

NOVEMBER 20, 2019

SPECIAL MEETING #3389

TIME Commissioner Graff convened the meeting at 6:40 p.m.

ROLL Commissioners Graff, Mannone and Samoles, Supervisor Catapano and
CALL Secretary Urli

VISITORS: Joseph Cibellis and Jordan Weiss

Commissioner Graff began the discussion by stating he had distributed the Commercial Pick-Up Rules and Regulations to the Board. He said the Commercial Pick-Up Committee put together ideas after discussions with Board members and business owners at the first Commercial Pick-Up Committee meeting in October.

Commissioner Graff read the proposed Commercial Pick-Up Regulations. The effective date will be January 1, 2020. In general, he said each business will be entitled to the pick-up of four dumpsters, three times a week. He said a business can pay for additional services at the rate of \$71.70 per day, per dumpster. Businesses can get an exclusion if they meet with the Board and show good cause for additional service. He said the Board will create a position, Commercial Business Supervisor, to handle the commercial businesses. Commissioner Graff also stated that the new policy does not include Oceanside's religious organizations, schools or the fire district.

Joseph Cibellis asked how the new procedure would affect the budget. Commissioner Graff stated the Board will not know due to the unknown number of businesses that will start using District services. Commissioner Graff stated any business can receive up to four dumpsters, three times a week as long as the trucks are able to pick up the dumpsters safely.

Commissioner Graff said that there are three businesses that get six day pick-up and they will be cut back to three days a week. He explained that the businesses can pay for additional pick-ups or they can come to the District and prove good cause why they need additional pick-ups.

Jordan Weiss asked what good cause is. Commissioner Graff told him the size and type of business, if they can't afford or if they need service for financial reasons. He also said government can say what the exception is.

Mr. Cibellis asked if past practice means anything. Commissioner Graff said there were no rules so the Board is making rules. He said past practice does not mean anything.

Mr. Weiss asked how this meeting was noticed. Commissioner Graff told him it was posted on the website, at the District, at the Oceanside Library and in Newsday.

Mr. Cibellis asked if the Board was doing this by January 1st. He said the new procedure should be on the website now because how will people know if the Board waits until December.

Commissioner Samoles stated the new procedure only affects three businesses. Mr.

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Cibellis said it doesn't matter if it's one or more businesses, but the Board needs to communicate this proposal to the public. Commissioner Graff said if the policy is adopted by the committee tonight it will be put on the website, published in the Herald and in a public notice for the December 3rd meeting.

Mr. Cibellis said that businesses think a letter would be sent for these committee meetings.

Commissioner Samoles said the new policy is based on income and is more fair. Commissioner Mannone stated the committee will vote tonight and a full Board vote will be at the December meeting. Commissioner Graff again said if the policy is adopted it will be put on the website and they will place an ad in the Herald.

Commissioner Graff said the committee will hold a Special Meeting later in December. Commissioner Samoles stated he wants the policy to be effective the first of the year.

Mr. Cibellis said he thinks this will be a major problem. He said the industry goes by weight and the Board does not know the weight of each dumpster. Commissioner Graff said the businesses need a 1.5 yard dumpster and everyone gets the same treatment so it is fair.

Commissioner Graff said the counsel for AirStream came to speak to him after the last meeting. He said the Board needs to meet with AirStream. Mr. Weiss said either he or Mr. Manascalco would call. He also asked when the proposal would be posted on the website. Commissioner Graff stated it would be posted over the weekend. He also informed Mr. Weiss that Minutes are posted on the website.

Commissioner Mannone said he would like a bi-annual registration of businesses. He said there is no way to identify owners otherwise. Mr. Cibellis said that the information is on the tax roll. Commissioner Graff said that not every business has dumpsters. Commissioner Mannone said the District does not know which businesses they pick up. He also said that they do not know who to call if there is a problem with a business.

Commissioner Mannone said he wants the committee to consider a registration process. He said he is also concerned with new businesses coming in. He suggested a two dumpster limit for new businesses. He said the new policy does not affect a vast majority of businesses. He also said it should be a 2 dumpster limit for new businesses and other businesses be grandfathered in at four dumpsters.

Commissioner Graff said the Sands shopping center is not serviced but if they come to the District the businesses have contracts with private carters. He said they will have to end their contracts which will give the District time to absorb the influx of new businesses. Commissioner Mannone stated that four dumpsters are high per the tax rate paid.

Mr. Cibellis inquired about what numbers the committee is using. Commissioner Samoles said they know how much is paid in taxes. Mr. Cibellis then asked how they decided on the policy and if they know when the pick up at AirStream started.

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Commissioner Samoles said they were picking up AirStream when Mr. Cibellis was a commissioner. Mr. Cibellis told Commissioner Samoles he would be the first one he sues for slander. Commissioner Samoles said the shop steward called him many times and he never answered.

Mr. Cibellis said he's been involved with the District since approximately 2006. Commissioner Graff said three businesses, Dees Nursery, AirStream and Alias Smith & Jones get six day pickups. Mr. Cibellis said he did not know about Alias Smith & Jones, but he thinks AirStream was maybe twenty years ago when they started getting services.

Commissioner Graff said the Board is not looking to hurt any businesses. He wants to put rules in place. He said when he started he asked the Supervisors why some businesses get three days a week pickups and others get six days a week. He said he was told because that's the way it was always done. He said the District is a government agency and needs a fair procedure.

Mr. Cibellis said he understood the principle but he said it can't be done unilaterally. He said questions will be raised and legal expenses may occur. Commissioner Graff said that is fine and it may not be decided at the December meeting.

Commissioner Mannone brought up the subject of strip malls. He asked if it was going to be considered one business or separate businesses. Commissioner Samoles said each business would be separate. Commissioner Mannone said the policy should be clear about each business and more details for strip malls. The committee discussed Mario's strip mall and that they would get four dumpsters three times a week per business.

Commissioner Graff said the committee needs to clarify what a strip mall is. He stated it is a retail complex with more than one business and each business shall be entitled to the pick-up of four dumpsters three times per week. Commissioner Mannone said he feels that is excessive and opens up potential issues. Mr. Cibellis said Commissioner Mannone has been working on the new policy for four years and is still questioning it. Commissioner Graff said it is a process.

Mr. Cibellis said regardless of what the Board thinks he cares about the District. He then asked about residential complexes. Commissioner Graff said residential complexes are excluded from the new policy.

Commissioners Mannone and Graff both said the strip malls need to be addressed. Commissioner Mannone asked if they are opening Pandora's Box. Commissioner Graff said yes. Commissioner Mannone said it is not as bad as some people feel.

Commissioners Graff again stated it is a four dumpster limit. Commissioner Mannone said it is too many dumpsters for new businesses and they might be inviting too many for services. Mr. Cibellis said in the past if a business had private carting then they were not picked up but now the Board needs to invite everyone.

Mr. Weiss asked if the data that the committee used was available to AirStream. He said he wants the information from the analysis so they can have an educated conversation.

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Commissioner Mannone said it is a lot of information to put online. Commissioner Graff said the information will be available if requested.

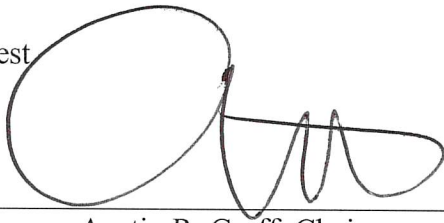
MOTION On Motion by Commissioner Samoles and seconded by Commissioner Mannone to accept the proposed Rules and Regulations for Commercial Pick-Up subject to adding a registration process. Unanimously approved.

Commissioner Graff stated the proposal will be submitted to the full Board for the December Meeting.

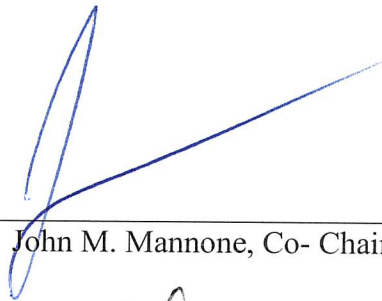
MOTION On Motion by Commissioner Samoles and seconded by Commissioner Mannone to adjourn the meeting at 7:28 p.m. Unanimously approved.

The next General Board of Commissioners Meeting will be held on Thursday, December 5, 2019 at 6:30 p.m.

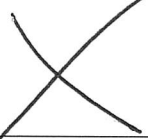
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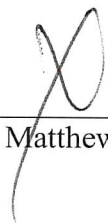
Austin R. Graff, Chairman



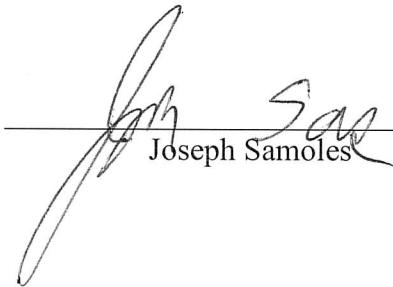
John M. Mannone, Co- Chairman



Patrick Doherty



Matthew Horowitz



Joseph Samoles