd, 2023. Mr. Logan forwarded the copy of the subpoena to the District's legal counsel. Mr. Logan stated that he had

spoken with the legal counsel assigned to defend the District, Mr. Michael DeSantis, Esq., and that we should expect to get the original subpoena sometime in the near future.

Mr. Logan notified the Commissioners of a Water Main Break at the intersection of 25A and Ripley Lane in Muttontown on February 25, 2024. Mr. Logan called Bancker Construction Corp. to repair the water main utilizing the District's Requirements Contract for Emergency Water Main Repairs due to the break being in the middle of 25A within close proximity to the intersection. The actual location of the water main was below both eastbound lanes, which in the interest of safety, Bancker needed to close both lanes and shift traffic over into the westbound lane. Mr. Logan received prior approval from the Commissioners and will inform the Commissioners when he receives an invoice from Bancker.

Mr. Logan then presented to the Commissioners a draft letter to irrigation companies working within the District to notify them of both the Nassau County Lawn Watering Ordinance and the District's Irrigation Map which was created to level daily water demand during peak hours. The letter educates irrigation companies on how timers should be set when opening up sprinkler systems for customers in the spring. The letter will be sent to irrigation companies working within the Jericho Water District as well as the Irrigation Association of New York.

A discussion was held regarding the funding of water main breaks and repairs from the District's repair reserve fund. Miss Cannon will prepare a funding plan once the Bancker invoice is received by the District to report back to the Commissioners at the next meeting.

Mr. Logan then presented to the Commissioners Contract Modification No. 4 from Philip Ross Industries, Inc. for Contract No. C9-22, 1,4-Dioxane & PFOA Treatment at Stillwell Lane (Wells 20 & 21). This change order is for additional work requested including infills in former generator room floor, replacement of door locks/exist devices, caustic containment area resizing and chem room door widening, housekeeping pad for MCC, Removal of excess caustic from demolished tank, removal of materials inside GAC building for floor, replacement of skylight at Well 21 building, containment coating at Well 21 in the amount of \$33,954.30 thereby increasing the overall cost of the contract from \$3,726,344.46 to \$3,760,298.76. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approved Contract Modification No.4 from Philip Ross Industries for Contract No. C9-22, 1,4-Dioxane & PFOA Treatment at Stillwell Lane (Wells 20 & 21), in the amount of \$33,954.30 to be charged to Capital Project Account No. H-8397-021-2303 Well No. 20 & 21 AOP System.

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

Mr. Logan informed the Commissioners that the District has had difficulty for quite sometime with Badger Meter's turn around time for warranty replacement of defective cellular endpoints. This was mostly due to issues with supply chain and the production of cellular chips since the pandemic. In February, the District's endpoint stock went down to zero, and Badger's inability to supply the District with cellular endpoints became counter-productive to the District's operations. Service department staff had to be deployed to manually read meters not communicating in order to bill accounts. Ms. Blum worked with Badger to explain the situation and the District was shipped the endpoints that were needed. Mr. Logan had responded to an email that Ms. Blum had sent to the Badger representatives, Ron Weber, Ron Lilley (territory managers) and Randy Baxendale, (Field Support Supervisor) thanking them for responding to Ms. Blum's concerns about the issues with not receiving endpoints. His response was only to Randy Baxendale, and it was to thank him for his efforts in prioritizing Ms. Blum's requests regarding the issues that the District was experiencing regarding endpoints. Mr. Logan received an email back from Randy, commending him for creating a "tight and organized" ship, stating that "it's a pleasure working with the entire JWD crew." He goes on to say "Amanda, This is her baby, I cannot begin to tell you how fortunate you are in finding someone like her. Also, I cannot begin to tell you how fortunate I have been to be working with her. Her "cross every T and Dot every I" approach made your meter change out and this entire project successful." After discussion, the Commissioners, pleased with the feedback from Mr. Baxendale, gave Ms. Blum a round of applause, thanked her for her dedication to the District, and requested Mr. Logan memorialize the email in Ms. Blum's personnel folder.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of March 4, 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 February 17, 2024 and March 4, 2024. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners the Preliminary Budget to Actual Report for the year ended December 31, 2023. After discussion, the report was ordered filed.

Miss Cannon then requested authorization to transfer \$3,200,000.00 from the District's FNBLI General Fund Investment Account to NYCLASS General Fund Investment Account to maximize earned interest.

Miss Cannon then reported that after she reviewed preliminary financial data for the year ended December 31, 2023 with Cullen & Danowski, (the District's Audit Firm), the unreserved fund balance at year end would be \$12,341,540.00. Miss Cannon recommended that the Commissioners reduce the unreserved/undesignated fund balance

to achieve a target level equal to approximately 25% to 30% of the 2024 Adopted Annual Operating Budget by appropriating \$6,000,000.00 to various reserve funds as follows:

A-0909	Unreserved/Undesignated Fund Balance	(\$6,000,000.00)
A-0878	Capital Improvement Reserve	\$4,000,000.00
A-0880	Repair Reserve	\$ 500,000.00
A-0915	Unreserved Fund Balance Designated for Debt Service	\$ 750,000.00
A-0916	Unreserved Fund Balance Designated <u>for Emerging Contaminants</u>	\$ 750,000.00
	Total Reserve Funds	\$6,000,000.00

Miss Cannon then stated that Account No. A-0916- Unreserved Fund Balance Designated for Emerging Contaminants is a new account that requires the Commissioners to formerly establish. Miss Cannon noted that establishing this account was discussed during the preparation of the 2024 Operating Budget and that the funds in this account would be available to appropriate to future operating budgets to cover large expenses to maintain and operate treatment facilities that remove emerging contaminants from the District's water supply. Examples of these expenses include, but may not be limited to, carbon media change outs, UV bulb replacements and replacements of AOP drivers, sleeves and sensors. Preliminary analysis shows that the timing of these costs could be somewhat of a moving target dependent on how much water is treated through the facilities and the level of contaminants being removed. With funding earmarked for this purpose, these costs would no longer be required to be budgeted on an annual basis. After discussion and upon motion duly made and seconded, it was

RESOLVED, that the Board of Commissioners authorizes the establishment of an assignment of fund balance for the purpose of funding future operating maintenance costs associated with the treatment for emerging contaminants with funds to be earmarked in Account No. A-0916 Unreserved Fund Balance Designated for Emerging Contaminants. It was

FURTHER RESOLVED that the District appropriate fund balance as listed above.

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

Miss Cannon informed the Commissioners that she had received a request from Mr. Rudolf B. Radna of The Weinstein Law Group, PLLC requesting inspections/reports concerning the premises located at 66 Stillwell Lane, Syosset. Miss Cannon will send Mr. Radna a letter acknowledging receipt of his FOIL request within five (5) days of the receipt

of his request as required under Section 89 (3) of the Freedom of Information Law, stating that his request will be granted or denied, (in whole or part), within approximately thirty (30) days. The Commissioners instructed Miss Cannon to work with Mr. Logan to compile the requested information to comply with the FOIL request.

Miss Cannon informed the Commissioners that she received a FOIL request from Ms. Caren Lazarus requesting maintenance records for fire hydrants on Hidden Ridge Drive. Miss Cannon sent Ms. Lazarus 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. The Commissioners instructed Miss Cannon to work with Mr. Logan to compile the requested information to comply with the FOIL request.

Miss Cannon informed the Commissioners that she received the following four (4) requests to waive penalties:

1. Account No. 20306000-0 in the amount of \$72.85.
2. Account No. 25854655-0 in the amount of \$141.85.
3. Account No. 31202900-0 in the amount of \$163.50.
4. Account No. 31206100-0 in the amount of \$74.35.

Miss Cannon informed the Commissioners that no penalty on any of the above accounts were 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.

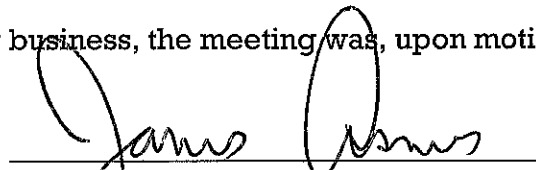
Mr. Logan presented to the Commissioners a request from Mr. Michael Weber of H2M architects + engineers requesting additional engineering fees in the amount of \$63,000.00 for Construction Administration, Meetings and Construction Observation for the AOP Treatment at Merry Lane project. After discussion, the Commissioners tabled H2M's request until the next board meeting.

Pending agenda items list was read and filed.

At 9:40 am, the Commissioners went into Executive Session to discuss personnel and legal matters and returned with no action taken.

The following claims were then audited and approved for payment: General Fund #28239 to #28269 and Construction Fund #2719 to #2720.

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


Secretary