

**Meeting of the Board of Fire Commissioners
Of the Manhasset-Lakeville Fire District
In the Town of North Hempstead
In the County of Nassau, New York
January 7, 2020**

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At a regular meeting of the Board of Fire Commissioners of the Manhasset-Lakeville Fire District, in the Town of North Hempstead, in the County of Nassau, New York, held at the Fire District Office, 170 East Shore Road, Great Neck, New York, on January 7, 2020 at 6:30 p.m. (Prevailing time),

There were present:

Commissioner(s):

Honorable Mark S. Sauvigne, Chairman of the
Board of Fire Commissioners

Honorable, Steven Flynn Fire District
Treasurer

Honorable Brian J. Morris, Fire District
Secretary

Also present:

Antonia Pisani, District Clerk

* * *

Meeting called to order by the Chairman at 6:30 p.m.

Commissioner Elect Steven Flynn was sworn in this evening to assume the duties as Commissioner of the Manhasset-Lakeville Fire District for a term of three years.

A letter with Constitutional Oath of Office card will be mailed to the Town of North Hempstead Town Clerk and the Nassau County Clerk.

Minutes of the previous meeting to stand approved by the Board.

Incoming and outgoing communications were considered by the Board.

This being the organizational meeting of the Board of Commissioners, **MOTION** was proposed by Commissioner Morris that Commissioner Sauvigne assume the duties of the office of Chairman of the Board for the year 2020. This was accepted by Commissioner Sauvigne.

The adoption of the foregoing **RESOLUTION** (#F01-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Flynn, Commissioner Morris
Nays: None
Abstained: Sauvigne Commissioner

This being the organizational meeting of the Board of Commissioners, **MOTION** was proposed by Commissioner Morris that Commissioner Flynn assume the duties of the office of Treasurer of the Board for the year 2020. This was accepted by Commissioner Flynn.

The adoption of the foregoing **RESOLUTION** (#F02-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne
Nays: None
Abstained: Commissioner Flynn

This being the organizational meeting of the Board of Commissioners, **MOTION** was proposed by Commissioner Sauvigne that Commissioner Morris assume the duties of the office of Secretary for the year 2020. This was accepted by Commissioner Morris.

The adoption of the foregoing **RESOLUTION** (#F03-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Sauvigne, Commissioner Flynn
Nays: None
Abstained: Commissioner Morris

This being the organizational meeting of the Board of Commissioners, **MOTION** was proposed by Commissioner Morris the following professional consultants will be retained by the District for fiscal year 2020:

Computer Programmer/Billing – General Ledger

LI Software Solutions – Kevin Saal

Unlimited I.T Solutions – Richard Baldwin

***Specialized Computer Consulting Services In Connection With a Six Location,
Integrated Computer-based Security System for the District's Fire Houses***

Island Tech Services, LLC
Principal Robert Gronenthal

Mayday Communications
Principal Cliff Casazzone

C & H Signal - Alarms

Sound Dimensions – Security Cameras

Specialized Service Providers

Otis Elevator

MedPro US – Service Ambulances.

Clinical Clean – Sanitizing Ambulances.

Orkin Exterminators

Paychex – Payroll Service Providers

Firefly Admin Inc. – Tony Hill, Principal

Accountability System, LOSAP, Point System

Fire Rescue Systems, Div. of SCM Products
Principal Keith Siegel

Automation, Copiers, Document Handler

LDI Color Tool Box

Appraisers

TBD

Auditor

External Auditor

TBD. RFP sent 12/26/19

Internal Accountant

Craig Fitzsimmons & Michaels, LLP

Civil Engineers

H2M Group

Insurance

Salerno Brokerage Corp.

Principal - Nick Salerno

Counsel

Morici & Morici, LLP

Principal – Robert Morici, Attorney

McLaughlin and Stern, LLP

Christopher Prior, Attorney

The adoption of the foregoing **RESOLUTION** (#F04-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn

Nays: None

On **MOTION** made by Commissioner Morris seconded by Commissioner Sauvigne it was **RESOLVED** that the Bank Accounts be continued in the following banks, in the name and for the use of the Board of Commissioners of the Manhasset-Lakeville Fire District and that until otherwise ordered, said banks be and are hereby authorized to make payments of the funds of said District and deposits with it upon and according to checks of this District signed by Commissioner Mark S. Sauvigne, Commissioner Brian J. Morris or Commissioner Steven Flynn and said banks are authorized to receive for deposit or collection of funds as follows:

Banking Institutions for 2020

#

Capital One Bank, Manhasset-Lakeville Fire District				
	MLFD General Fund		7527398848	##
	MLFD Excess Tax Levy Reserve		7528531452	##
	MLFD Trust and Agency		7527405305	##

#

Sterling National Bank, Manhasset-Lakeville Fire District				
	MLFD General Fund		6700503992	##
	MLFD Repair Reserve		6700504020	##
	MLFD Land and Building		6700504012	##
	MLFD Fire Apparatus		6700504004	##
	MLFD Excess Tax Levy Reserve		6700504047	##
	MLFD Trust and Agency		6700504055	##
	MLFD Regional Simulator		6700504039	##

#

LOSAP Funds				
	Ameriprise ONE Financial		863981502133	##
	Ameriprise STRATEGIC Portfolio Service Advisor		471477075133	##
	Ameriprise VISTA Separate Account		856154216133	##

Morgan Stanley LOSAP	1055069029
American Equity	Annuity Contract Y 003391
First Security Benefit Life	Contract 15 G 0000061

The adoption of the foregoing **RESOLUTION** (#F05-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

MANHASSET-LAKEVILLE FIRE DISTRICT

The following motions were proposed by Commissioner Morris and seconded by Commissioner Sauvigne,

**RESOLUTION REAFFIRMING THE ESTABLISHMENT OF THE CAPITAL RESERVE FUND
– ACQUISITION OF FIRE APPARATUS**

RESOLVED, that, pursuant to Section 6-g of the General Municipal Law, as amended, the Board of Commissioners of the Manhasset-Lakeville Fire District (the “District”) does hereby reaffirm the prior and current establishment of the “Capital Reserve Fund – Acquisition of Fire Apparatus” as it was established by resolution heretofore on July 12, 1994, to fund the acquisition of various firefighting apparatus and, further, to fund the acquisition of apparatus and equipment as needed to respond to and resolve whatever emergencies, including medical and rescue, that may arise within the District and further

RESOLVED the District Treasurer, has and shall continue, to deposit moneys of this reserve into separate bank accounts known as “Acquisition of Fire Apparatus” and further

RESOLVED, that the monies for such funding will be raised through the appropriate tax levies as established in our annual budgetary process and through monies raised by the District Treasurer through proper and prudent investment pursuant to Section 6-f or the General Municipal Law.

The adoption of the foregoing **RESOLUTION** (#F06-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn

Nays: None

**RESOLUTION REAFFIRMING THE ESTABLISHMENT OF THE CAPITAL RESERVE FUND
– LAND AND BUILDING**

RESOLVED, that, pursuant to Section 6-g of the General Municipal Law, as amended, the Board of Commissioners of the Manhasset-Lakeville Fire District (the “District”) does hereby reaffirm the prior and current establishment of the “Capital Reserve Fund – Land and Building” as it was established by resolution heretofore on December 30, 1999, to fund the cost of acquisition of land and, further, to fund the cost of construction of land and building and further it is

RESOLVED that the fund may also be used to fund construction improvements, including additions, to District property and further it is

RESOLVED the District Treasurer, has and shall continue, to deposit moneys of this reserve into separate bank accounts known as “Land and Building Reserve Fund” and further

RESOLVED, that the moneys for such funding will be raised through the appropriate tax levies as established in our annual budgetary process and through monies raised by the District Treasurer through proper and prudent investment pursuant to Section 6-f or the General Municipal Law.

The adoption of the foregoing **RESOLUTION** (#F07-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

RESOLUTION REAFFIRMING THE ESTABLISHMENT OF THE REPAIR RESERVE FUND

RESOLVED, that, pursuant to Section 6-d of the General Municipal Law, as amended, the Board of Commissioners of the Manhasset-Lakeville Fire District (the “District”) does hereby reaffirm the prior and current establishment of the “Repair Reserve Fund” as it was established by resolution heretofore, to fund the cost of repairs to capital improvements or equipment, which repairs are of a type not recurring annually or at shorter intervals and further it is

RESOLVED the District Treasurer, has and shall continue, to deposit moneys of this reserve into separate bank accounts known as “Repair Reserve Fund” and further

RESOLVED, that the moneys for such funding will be raised through the appropriate tax levies as established in our annual budgetary process and through monies raised by the District Treasurer through proper and prudent investment pursuant to Section 6-f or the General Municipal Law.

The adoption of the foregoing **RESOLUTION** (#F08-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

**RESOLUTION REAFFIRMING THE ESTABLISHMENT OF THE REGIONAL DRIVING
SIMULATOR CAPITAL PROJECT FUND**

RESOLVED, that, the Board of Commissioners of the Manhasset-Lakeville Fire District (the “District”) does hereby reaffirm the prior and current establishment of the “Regional Driving Simulator Capital Project Fund” as it was established by resolution heretofore, on March 13, 2012 for the sole purpose to purchase a Fire Apparatus and Ambulance Driving Simulator (the “Simulator”) or training drivers of the Manhasset – Lakeville Fire Department for the safe conveyance of District fire and emergency apparatus when en route to an emergency and further

RESOLVED, that other fire departments, those being the Great Neck Vigilant Engine & Hook & Ladder Co. Inc., (the “Vigilants”), the Great Neck Alert Engine, Hook, Ladder Co. No. 1, Inc., (the “Alerts”) and the Albertson Hook & Ladder, Engine & Hose Co. No.1, (“Alberston”) have partnered with the District to purchase said Simulator

RESOLVED, that the moneys for this project was through a \$249,920.00 (two hundred forty-nine thousand, nine hundred twenty dollar) Grant awarded by the Federal Emergency Management Agency (Grant No. EMW-2011-FR-00136) (the “Grant”) and will be for the reimbursement of legitimate expenditures on this project and further

RESOLVED reimbursable funding will be from the unappropriated fund balance and through monies raised by the District Treasurer through proper and prudent investment pursuant to Section 6-f or the General Municipal Law and further

RESOLVED the District Treasurer, has and shall continue, to deposit moneys of this reserve into a separate bank account known as “Regional Driving Simulator Capital Project Fund” for the sole purpose of recording payments and receipt of funds and further

RESOLVED the maximum expenditures and deposits of this Fund shall not exceed the expense and contributions as stated in intermunicipal agreements of the regional parties.

The adoption of the foregoing **RESOLUTION** (#F09-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

On **MOTION** made by Commissioner Morris seconded by Commissioner Sauvigne, it was **RESOLVED** that all Commissioners and/or employees of the District, when authorized and according to law, be paid at the rate of .575¢ per mile (which is the New York State approved rate) for all transportation incurred on District business.

The adoption of the foregoing **RESOLUTION** (#F10-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

On **MOTION** made by Commissioner Sauvigne seconded by Commissioner Morris it was **RESOLVED**, that all Commissioners, if possible, attend all educational meetings, conferences, conventions, exhibits, etc., pertaining to firematics such as the National Fire Protection Association, Eastern Association of Fire Districts of the State of New York, Association of Fire Chiefs, Firemen’s Association of the State of New York, Association of Towns, Legislative Clearing House of the Volunteer Firemen’s Association of the State of New York and Southern New York State Volunteer Firemen’s Association and any other regular meetings in 2020, if deemed necessary for the best interest of the District. At these meetings where it is felt they would be beneficial to certain employees of the District, the Board of Commissioners will designate such persons to attend. All expenses in connection with such attendance will be a proper charge against the District within the scope of the Budget. At the first meeting of the Board of Commissioners, subsequent to the attendance of the foregoing, the Secretary of the Board will record in the minutes the names of those officially attending meetings, together with a synopsis of the meetings.

The adoption of the foregoing **RESOLUTION** (#F11-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

On **MOTION** made by Commissioner Morris, seconded by Commissioner Sauvigne, it was **RESOLVED**, the MANHASSET PRESS, GREAT NECK RECORD, and THE NEW HYDE PARK ILLUSTRATED shall be the official newspapers of the Manhasset-Lakeville Fire District.

The adoption of the foregoing **RESOLUTION**(#F12-20) which was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

On **MOTION** made by Commissioner Morris, seconded by Commissioner Sauvigne it was **RESOLVED**; the following will be the schedule for the year 2020 Meetings for the Manhasset-Lakeville Fire District:

The Board of Commissioners of the Manhasset-Lakeville Fire District announces the regular 2020 Fall/Winter/Spring schedule of public official meetings. From January 1, 2020 through June 30, 2020, and from September 2, 2020 through December 31, 2020 the Board will meet every Tuesday at 4:00 p.m. to discuss water business and every first and third Thursday of the month at 4:00 p.m. to discuss fire business.

All meetings will be conducted in the Boardroom at the District office, 170 East Shore Road, Great Neck, N.Y. 11023, unless otherwise publicly notified. Our regular office hours are 7:00 a.m. to 3:00 p.m.

The Board is available on a daily basis by appointment to respond to concerns, questions and issues of the District residents pertaining to Water or Fire District matters.

Special arrangements or appointments can be made thru Mary Jayne Dreyer at 516-466-4416 extension 707.

Notice of this schedule is being sent to the MANHASSET PRESS, GREAT NECK RECORD, AND THE ILLUSTRATED NEWS for publication.

The adoption of the foregoing **RESOLUTION** (#F13-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

The Board of Commissioners reviewed and discussed, a resolution passed at meeting #89-26W on April 11, 1989, where an employee or official that has duplicate health coverage provided by another governmental employer either through employment or marital status, the practice of paying the employee or official the equivalent of what the District's normal cost is or would have

been in providing that employee, inclusive of his or her spouse, with medical insurance equal to that provided to other employees.

On that basis, Commissioner Morris proposed, and Commissioner Sauvigne seconded the following RESOLUTION:

WHEREAS, it has been past practice and through resolutions to provide health insurance to its officials and full time employees and,

WHEREAS, it has been past practice and through resolutions that where an official or an employee that has duplicate, or essentially duplicate, coverage provided by another governmental entity, either by employment or marital status, to pay said employee or officials an amount deemed reasonable and fair to reflect the savings to the District of said employee not being on the District health insurance plan as an individual.

IT IS HEREBY RESOVLED to pay employees with current health insurance coverage, in recognition of their health coverage under spouse or parents, the sum of twenty-five hundred dollars (\$2,500) in two semiannual payments of one thousand two hundred fifty dollars (\$1,250).

The adoption of the foregoing **RESOLUTION** (#F14-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn

Nays: None

**RESOLUTION OF THE MANHASSET-LAKEVILLE FIRE DISTRICT
RELATING TO APPROVAL OF CHECKS
ORGANIZATION NUMBER 8**

To the Treasurer:

I certify that the vouchers on the submitted check register were audited by the Board of Commissioners of the Manhasset-Lakeville Fire District on 1/7/20 and are allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount indicated on the opposite of his name.

Brian J. Morris
Commissioner
Manhasset-Lakeville Fire District

Date: 1/7/20

Commissioner Flynn proposed the following motion, seconded by Commissioner Sauvigne:

WHEREAS the purchases for goods and services identified and presented to the Board of Commissioners this date, 1/7/20, have been found to be properly acknowledged as received or due,

and have been audited according to the tenets of Town Law §176 (4a) and in compliance with the Procurement Policy of the Manhasset-Lakeville Fire District and,

WHEREAS the audit of claims by the Board of Commissioners is a deliberate process to determine that the proposed payment is proper and just and satisfies the following criteria:

The proposed payment is for a valid and legal purpose.

The obligation was incurred by an authorized official.

The goods or commodities for which payment is claimed were actually rendered.

The obligation does not exceed the available appropriation.

The claim is in proper form; it is mathematically correct; it meets legal requirements; it does not include any charges for taxes from which the organization is exempt; it includes discounts to which the organization is entitled it does not include charges previously claimed and paid; and it is in agreement with an attached invoice.

NOW, THEREFORE, it is hereby

RESOLVED to approve payment to the vendors identified on Check Number 1339 thru Check Number 1339 this date.

The adoption of the foregoing Resolution (#F15-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Sauvigne, Commissioner Morris, Commissioner Flynn

Nays: None

**RESOLUTION OF THE MANHASSET-LAKEVILLE FIRE DISTRICT
RELATING TO APPROVAL OF CHECKS
ORGANIZATION NUMBER 1**

To the Treasurer:

I certify that the vouchers on the submitted check register were audited by the Board of Commissioners of the Manhasset-Lakeville Fire District on 1/7/20 and are allowed in the amounts shown. You are hereby authorized and directed to pay to each of the claimants the amount indicated on the opposite of his name.

Brian J. Morris
Commissioner
Manhasset-Lakeville Fire District

Date: 1/7/20

Commissioner Flynn proposed the following motion, seconded by Commissioner Sauvigne:

WHEREAS the purchases for goods and services identified and presented to the Board of Commissioners this date, 1/7/20, have been found to be properly acknowledged as received or due,

and have been audited according to the tenets of Town Law §176 (4a) and in compliance with the Procurement Policy of the Manhasset-Lakeville Fire District and,

WHEREAS the audit of claims by the Board of Commissioners is a deliberate process to determine that the proposed payment is proper and just and satisfies the following criteria:

The proposed payment is for a valid and legal purpose.

The obligation was incurred by an authorized official.

The goods or commodities for which payment is claimed were actually rendered.

The obligation does not exceed the available appropriation.

The claim is in proper form; it is mathematically correct; it meets legal requirements; it does not include any charges for taxes from which the organization is exempt; it includes discounts to which the organization is entitled it does not include charges previously claimed and paid; and it is in agreement with an attached invoice.

NOW, THEREFORE, it is hereby

RESOLVED to approve payment to the vendors identified on Check Number 9827 thru Check Number 9856 this date.

The adoption of the foregoing Resolution (#F16-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Sauvigne, Commissioner Morris, Commissioner Flynn

Nays: None

The following resolution was discussed, approved and adopted this evening.

On MOTION of Commissioner Morris, seconded by Commissioner Sauvigne, the following resolution was adopted,

RESOLVED,

WHEREAS, heretofore, the Policy of this District, in ensuring ethical conduct from its officers and employees, has been its reliance on the standards of conduct set forth in the applicable provisions of Article 18 of the General Municipal Law, and

WHEREAS, this Board now believes that the most practical method of ensuring compliance with such standards requires the adoption of a Code of Ethics for the District, based upon the standards set forth in the General Municipal Law and it ratifies and confirms the code in the form attached to these minutes.

NOW, THEREFORE, the Board of Commissioners of Manhasset-Lakeville Fire District hereby adopts the policy of Code of Ethics for the Manhasset-Lakeville Fire District, and directs the

Supervisor of the Fire District to deliver via the employee handbook, to each current officer and employee of the District a copy of said Code and to serve a copy on each new officer and employee when he or she joins the District.

The adoption of the foregoing Resolution (#F17-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

On **MOTION** made by Commissioner Morris, seconded by Commissioner Sauvigne it was **RESOLVED**; the Board approves all Policy and Procedures as written in the manual:

Capital Assets Policy
Cell Phone Usage Policy
Code of Ethics Policy
Credit Card Policy
Cyber Security Citizen's Notification Policy NYS
District Vehicle Usage Policy
Emergency Evacuation Policy
FOIL – Public Access to Records Policy
Fund Balance Policy
Health & Safety
Internet Reimbursement Policy
Internet Usage Policy
Investment Policy
Job Titles & Responsibilities
Physicals – Fire Department Members
Procurement & Purchasing
Record Retention & Disposition Policy
Residency Requirements (MLFD Chief's) Policy
Travel & Special Events Policy

The adoption of the foregoing **RESOLUTION** (#F18-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

On **MOTION** made by Commissioner Morris, seconded by Commissioner Sauvigne it was **RESOLVED**; the Board reaffirms the Manhasset-Lakeville District Employee Handbook of Work Rules, as written in the manual, which was revised in 2003.

The adoption of the foregoing **RESOLUTION** (#F19-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

Upon recommendation by Commissioner Morris and seconded by Commissioner Sauvigne, the following Resolution was adopted:

RESOLUTION AUTHORIZING PATRICIA DURANTE AS THE RECORDS MANAGEMENT OFFICER TO DISPOSE OF CERTAIN RECORDS IN THE MANHASSET-LAKEVILLE FIRE DISTRICT

WHEREAS, the Manhasset-Lakeville Fire District has requested to dispose of certain records here-in-below identified pursuant to Section 57A of the Arts and Cultural Affairs Law of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, by the Board of Commissioners of the Manhasset-Lakeville Fire District that Patricia Durante be appointed as Records Management Officers and is hereby authorized to retain and dispose of the records as per the current Retention List and Retention and Disposition Schedule No. MU 1 for the Fire District and Schedule MI 1 for the Water District, pursuant to Part 185, Title of the Official Compilation of Codes, Rules and Regulations of the State of New York and

BE IT FURTHER

RESOLVED, that Patricia Durante is hereby directed to dispose of certain records from the Manhasset- Lakeville Water and Fire District in accordance with the minimum legal retention periods set forth in Records and Retention and Disposition Schedule No. MU 1 and MI 1, pursuant to Part 185, Title of the Official Compilation of Codes, Rules and Regulations of the State of New York; and BE IT FURTHER

RESOLVED, that Patricia Durante be and is hereby directed to dispose of certain records from the Manhasset-Lakeville Water and Fire District in accordance with the minimum legal retention periods set forth in Records Retention and Disposition Schedule No. MU 1 and MI 1 for town records.

The adoption of the foregoing **RESOLUTION** (#F20-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

MANHASSET-LAKEVILLE FIRE DISTRICT

Be it resolved, that the Manhasset-Lakeville Fire District be and hereby establishes the following as a standard workday for elected officials, superintendents, supervisors, office staff and union members, for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

ALL ELECTED OFFICIALS

Water Commissioners Five-Day Work Week, Six-Hour

SUPERINTENDENTS

Fire Supervisor Five-Day Work Week, Eight-Hour

Assistant Supervisors Five-Day Work Week, Eight-Hour

OFFICE STAFF

Business Manager, Treasurer Five-Day Work Week, Eight Hour

Clerical Staff Five-Day Work Week, Eight Hour

UNION MEMBERS

CSEA Union Members Per Union Contract

PART TIME AND SEASONAL

Part time &
Seasonal Employees The District hires part time employees qualifying for the New York State Retirement System. Work hours vary according to District needs and obligations.

The adoption of the foregoing Resolution (#F21-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays: None

Ratifying Availability of Defense and Indemnity Benefits of Public Officers Law Section 18

After discussion, upon motion duly made and seconded, the Board of Commissioners of the Manhasset-Lakeville Districts jointly,

RESOLVED, as follows:

SECTION 1.

The Board of Commissioners of the Manhasset-Lakeville Fire District desire to ratify and confirm that the benefits of Section 18 of the New York State Public Officers Law, as amended and expanded by the provisions hereof, are, and shall continue to be, available to all of the Employees of the Manhasset-Lakeville Fire District, and each such District agrees to be liable for the costs incurred by its employee, under the provisions of Section 18 of the Public Officers Law, as amended and extended hereby.

SECTION 2.

The term "Section 18 of the New York State Public Officers Law" means the provisions of said Section as enacted by Chapter 277 of the Laws of 1981, as same has been or may be amended and in effect from time to time.

SECTION 3.

The term "Employee" for purposes of this resolution shall be deemed to include all persons defined as "employee" pursuant to Section 18 of the New York State Public Officers Law, including, without limitation, any Commissioner, member of a public board or commission, trustee, director, officer, employee, volunteer expressly authorized to participate in a publicly sponsored volunteer program, or any other person holding a position by election, appointment or employment in the service of a public entity, whether or not compensated, but shall not include an independent contractor. The term "employee" shall include a former employee, his estate or judicially appointed personal representative.

SECTION 4.

Defense. Upon compliance by an employee with the provisions of Section 6 of this resolution, the District which employs such employee shall provide for the defense of the employee in any civil action or proceeding in any state or federal court arising out of any alleged act or omission which occurred or is alleged in the complaint to have occurred while the employee was acting within the scope of his public employment or duties, or which is brought to enforce a provision of Section 1981 or Section 1983 of Title 42 of the United States Code. This duty to provide for a defense shall not arise where such civil action or proceeding is brought by or on behalf of the District.

Upon compliance by an employee with the provisions of Section 6 of this resolution, the employee shall be entitled to be represented by counsel to the District, or if so determined by the Board of Commissioners of such District, by special counsel; provided, however, that the employee shall be entitled to representation by private counsel of his choice in any civil judicial proceeding whenever counsel to the District determines, based upon his investigation and review of the facts and circumstances of the case, that representation by counsel to the District or by special counsel would be inappropriate or whenever a court of competent jurisdiction, upon appropriate motion or

by a special proceeding, determines that a conflict of interests exists and that the employee is entitled to be represented by private counsel of his choice. Counsel to the District shall notify the employee in writing of any determination that the employee is entitled to be represented by private counsel. Counsel to the District may require, as a condition to payment of the fees and expenses of such representation, that appropriate groups of such employees be represented by the same counsel. If the employee or group of employees is entitled to representation by counsel under the provisions hereof, counsel to the District shall so certify to the Board. Reasonable attorney's fees and litigation expenses shall be paid by the District to such private counsel from time to time during the pendency of the civil action or proceeding, subject to certification that the employee is entitled to representation, under the terms of this resolution, by the Board. Any dispute with respect to representation of multiple employees by a single counsel, or with respect to the amount of litigation expenses or the reasonableness of attorneys' fees, shall be resolved by the court upon motion or by way of a special proceeding.

Where the employee delivers process and a request for defense assistance to the District, counsel to the District shall take the necessary steps, including retention of private counsel under the terms and conditions provided in this resolution, on behalf of such employee to avoid entry of a default judgment pending resolution of any question pertaining to the obligation to provide for a defense.

SECTION 5.

Indemnification. Such District shall indemnify and save harmless its employee in the amount of any judgement obtained against him in any state or federal court or in the amount of any settlement of a claim for lawful damages, provided that the act or omission to act from which such judgement or settlement arose occurred while the employee was acting within the scope of his public employment or duties; the duty to indemnify and save harmless described by this section shall not arise where the injury or damage resulted from intentional wrongdoing on the part of the employee.

An employee represented by private counsel shall cause to be submitted to the Board of Commissioners any proposed settlement which may be subject to indemnification by the District, and if not inconsistent with the provisions of this resolution, the Board shall certify such settlement and submit such settlement and certification to counsel to the District. Counsel to the District shall review such proposed settlement as to form and amount, and shall give his approval if, in his judgement, the settlement is in the best interests of the District. Nothing in this resolution shall be construed to authorize the District to indemnify or save harmless an employee with respect to a settlement not so reviewed and approved by counsel to the District.

Upon entry of a final judgement against the employee, or upon the settlement of the claim, the employee shall cause to be served a copy of such judgement or settlement, personally or by certified or registered mail, within 30 days of the date of entry or settlement, upon the Board of Commissioners, and if not inconsistent with the provisions of this resolution, such judgement or settlement shall be certified for payment by the District. If counsel to the District concurs in such certification, the judgement or settlement shall be paid by the District.

SECTION 6.

Cooperation required. The duty to defend or indemnify and save harmless prescribed by this resolution shall be conditioned upon (a) delivery to the District business office manager, by the employee, of the original or a copy of any summons, complaint, process, notice, demand or pleading within 10 days after such employee is served with such documents, and (b) the full cooperation of the employee in the defense of such action or proceeding, and in defense of any action or proceeding against the District based upon the same act or omission to act, and in the prosecution of any appeal. Such deliveries by the employee to the District shall be deemed a request by the employee that the District provides for his defense pursuant to this resolution.

SECTION 7.

Insurance Unaffected.

The provisions of this resolution shall not be construed to impair, alter, limit or modify the rights and obligations of any insurer under any policy of insurance issued to the District.

SECTION 8.

Applicable to all Actions and Proceedings, now or hereafter Pending. The provisions of this resolution shall apply to all actions and proceedings pending upon the effective date hereof or hereafter instituted.

SECTION 9.

No Impairment of other Rights or Immunities. The provisions of this resolution shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the District or any right to a defense or indemnification, or both, provided for any governmental officer or employee by, in accordance with or by reason of any other provision of law, rule or regulation.

SECTION 10.

Effect upon Rights of other Parties and other Laws. The benefits of this resolution shall inure only to employees as defined herein, and shall not enlarge or diminish the rights of any other party, nor shall any provisions of this resolution be construed to affect, alter or repeal any provisions of the Workers' Compensation Law.

The adoption of the foregoing Resolution (#F22-20) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Sauvigne, Commissioner Morris, Commissioner Flynn
Nays: None

The Board of Commissioners of the Manhasset-Lakeville Fire District recognizes the importance of continuing education for the Board members and employees of the District.

WHEREAS, the New York State Government Finance Officers' Association (NYSGFOA) is an organization of public officials that promotes education, training and timely updates of rules, regulations and reporting requirements to New York State and Local Government Officials, and

WHEREAS, the New York Association of Local Government Records Officers (NYALGRO) is a non-profit organization formed to provide a network to all who are responsible for records upkeep and information management for local governments, such as, towns, counties, cooperative extensions, cities, fire districts, school districts, villages and BOCES. NYALGRO is a proven advisory network for the development of sound records and information management programs, and

WHEREAS, PERMA (Public Employers Risk Management Association, Inc.), is New York's premier provider of workers compensation for public entities, and

WHEREAS, Fred Pryor Seminars/Career Track for business training seminars,

BE IT RESOLVED,

A MOTION was proposed by Commissioner Morris and seconded by Commissioner Flynn, that seminars, conferences and meetings where it is felt, would be beneficial to certain employees of the District, the Board of Commissioners will approve such persons to attend. All appropriate expenses are to be borne by the District. At the first meeting of the Board of Commissioners, subsequent to the attendance of the foregoing, the Secretary of the Board will record in the minutes the names of those officially attending meetings, together with a synopsis of the meetings.

The adoption of the foregoing Resolution (#F23-20) was duly put to a vote on roll call, which resulted as follows:

Ayes:	Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
Nays:	None

The Board acknowledged receipt of and discussed the information contained in the American Equity of NY statement.

Meeting adjourned at 6:45 p.m. I hereby certify the aforementioned is a true and exact copy of the Minutes of Meeting held on January 7, 2020.

Brian J. Morris, Secretary

:mjd