

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 16th day of April 2025, at 8:30 A.M.

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

Bi-monthly report from the Engineer was read and ordered filed.

1. Well 20 & 21 AOP Treatment: The certification package was submitted to NCDOH on April 10, 2025 and NCDOH inspection and sampling will be scheduled. A punch list inspection will be performed this week or next. Generator startup is scheduled within the next week. D&B recommended, based on previous discussions, that the District should not pursue an extended warranty for Trojan AOP units beyond the 2 years included in the contract. No proposed contract modifications at this time, some pending.
2. Well 22 Facility Improvements & AOP Treatment: A claim has been filed by EEG naming the District and D&B. D&B, JWD and Greg Carman, attorney for the District met with JAE, counsel for JAE and their bonding company to discuss project delays and workmanship issues. D&B is working with JWD to evaluate whether increased inspections are desired. Additional delays in the work progress will impact D&B's budget and increase fees. Pending contract modification includes credit for eliminating security gates.

Mr. Carman reported that during the meeting, JAE agreed to retain the services of a professional engineer, (within two weeks from the meeting date of April 12, 2025), to work directly with the District's Engineer, D&B Engineers & Architects, D.P.C on a proposed Corrective Action Plan to correct work associated with Drainage Structures, D-7 & D-8. JAE also committed to prepare and submit a more complete Corrective Action Plan for each

remaining item specified in D&B's letter dated March 21, 2025. The parties have agreed to have a follow-up in person meeting within three weeks of the April 12th meeting.

3. Kirby Lane AOP: Contractors are working on punch list items. Bensin Contracting, the mechanical contractor, submitted a requested change order quote. D&B responded with comments. The letter from the previous meeting will not be sent. D&B will finalize contract delay memorandums to reflect the MC costs once approved. No proposed contract modifications at his time, some pending.
4. Southwoods Road - New Well and Treatment Facility:
 - a. Well Construction Contract: Discussion of draft memorandum regarding delays, financial impact on the District and the potential for a liquidated damage claim against Layne was held.

After discussion, the Commissioners requested Mr. Carman to work with Mr. Van Horn to develop a strategy on how to proceed with liquidated damages against Layne. Mr. Van Horn and Mr. Carman will collaborate on an approach, to close out this matter with the contractor, to be presented to the Board at the May 7th meeting.

- b. Treatment Facility Contracts: The pump has been installed and the MCC is scheduled to be delivered on April 16, 2025. No proposed contract modifications at this time, some pending.
5. PTAS at the Wheatley Rd. Site (Well 6 & 16): MCC wiring, control modifications and buried conduit work are underway. D&B is waiting for MCC shop drawing resubmittal. Field modifications to the installed equipment will be required. The EC did not schedule the generator manufacturer's representative to visit the site to address gas pressure fluctuation issues as requested. D&B sent out a delay letter to Wire to Water on 4/15/2025.
6. Split Rock Tank Booster Station: Startup and testing are scheduled for April 22, 2025. SCADA RTU panel has been delivered and installed. JWD staff are working on the diamond plate floor installation. D&B is preparing an updated site grading and building access plan that will result in a change order for the contractor. No proposed contract modifications at this time, some pending.
7. Pump Rehabilitation Projects:
 - Well 26: Pump is operating. D&B is preparing a punch list.
 - Well 30: Pump work will be performed in fall 2025.
 - Well 3: All required samples have been collected; waiting on the NCDOH approval.
 - Kirby Booster Pumps: Work will be performed in fall 2025.
 - D&B is preparing proposals for the Stone Hill and Juneau sites.

8. Convent Road Facility Architectural Improvements:
 - a. Architectural Contract: D&B responded to a recent letter from the contractor regarding contract closeout . Punch list verification is being scheduled.
 - b. Barn Roof: Contract close out is underway. D&B is reviewing a proposed contract modification from the contractor.
9. Water Service Gooseneck Replacement: D&B met with JWD to finalize the scope of the work. The goal is to bid in July 2025. A revised cost estimate was added to the draft of the Capital Plan.
10. The Hunt Club Road Water Main Connection: Mark-out within the Club Property is scheduled for April 28, 2025. Survey to follow.
11. Treatment at Wells 18, 19 & 29: D&B and JWD had a TEAMS call with EFC to discuss the GAC BABA approach and EFC approved approach. D&B will request a final quote from New Terra along with shop drawings highlighting the changes. D&B met with JWD to determine a revised scope for the project. D&B will prepare an updated cost estimate and proposal amendment based on the revised scope of work.
12. Juneau Pump Station Improvements: D&B is scheduling a site visit to prepare a punch list. Security work is pending. Pending contract modification for unit heaters is under review with D&B.
13. Jericho Tank Rehabilitation: NCDOH verbal approval of plans has been received. Holiday testing of interior finish coating and installation of exterior scaffolding has been completed. The contractor has provided an updated schedule, which both D&B and JWD do not believe is feasible; however, it does show the tank being returned to service by May 26th. D&B has prepared an updated response letter addressing the delays. No proposed contract modifications at this time, some pending.
14. GIS Improvements: D&B is working on licensing and scheduling training with JWD staff.
15. Wheatley Grading and Paving: The contractor intends to remobilize on April 17th to hydroseed, which would complete final site restoration.
16. Exemption Reporting: The next report is due July 10th.
17. Sugar Toms Lane Water Main replacement: NYSDOT approval has been received. NCDOH is still reviewing. A bid date will be determined upon receipt of NCDOH approval.

18. Well 12 Grant: A letter was sent to EFC indicating the District does not intend to proceed with the project.
19. 2024 AWQR: D&B has completed and given to JWD, the final draft of Table 1 of the AWQR.
20. PFAS Treatment at Wells 23: D&B is preparing a draft BODR and scheduling mark-out and survey work. Miss Cannon reported that JWD & D&B provided the NYSEFC with all items on the missing items lists by the 4/14/2025 deadline.
21. PFAS Treatment at Wells 27 & 28: D&B is preparing a draft proposal for design and permitting phase services. This will follow the amendment for Wells 18, 19 & 29.
22. LIU Post Distribution Mapping: D&B sent a draft proposal for review for assisting the District with mapping of JWD and LIU Post Water Mains.
23. Capital Plan: D&B met with JWD on April 14th to discuss the project. The next meeting has been scheduled for May 12th.
24. Grant Funding Opportunities:
 - a. Congressional Directed Spending (CDS) applications have been completed and submitted.
 - b. BIL applications are due May 30, 2025
 - c. WIIA application deadline has not been announced yet

Status of Proposed Development Projects – Engineers Report

1. Cove Edge Road Property Owners: No recent activity.
2. Woodbury Hills: Contract documents have been approved by NCDOH. A Developers Agreement has been sent to the developer. A bid date will be established after payment is received.
3. Silver Path Estates Subdivision: A meeting has been scheduled to discuss JWD comments on the draft memorandum. JWD received an application and \$2,500.00 application fee from the developer
4. Farnum Subdivision: The property for the proposed main extension to complete the loop may be owned by the Village. The District is looking into ownership. Once resolved D&B will proceed accordingly.
5. Grandville Gardens Subdivision: A draft memorandum has been submitted to JWD. JWD received application and \$2,500.00 application fee from developer.

6. TOB Miller Place Water Main Extension: Work will commence upon receipt of payment from the Town.

Mr. Carman informed the Commissioner that Mr. Ingham sent a response letter with exhibits to Unifirst's January 30th, 2025 demand letter. Mr. Ingham's letter concluded that Unifirst's demand for replacement costs for uniforms was unfounded as all uniforms were returned. The demand for liquidated damages failed for a number of reasons stated in the Liquidated Damage Paragraph of the Contract and the District's termination of the Contract was fully justified by virtue of hundreds of billing errors. Mr. Carman then stated he would keep the Commissioners apprised of any response he or Mr. Ingham receives from Unifirst or their attorneys.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period of April 2, 2025 to April 15, 2025, had been completed and all were within state and federal standards.

Mr. Logan reported that on April 5th, 2025, he, along with a contingent of D&B employees, especially Mr. Bill Merklin and Mr. PJ Connell, attended the American Council of Engineering Companies (ACEC) NY 2025 Engineering Excellence Awards gala, held at the NY Hilton Hotel. The District, represented by Mr. Logan, and D&B, were honored by receiving the Silver award for Water Resources projects. The winning project was the District's "Replacement of 1.5 MG Syosset Elevated Tank (a project near and dear to Mr. Logan's heart). D&B were also honored with 3 other awards, Gold award for Water Resources, DPC for Indian Island County Park Living Shoreline, Riverhead; Platinum award for Special Projects, DPC for Playland Pool and Bathhouse Rehabilitation, Rye; and Diamond award for Waste and Storm Water, DPC for Ocean Beach Flood Mitigation and Resiliency, Ocean Beach. The Board congratulated D&B on the well-deserved recognition.

Mr. Logan informed the Commissioners that he received a request from Arnold Widelitz, account no. 40150560-0 for reimbursement for alleged damage incurred to the home's bathroom shower body when the District replaced his water service. The homeowner hired a plumber who had to replace and rebuild the shower body which consisted of the thermostatic cartridge and pistons that were clogged with debris from the reconnection in the amount of \$852.71. Mr. Logan reviewed the claim and supporting documentation submitted and informed the Commissioners that all was fair and accurate. After discussion, the Commissioners authorized reimbursement to the homeowner.

Mr. Logan then informed the Commissioners that he had received four (4) quotes for Contract No. 11-25, Relocation of Fire Hydrant on Ann Drive, as follows:

<u>Bidder</u>	<u>Bid Amount</u>
A.I.I. Allen Industries Inc.	\$14,900.00
Al Felicioni Enterprises Inc.	\$12,000.00
Alessio Pipe & Construction Co, Inc.	\$16,000.00

Maccarone Plumbing Inc.

\$16,000.00

Mr. Logan reported that he will review the quotes and have a recommendation for bid award at the next scheduled Board meeting.

Mr. Logan then requested authorization to list for sale Unit No. 21, a 1998 Case Backhoe (Vin# JJG0211868, Fixed Asset ID#: 000291) through Auctions International. Mr. Logan received a trade-in amount from JESCO as part of their quote for a 2025 John Dere 60 P Excavator and wanted to see if he got a higher price through auction. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approved the use of Auctionsinternational.com to list for sale Unit No. 21, 1998 Case Backhoe (Vin# JJG0211868, Fixed Asset ID#: 000291) and only accept a bid that exceeded the trade-in amount offered by JESCO as part of the quote to purchase a new excavator.

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

Mr. Logan then presented the Commissioners with an email from consumer R. Malvino of 64 East Avenue, Glen Cove, requesting an additional reimbursement for a shower filter cartridges and bottled water in the amount of \$102.57 After discussion the commissioners denied Mr. Malvino's request for reimbursement and instructed Mr. Logan to notify him of their decision.

Mr. Logan then updated the Commissioners with regards to a water service at 15 The Lane in Laurel Hollow/Oyster Bay Cove. As previously reported, the residence burned to the ground in December of 2023, and was subsequently demolished. The existing one inch (1") water service was disconnected at the main, as per District requirements for the demo of a structure. New District requirements state that a property which has a land area of over 20,000 sq. ft., needs a separate irrigation service. The property is land-locked, with no direct access to a district water main; the previous water service was installed in an easement across another property. Mr. Logan wrote to the owner, stating that they can have their plumbing contractor install the new services, and if they still have access through the original easement, they could use that access.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of April 14, 2025. 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 April 1, 2025, and April 10, 2025. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners the Budget to Actual Revenue and Expenditure reports for the quarter ended March 31, 2025. After discussion, the report was ordered filed

Miss Cannon then presented and reviewed with the Commissioners the Construction Fund Report and Installation Fund Report for the quarter ended March 31, 2025. After discussion, the report was ordered filed.

Miss Cannon then presented and reviewed with the Commissioners the Employee Accrual Report for the quarter ended March 31, 2025. After discussion, the report was ordered filed.

Miss Cannon then reported that the Bank Reconciliations for the month of March 2025 were completed. After discussion, the Commissioners ordered the Bank Reconciliations filed.

A discussion was held regarding the purchase of various plant equipment approved in the District's 2025 Capital Plan. The Board of Commissioners expressed their desire to fund the purchase of various plant equipment 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 APPROPRIATE \$150,000.00 FROM THE CAPITAL IMPROVEMENT RESERVE FUND FOR THE PURPOSE OF FUNDING VARIOUS PLANT EQUIPMENT

WHEREAS, the Board of Commissioners approved appropriated funds to 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 April 15, 2025 the Capital Improvement Reserve Fund (A-0878) had a balance of \$10,510,107.03; and

WHEREAS, the District received cost estimates in the amount of \$150,000.00 including a contingency allowance for the purchase of an excavator, arrow/message board, a jack hammer and multipurpose bucket (accessories for the District's skid steer); and

WHEREAS, the Commissioners wish to appropriate funds from the Capital Improvement Reserve Fund (A-0878) for the various plant equipment listed above in the estimated amount of \$150,000.00; and

WHEREAS, funds would be appropriated from the Capital Reserve Fund Account 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 Treasurer to appropriate \$150,000.00 from the Capital Improvement Reserve Fund (A-0878) for the purpose of funding the purchase of various equipment for plant operations.

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
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Miss Cannon informed the Commissioners that after closeout of the Merry Lane AOP project at the Board Meeting on March 19, 2025, two additional engineering invoices came in from H2M after the project was closed in the total amount of \$5,287.00 thereby amending the final project cost from \$9,323,976.68 to \$9,329,263.68. Miss Cannon indicated that the grant with the NYSEFC was already closed out a final reimbursement received prior to receiving the above listed invoices.

Miss Cannon then reported to the Commissioners that, (as previously discussed), she submitted a formal response letter to NYSEFC to rescind the District's acceptance of the NYSEFC BIL-EC Grant in the amount of \$5,000,000.00 for Project No. 19580 -Well No. 12 PFAS Treatment. Miss Cannon stated that the letter also requested that the grant funding be reallocated to Project No. 19583 - Well No. 28 PFAS; however, she received a response from the NYSEFC which indicated that transferring grants from one project to the next was not allowed. The NYSEFC recommended the District re-apply for a grant for this project by

the May 30, 2025 deadline. Miss Cannon indicated that the District will be submitting a grant application for this project with an expanded scope to include PFAS Treatment at Well No. 27 as well.

Miss Cannon then presented to the Commissioners a list of obsolete and broken computer equipment which will be disposed of before the end of the year (attached to the end of these minutes). After discussion, the Commissioners approved the disposal of the broken and obsolete items.

Miss Cannon then reported that she received a request from consumer account no. 30203200-2 to waive a penalty in the amount of \$217.03 Miss Cannon informed the Commissioners that no penalty on this account has been waived in the last five (5) years. After discussion, the Commissioners authorized Miss Cannon to waive the penalty and send a revised bill to the consumer.

Miss Cannon informed the Commissioners that she received a request for a reduction of their first quarter 2025 water bill on Account No. 21415500-0 from the owner due to a leak in 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, to be charged at a rate equal to the District's cost to pump 1,000 gallons of water. The adjustment to this account resulted in the total water charge being reduced to \$89.14 from \$97.60, a reduction equal to \$8.46. After discussion, the Commissioners approved the reduction and instructed Miss Cannon to send a revised bill.

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

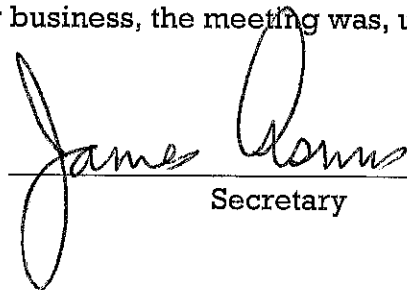
Miss Cannon informed the Commissioners that as part of the NYS GFOA Annual Conference, there was a seminar "News from the Nation's Capital for Finance Officers" given by Emily Brock, Director of the Federal Liaison Center GFOA of the US and Canada. In her presentation, there was national concern regarding the elimination of tax-free municipal bonds. Tax-exempt municipal bonds are the primary financing mechanism for state and local infrastructure projects – they have been used for more than 100 years and provide essential funding for states, counties, and localities. More than 90% of public-sector construction spending in the U.S. is borne by states and localities, most of which is funded through tax-exempt municipal bonds. If tax exemption is eliminated or reduced, states and localities will pay more to finance projects, leading to fewer projects and fewer jobs, or project costs will be transferred to local tax and rate payers. Miss Cannon gave an overview of the presentation to the Commissioners and informed them that the National GFOA is collecting information on how municipal bonds have helped communities build infrastructure and other facilities. After discussion, the Commissioners instructed Mr.

Carman and Miss Cannon to share the information with the Long Island Water Conference and the Nassau Suffolk Water Commissioners for their respective legislative committees to review the information.

The pending agenda items list was read, discussed, and filed.

The following claims were then audited and approved for payment: General Fund #29365 to #29407 and Construction Fund #2799.

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


Secretary