

JUNE 1, 2017

MEETING #3311

TIME Commissioner Scharfberg convened the meeting at 6:35 p.m.

ROLL Commissioners Scharfberg, Lanning, Doherty and Kramer, General Supervisor  
CALL Faust, Treasurer Hernandez, Attorney Kasschau and Secretary Urli

VISITORS See Attached

CORRES  
PONDENCE

On May 18, 2017 the District received an Affidavit of Publication from Newsday regarding an RFP for the sale of a truck scheduled for June 1, 2017.

On May 19, 2017 the District received an Affidavit of Publication from Newsday regarding the election being held June 15, 2017.

On May 19, 2017 the District received an Affidavit of Publication from the Herald regarding the election being held June 15, 2017.

On May 25, 2017 the District received an Affidavit of Publication from Newsday regarding the opening of the RFP for actuarial services.

On May 30, 2017 the District received a letter from St Anthony's RC Church requesting sanitation service for their annual feast.

MOTION On Motion by Commissioner Kramer and seconded by Commissioner  
PREVIOUS Lanning to waive the reading of and to accept the Minutes of  
MINUTES Meeting #3310. Unanimously approved.

Regular Order of business was suspended for a Bid Opening for the sale of one (1) 2011 International DuraStar 4300 Automatic Truck. The sole bid was received from:

Devino Trucks & Parts Newark, NJ for \$7,677.00

The Board, Attorney Kasschau and the Mechanics Supervisor will review the bid.

MOTION On Motion by Commissioner Lanning and seconded by Commissioner Kramer  
DISTRICT to approve payment of operating expenses, including payroll, from May 5,  
EXPENSES 2017 through June 1, 2017. Commissioner Scharfberg abstained from payment  
to H2M and approved all other payments. Commissioners Lanning, Doherty  
and Kramer approved. Motion passes.

MEETING #3311

MOTION On Motion by Commissioner Mannone and seconded by Commissioner Doherty  
 DISTRICT to approve payment to each claimant in the abstract of claims provided by the  
 CLAIMS District Treasurer and audited by the Board for the period from Commissioner  
 Scharfberg abstained from payment to H2M and approved all other payments.  
 Commissioners Lanning, Doherty and Kramer approved. Motion passes.

REPORT  
 OF THE  
 TREASURER

Prepared by Treasurer Douglas Hernandez and subject to audit.

The following irrevocable standby letters of credit serve as security for the District funds on deposit with TD Bank:

FHL Bank Pittsburg	\$ 8,750,000.00	LOC040234
TOTAL	\$ 8,750,000.00	

CHASE BANK

Ck. Acct. Bal 05/04/17	\$ 152,344.05	
Deposit-05/12/17 Payroll Transfer	150,000.00	
Deposit-05/26/17 Payroll Transfer	<u>150,000.00</u>	
	\$452,344.05	
Disbursed thru 06/01/17	<u>318,769.29</u>	
Total Ck. Acct. Bal 06/01/17		\$ 133,574.76

TD BANK

Ck. Acct. Bal 05/04/17	\$ 7,264,586.35	
Deposit-05/10/17		
Recycling Bins	167.44	
Dental	518.20	
Medical	3,022.84	
Refund-Workers Comp Reimb	969.28	
Interest-05/15/17	<u>1,753.16</u>	
	\$ 7,271,017.27	
Disbursed thru 06/01/17	<u>1,002,160.92</u>	
Total Ck. Acct. Bal 06/01/17		\$6,268,856.35

TOTAL COMBINED BALANCES AS OF JUNE 1, 2017 \$6,402,431.11

JUNE 1, 2017  
Sanitary District No.7 T.O.H

Register: 10200 · Chase

From 05/05/2017 through 06/01/2017

Sorted by: Date, Type, Number/Ref

MEETING #3311

<u>Date</u>	<u>Number</u>	<u>Payee</u>	<u>Account</u>	<u>Memo</u>	<u>Payment</u>	<u>C</u>	<u>Deposit</u>	<u>Balance</u>
05/05/2017	ADP	ADP Services	65080 · Bank Charges		393.78	*		151,950.27
05/09/2017	Wire	NYS Employees Reti...	24100 · EE Retirement		4,580.47	*		147,369.80
05/09/2017	PRPMT0...		27100 · Payroll Checks...		52,346.10	*		95,023.70
05/09/2017	PRPMT0...		27300 · Payroll Federa...		25,518.19	*		69,505.51
05/12/2017			9699 · tranfers	Deposit		*	150,000.00	219,505.51
05/12/2017	ADP	ADP Services	65080 · Bank Charges		402.31	*		219,103.20
05/16/2017	2254	New York State Defe...	24175 · EE Deferred C...	Dept.#212158	1,948.06			217,155.14
05/16/2017	PRPMT0...		27100 · Payroll Checks...		52,368.54	*		164,786.60
05/16/2017	PRPMT0...		27300 · Payroll Federa...		25,523.34	*		139,263.26
05/23/2017	PRPMT0...		27100 · Payroll Checks...		52,234.68	*		87,028.58
05/23/2017	PRPMT0...		27300 · Payroll Federa...		25,467.29	*		61,561.29
05/26/2017			9699 · tranfers	Deposit		*	150,000.00	211,561.29
05/26/2017	ADP	ADP Services	65080 · Bank Charges		788.56			210,772.73
05/26/2017	ADP	ADP Services	65080 · Bank Charges		393.98	*		210,378.75
05/30/2017	PRPMT0...		27100 · Payroll Checks...		51,700.69	*		158,678.06
05/30/2017	PRPMT0...		27300 · Payroll Federa...		25,103.30	*		133,574.76

JUNE 1, 2017  
Sanitary District No.7 T.O.H

Register: 10150 · TD Bank

From 05/05/2017 through 06/01/2017

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MEETING #3311

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05/10/2017			-split-	Deposit		X	4,677.76	7,269,264.11
			EE Medical				287.40	
			Recycling Refunds	Bins			19.68	
			Recycling Refunds	Bins			9.84	
			Recycling Refunds	Bins			10.00	
			Recycling Refunds	Buns			9.84	
			Recycling Refunds	Bins			9.84	
			Recycling Refunds	Bins			9.84	
			Recycling Refunds	Bins			9.84	
			Recycling Refunds	Bins			9.84	
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			Recycling Refunds	Bins			9.84	
			Recycling Refunds	Bins			9.84	
			Recycling Refunds	Bins			9.84	
			Recycling Refunds	Bins			9.84	
			EE Medical				287.40	
			EE Medical				2,160.64	
			EE Medical				287.40	
			EE DENTAL				129.55	
			EE DENTAL				129.55	
			EE DENTAL				129.55	
			EE DENTAL				129.55	
			Refunds	Bacon			969.28	
05/12/2017	29741	Ace Hardware	20000 · Accounts Paya...	Claim No.203	21.54	X		7,269,242.57
05/12/2017	29742	American Security S...	20000 · Accounts Paya...	Claim No.204	500.00	X		7,268,742.57
05/12/2017	29743	Bender Insurance Ag...	20000 · Accounts Paya...	Claim No.205	957.00	X		7,267,785.57
05/12/2017	29744	Capital Tire Service	20000 · Accounts Paya...	Claim No.206	2,284.60	X		7,265,500.97
05/12/2017	29745	Comply	20000 · Accounts Paya...	Claim No.207	492.50	X		7,265,008.47
05/12/2017	29746	Custom Care Auto	20000 · Accounts Paya...	Claim No.208	111.00	X		7,264,897.47
05/12/2017	29747	Dentcare Delivery Sy...	20000 · Accounts Paya...	Claim No.209	1,876.00	X		7,263,021.47

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05/12/2017	29748	Capital Tire Service	20000 · Accounts Paya...	Claim No.210	1,384.75	X		7,261,636.72
05/12/2017	29749	Global Montello Gro...	20000 · Accounts Paya...	Claim No.211	6,976.61	X		7,254,660.11
05/12/2017	29750	H2M Architect & En...	20000 · Accounts Paya...	Claim No.212	2,838.87	X		7,251,821.24
05/12/2017	29751	RynKar,Vail & Barre...	20000 · Accounts Paya...	Claim No.213	3,000.00	X		7,248,821.24
05/12/2017	29752	American Public Wo...	20000 · Accounts Paya...	Claim No.214	70.00			7,248,751.24
05/12/2017	29753	AT&T	20000 · Accounts Paya...	Claim No.215	4.77	X		7,248,746.47
05/12/2017	29754	H2M Architect & En...	20000 · Accounts Paya...	Claim No.216	865.21	X		7,247,881.26
05/12/2017	29755	Long Island Sanitatio...	20000 · Accounts Paya...	Claim No.217	1,789.37	X		7,246,091.89
05/12/2017	29756	Myers Tire Supply	20000 · Accounts Paya...	Claim No.218	76.35	X		7,246,015.54
05/12/2017	29757	UniFirst Corporation	20000 · Accounts Paya...	Claim No.219	2,376.54	X		7,243,639.00
05/12/2017	29758	Barnwell House of Ti...	20000 · Accounts Paya...	Claim No.220	6,962.18	X		7,236,676.82
05/12/2017	29759	Callahead	20000 · Accounts Paya...	Claim No.221	62.00	X		7,236,614.82
05/12/2017	29760	CSEA-EBF	20000 · Accounts Paya...	Claim No.222	3,497.85	X		7,233,116.97
05/12/2017	29761	Gabrielli Truck Sales	20000 · Accounts Paya...	Claim No.223	421.50	X		7,232,695.47
05/12/2017	29762	Grainger	20000 · Accounts Paya...	Claim No.224	90.68	X		7,232,604.79
05/12/2017	29763	Hess Fleet Card	20000 · Accounts Paya...	Claim No.225	429.73	X		7,232,175.06
05/12/2017	29764	Home Depot	20000 · Accounts Paya...	Claim No.226	332.09			7,231,842.97
05/12/2017	29765	Harris Beach PLLC	20000 · Accounts Paya...	Claim No.227	4,322.00	X		7,227,520.97
05/12/2017	29766	Moreland Hose & Be...	20000 · Accounts Paya...	Claim No.228	213.55	X		7,227,307.42
05/12/2017	29767	National Grid	20000 · Accounts Paya...	Claim No.229	111.73	X		7,227,195.69

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05/12/2017	29768	The Brake Service Gr...	20000 · Accounts Paya...	Claim No.230	433.92	X		7,226,761.77
05/12/2017	29769	Verizon Recycling	20000 · Accounts Paya...	Claim No.231	130.30	X		7,226,631.47
05/12/2017	29770	Ace Hardware	20000 · Accounts Paya...	Claim No.232	196.09			7,226,435.38
05/12/2017	29771	BlueTarp Financial, I...	20000 · Accounts Paya...	Claim No.233	22.01	X		7,226,413.37
05/12/2017	29772	Sanitary District No.7	20000 · Accounts Paya...		150,000.00	X		7,076,413.37
05/12/2017	29773	United Steel Products	20000 · Accounts Paya...	Claim No.234	5,254.00			7,071,159.37
05/15/2017			45000 · Investments:45...	Interest		X	1,753.16	7,072,912.53
05/15/2017	29774	Newsday	20000 · Accounts Paya...	Claim No.235	180.00	X		7,072,732.53
05/25/2017	29775	UniFirst Corporation	20000 · Accounts Paya...	Claim No.236	1,768.33			7,070,964.20
05/25/2017	29776	Global Montello Gro...	20000 · Accounts Paya...	Claim No.237	4,904.10			7,066,060.10
05/25/2017	29777	Balco Industries Inc	20000 · Accounts Paya...	Claim No.238	318.83			7,065,741.27
05/25/2017	29778	Capital Tire Service	20000 · Accounts Paya...	Claim No.239	90.00			7,065,651.27
05/25/2017	29779	L.I. American Water	20000 · Accounts Paya...	Claim No.240	39.58			7,065,611.69
05/25/2017	29780	Long Island Sanitatio...	20000 · Accounts Paya...	Claim No.241	1,319.62			7,064,292.07
05/25/2017	29781	Long Island Truck Pa...	20000 · Accounts Paya...	Claim No.242	2,741.14			7,061,550.93
05/25/2017	29782	lowe's Home Centers...	20000 · Accounts Paya...	Claim No.243	1,337.59			7,060,213.34
05/25/2017	29783	Michaels Electrical S...	20000 · Accounts Paya...	Claim No.244	284.57			7,059,928.77
05/25/2017	29784	Moreland Hose & Be...	20000 · Accounts Paya...	Claim No.245	327.00			7,059,601.77
05/25/2017	29785	Capital Tire Service	20000 · Accounts Paya...	Claim No.246	378.90			7,059,222.87
05/25/2017	29786	Comply	20000 · Accounts Paya...	Claim No.247	72.00			7,059,150.87

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05/25/2017	29787	Dentcare Delivery Sy...	20000 · Accounts Paya...	Claim No.248	1,923.50			7,057,227.37
05/25/2017	29788	Gabrielli Truck Sales	20000 · Accounts Paya...	Claim No.249	543.35			7,056,684.02
05/25/2017	29789	New York State Emp...	20000 · Accounts Paya...	Claim No.250	141,615.13			6,915,068.89
05/25/2017	29790	Verizon	20000 · Accounts Paya...	Claim No.251	275.99			6,914,792.90
05/25/2017	29791	Verizon Recycling	20000 · Accounts Paya...	Claim No.252	131.22			6,914,661.68
05/25/2017	29792	Verizon Wireless	20000 · Accounts Paya...	Claim No.253	645.06			6,914,016.62
05/25/2017	29793	PERMA	20000 · Accounts Paya...	Claim No.254	59,825.00			6,854,191.62
05/25/2017	29794	Tennant Sales and Se...	20000 · Accounts Paya...	Claim No.255	440.00			6,853,751.62
05/25/2017	29795	The Brake Service Gr...	20000 · Accounts Paya...	Claim No.256	68.12			6,853,683.50
05/25/2017	29796	Ace Hardware	20000 · Accounts Paya...	Claim No.257	127.98			6,853,555.52
05/25/2017	29797	H2M Architect & En...	20000 · Accounts Paya...	Claim No.258	2,059.45			6,851,496.07
05/25/2017	29798	Home Depot	20000 · Accounts Paya...	Claim No.259	415.12			6,851,080.95
05/25/2017	29799	LBW Lighting	20000 · Accounts Paya...	Claim No.260	184.00			6,850,896.95
05/25/2017	29800	PIP Printing	20000 · Accounts Paya...	Claim No.261	337.96			6,850,558.99
05/25/2017	29801	Printglobe	20000 · Accounts Paya...	Claim No.262	1,000.00			6,849,558.99
05/25/2017	29802	Staples	20000 · Accounts Paya...	Claim No.263	108.97			6,849,450.02
05/25/2017	29803	Chardonas	20000 · Accounts Paya...	Claim No.264	16.10			6,849,433.92
05/25/2017	29804	Dependable Hydraul...	20000 · Accounts Paya...	Claim No.265	708.88			6,848,725.04
05/25/2017	29805	Cablevision	20000 · Accounts Paya...	Claim No.266	134.68			6,848,590.36
05/25/2017	29806	Gabrielli Truck Sales	20000 · Accounts Paya...	Claim No.267	126.96			6,848,463.40

## Sanitary District No.7 T.O.H

6/16/2017 3:22 PM

Register: 10150 · TD Bank

From 05/05/2017 through 06/01/2017

MEETING #3311

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<u>Date</u>	<u>Number</u>	<u>Payee</u>	<u>Account</u>	<u>Memo</u>	<u>Payment</u>	<u>C</u>	<u>Deposit</u>	<u>Balance</u>
05/25/2017	29807	Grade A Petroleum C...	20000 · Accounts Paya...	Claim No.268	794.00			6,847,669.40
05/25/2017	29808	Herald Community N...	20000 · Accounts Paya...	Claim No.269	112.20			6,847,557.20
05/25/2017	29809	Chester's Towing	20000 · Accounts Paya...	Claim No.270	350.00			6,847,207.20
05/25/2017	29810	Fastenal Company	20000 · Accounts Paya...	Claim No.271	26.20			6,847,181.00
05/25/2017	29811	Minuteman Press	20000 · Accounts Paya...	Claim No.272	35.00			6,847,146.00
05/25/2017	29812	Harris Beach PLLC	20000 · Accounts Paya...	Claim No.273	14,706.00			6,832,440.00
05/25/2017	29813	Andersen's Spring & ...	20000 · Accounts Paya...	Claim No.274	2,299.00			6,830,141.00
05/25/2017	29814	TRUX INC./ L.I. Fre...	20000 · Accounts Paya...	Claim No.275	111,955.00			6,718,186.00
05/25/2017	29815	TRUX INC./ L.I. Fre...	20000 · Accounts Paya...	Claim No.276	138.00			6,718,048.00
05/25/2017	29816	Certified Oils Inc.	20000 · Accounts Paya...	Claim No.277	120.00			6,717,928.00
05/25/2017	29817	CSEA-EBF	20000 · Accounts Paya...	Claim No.278	3,497.85			6,714,430.15
05/25/2017	29818	PSEG Electric	20000 · Accounts Paya...	Claim No.279	682.52			6,713,747.63
05/25/2017	29819	PSEG Recycling	20000 · Accounts Paya...	Claim No.280	153.78			6,713,593.85
05/30/2017	29822	Sanitary District No.7	20000 · Accounts Paya...		150,000.00			6,563,593.85
06/01/2017	29824	LandTek	20000 · Accounts Paya...	Claim No.281	166,487.50			6,397,106.35
06/01/2017	29825	LandTek	20000 · Accounts Paya...	Claim No.282	128,250.00			6,268,856.35



MEETING #3311

Reports:

General Supervisor Faust:

General Supervisor Faust had a progress meeting with Landtek and H2M regarding the rear building on Tuesday, May 16th.

Pioneer was at the District and they replaced several flags.

A survey was done on Friday, May 19<sup>th</sup> for the grant project from GOSR.

General Supervisor Faust attended the APWA meeting with Jim Mitchell and Mechanic Matt Amato on May 24<sup>th</sup>.

He also attended the Budget committee meeting on May 24<sup>th</sup> regarding the need to replace aging equipment.

There was the monthly Supervisors meeting on Friday, May 26<sup>th</sup>.

There was a safety meeting on Friday, May 26<sup>th</sup>.

General Supervisor Faust had a monthly meeting with Dan Gatto, President of Local 553, Shop Steward Artie Schnabel, Assistant Shop Steward Dimitrios Misetzis and the Supervisors on Tuesday, May 30<sup>th</sup>.

On May 31<sup>st</sup> GOSR was at the District for a 15% progress meeting regarding the grant project. The 30% progress meeting should be at the end of June.

General Supervisor Faust requested authorization for equipment and personnel for the St. Anthony's Feast June 8<sup>th</sup> through June 11<sup>th</sup>.

Allied World Insurance totaled two trucks involved in the April 28<sup>th</sup> fire. General Supervisor Faust requested approval to replace the two vehicles on state bid.

After discussions with the Mechanics Supervisor General Supervisor Faust met with the Budget Committee regarding the replacement of the 1998 Volvos. General Supervisor Faust stated it is a Board decision regarding this matter.

Committee Reports:

Budget: Commissioner Doherty stated that he and Commissioner Mannone met with General Supervisor Faust and Treasurer Hernandez regarding the 1998 Volvos and discussed the frames of the trucks. He said the District needs three trucks.

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Insurance: Commissioner Kramer and Commissioner Lanning met with John Iovino of Bender Insurance. Mr. Iovino explained the current proposals for the 2017-2018 insurance policies. Mr. Iovino explained he went to market for the Workers' Compensation Insurance. PERMA, NYSIF and Applied Insurance. He explained that the District switched to PERMA 3 years ago and implemented changes to how the District handles claims. The District's loss ratio has dropped and the District's losses are trending downward. Mr. Iovino explained the high risk of insuring a sanitation district. NYSIF would not provide a quote. Applied Underwriters provided a quote of \$765,009 and PERMA provided a quote of \$762,931 if paid in installments or \$747,880 if paid in full. Mr. Iovino explained that the District's staff reporting claims promptly, providing safety training and his firm reviewing all claims, along with PERMA following up with the District and injured employees has made a significant improvement in allowing PERMA to reduce the cost of their policy. Mr. Iovino then explained the balance of the insurance for the District including General Liability, Property, Auto and the Umbrella insurance. Again, he went to market. Travelers, the Districts previous carrier declined to provide a quote Allied World Assurance Company, the current carrier provided a renewal with a 1½ % increase. This was after the fire claims were submitted. Their quote is \$183,647.00. The District has a separate policy for flood insurance through the National Flood Insurance and a separate pollution policy that is in effect until 2018.

Personnel: Commissioner Scharfberg stated that the Board wants to continue open conversation with President Dan Gatto of Local 553 and Shop Steward Artie Schnabel that began in October 2016. Commissioner Scharfberg stated the entire Board wants to give a fair raise and he wants to dispel rumors to the contrary. He has asked for an actuary to aid the Board regarding the Local 553 contract that expires in 2018. Former Commissioner Joseph Cibellis stated that the Board has always worked with labor and as a taxpayer there needs to be negotiation. He stated the Board has a responsibility to all its employees, as well as to the taxpayer.

Public Relations: No new business to report

Ethics: No new business to report

Unfinished Business:

Pavement Project- Commissioner Scharfberg recused himself. H2M Project Manager Bill Brenan stated that Pioneer still needs to supply filters and address the cracked flag. Mr. Brenan stated that the District has a two year warranty bond on the rear lot project. Pioneer will be paid the outstanding balance when the work is complete.

MEETING #3311

Rear Building Project- H2M Project Manager Bill Brenan and Frank Labriola of Landtek stated they are ahead of schedule. Landtek found steel and will inform the District of the cost savings.

Fuel Tank Project-Commissioner Doherty stated that he and Commissioner Mannone did not have a decision prepared yet regarding the RFP for an engineer for the project. Commissioner Lanning stated that this project is time sensitive since it is a temporary fuel tank and the Board needs to make a decision very soon.

Community Development Block Grant Disaster Recovery (CDBG-DR) Program (NY Rising Community Reconstruction Program)-GOSR was at the District for a 15% progress meeting. The 30% progress meeting will be scheduled for late June.

Actuarial Services-The District did not receive any bids for actuarial services. Five RFPs were requested, but none were returned. Commissioner Lanning recommended that the District contact several actuaries and hold interviews instead of rebidding. Attorney Kasschau explained that the District did its due diligence. Because there were no responses to previous RFP the District should contact as many vendors for actuarial services as possible. These services are needed for budgeting and planning and the Board instructed General Supervisor Faust to contact several actuaries.

Code of Ethics-Commissioner Scharfberg stated he would like to strengthen the current Code of Ethics. Attorney Kasschau explained that he provided the Board with the NYS Comptrollers model Code of Ethics which is more substantial than the present code. He then suggested that any matters related to the code of ethics should be referred to the Nassau County Board of Ethics due to their expertise. Commissioner Doherty questioned if the Board adopted the new code of ethics would past actions be included. Attorney Kasschau stated that the new code would only be applied going forward.

June 15<sup>th</sup> Election-The Board discussed the number of ballots to order. Candidate Samoles requested 5,000 ballots. Attorney Kasschau explained the history of voting in District elections and recommended 2,500 ballots be purchased. The District will hold a pre-election meeting on June 8, 2017 at 5:30 p.m. for Election Inspectors and candidates.

MOTION      On Motion by Commissioner Doherty and seconded by Commissioner Kramer to approve the following regarding the June 15, 2017 Election: to hire Election Inspectors that are residents of Sanitary District #7 Frances Bacon, Nancy Baxter, Kathryn Burns, Kenneth Jacoby, Mark Mirsky, James Quinn, Marguerite Robinson, Janice Scheinson, Joan Schwimmer and Shawn Vine and are to be paid \$175 for their service, candidates names will be selected randomly for order placement on the ballot, each candidate may have three poll watchers with only one present at a time, the District will rent two optical scanners and one

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Automark machine from the Nassau County Board of Elections, the District will retain Bee Ready as outside counsel at a municipal rate of \$250 per hour, each voter will be allowed up to three ballots with spoiled stickers to be used and Election Inspectors to keep track of the number of ballots used per voter, to hire Phoenix Printers to print 2,500 bound ballots, to hire Attorney Kasschau for pre-election work and the opening and closing of the polls. Unanimously approved.

New Business:

New Truck Purchase-Commissioner Doherty stated that \$225,000 is already in the 2017 budget for new trucks. He recommended that the Board approve the purchasing of two new trucks at this time and a third to be purchased in the future due to the damage to the Volvos.

MOTION On Motion by Commissioner Doherty and seconded by Commissioner Lanning to purchase by sealed bid two new sanitation trucks. Unanimously approved.

MOTION On Motion by Commissioner Lanning and seconded by Commissioner Kramer to accept the one year Workers' Compensation proposal from PERMA for 2017-2018 at \$762,931 with a 2% discount if paid in full and to accept the one year General Liability, Automobile, Umbrella, Property, Crime, Public Entity Management Liability and Public Entity Employment-Related Practices proposal from Allied World Assurance Company for 2017-2018 at \$183,647. Unanimously approved.

MOTION On Motion by Commissioner Kramer and seconded by Commissioner Lanning on recommendation by Attorney Kasschau to adopt the new Code of Ethics policy- See Attached. Unanimously approved.

MOTION On Motion by Commissioner Lanning and seconded by Commissioner Doherty to provide St. Anthony's with the necessary personnel and equipment for its Annual Feast June 8<sup>th</sup> through June 11<sup>th</sup>. Unanimously approved.

Public Comment Period:

Stephen Edmondson inquired about the Districts cap on services and asked if he could receive a copy of the Union contracts. He was told to F.O.I.L. the District's procurement policy. Attorney Kasschau will look into whether or not he can receive the contracts.

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Donna Casazza of RESD asked if the Board was going to take advantage of the lump sum payment for Workers' Compensation insurance. She also commented on the union contracts.

Dimitrios Missetzis questioned how businesses are taxed in Oceanside.

Commissioner Kramer told him that it goes by the assessed value of the property.

Joseph Cibellis inquired about which Board members are on the Ethics Committee. He was told it is Commissioner Mannone and Commissioner Kramer.

Artie Schnabel inquired about the safety of the damaged trucks.

General Supervisor Faust again explained that he and Mechanics Supervisor Frank Licari brought the matter to the Commissioners. He does not believe that the trucks will pass inspection next year. The Board asked General Supervisor Faust to have an independent inspector examine the three trucks in question. General Supervisor Faust agreed to take the trucks off the road.

The Board went to inspect the rear building project at 7:50 p.m.

- MOTION On Motion by Commissioner Doherty and seconded by Commissioner Lanning to enter into Executive Session to discuss matters involving the employment history of particular persons, pending litigation; and for the purpose of soliciting and receiving legal advice. Unanimously approved.
- EXECUTIVE SESSION Board went into Executive Session at 8:02 p.m. to discuss matters involving the employment history of particular persons, pending litigation; and for the purpose of soliciting and receiving legal advice.
- MOTION On Motion by Commissioner Doherty and seconded by Commissioner Lanning to exit Executive Session at 8:50 p.m. Unanimously approved.
- MOTION On Motion by Commissioner Doherty and seconded by Commissioner Lanning to approve Sanitation Worker Frank Misitano to buy back 25 Sick Days. Unanimously approved.
- MOTION On Motion by Commissioner Kramer and seconded by Commissioner Doherty for the Board to accept and for Commissioner Scharfberg to sign the insurance company claim settlement for the trucks damaged in the April 28th fire. Unanimously approved.
- MOTION On Motion by Commissioner Lanning and seconded by Commissioner Kramer to post a sign at the June 15<sup>th</sup> Election regarding the District's official website. Unanimously approved..

JUNE 1, 2017

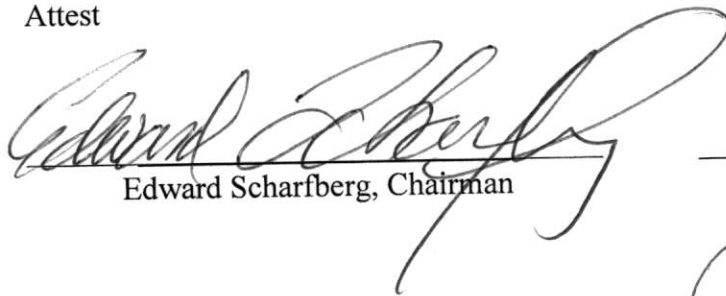
page 14

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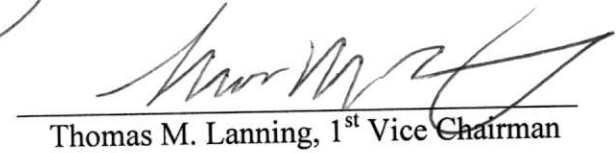
The next General Board of Commissioners Meeting will be held on Thursday, July 6, 2017 at 6:30 p.m.

ADJOURNED On motion duly made and seconded the meeting adjourned at 8:55 p.m.

Attest

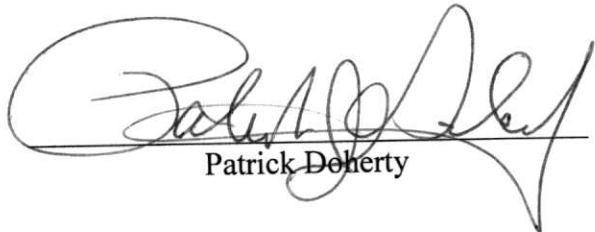


Edward Scharfberg, Chairman



Thomas M. Lanning, 1<sup>st</sup> Vice Chairman

\_\_\_\_\_  
John M. Mannone



Patrick Doherty

\_\_\_\_\_  
Jean Kramer



**WHEREAS**, article 18 of the General Municipal Law prohibits the officers and employees of a municipality from having certain conflicts of interest, and

**WHEREAS**, section 806 of the General Municipal Law requires the governing body of each county, city (other than the City of New York), town, village, school district and fire district to adopt a code of ethics that sets forth for the guidance of its officers and employees standards of conduct reasonably expected of them, and

**WHEREAS**, section 806 of the General Municipal Law also authorizes the governing body of any other municipality to adopt such a code of ethics, and

**WHEREAS**, a code of ethics adopted by the governing body of a municipality must set forth standards of conduct for the guidance of the officers and employees of the municipality with respect to disclosure of interests in legislation before the local governing body, holding of investments in conflict with official duties, private employment in conflict with official duties, future employment, and such other standards as may be deemed advisable.

**NOW, THEREFORE**, be it resolved that the Board of Commissioners of Sanitary District No. 7, Town of Hempstead hereby adopts a code of ethics to read as follows:

**Code of Ethics of  
Sanitary District No. 7, Town of Hempstead**

**Section 1. Purpose.**

Officers and employees of Sanitary District No. 7, Town of Hempstead hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. The Board of Commissioners of Sanitary District No. 7, Town of Hempstead recognizes that, in furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

**Section 2. Definitions.**

(a) "Board" means the governing board of a municipality and any municipal administrative board (e.g. planning board, zoning of board of appeals), commission, or other agency or body comprised of two or more municipal officers or employees.

(b) "Code" means this code of ethics.



(c) "Interest" means a direct or indirect financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to the residents or taxpayers of the municipality or an area of the municipality, or a lawful class of such residents or taxpayers. A municipal officer or employee is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or directly or indirectly owns or controls more than 5% of the organization's outstanding stock.

(d) "Municipality" means Sanitary District No. 7, Town of Hempstead. The word "municipal" refers to the municipality.

(e) "Municipal officer or employee" means a paid or unpaid officer or employee of the Sanitary District No. 7, Town of Hempstead, including, but not limited to, the members of any municipal board.

(f) "Relative" means a spouse, parent, step-parent, sibling, step-sibling, sibling's spouse, child, step-child, uncle, aunt, nephew, niece, first cousin, or household member of a municipal officer or employee, and individuals having any of these relationships to the spouse of the officer or employee.

### **Section 3. Applicability and General Principals.**

(a) This code of ethics applies to the officers and employees of the Sanitary District No. 7, Town of Hempstead, and shall supersede any prior municipal code of ethics. The provisions of this code of ethics shall apply in addition to all applicable State and local laws relating to conflicts of interest and ethics including, but not limited to, article 18 of the General Municipal Law and all rules, regulations, policies and procedures of the Sanitary District No. 7, Town of Hempstead.

(b) Consistent with the purpose of this code, Sanitary District No. 7, Town of Hempstead officers and employees should strive to conduct themselves in accordance with the following general ethical principals. In all actions, as a Sanitary District No. 7, Town of Hempstead officer or employee:

(1) You shall serve the people and uphold the rule of law, always seeking to promote effective and democratic government.

(2) You shall demonstrate a dedication to the highest ideals of honor, honesty, and integrity, thereby promoting public confidence in the honor, honesty, and integrity of Sanitary District No. 7, Town of Hempstead.

(3) You shall make decisions and act solely on the basis of merit, with fairness and impartiality and in conformity with the law, and, except as provided by law, shall give no preference to anyone because of their wealth, position, or status or because of their personal relationship to you.

(4) You shall impress upon all with whom you deal that you perform your duties free of improper influence.

(5) You shall show respect to the public, to your superiors, subordinates, and co-workers, and to all with whom you deal.

(6) You shall give a full day's work for a full day's pay.

(7) You shall maintain confidential information to which you are privy as a result of your position and shall never use or disclose that information for personal gain or private purposes.

(8) You shall conserve public resources.

(9) You shall make no private promises in carrying out your official duties, as your position is a public one.

(10) You shall never solicit any gifts or favors and shall accept no gifts or favors that might compromise, or appear to compromise, your independence as a public servant.

(11) You shall refrain from any personal, private, financial, business, or political activities that might undermine the public's confidence in Sanitary District No. 7, Town of Hempstead and shall never use your official position for private gain.

(12) You shall so conduct your private investments, private employment, and personal relationships and actions that they will never be in conflict with your official duties.

(13) You shall resist any attempts by anyone to undermine the professionalism, honesty, and integrity of the public service.

(14) You shall promptly inform the appropriate authority of any interests or actions by anyone that violate these principles.

#### **Section 4. Prohibition on use of municipal position for personal or private gain.**

No municipal officer or employee shall use his or her municipal position or official powers and duties to secure a financial or material benefit for himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

#### **Section 5. Disclosure of interest.**

(a) Whenever a matter requiring the exercise of discretion comes before a municipal officer or employee, either individually or as a member of a board, and disposition of the matter could result in a direct or indirect financial or material benefit to himself or herself, a relative, or any private organization in which he or she is deemed to have an interest, the municipal officer or employee shall disclose in writing the nature of the interest.

(b) The disclosure shall be made when the matter requiring disclosure first comes before the municipal officer or employee, or when the municipal officer or employee first acquires knowledge of the interest requiring disclosure, whichever is earlier.

(c) In the case of a person serving in an elective office, the disclosure shall be filed with the governing board of the municipality. In all other cases, the disclosure shall be filed with the person's supervisor or, if the person does not have a supervisor, the disclosure shall be filed with the municipal officer, employee or board having the power to appoint to the person's position. In addition, in the case of a person serving on a municipal board, a copy of the disclosure shall be filed with the board. Any disclosure made to a board shall be made publicly at a meeting of the board and must be included in the minutes of the meeting.

#### **Section 6. Recusal and abstention.**

(a) No municipal officer or employee may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any private organization in which he or she is deemed to have an interest.

(b) In the event that this section prohibits a municipal officer or employee from exercising or performing a power or duty:

(1) if the power or duty is vested in a municipal officer as a member of a board, then the power or duty shall be exercised or performed by the other members of the board; or

(2) if the power or duty that is vested in a municipal officer individually, then the power or duty shall be exercised or performed by his or her deputy or, if the officer does not have a deputy, the power or duty shall be performed by another person to whom the officer may lawfully delegate the function.

(3) if the power or duty is vested in a municipal employee, he or she must refer the matter to his or her immediate supervisor, and the immediate supervisor shall designate another person to exercise or perform the power or duty.

#### **Section 7. Prohibition inapplicable; disclosure, recusal and abstention not required.**

(a) This code's prohibition on use of a municipal position (section 4), disclosure requirements (section 5), and requirements relating to recusal and abstention (section 6), shall not apply with respect to the following matters:

(1) adoption of the municipality's annual budget;

(2) any matter requiring the exercise of discretion that directly affects any of the following groups of people or a lawful class of such groups:

(i) all municipal officers or employees;

(ii) all residents or taxpayers of the municipality or an area of the municipality; or

(iii) the general public; or

(3) any matter that does not require the exercise of discretion.

(b) Recusal and abstention shall not be required with respect to any matter:

(1) which comes before a board when a majority of the board's total membership would otherwise be prohibited from acting by section 6 of this code;

(2) which comes before a municipal officer when the officer would be prohibited from acting by section 6 of this code and the matter cannot be lawfully delegated to another person.

**Section 8. Investments in conflict with official duties.**

(a) No municipal officer or employee may acquire the following investments:

(1) investments that can be reasonably expected to require more than sporadic recusal and abstention under section 6 of this code; or

(2) investments that would otherwise impair the person's independence of judgment in the exercise or performance of his or her official powers and duties.

(b) This section does not prohibit a municipal officer or employee from acquiring any other investments or the following assets:

(1) real property located within the municipality and used as his or her personal residence;

(2) less than five percent of the stock of a publicly traded corporation; or

(3) bonds or notes issued by the municipality and acquired more than one year after the date on which the bonds or notes were originally issued.

**Section 9. Private employment in conflict with official duties.**

No municipal officer or employee, during his or her tenure as a municipal officer or employee, may engage in any private employment, including the rendition of any business, commercial, professional or other types of services, when the employment:

(a) can be reasonably expected to require more than sporadic recusal and abstention pursuant to section 6 of this code;

(b) can be reasonably expected to require disclosure or use of confidential information gained by reason of serving as a municipal officer or employee;

(c) violates section 805-a(1)(c) or (d) of the General Municipal Law; or

(d) requires representation of a person or organization other than the municipality in connection with litigation, negotiations or any other matter to which the municipality is a party.

**Section 10. Future employment.**

(a) No municipal officer or employee may ask for, pursue or accept a private post-government employment opportunity with any person or organization that has a matter requiring the exercise of discretion pending before the municipal officer or employee, either individually or as a member of a board, while the matter is pending or within the 30 days following final disposition of the matter.

(b) No municipal officer or employee, for the two-year period after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves.

(c) No municipal officer or employee, at any time after serving as a municipal officer or employee, may represent or render services to a private person or organization in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

**Section 11. Personal representations and claims permitted.**

This code shall not be construed as prohibiting a municipal officer or employee from:

(a) representing himself or herself, or his or her spouse or minor children before the municipality; or

(b) asserting a claim against the municipality on his or her own behalf, or on behalf of his or her spouse or minor children.

**Section 12. Use of municipal resources.**

(a) Municipal resources shall be used for lawful municipal purposes. Municipal resources include, but are not limited to, municipal personnel, and the municipality's money, vehicles, equipment, materials, supplies or other property.

(b) No municipal officer or employee may use or permit the use of municipal resources for personal or private purposes, but this provision shall not be construed as prohibiting:

(1) any use of municipal resources authorized by law or municipal policy;

(2) the use of municipal resources for personal or private purposes when provided to a municipal officer or employee as part of his or her compensation; or

(3) the occasional and incidental use during the business day of municipal telephones and computers for necessary personal matters such as family care and changes in work schedule.

(c) No municipal officer or employee shall cause the municipality to spend more than is reasonably necessary for transportation, meals or lodging in connection with official travel.

### **Section 13. Interests in Contracts.**

(a) No municipal officer or employee may have an interest in a contract that is prohibited by section 801 of the General Municipal Law.

(b) Every municipal officer and employee shall disclose interests in contracts with the municipality at the time and in the manner required by section 803 of the General Municipal Law.

### **Section 14. Nepotism.**

Except as otherwise required by law:

(a) No municipal officer or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge a relative for any position at, for or within the municipality or a municipal board.

(b) No municipal officer or employee may supervise a relative in the performance of the relative's official powers or duties.

### **Section 15. Political Solicitations.**

(a) No municipal officer or employee shall directly or indirectly to compel or induce a subordinate municipal officer or employee to make, or promise to make, any political contribution, whether by gift of money, service or other thing of value.

(b) No municipal officer or employee may act or decline to act in relation to appointing, hiring or promoting, discharging, disciplining, or in any manner changing the official rank, status or compensation of any municipal officer or employee, or an applicant for a position as a municipal officer or employee, on the basis of the giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose.

### **Section 16. Confidential Information.**

No municipal officer or employee who acquires confidential information in the course of exercising or performing his or her official powers or duties may disclose or use such information unless the disclosure or use is required by law or in the course of exercising or performing his or her official powers and duties.

### **Section 17. Gifts.**

(a) No municipal officer or employee shall solicit, accept or receive a gift in violation of section 805-a(1)(a) of the General Municipal Law as interpreted in this section.

(b) No municipal officer or employee may directly or indirectly solicit any gift.

(c) No municipal officer or employee may accept or receive any gift, or multiple gifts from the same donor, having an annual aggregate value of seventy-five dollars or more when:

(1) the gift reasonably appears to be intended to influence the officer or employee in the exercise or performance of his or her official powers or duties;

(2) the gift could reasonably be expected to influence the officer or employee in the exercise or performance of his or her official powers or duties; or

(3) the gift is intended as a reward for any official action on the part of the officer or employee.

(d) For purposes of this section, a "gift" includes anything of value, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form. The value of a gift is the gift's fair market value, determined by the retail cost of the item or a comparable item. The fair market value of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit is the face value of the ticket, or the actual cost to the donor, whichever is greater. Determination of whether multiple gifts from a single donor exceed seventy-five dollars must be made by adding together the value of all gifts received from the donor by an officer or employee during the twelve-month period preceding the receipt of the most recent gift.

(e) (1) A gift to a municipal officer or employee is presumed to be intended to influence the exercise or performance of his or her official powers or duties when the gift is from a private person or organization that seeks municipal action involving the exercise of discretion by or with the participation of the officer or employee.

(2) A gift to a municipal officer or employee is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained municipal action involving the exercise of discretion by or with the participation of the officer or employee during the preceding twelve months.

(f) This section does not prohibit any other gift, including:

(1) gifts made to the municipality;

(2) gifts from a person with a family or personal relationship with the officer or employee when the circumstances make it clear that the personal relationship, rather than the recipient's status as a municipal officer or employee, is the primary motivating factor for the gift;

(3) gifts given on special occasions, such as marriage, illness, or retirement, which are modest, reasonable and customary;

(4) unsolicited advertising or promotional material of little intrinsic value, such as pens, pencils, note pads, and calendars;

(5) awards and plaques having a value of seventy-five dollars or less which are publicly presented in recognition of service as a municipal officer or employee, or other service to the community; or

(6) meals and refreshments provided when a municipal officer or employee is a speaker or participant at a job-related professional or educational conference or program and the meals and refreshments are made available to all participants.

**Section 18. Board of Ethics.**

Sanitary District No. 7, Town of Hempstead has not established a local board of ethics. Pursuant to Section 808(2) of the General Municipal Law, any requests for advisory opinions made by any officer or employee of Sanitary District No. 7, Town of Hempstead, with respect to Article 18 of the General Municipal Law or this Code of Ethics, shall be submitted in writing to the Nassau County Board of Ethics, One West Street, 2nd Floor, Mineola, NY 11501, and a duplicate copy of such written request shall be contemporaneously delivered to the Board of Commissioners of Sanitary District No. 7, Town of Hempstead, 90 Mott Street, Oceanside, NY 11572.

**Section 19. Posting and distribution.**

(a) The General Supervisor of Sanitary District No. 7, Town of Hempstead must promptly cause a copy of this code, and a copy of any amendment to this code, to be posted publicly and conspicuously in each building under the municipality's control. The code must be posted within ten days following the date on which the code takes effect. An amendment to the code must be posted within ten days following the date on which the amendment takes effect.

(b) The General Supervisor of Sanitary District No. 7, Town of Hempstead must promptly cause a copy of this code, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee of the Sanitary District No. 7, Town of Hempstead.

(c) Every municipal officer or employee who receives a copy of this code or an amendment to the code must acknowledge such receipt in writing. Such acknowledgments must be filed with the District Clerk of Sanitary District No. 7, Town of Hempstead who must maintain such acknowledgments as a public record.

(d) The failure to post this code or an amendment to the code does not affect either the applicability or enforceability of the code or the amendment. The failure of a municipal officer or employee to receive a copy of this code of ethics or an amendment to the code, or to acknowledge receipt thereof in writing, does not affect either the applicability or enforceability of the code or amendment to the code.

**Section 20. Enforcement.**

Any municipal officer or employee who violates this code may be censured, fined, suspended or removed from office or employment in the manner provided by law. Any such enforcement action shall be subject to and made in accordance with any applicable labor agreement(s).

**Section 21. Effective date.**

This code takes effect on 6/1/2017.