

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 19th day of February 2025, 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.

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

1. Well 20 & 21 AOP Treatment: Performance testing has been completed. Waiting for sample results. The ATS was delivered on February 11th. Proposed contract modifications including blowoff modifications and misc. additional work.

Mr. Logan then presented to the Commissioners Contract Modification No. 5 from Bensin Contracting Inc. for Contract No. C11-22, 1,4-Dioxane and PFOA Treatment at Stillwell Lane (Wells 20 & 21) Mechanical Construction. This change modification is to furnish and install all labor and material to modify the Well 20 blowoff piping as per drawings which includes the removal of the existing blowoff piping and to supply and install a new stainless steel insect screen for the not to exceed fee of \$5,025.50. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve Contract Modification No. 5 Bensin Contracting Inc. for Contract No. C11-22, 1,4-Dioxane and PFOA Treatment at Stillwell Lane (Wells 20 & 21) Mechanical Construction in the amount of \$5,025.50 to be charged to the general allowance line of the contract.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
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Commissioner Abbate	AYE
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Commissioner Asmus AYE
Commissioner Beckerle AYE

Mr. Logan then presented to the Commissioners Contract Modification No. 6 from Bensin Contracting, Inc. for Contract No. C11-22, 1,4-Dioxane & PFOA Treatment at Stillwell Lane (Wells 20 & 21) Mechanical Construction in the amount of \$41,025.00 for miscellaneous additional work (installing a sight glass on AOP reactors, ARC drains, increasing size of sample lines, interconnect Trojan Alarm Panel with push to test and relocate valves on Well 21 GACs). After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve Contract Modification No. 6 from Bensin Contracting, Inc. for Contract No. C11-22, 1,4-Dioxane & PFOA Treatment at Stillwell Lane (Wells 20 & 21) Mechanical Construction in the amount of \$41,025.00 thereby increasing the overall cost of the contract from \$6,892,566.00 to \$6,911,268.05, an increase of \$18,702.05, to be charged to Capital Project Account No. H-8397-021-2303 Well No. 20 & 21 AOP System and \$22,322.95 to be charged to the general allowance line of the contract with no overall increase to the cost of the project.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

2. Well 22 Facility Improvements & AOP Treatment: D&B and the attorney are working to close out the EEG contract. The current GC, J. Anthony Enterprises, has not responded to the delay letter and continues to be unable to produce a schedule that includes adequate time for the other prime contractors. D&B is preparing a follow-up delay letter. It appears that the contractors will not meet the contractual Substantial Completion date of May 26, 2025.

Mr. Logan then presented to the Commissioners Contract Modification No. 2 from JVR Electric, Inc. for Contract No. C13-22R, 1,4-Dioxane & PFOA Treatment at Well No. 22 (Electrical Construction) in the amount of \$29,497.50 for receiving, unloading, placing into storage for five months, reloading, and shipping generator to site. The contract modification was necessary due to delays with the project preventing immediate delivery to the site. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve Contract Modification No. 2 from JVR Electric, Inc. for Contract No. C13-22R, 1,4-Dioxane & PFOA Treatment at Well No. 22 (Electrical Construction in the amount of \$29,497.50 to be charged to the general allowance line of the contract with no overall increase to the cost of the project.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Mr. Logan then presented to the Commissioners Contract Modification No. 3 from Philip Ross Industries, Inc. for Contract No. C14-22R, 1,4-Dioxane & PFOA Treatment at Well No. 22 (Mechanical Construction) in the amount of \$52,474.50 to furnish a GAC Valve Control Panel to operate electrically operated valves on GAC System. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve Contract Modification No. 3 from Philip Ross Industries, Inc. for Contract No. C14-22R, 1,4-Dioxane & PFOA Treatment at Well No. 22 (Mechanical Construction) in the amount of \$52,474.50 to be charged to the general allowance line of the contract with no overall increase to the cost of the project.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

Mr. Logan then presented to the Commissioners Contract Modification No. 3 from J. Anthony Enterprises Inc. for Contract No. C5-24, 1,4-Dioxane & PFOA Treatment at Well No. 22 (General Construction) in the amount of \$44,232.30 to install plywood siding. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve Contract Modification No. 3 from J. Anthony Enterprises, Inc. for Contract No. C5-24, 1,4-Dioxane & PFOA Treatment at Well No. 22 (General Construction) in the amount of \$44,232.30 to be charged to the general allowance line of the contract with no overall increase to the cost of the project.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

3. Kirby Lane AOP: Contractors are working on punch list items. D&B is coordinating delay meetings with the Contractors. D&B has submitted a revised proposal amendment. Pending contract modifications include Stalco (No. 14) for moving of funds from clear well repair allowance to Bensin's general allowance, Bensin (No. 16) accepting funds from Stalco's contract, Bensin (No. 17) new valve for the tank fill line and Bensin (No. 18) AOP piping modifications.

Mr. Merklin then presented to the Commissioners a proposal amendment for additional engineering services from D&B Engineers and Architects D.P.C. for the 1,4-Dioxane and PFAS Treatment at the Kirby Lane Station in the not to exceed amount of \$225,000.00 thereby amending their originally approved fee from \$1,281,000.00 to \$1,506,000.00. The project was substantially complete as of August 2, 2024, 469 past the original substantial completion date for the project. The project had many setbacks, some due to supply chain issues brought on by the COVID-19 pandemic, and others that were contractor related as detailed in Mr. Merklin's letter. The District also requested additional necessary work on the project that was not included in the original contract. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve D&B's proposal amendment for the 1,4-Dioxane and PFAS Treatment at the Kirby Lane Station in the not to exceed amount of \$225,000.00 thereby amending their originally approved fee from \$1,281,000.00 to \$1,506,000.00 to be charged to Capital Project Account No. H-8397-011-2303 Kirby Lane AOP System. It was

FURTHER RESOLVED that the Commissioners authorize Miss Cannon to process and record 2024 D&B invoices for the project in the amount of \$160,601.80.

VOTE	AYES:	3	NOES:	0	ABSTENTIONS:	0
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Commissioner Abbate	AYE
Commissioner Asmus	AYE
Commissioner Beckerle	AYE

4. Southwoods Road - New Well and Treatment Facility:

- a. Well Construction Contract: D&B is working with the Contractor on contract close out.
 - b. Treatment Facility Contracts: Electrical and gas service installations continue to be coordinated. MCC delivery is scheduled for March 21, 2025. No proposed contract modifications at this time, some pending.
5. PTAS at the Wheatley Rd. Site (Well 6 & 16): Wire to Water is working on installation and wiring of 8 out of 12 sections of the MCC. The remaining 4 sections have not yet been delivered. D&B is reviewing the shop drawing for the MCC and has notified Wire to Water that installation of the equipment is at their own risk because it has not been approved. D&B has requested a schedule from the EC for the generator manufacturer's representative to visit the site to address gas pressure fluctuation issues.
6. Split Rock Tank Booster Station: PSEG has turned on the power to the pump station. The contractor is coordinating startup and testing. D&B met with JWD to develop an approach for a diamond plate floor to be installed by JWD staff. No proposed contract modifications at this time, some pending.

7. Pump Rehabilitation Projects:

- Well 26: Well cleaning has been completed. Scheduling post-cleaning inspection.
- Well 30: Pump work will be performed in fall 2025.
- Well 3: JWD is performing piping modifications to address the pump head alignment issue. Contractor removed the pump because of the unapproved coating system on the bowl assembly. The coating will be removed and the pump reinstalled.
- Well 27: The scope and schedule for this project may be impacted by the need for PFAS treatment in the well. D&B will discuss with JWD potentially rehabbing a different well in its place.
- Kirby Booster Pumps: Work will be performed in fall 2025.

8. Convent Road Facility Architectural Improvements:

- a. Architectural Contract: D&B has prepared an updated punch list. JWD is working with contractor regarding missed and poor-quality work. No proposed contract modifications anticipated through completion of the project.
- b. Barn Roof: Contractor is addressing open work items. No proposed contract modifications anticipated through completion of the project.

9. Water Service Gooseneck Replacement: D&B is preparing a draft service line replacement contract for JWD review by the end of February. Goal is to bid in July 2025. D&B working on updated project costs.

10. The Hunt Club Road Water Main Connection: D&B prepared an updated sketch and cost estimate for the revised route. D&B is preparing a proposal amendment for the revised route and scope of work.

Mr. Logan then presented to the Commissioners a draft proposal amendment to their original August 14, 2023, proposal, from D&B Engineers and Architects D.P.C. for the Hunt Club Water Main Improvements project. The amendment is due to the revised water main route in the total amount of \$11,500.00 thereby amending their original fee from \$84,000.00 to \$95,500.00. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve D&B's proposal amendment for engineering services for the Hunt Club Water Main Improvements for the total not to exceed fee of \$11,500.00 to be charged to Capital Project Account No. H-8397-015-2300 Hunts Club Water Main Improvements contingent upon receiving the final proposal amendment from the engineers.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE

Commissioner Beckerle

AYE

11. PFAS Treatment at Wells 18, 19 & 29: D&B and JWD met with NewTerra to discuss the potential for them to meet BABA requirements.

Mr. Merklin presented and discussed with the Commissioners a memorandum regarding the EFC Funding and Wells 18, 19 and 29 Treatment Design. In the memorandum, D&B outlined three potential alternatives to the project. No decision was made by the Board at this time.

D&B will provide a proposal to JWD for the Five-Year Capital Plan and a planning meetings between JWD and D&B will be scheduled to determine the best course of action.

12. Juneau Pump Station Improvements: Electrical work appears to have stalled. Contractor is not responding. Security work is pending. No proposed contract modifications at this time, pending contract modification for unit heater.

13. Jericho Tank Rehabilitation: D&B has addressed the latest round of NCDOH comments. Contractor has continued to perform interior blasting and priming as well as some exterior metal work. D&B is evaluating the roof rafters as the blasting work progresses. D&B is discussing options for repairs with the Contractor. The Contractor still appears to be behind schedule and has not provided a schedule that addresses all of the work items for Substantial Completion. No proposed contract modifications at this time, some pending.

14. GIS Improvements: D&B is working on tap card integration.

15. Wheatley Grading and Paving: Site restoration work will commence in the spring. Proposed contract modification for revised remobilization cost.

Mr. Logan then presented to the Commissioners Contract Modification No. 2 from United Paving Corp. for Contract No. C6-24, Wheatley Facility Paving and Drainage in the amount of \$9,000.00 for the relocation of structures and remobilization of equipment and returned some precast items. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the Commissioners approve Contract Modification No. 2 from United Paving Corp. for Contract No. C6-24, Wheatley Facility Paving and Drainage in the amount of \$9,000.00 to be charged to the general allowance line of the contract with no overall increase to the cost of the project.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE

16. Exemption Reporting: NYSDOH has granted an extension until August 25, 2025.
17. Sugar Toms Lane Water Main replacement: D&B has addressed JWD comments on the draft drawings. Contract documents have been submitted to NCDOH. Discussion regarding a bid date (March 21st or later).
18. Well 12 Grant: JWD is continuing to collect samples and monitor the water quality.
19. 2024 AWQR: D&B is working on the AWQR data table. The first draft is scheduled for the end of February.
20. PFAS Treatment at Wells 23: JWD received a BIL grant award in the amount of \$5,000,000. D&B has submitted a revised draft proposal for JWD review.
21. PFAS Treatment at Wells 28: Discussion regarding the potential need to add Well 27 PFAS treatment. D&B to work on revised cost estimate.
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.

Status of Proposed Development Projects – Engineers Report

1. Cove Edge Road Property Owners: No recent activity.
2. Woodbury Hills: Contract documents have been submitted to NCDOH for approval. D&B has identified the required easements on the contract drawings. A Developers Agreement will be prepared after receipt of NCDOH's approval. D&B has submitted an updated proposal to address the District's standard procedures.

Mr. Merklin then presented to the Commissioners a proposal amendment to their original March 15th, 2024 proposal, from D&B Engineers and Architects D.P.C. for the Water Main Improvements for the Proposed Woodbury Hills Development. The amendment is due to a scope change associated with the preparation of the watermain easement documents and anticipated level of construction inspection and duration in the total amount of \$12,300.00 thereby amending their original fee from \$45,500.00 to \$57,300.00. Commissioner Abbate recused himself from all discussions and decisions related to the Woodbury Hills Development. After discussion, and upon motion duly made and seconded it was

RESOLVED that the Commissioners approve D&B's proposal amendment for engineering services for the Water Main Improvements for Proposed Woodbury Hills Development for the total not to exceed fee of \$12,300.00 to be paid by the developer.

VOTE AYES: 2 NOES: 0 ABSTENTIONS: 0

Commissioner Asmus AYE
Commissioner Beckerle AYE

3. Silver Path Estates Subdivision: Calculations have determined that water cannot be provided to the proposed development without improvements. D&B is evaluating improvement alternatives.
4. Farnum Subdivision: D&B is confirming with the developer that they can provide a survey of the proposed pipe alignment on both sites.
5. Grandville Gardens Subdivision: D&B has received updated information from the developer's engineer.
6. TOB Miller Place Water Main Extension: D&B is preparing an updated proposal to address the need for additional surveying that the Town is unable to provide.

Mr. Ingham informed the Board that he responded to the draft Complaint received from BMD LLC, attorneys for the Unifirst Corporation, requesting additional time to finalize the District's response. In the interim, he also pointed out that the venue selected for Arbitration is incorrect in accordance with the Customer Service Agreement. The Customer Service Agreement indicates that "binding arbitration" shall be "conducted in the capital City of the State where the Customer has its principal place of business." Accordingly, should the District and Unifirst fail to negotiate an amicable settlement to this manner, arbitration must be conducted in Albany County, New York.

Mr. Logan reported that all analysis of wells and bacteriological sampling for the period of February 5, 2025 to February 18, 2025, had been completed and all were within state and federal standards.

Mr. Logan presented to the Commissioners a letter from the New York State Department of Health dated February 14, 2025, regarding the extension to the exemption from the Maximum Contaminant Level for 1,4-dioxane. The letter amends the extension through August 25, 2025 (previously approved through April 25, 2025, a typographical error).

Mr. Logan gave an update on the Split Rock Booster Station floor project. After consulting with the service staff and D&B, it was determined that the best course of action would be for the District to purchase diamond plate flooring to be installed by the District staff. Commissioner Asmus provided Mr. Logan one other option to consider, he will follow up with specifications so that a final decision can be made and materials can be purchased.

Mr. Logan then presented to the Commissioners a request from Kim Harrison of Total Community Management, the management company in charge of the Hidden Ridge property in Syosset, requesting fire hydrant inspection reports. Mr. Logan informed the Commissioners that the hydrants on the property have not been inspected again since the last reports were sent to the management company. After discussion, the Commissioners instructed Mr. Logan to send the most recent set of inspection records to Ms. Harrison to comply with her request.

Mr. Logan then gave an update regarding the service located at 6 Rubin Lane in Woodbury. The issue at hand was that the water service broke several years back, and the homeowner had it replaced. The plumber, hired by the homeowner, removed the ringstyle valve (RSV; shutoff valve after the meter) from the house-side of the meter, replacing it with a threaded coupling. The homeowner, after several correspondences, refused to have a new valve installed. Mr. Logan was looking for a way to install an RSV, but the homeowner was insistent that he would hold the District responsible for any damage to the meter pit or surrounding area. However, an emergency markout was called in on Monday, Feb. 17th, for the water service. Apparently, the homeowner obtained a plumber and will be completing the necessary work to bring the meter pit up to regulations.

Mr. Logan gave an update on the 64 East Avenue, Glen Cove property regarding the rusty water claim. Mr. Logan informed the Commissioners that the service department will be replacing a section of main and some of the service to identify the cause of the situation. He will keep the Commissioners appraised of the situation. Mr. Logan mentioned that the homeowner had sent in unpaid invoices for a plumber to replace his double-check and drain rust from the hot water heater, and for 6, 5-gallon bottles of water, since he felt the water was not safe. The BOC will discuss at the next meeting.

Miss Cannon then presented and reviewed with the Commissioners a Cash Balance/Cash Deposit report as of February 17, 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 February 4, 2025, and February 14, 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 year ended December 31, 2024. After discussion, the report was ordered filed.

Discussion was held on the District's current policy for capital asset procedures. Miss Cannon informed the Commissioners that she had two minor changes to the policy to add two categories that were missed in the previously adopted version. After discussion, and upon motion duly made and seconded, it was

RESOLVED that the revised Capital Assets Policy is hereby adopted by the Board of Commissioners effective retroactively to January 1, 2023.

VOTE AYES: 3 NOES: 0 ABSTENTIONS: 0

Commissioner Abbate AYE
Commissioner Asmus AYE
Commissioner Beckerle AYE

Miss Cannon presented to the Commissioners an email from homeowner Tom Montalbano thanking the District for the leak alert received on his property.

Miss Cannon requested authorization to participate in the NYSGFOA a 2-hour virtual Elected Officials training on March 11, 2025 from 10 a.m. to 12 p.m. After discussion, the Commissioners authorized Miss Cannon to participate in the virtual training program.

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

1. Account No. 20150730-0 in the amount of \$96.61.
2. Account No. 60259060-0 in the amount of \$87.55.

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

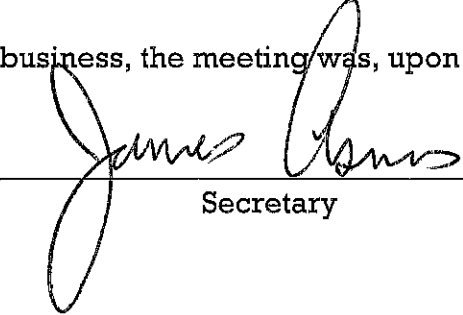
Miss Cannon then informed the Commissioners that she received the first half of the taxes collected by the Town of Oyster Bay in the gross amount of \$6,688,327.19; \$4,993,022.34 for Ad Valorem Taxes, \$401,541.57 for 2024 water bills in arrears that the County attached to consumers tax bills, \$117,608.04 in PILOT revenue from 2025 and \$1,176,155.24 for BAN Premium, Interest and 2024 PILOT revenue. The Town of Oyster Bay deducted \$3,841,585.00 to pay the District's first half required debt service payment resulting in a net check of \$2,846,742.19.

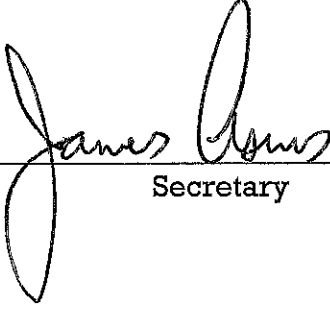
Miss Cannon then requested authorization to transfer \$2,800,000.00 from the District's FNBLI General Fund to the FNBLI Investment Account to maximize interest earned. After discussion, the Commissioners authorized Miss Cannon to make the transfer.

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

The following claims were then audited and approved for payment: General Fund #29204 to #29231 and Construction Fund #2793 to #2795.

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


Secretary


Secretary