

**Meeting of the Board of Water Commissioners  
Of the Manhasset-Lakeville Water District  
In the Town of North Hempstead  
In the County of Nassau, New York  
January 3, 2023**

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At a regular meeting of the Board of Water Commissioners of the Manhasset-Lakeville Water District, in the Town of North Hempstead, in the County of Nassau, New York, held at the Water District Office, 170 East Shore Road, Great Neck, New York, on January 3, 2023 at 4:00 pm p.m. (Prevailing time),

There were present:

Commissioner(s):                           Honorable Mark Sauvigne, Chairman of the  
Board of Water Commissioners

  Honorable Brian Morris, Water District  
Treasurer

  Honorable Steven Flynn, Water District  
Secretary

Also present:                                 Superintendent Paul J. Schrader  
Business Manager Hilary Grossman  
Engineer Joe Todaro  
Counsel Christopher Prior

\* \* \*

Meeting called to order by the Chairman at 4:00 p.m.

Commissioner Elect Seven Flynn was sworn in this evening to assume the duties as Commissioner of the Manhasset-Lakeville Water 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 2023. This was accepted by Commissioner Sauvigne.

The adoption of the foregoing RESOLUTION (#W01-23) was duly put to a vote on roll call, which resulted as follows:

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

This being the organizational meeting of the Board of Commissioners, MOTION was proposed by Commissioner Flynn that Commissioner Morris assume the duties of the office of Treasurer of the Board for the year 2023. This was accepted by Commissioner Morris.

The adoption of the foregoing RESOLUTION (#W02-23) 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 Sauvigne that Commissioner Flynn assumes the duties of the office of Secretary for the year 2023. This was accepted by Commissioner Flynn.

The adoption of the foregoing **RESOLUTION** (#W03-23) was duly put to a vote on roll call, which resulted as follows:

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

This being the organizational meeting of the Board of Commissioners, MOTION was proposed by Commissioner Morris, seconded by Commissioner Flynn, the following professional consultants will be retained by the District for fiscal year 2023:

Computer Programmer/Billing – General Ledger

Payment Services Network – Chris Michels  
LI Software Solutions – Kevin Saal  
Unlimited I.T. Solutions – Richard Baldwin  
SAP

Computer Programmer/SCADA System (Supervisory Control & Data Acquisition)

Schneider Electric

Auditor

Craig, Fitzsimmons & Meyers, LLP  
Harry Meyers – Audit Manager

Civil Engineers

H2M Architects & Engineers  
Principal – Richard Humann, P.E.

District Testing Lab  
Pace Analytical

Insurance

Salerno Brokerage Corp.  
Principal Nick Salerno

Automation

Office automation, copiers, document handler  
LDI Color Tool Box

Security

C& H Signal

Specialized Service Provider

Paychex – Payroll Service Providers

Counsel

McLaughlin & Stern, LLP  
Principal – Christopher Prior, Attorney

The adoption of the foregoing RESOLUTION (#W04-23) was duly put to a vote on roll call, which resulted as follows:

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

On **MOTION** made by Commissioner Sauvigne, seconded by Commissioner Morris, 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 Water 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 Mark S. Sauvigne, Brian J. Morris, or Steven Flynn and said banks are authorized to receive for deposit or collection of funds as follows:

**Banking Institutions for 2023**

Bank	Description	A/C #
Webster Bank	MLWD General Fund	*3968
Webster Bank	MLWD General Fund	*2560
Signature Bank	MLWD General Fund	*3870
Signature Bank	MLWD General Fund	*3889
Signature Bank	MLWD Land and Building Reserve	*3900
Signature Bank	MLWD Land and Building Reserve	*2046
Signature Bank	MLWD Repair Reserve	*3919
Signature Bank	MLWD Repair Reserve	*2038
Signature Bank	MLWD Water Generation and Distribution Systems Cap Fund	*3897
Signature Bank	MLWD Water Generation and Distribution Systems Cap Fund	*2062
Signature Bank	MLWD Water Generation and Distribution Systems Cap Fund	*2070
Signature Bank	MLWD Water Generation and Distribution Systems Cap Fund	*2054

The adoption of the foregoing **RESOLUTION (W05-23)** was duly put to a vote on roll call, which resulted as follows:

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

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

**RESOLUTION RE-AFFIRMING THE ESTABLISHMENT OF THE  
CAPITAL RESERVE FUND – WATER GENERATION AND DISTRIBUTION SYSTEM**

RESOLVED, that, pursuant to Section 6-c of the General Municipal Law, as amended, the Board of Commissioners of the Manhasset-Lakeville Water District (the “District”) does hereby Re-affirm the prior and current establishment of the “Capital Reserve Fund – Improvements to Water Generation and Distribution System” as it was established by resolution heretofore on September 11, 2003, to finance in a fiscally sound manner capital improvements to the water generation and distribution systems of the District and further

RESOLVED the District Treasurer, has and shall continue, to deposit moneys of this reserve into separate bank accounts known as “Capital Reserve Fund for Improvements to Water Generation and Distribution” 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** (W06-23) was duly put to a vote on roll call, which resulted as follows:

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

**RESOLUTION RE-AFFIRMING 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 Water District (the “District”) does hereby re-affirm the prior and current establishment of the “Capital Reserve Fund – Land and Building” as it was established by resolution heretofore on or about January 5, 2010, to finance in a fiscally sound manner the cost of acquisition and development of land and buildings 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** (W07-23) was duly put to a vote on roll call, which resulted as follows:

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

**RESOLUTION RE-AFFIRMING 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 Water District (the “District”) does hereby re-affirm 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** (W08-23) 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 and/or employees of the District, when authorized and according to law, be paid at the rate of \$0.625 per mile (which is the New York State approved rate) for all transportation incurred on District business.

The adoption of the foregoing **RESOLUTION** (#09-23) 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 Water Works practice, such as the New England Water Works Association, American Water Works Association, Long Island Water Conference, New York Section of American Water Works Association, Nassau Suffolk Water Commissioners Association and any other regular meetings in 2023 if deemed necessary for the best interest of the District. At the 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 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** (#W10-23) 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 Manhasset Press, Great Neck Record, and The New Hyde Park Illustrated shall be the official newspapers of the Manhasset-Lakeville Water District.

The adoption of the foregoing **RESOLUTION** (#W11-23) 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 2023 Meetings for the Manhasset-Lakeville Water District:

The Board of Commissioners of the Manhasset-Lakeville Water District will announce the regular 2023 Fall/Winter/Spring schedule of public official meetings. From January 1, 2023 through June 30, 2023, and from September 7, 2023 through December 31, 2023 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 through Antonia Pisani at 516-466-4416 x729.

Notice of this schedule is posted on the District website (mlwd.net) and is being sent to the Manhasset Press, Great Neck Record, and the New Hyde Park Illustrated News for publication.

The adoption of the foregoing resolution (#W12-23) was duly put to a vote on roll call, which resulted as follows:

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

Superintendent Paul Schrader advised the Board that those Water District employees holding Water Treatment Plant Operator's Licenses are obligated by the New York State Department of Health to attend continuing education courses or classes from time to time, as approved for continuing education credit by the Department of Health. The Board confirmed that it has authorized and paid for the attendance of such employees at such classes or courses, and intends to continue to do so, to ensure that its employees have the requisite qualifications to provide the public with potable water under Department of Health Water Provider Staff Licensing requirements. Superintendent Schrader proposed that the Board authorize attendance by blanket resolution,

delegating to the Superintendent the assigning of staff to take such courses or classes as they become available, which can occur on short notice from time to time, making it difficult for the Board to convene to approve in a timely manner, and to establish a budget for such continuing education, on annual basis.

The Board members noted that such a blanket resolution would enable the Superintendent to control the scheduling of staff attendance, and to take advantage of courses or classes on a timely basis, all of which will serve the best interests of the District and its taxpayers.

After further discussion, upon motion duly made, seconded and unanimously carried, it was

RESOLVED, that those employees holding Water Treatment Plant Operator's Licenses are hereby authorized, during or after regular work hours, to attend courses or classes approved by the New York State Department of Health for continuing education credit for New York State Licensed Water Treatment Plant Operators, to the extent such attendance is approved by the Water District Superintendent; provided, however, that the aggregate amount expended therefore by the District during the calendar year 2023 shall not exceed \$3,000 unless this Board approves additional expenditures by Board resolution; and it is hereby further

RESOLVED, that the Superintendent of the District shall take such further actions, and execute such further documents and instruments, as he deems necessary or appropriate to enable the District more fully to effectuate the purposes and intent of the foregoing resolution.

The adoption of the foregoing Resolution (#W13-23) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, 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 Water District hereby adopts the policy of Code of Ethics for the Manhasset-Lakeville Water District, and directs the Superintendent of the Water 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 (#W14-23) 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.

With input from counsel with respect to conditions for eligibility, and the 'rule of necessity' enabling all commissioners to vote on matters in which all Commissioners are potentially interested, Commissioner Morris proposed, and Commissioner Sauvigne seconded the following RESOLUTION:"

WHEREAS, the Board of Commissioners of the Manhasset-Lakeville Water and Fire Districts (the "Board") must from time to time enact or amend policies that affect some or all Board members in a manner that may warrant recusal or abstention by the Board members with respect to such Board action;

WHEREAS, the Board previously enacted a policy to incentivize employees and elected officials who are eligible for health insurance coverage through the Districts to elect to obtain health insurance coverage elsewhere (often through health insurance available to the employee or official through another employer, or through the employer of a family member of the employee);

WHEREAS, such Board policy (the "Opt-Out Policy"), offers a payment to an employee who so opts out of health insurance through the Districts, in an amount that is significantly less than would be the District's share of the premiums payable for such employee (and, where applicable, such employee's family) to obtain health insurance through the Districts;

WHEREAS, the Board finds that the Opt-Out Policy furthers the interests of the Districts and their taxpayers by reducing substantially the amount expended by the Districts to provide health insurance to its eligible employees and officials, while enabling the Board to find and retain qualified personnel;

WHEREAS, the Board further finds that the rapidly increasing costs to provide health insurance to District employees and officials has made the Opt-Out Policy more important and beneficial to the District than it was when initially adopted, such that the amount of the incentive payment thereunder should be increased in response to such costs, in order to advance the goal of the Opt-Out Policy; and

WHEREAS, while the Board members, who are eligible for health insurance and, therefore, the opt-out payments contemplated under the Opt-Out Policy, ordinarily would recuse themselves from voting on any amendment to such Opt-Out Policy in light of their interest in the outcome, the Board would be unable to act with respect to the Opt-Out Policy if the Board members recused themselves;

WHEREAS, counsel has advised the Board that the Doctrine or Rule of Necessity permits the members of a board to act on certain matters in which they have real or potential interests if recusal by such board members would prevent the Board from acting on the matter due to lack of a quorum legally required to enable the Board to vote on the matter;

WHEREAS, counsel has advised the Board that the Rule of Necessity is often invoked in situations in which action must be taken regarding compensation by a legislative, judicial or administrative body, and the individuals required to take the action are themselves included in the group interested in the result of the action, as is the case in the matter of amending the Opt-Out Policy;

WHEREAS, the Board notes that actions by the Board are subject to judicial review in an Article 78 proceeding, in which the reasonableness of the Board's action will ordinarily enable the action to withstand legal challenge; and

WHEREAS, the Board believes that the reasonableness of the action hereby taken will be sufficient for any reviewing body to uphold the action, notwithstanding the need for board members interested in the outcome to vote on the matter;

NOW, THEREFORE, it is hereby DETERMINED as follows:

1. The Board of Commissioners hereby amends the Opt-Out Policy Compensation. The annual opt out compensation is two thousand five hundred dollars (\$2,500.00) per year for an employee who is not eligible for family coverage, and who elects to opt out of individual coverage, and for an employee who is eligible for family coverage and who elects to take individual coverage. The annual opt out compensation is five thousand dollars (\$5,000.00) per year for an employee who is eligible for family coverage and who elects to opt out of all health insurance through the District. The OPT OUT incentive will be paid in two installments in March and September. In the event of a less than full year OPT OUT the amount of the OPT OUT Incentive will be prorated.

Employees who which to participate must:

- Request to participate in writing
- Acknowledge in writing that the employee and/or dependents are covered by another health insurance policy. Proof of coverage can be provided to the Business Manager
- Acknowledge they will not be eligible to re-enroll until the next open enrollment period, unless a qualifying event takes place

2. The Superintendent is hereby authorized and directed to incorporate the foregoing amendment of the Opt-Out Policy in an Amended and Restated form of Opt-Out Policy, and to take such other actions, and to execute and deliver such documents and instruments as he determines to be necessary or appropriate in order to effectuate the foregoing resolution.

The adoption of the foregoing Resolution (#W15-23) was duly put to a vote on roll call, which resulted as follows:

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

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

Capital Assets Policy  
Cell Phone Usage Policy  
Code of Ethics Policy  
Confined Space Policy  
Covid 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  
Hazard Communication Program  
Health & Safety  
Identity Theft Prevention Policy (Federal)  
Internet Usage Policy  
Investment Policy  
Job Titles & Responsibilities  
Lockout/Tagout Program  
Rules & Regulations  
Procurement & Purchasing  
Protective Equipment Policy  
Record Retention & Disposition Policy  
Standardization Policy  
Travel & Special Events Policy  
Water Bill Adjustment Policy  
Water Rate Schedule

The adoption of the foregoing RESOLUTION (#W16-23) 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 WATER DISTRICT

RESOLVED, By the Commissioners of the Manhasset Lakeville Water and Fire Districts that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

WHEREAS, the Manhasset-Lakeville Water 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 Water District that Patricia Durante be appointed as Records Management Officer and is hereby authorized to retain and dispose of the records as per the current Retention List and Retention and Disposition Schedule for New York Local Government Records (LGS-1)

BE IT FURTHER

RESOLVED, that Patricia Durante is hereby directed to dispose of certain records from the Manhasset- Lakeville Water District in accordance with the minimum legal retention periods set forth in Records and Retention and Disposition Schedule LGS-1 and

BE IT FURTHER

RESOLVED, that Patricia Durante be and is hereby directed to dispose of certain records from the Manhasset-Lakeville Water District in accordance with the minimum legal retention periods set forth in Records Retention and Disposition Schedule LGS-1.

The adoption of the foregoing **RESOLUTION** (#W17-23) 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 Water District Employee Handbook of Work Rules, as written in the manual, which was revised in 2003.

The adoption of the foregoing **RESOLUTION** (#W18-23) 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 adopts the 2023 Water District Schedule of Fees:

**HYDRANT FLOW TEST FEE –**

Any person or corporation requesting a flow test on any hydrant for the purpose of determining the static and residual pressures shall first petition the District Superintendent in writing. Said request shall set forth the location to be tested and a proposed date, time and reason therefore. The hydrant shall be opened and closed solely by District personnel or its authorized agents. A non-refundable fee set forth of \$300 will be charged by the District for administration of the application and services provided.

**HYDRANT PERMIT FEE –**

Any person applying for permission to use a District hydrant must file an application with the District and obtain a permit. Once issued, the permit shall be displayed at the site by the contractor, person or entity issued the permit by the District. The cost of a hydrant permit will be \$250. Use of hydrants will be limited to those hydrants indicated on the permit.

**NEW WATER SERVICE APPLICATION FEES**

**RESIDENTIAL –**

A charge shall be made for each premise into which water shall be introduced for permanent consumption. This charge shall include the following materials, which shall be furnished by the District at cost.

Water Meter, Meter Transceiver Unit (MXU)  
Copper meter setter, complete with setter, expansion connection, angle valve and double check valve.  
Corporation

The charge shall also include fees for the following services provided by the District.

Tapping and inspection fee of \$250  
District Administration Fee \$250

The owner is responsible for the complete installation as detailed in the application.

**COMMERCIAL -**

A charge shall be made for each premises into which water shall be introduced for permanent consumption. This charge shall include the following services provided by the district.

District Administration Fee of \$250  
Tapping and inspection Fee of \$ 250

The applicant will also pay the District's engineer a standard design and inspection fee for domestic and fire services that require cutting into District water mains. The engineer will provide six copies of an installation plan to the owner who will then contract with a District approved contractor for the completion of the work. The current engineering fee is \$3,000.

**FAILURE TO TEST BACKFLOW DEVICE FEE –**

Customers who fail to complete the annual backflow testing requirements within the specified time range will be subject to a \$250 administrative fee. This fee will be applied to the violator's account each billing cycle until the violation is corrected. The Electronic Backflow filing fee applied to customers account is \$20.00.

**SPRINKLER SYSTEM APPLICATION FEE –**

A charge shall be made for each premise for the installation of automatic underground sprinkler systems. The owner shall be charged a \$100 application fee to cover the administrative and inspection costs for the sprinkler and backflow installation. The owner is responsible for all installation costs.

**LATE PAYMENT FEES -**

Accounts that are past due are subject to a 10% late fee as prescribed by Town law. The Board of Commissioners shall have the discretion to waive additional fees if it determines

that such action is in the best interests of the District.

**EXCESSIVE ESTIMATES FEE**

Accounts that have been estimated for four consecutive billing periods will be subject to a \$250 administration fee.

**FAILURE TO CHANGE METER FEE**

Accounts failing to replace their meters after three notifications will be subject to a \$250 administrative fee for each billing cycle the meter remains unchanged.

**AUTOMATED METER INFRASTRUCTURE OPT OUT FEE**

Accounts choosing to opt out of the automated meter reading program will be subject to a \$50 administration fee for each billing cycle.

In addition, the Board also adopts the following Manhasset Lakeville Water District Conservation Driven Block rates:

**RESIDENTIAL WATER RATES**

Consumption per four-month period

Effective January 1, 2023:

<u>Number of gallons</u>	<u>Rate</u>
0-8,000	\$10.80 minimum
0-36,000	\$1.35/1,000 gal.
0-72,000	\$1.70/1,000 gal.
0-216,000	\$2.65/1,000 gal.
<b>Over 216,001</b>	<b>Commercial Rate</b>

**COMMERCIAL WATER RATES**

Consumption per month

Effective January 1, 2013:

0-375,000	\$3.60 /1,000 gal.
<b>375,001 and over</b>	<b>\$4.40/1,000 gal.</b>

The adoption of the foregoing **RESOLUTION** (#W19-23) 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 Water Districts,

RESOLVED, as follows:

SECTION 1.

The Board of Commissioners of the Manhasset-Lakeville Water 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 Water 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 (#W20-23) was duly put to a vote on roll call, which resulted as follows:

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

Be it resolved, that the Manhasset-Lakeville Water 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

Water Superintendent                      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 (#W21-23) 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 of the Manhasset-Lakeville Water 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, Fred Pryor Seminars/Career Track offers business training seminars,

BE IT RESOLVED, 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 (#W22-23) was duly put to a vote on roll call, which resulted as follows:

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

The Board approved the following to attend the ACE 23 conference in Toronto, Canada, from 06/11/23 through 06/14/23: Superintendent Paul Schrader, Commissioners Sauvigne and Flynn. GSA rates and travel days apply.

The adoption of the foregoing Resolution (#W23-23) was duly put to a vote on roll call, which resulted as follows:

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

The Board approved the following to attend the New York State AWWA conference in Saratoga Springs from 4/11/23 through 4/13/23: Superintendent Paul Schrader, Commissioners Sauvigne, Morris and Flynn. GSA rates and travel days apply.

The adoption of the foregoing Resolution (#W24-23) was duly put to a vote on roll call, which resulted as follows:

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

Superintendent Schrader provided documentation with the activities of the Water District for the current week. General discussions were held relating to the operation of the District as follows. Discussions were held on each project.

Shelter Rock #1 and #2	Exterior walls and roof work continues
251 Searingtown (Toll Bros)	Maintenance agreement with Galvin for dome?
T Mobile	Antenna upgrade work complete.
Spruce Ponds Well GAC's	Retaining walls poured. Water mains relocated.
Jayson Ave & Nassau Rd	Contracts signed. March 2023 start date. Northern Boulevard is scheduled to be paved this spring, cut ins for this job may be advanced.
315 Manhasset Woods Rd	CP submitting subdivision application to Nassau County for approval.
Campbell Treatment Plant	Roof replacement 95% complete.
Northern Blvd Hydrant	Emergency hydrant replacement tonight, 1480 Northern Blvd.
Water Rates	2023

**RESOLUTION OF THE MANHASSET-LAKEVILLE WATER 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 WATER District on 1/3/23 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.

Commissioner Morris  
Manhasset-Lakeville Water District

Date: 1/3/23

Commissioner Sauvigne proposed the following motion, seconded by Commissioner Flynn

WHEREAS the purchases for goods and services identified and presented to the Board of Commissioners this date, 1/3/23, 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 WATER 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 12256 Thru Check Number 12279 this date.

The adoption of the foregoing Resolution (#W25-23) was duly put to a vote on roll call, which resulted as follows:

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

The Board approved a resolution authorizing Commissioner Sauvigne to sign the McLaughlin & Stern Water District 2023 retainer on behalf of the board.

The adoption of the foregoing Resolution (#W26-23) was duly put to a vote on roll call, which resulted as follows:

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

**RESOLUTION OF THE MANHASSET-LAKEVILLE WATER DISTRICT RELATING TO APPROVAL OF EXPENDITURES**

Commissioner Morris proposed the following motion, seconded by Commissioner Sauvigne

WHEREAS, the purchase of goods and services identified and presented to the Board of Commissioners this date, 1/03/2023 have been found to be properly acknowledged as requested expenditures, according to the Procurement Policy of the Manhasset-Lakeville Water District,

NOW, THEREFORE, it is hereby

RESOLVED to approve purchase to the vendors identified on Board of Commissioners Expenditure Request form submitted to the Board by the Superintendent as follows:

Approval of Expenditures:

VENDOR	DESCRIPTION	AMOUNT	BUDGET NUMBER	PURCHASE SUPPORT
Salerno	Builders Risk Shelter Rock AOP	\$21,651.00	Bond	PS
Core and Main	Sensus RNI & Analytics Annual Fees	\$23,388.64	8310.210.C	
Bancker Construction	Emergency Hydrant Repair 1480 Northern Blvd, night work	\$25,000.00	8340.475.E	
TOTAL	REQUESTED	\$70,039.64		

The adoption of the foregoing Resolution (#W27-23) was duly put to a vote on roll call, which resulted as follows:

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

RESOLVED, that the Board of Commissioners approved merit raise increases in the amount of \$4,280 annually effective January 1, 2023 for Water District employee Hilary Grossman. The proposed merit increase is in recognition of Hilary Grossman’s accomplishments during her first year at the District and her exemplary job performance.

The adoption of the foregoing Resolution (#W28-23) was duly put to a vote on roll call, which resulted as follows:

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

RESOLVED, that the Board of Commissioners approved annual raises to base salaries effective as of January 1, 2023 for the non-CSEA Water District office employees, as set forth in a schedule of proposed salary increases presented to and reviewed by the Board. Andrew Salvemini, Foreman will receive a 3.5% raise, Cathy Marini, Account Clerk, will receive a 3.5% raise, Clare Panarese, Treasurer, will receive a 3.5% raise; Paul Schrader, Superintendent, will receive a 3.5%

raise, Antonia Pisani, Clerk will receive a 3.5% raise, Hilary Grossman, Business Manager, will receive a 3.5% raise.

The adoption of the foregoing Resolution (#W29-23) was duly put to a vote on roll call, which resulted as follows:

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

There was no board correspondence.

Meeting adjourned at 5:15 p.m. I hereby certify the aforementioned is a true and exact copy of the Minutes of Meeting held on January 3, 2023.

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Steven Flynn, Secretary

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