

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 Chairman of the Board for the year 2021. This was accepted by Commissioner Morris.

The adoption of the foregoing RESOLUTION (#W01-21) was duly put to a vote on roll call, which resulted as follows:

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

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 Treasurer of the Board for the year 2021. This was accepted by Commissioner Sauvigne.

The adoption of the foregoing RESOLUTION (#W02-21) 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 Sauvigne that Commissioner Flynn assumes the duties of the office of Secretary for the year 2021. This was accepted by Commissioner Flynn.

The adoption of the foregoing **RESOLUTION** (#W03-21) 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 2021:

Computer Programmer/Billing – General Ledger

Payment Services Network – Chris Michels

LI Software Solutions – Kevin Saal

Unlimited I.T. Solutions – Richard Baldwin

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

Schneider Electric

Auditor

Sheehan & Company, CPA, PC
Stephanie Handel – Audit Manager

Internal Accountant
Craig, Fitzsimmons & Meyers, LLP

Appraisers

Appraisal Affiliates
Principal – Fred Strohm

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 (#W04-21) 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 2021

Capital One Bank Manhasset-Lakeville Water District

MLWD General Fund		7527398902	
MLWD Excess Tax Levy		7528621869	
MLWD Trust and Agency		7527405283	

Sterling National Bank, Manhasset-Lakeville Water District

MLWD General Fund		6700503968	
MLWD Water Generation and Distribution Systems Cap Fund		6700503933	
MLWD Land and Building Reserve		6700503941	
MLWD Repair Reserve		6700503950	
MLWD Excess Tax Levy		6700503976	
MLWD Trust and Agency		6700503984	

The adoption of the foregoing **RESOLUTION** (W05-21) 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** (W06-21) 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** (W07-21) 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** (W08-21) 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 57.5¢ per mile (which is the New York State approved rate) for all transportation incurred on District business.

The adoption of the foregoing **RESOLUTION** (#09-21) 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 2021 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** (#W10-21) 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** (#W11-21) 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 2021 Meetings for the Manhasset-Lakeville Water District:

The Board of Commissioners of the Manhasset-Lakeville Water District will announce the regular 2021 Fall/Winter/Spring schedule of public official meetings. From January 1, 2021 through June 30, 2021, and from September 7, 2021 through December 31, 2021 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 Mary Jayne Dreyer at 516-466-4416 x707.

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 (#W12-21) 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 2021 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 (#W13-21) 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 (#W14-21) 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** (#W15-21) 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 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 (#W16-21) 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** (#W17-21) 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** (#W18-21) 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 2021 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 \$100 administrative fee. This fee will be applied to the violator's account each billing cycle until the violation is corrected.

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, 2019:

<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	\$2.50/1,000 gal.
Over 216,001	Commercial Rate

COMMERCIAL WATER RATES

Consumption per month

Effective January 1, 2019:

0-375,000	\$3.40 /1,000 gal.
375,001 and over	\$4.20/1,000 gal.

The adoption of the foregoing **RESOLUTION** (#W19-21) 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 (#W20-21) 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 (#W21-21) 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 (#W22-21) 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.

Munsey Tank	Zheng willing to sign, currently still in China. Working on obtaining an appraisal estimate for the Yenicag property. Expect Crowley's estate to sign.
Valley Well Rehabilitation	USGS sustainability update scheduled for January 13, 1PM.
Vepo Crossconnex	3038 out of 4088 tests completed.
Shelter Rock #1 and #2	AOP in design. Grant funding update JT.
Searingtown	Both wells out of Service. AOP in design.
Marcus Ave Water Main	Waiting on final invoice.
Park Ave water Main	BOC to counter sign tonight.
251 Searingtown	Electrical contract to be rebid, SCADA programming issue. Letter to developer for funding to follow.
IU Willets	Well out of service for PFAS. GAC Plant in design. GAC adsorbers on order.
Salvemini	Compensation resolution
VOP	IMA's
Employee	Office staff compensation resolution.

The Board approved the following to attend the ACE 21 conference in San Diego, CA, from 06/13/21 through 06/16/21: Superintendent Paul Schrader, Commissioners Sauvigne and Flynn. GSA rates and travel days apply.

The adoption of the foregoing Resolution (#W23-21) 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 4/13/21 through 4/15/21: Superintendent Paul Schrader, Commissioners Sauvigne, Morris and Flynn. GSA rates and travel days apply.

The adoption of the foregoing Resolution (#W24-21) 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 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 1/5/21 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.

Commissiioner Morris
Manhasset-Lakeville Water District

Date: 1/5/21

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, 1/5/21, 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 9994 Thru Check Number 10016 this date.

The adoption of the foregoing Resolution (#W25-21) was duly put to a vote on roll call, which resulted as follows:

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

BOARD OF COMMISSIONERS
OF THE MANHASSET-LAKEVILLE WATER DISTRICT

Re: Salary Increase for Management Employee Andrew Salvemini

After discussion, upon motion duly made by Commissioner Morris and seconded by Commissioner Sauvigne, the Board unanimously adopted the following resolution:

BE IT HEREBY RESOLVED as follows:

WHEREAS, the Board of Commissioners of the Manhasset-Lakeville Water District determines that the best interests of the Water District are served by recognizing the increased management capabilities and responsibilities of Water District Deputy Superintendent Andrew Salvemini through a salary increase; and

WHEREAS, the Board finds that Deputy Superintendent Salvemini's management duties and increased compensation support the conclusion that he is an exempt employee for purposes of federal and state overtime laws, rules and regulations, and, therefore, the salary increase instituted hereby should to some extent be offset by a reduction in overtime pay obligations of the District;

NOW, THEREFORE, the Board hereby approves, effective as of January 1, 2021, the increase of the annual salary of Deputy Superintendent Andrew Salvemini to \$171,000 (exclusive of any longevity increases to which he is entitled under applicable Board resolutions granting longevity increases to its non-union employees), and authorizes and directs the District Business Office to implement such increase effective as of such date, and to obtain from Deputy Superintendent Andrew Salvemini his signed acknowledgement of the salary increase and recognition of his status as an exempt employee for purposes of federal and state overtime laws, rules and regulations.

The adoption of the foregoing Resolution (#W26-21) was duly put to a vote on roll call, which resulted as follows:

Ayes: Commissioner Morris, Commissioner Sauvigne, Commissioner Flynn
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 5, 2021.

Steven Flynn, Secretary

:mjd