



ADOPTED Reorganizational Meeting Minutes
Community Center
January 11, 2024
10:00 AM–12:00 PM

Commissioners Present:

D. Burnham, *Chair* (left at 12:00 PM)
G. Murphy, *Treasurer*
S. Malinowski, *Secretary*
K. Stevens, *Employee Liaison*
M. Doyen, *Community Liaison*

Staff Present:

B. Stern, *Business & Administration Manager*
E. Maggs, *Interim Manager*

The meeting began at 10:04 AM.

1. Officer Selection

A motion by S. Malinowski to nominate D. Burnham as Chair, herself as Secretary, M. Doyen as Community Liaison, G. Murphy as Treasurer, and K. Stevens as Employee Liaison was duly seconded by G. Murphy. The motion carried unanimously. All Commissioners were present for this vote.

2. Monthly Meetings & Workshop Dates/Times

There was a suggestion to hold one monthly meeting in the evenings so the public could attend more easily; this would be challenging for staff to attend and their presence and contribution was considered invaluable. A budget workshop could be scheduled in the evening to facilitate public attendance. Commissioners had not heard complaints about the daytime meetings; evening meetings for other Tax Districts are not well attended by the public. The public can also always attend meetings/workshops via Zoom if not in person. There was also a brief mention of the Open Meeting Law guidelines that would be shared with the Commission in advance of the January 25 meeting.

The Commission reached consensus on holding the 2024 meetings and workshops on the first and third Thursdays of each month, at the Community Center and on Zoom, beginning on February 1. This schedule should be posted to the FIWMD website and Fishersisland.net.

3. Annual Holiday Closings

The Commission discussed 2024 holiday closures of the Transfer and Compost Stations (these are paid holidays for employees). The Commission discussed the idea of closing on Election Day, as it can be challenging for employees who live on the mainland to have time to vote.

A motion by S. Malinowski to close the Compost and Transfer Stations on Election Day (11/05/2024) was duly seconded by K. Stevens and the motion carried unanimously. All Commissioners were present for this vote.

The annual holiday Station closings are:

- New Year's Day (01/01/24)
- Martin Luther King Day (01/15/24)
- President's Day (02/19/24)
- Memorial Day (05/27/24) Compost Station only
- Independence Day (07/04/24)
- Labor Day (09/02/24) Compost Station only
- Election Day (11/05/24)
- Veterans Day (11/11/24)
- Thanksgiving Day (11/28/24)
- Christmas Day (12/25/24)

4. Station Schedule

- a. **Option 1: Unchanged from 2023 (7:30 AM–4:30 PM)**
- b. **Option 2: Test Alternate Hours January 22–March 22**

The Subcommittee (K. Stevens, B. Stern, & E. Maggs) discussed altering the Station hours this winter as a trial to determine if the change should be implemented all year. Specifically, the Subcommittee's suggestion was to have the Stations open from 7:30 AM–3:30 PM from January 22–March 22. There was also a discussion of closing the Transfer Station at 12:30 PM on Tuesdays, Thursdays, Saturdays, and Sundays. To facilitate people dropping off household trash during those closed times, the Commission discussed placing a 3-yard dumpster or heavy duty trash cans outside the gate for drop off; this could challenge staff having to deal with those first thing on Monday mornings. There was mention that placing cans outside the gate could be abused, though the planned security cameras there could help dissuade negative uses.

The Commission agreed to change the Station hours to 7:30 AM–3:30 PM from January 22–March 31. E. Maggs said he would contact contractors and landscapers to let them know of this change. There is the potential to extend this year round, which could help with staffing.

5. Periodicals

The Day, Suffolk Times, and FishersIsland.net were the agreed upon periodicals. It was decided that posting official announcements on Fishersisland.net (and Fog Horn) in addition to the other places could not do any harm and was very beneficial since this is where most Islanders look for information.

A motion by S. Malinowski to approve The Day, Suffolk Times, and FishersIsland.net as the 2024 periodicals was duly seconded by M. Doyen. The motion carried unanimously. All Commissioners were present for this vote.

6. Attorneys

S. Malinowski motioned to approve the following attorneys for 2024: Kerrie Heslin of Nukk-Freeman & Cerra, PC, Martin Finnegan of Finnegan Law, PC, and Bill Moore of the Moore Law Group. G. Murphy seconded the motion, which carried unanimously. All Commissioners were present for this vote.

7. Financial Institutions

There was discussion of changing banks to one that is less antiquated with better customer service. To be explored in 2024.

A motion by S. Malinowski to approve Citizens Bank and Capital Advisors Group as the FIWMD's 2024 financial institutions was duly seconded by M. Doyen. The motion carried unanimously. All Commissioners were present for this vote.

D. Burnham made the following motion, which was duly seconded by S. Malinowski, and the motion carried unanimously on a vote of 5–0:

We, the undersigned, being all commissioners of Fishers Island Waste Management District (FIWMD) consent and agree that the following resolution was made On January 11, 2024.

We do hereby consent to the adoption of the following at a meeting of the commission of FIWMD. In accordance with State Law of FIWMD, by unanimous consent, the commission decided that:

Therefore, it is resolved that FIWMD shall:

FIWMD utilize Stone Castle group for its investment institution.

The officers of FIWMD are authorized to perform the acts to carry out this FIWMD resolution. All Commissioners were present for this vote.

8. Liability & Property Insurance

A motion by S. Malinowski to approve Brown & Brown as the FIWMD’s property and liability insurance broker was duly seconded by D. Burnham. The motion carried on a vote of 4–0. G. Murphy abstained. All Commissioners were present for this vote.

Further discussion was tabled until the January 25 meeting.

9. Accounting Firm

The Commission briefly discussed the need to regularly change accountants. There was also a suggestion that annual financial audits should be approved and accepted by the Commission, and published for the public. It was pointed out that this can also be accomplished by switching accountants within the same firm.

A motion by S. Malinowski to approve Cullen & Danowski, LPP, as the FIWMD’s accounting firm for 2024 was duly seconded by G. Murphy. The motion carried unanimously. All Commissioners were present for this vote.

10. Review Guiding Documents

The Commission received two proposals to review and update the FIWMD handbook—one was a comprehensive rewrite and commitment to provide regular updates. There was mention that the Family & Medical Leave Act (FMLA) might not apply to the FIWMD because it has less than 50 employees; clarity was needed in this regard. The Commission had tabled this matter until a new manager is hired, but thought it should proceed with updating the handbook now. It was agreed that Nukk-Freeman & Cerra, PC would be hired for this updating work together with any annual reviews to ensure it remains compliant with NY State laws.

A motion by S. Malinowski to hire Nukk-Freeman & Cerra, PC to redo the FIWMD handbook in 2024 for up to \$10,000 was duly seconded by G. Murphy. The motion carried unanimously. All Commissioners were present for this vote.

The Commission did not discuss the governing documents in detail other than the plan to separate them from the employee handbook. The Open Meeting Law/Minutes Policy draft would be discussed at the January 25 meeting.

a. Employee Handbook

The commission tabled in depth discussion of employee handbook policies for the upcoming review and editing process with the employment law firm.

A motion by S. Malinowski for the FIWMD to abide by the existing Handbook policies until a new Handbook is in place was duly seconded by G. Murphy. The motion carried unanimously. All Commissioners were present for this vote.

i. Travel Expense Policy

No comments.

ii. Credit Card Policy

No Comments.

iii. Ageism/Benevolent Sexism Policy

There was a brief explanation that this arose from an employee investigation, as a way to encourage staff to be mindful of language they use at work (e.g., saying “folks” instead of “guys”) and not assigning work tasks based solely on gender.

iv. Boots Policy

The Commission briefly discussed the work boots policy and an email E. Maggs sent to staff about it. Boots are required and the FIWMD reimburses employees up to \$125/year for boots. If an employee comes to work without the required boots, they are sent home for the day without pay.

v. Gifts Policy

No comments.

vi. Personal Days Policy

No comments.

vii. NYS Harassment Prevention Updates Policy

No comments.

viii. Incident/Accident Report Policy TBD

No comments.

ix. Drug testing + training (Narcan) TBD

No comments.

x. Weather Policy TBD

The Commission was in agreement with the existing Weather Policy, but needed to specify one person to notify staff when the Stations are closed due to weather. The Commission agreed that D. Burnham and E. Maggs should make closure decisions together and that E. Maggs would contact staff about closures. Ideally, a decision should be made by 8:00 PM the night before. Staff would have the opportunity to come to work on any needed projects if they want to in these instances. Otherwise, they could use paid time off, a vacation day, or a wellness day. B. Stern & E. Maggs could also still come to work on those days, though it would not be required.

xi. Office Hours Policy TBD

No comments.

11. Reports

a. State Comptroller Letter

G. Murphy contacted the State to better understand this letter, and he now has a good contact there. G. Murphy was assured that everything was fine, as there was an approval to exceed the Tax Cap.

b. Station Hours + Staffing

Discussed earlier in the meeting, primarily under agenda item 4.

c. Manager Recruitment

The Subcommittee (K. Stevens & M. Doyen) met to brainstorm industry-specific job boards to post this advertisement. They decided on three paths to pursue: (1) reach out to masters degree programs regionally and nationally to contact energized and interested recent graduates who might be at a stage in their life with the ability to relocate, (2) reach out to local waste management facilities on the mainland and nearby islands to try to get the word out to any experienced professionals already in the area who might be looking for a new opportunity, (3) cast a targeted net on a few recruiter sites (selected Indeed and Idealist). The salary range provided in the job description is \$75,000–\$125,000 based on industry standards. There was a spreadsheet in the Google Drive tracking all resumes received, and color coded based on keywords and experience. S. Malinowski agreed to draft email language to send to all applicants thanking them and letting them know that resumes were under review. The Commission also discussed the fees associated with posting on some job boards.

A motion by D. Burnham to give the Subcommittee (K. Stevens & M. Doyen) permission to invest up to \$500 on job postings for a new manager for 1 month. G. Murphy seconded the motion, which carried unanimously. All Commissioners were present for this vote.

d. Coastal Path

The Commission reviewed a property map with the updated operational boundary described. K. Stevens would share the graphic with the Commission via email and send it to the Museum's Board. There was also discussion of surveying the area where the FI Sewer District had been granted access and use for their equipment. The FIWMD would pay for the survey of the boundary of the FI Sewer District area and the HLF Museum would pay for the survey of the FIWMD operational boundary.

e. Solar Field

There was discussion about an email from Attorney M. Finnegan asking for a term sheet. There was mention that there should be no ambiguity in the lease. The Commission thought it was fair to ask Pickett Power for a term sheet. There was a question about whether there could be a liability for what is underground, and whether that liability would be on the FIWMD or Pickett Power; this should be clearly identified in the lease. There was a question of who would pay for the ongoing maintenance of the property outside the solar field fencing. The Commission appointed a Subcommittee (K. Stevens & G. Murphy) to have a meeting with Brad Burnham and Travis Garcelon of Pickett Power to get an update and ask necessary questions to move the project forward.

12. Upcoming Agendas

The Commission began drafting the January 25 meeting agenda.

13. Executive Session

A motion by S. Malinowski to enter Executive Session to discuss employee evaluations and consider raises was duly seconded by G. Murphy. The motion carried unanimously. All Commissioners were present for this vote. E. Maggs & B. Stern departed. The Executive Session began at 11:52 AM. D. Burnham left the Executive Session at 12:00 PM.

A motion by K. Stevens to exit Executive Session was duly seconded by G. Murphy and the motion carried unanimously. D. Burnham was not present for this vote. The meeting reconvened at 12:15 PM.

The Commission decided to begin their January 25 meeting with an Executive Session from 10:00–11:00 AM. Additionally, the Commission decided to hire Nuuk-Freeman & Cerra, P.C. for employee sexual harassment and prevention training. It was also agreed that the Commissioners would do EasyLlama online training this year to help contain costs.

14. Adjourn

There being no further business, the meeting adjourned at 12:30 PM.

Respectfully submitted by,
Katie Kibler, Minute Taker
January 18, 2024

All Commissioners were provided with the opportunity to suggest clarifying edits for accuracy.

Respectfully revised by Katie Kibler on January 23, 2024 and January 24, 2024