



ADOPTED WORKSHOP MINUTES

February 1, 2024

10:00 AM–11:00 AM

Community Center & Zoom

Commissioners Present:

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*

Commissioners Absent:

D. Burnham, *Chair*

The meeting began at 10:03 AM.

1. Additions to the Agenda

Agenda items 3 and 4 were added to act on payables and an audit resolution. Agenda item 5.f. was added for a brief discussion with the Interim Manager. An Executive Session was added as the final agenda item. Several agenda items were tabled due to limited time: manager recruitment, job description/title review, Commissioner/employee lanes, Commissioner training/new Commissioner onboarding, Minute Taker scope/responsibility/other projects, Open Meeting Law, coastal path, solar field, and 2024 budget letter & graphics for the public.

2. Minutes

A motion by G. Murphy to adopt the January 25, 2024 meeting minutes as amended was duly seconded by M. Doyen. On a vote of 4–0, the motion carried unanimously. D. Burnham was not present for this vote. Amendments are kept on file and available to the public upon request.

3. Payables

Payment was needed for the Minute Taker. **A motion by G. Murphy to approve the payables was duly seconded by M. Doyen. On a vote of 4–0, the motion carried unanimously.** D. Burnham was not present for this vote.

4. Audit Resolution

G. Murphy made the following motion, which was duly seconded by M. Doyen. The motion carried unanimously on a vote of 4–0:

Whereas Cullen & Danowski, LLP (the “Auditor”) has completed the 2022 financial audit of the Fishers Island Waste Management District (the “District”), and

Whereas the Auditor has noted several journal entries that are required to be completed as of 12/31/22, and

Whereas, the Auditor has noted two material deficiencies that the District needs to rectify, and Therefore, it is RESOLVED to authorize Beth Stern to execute and deliver to the Auditor the Financial Statements Approval Form dated 12/31/22 subject to the above-referenced journal entries being made, and

It is further RESOLVED to authorize Gordon S. Murphy to execute the December 29, 2023 District letter to the Auditor subject to the above-referenced journal entries being made. D. Burnham was not present for this vote.

[*Due to an inadvertent error, this motion was rescinded and a new vote ensued during the February 15, 2024 meeting to correct the person authorized to execute the December 29, 2024 District letter.]

Audit documents were in the Google Drive for the Commission’s review. G. Murphy had a meeting scheduled with the Auditor Partner and Auditor Manager on Tuesday, February 6.

5. Reports:

a. Incident Report

Discussion ensued about a report from the insurance company and whether it makes sense to repair the grinder. There was mention of a cost between \$25,000–\$50,000 to repair the machine. The costs would be high to get the machine to the Ferry (if possible), to the repair location, and then back to the Island. It was agreed that it would be helpful to know the cost to replace the machine. The Commission will also consider outsourcing grinding on a yearly basis and not being responsible for maintaining the machine. S. Malinowski said she spoke with D. Burnham the morning of this meeting, and D. Burnham indicated that he favored repairing the machine. B. Stern and E. Maggs were looking into this to provide a report on options and costs to repair or replace at the February 15 meeting. It was mentioned that D. Burnham was awaiting a reply from Evergreen about taking on the task of grinding the brush that has not been ground since the District’s grinder is not working.

b. Website

K. Stevens and B. Stern have been working with the designer of the new FIWMD website (FIWMD.net), which will hopefully be live by mid-March. Full-time employees are being assigned new email addresses to align with the new website address. K. Kibler, Minute Taker, posted all back dated 2020–2024 minutes to the old website, which

the designer will transfer to the new website. They will teach K. Kibler how to post meeting minutes/videos moving forward. K. Stevens asked the website designer for a revised quote, but the designer needed to clarify the timeline and content before confirming, which they thought would be close to the initial quote (under \$3,000) that was approved in spring 2022.

c. Sexual Harassment Training 2024 Proposal

K. Stevens reported on an email from the employment law firm, Nuuk-Freeman & Cerra, P.C., whom the FIWMD asked for estimates for training. There was a discrepancy with the law firm's invoice for training during fall 2023, so the firm was trying to be more explicit about costs. Their services would include some customization, baseline focus on sexual harassment, as well as grievances and incident reporting, if wanted. This total cost was for employee training only, and the Commissioners would take part in EasyLlama training this year, with a reasonable fee for up to 12 licenses. It was agreed that spring is a good time for these training sessions annually. The quoted cost for employee training was \$3,750, but two more bids would be required because the cost is over \$3,000, unless there is an applicable exception within the FIWMD's purchase policy. Despite the need for other bids, the Commission agreed that they want to proceed with Nuuk-Freeman & Cerra, P.C. because they already understood the FIWMD and its challenges, which would aid with continuity. G. Murphy agreed to inquire as to whether this continuity would suffice as a reason to not seek other bids, and whether legal counsel is exempt from the bid requirements.

S. Malinowski motioned to hire Nuuk-Freeman & Cerra, P.C. for 2024 sexual harassment training because Nuuk-Freeman & Cerra, P.C. has been helping the FIWMD throughout a cultural shift to address systemic challenges. The motion was duly seconded by M. Doyen. On a vote of 4–0, the motion carried unanimously. D. Burnham was not present for this vote.

d. Handbook 2024 Proposal

Discussion ensued about the proposals received for upgrading the FIWMD employee handbook to ensure it is legally compliant. At the January 11, 2024 meeting, the Commission voted to hire Nuuk-Freeman & Cerra, P.C. to update the employee handbook, which had not been updated in approximately 10 years. The *estimate* (not a quote) provided for the update was \$8,000–\$10,000 for review, drafting, and revisions. K. Stevens agreed to contact the firm and request an official quote for the handbook update, as well as costs for annual updates as the NY laws change.

There was a brief mention of needing the employee handbook to address social media use by employees at work.

e. DEC Documents (Local Solid Waste Management Plan)

The FIWMD submitted its last Local Solid Waste Management Plan (LSWMP) in June 2022, so it was anticipated that the next one would be due in June 2024. K. Stevens worked on the final accepted version of the June 2022 submission after it was initially rejected. S. Malinowski and G. Murphy were appointed to a Subcommittee to

review the document and update the summary. The Commission agreed that it would be beneficial to contact the DEC (they were helpful in 2022) to keep from doing extra unnecessary work. B. Stern would share the DEC rejection letter from 2022 in the LSWMP folder in the Google Drive. K. Stevens would share past emails with the Subcommittee. Because this is a mandatory document, it was agreed that the Commission should take action sooner than later. The Subcommittee said their goal was to have the document ready by April, and they would report back to the Commission at the regular meeting on April 18.

f. Interim Manager

Discussion ensued on what monthly meetings/workshops the Interim Manager should attend and prepare reports for. The Manager's presence and reports are essential, especially to communicate and seek guidance on personnel challenges. Everyone agreed about how beneficial it is to have E. Maggs present at both the monthly workshops and meetings, but there was a question of whether attending both would take away from the time employees need him at the Stations. With the Commission considering only one monthly meeting in the future (with additional meetings for Subcommittee work), this question could be resolved. Further discussion ensued during the Executive Session.

6. Upcoming Agendas

No comments.

7. Executive Session

A motion by G. Murphy to enter Executive Session to discuss personnel matters was duly seconded by M. Doyen. On a vote of 4–0, the motion carried unanimously. D. Burnham was not present for this vote. The Executive Session began at 10:47 AM. B. Stern and E. Maggs were present for the Executive Session.

A motion by G. Murphy to exit Executive Session was duly seconded by M. Doyen. On a vote of 4–0, the motion carried unanimously. D. Burnham was not present for this vote. The workshop reconvened at 11:00 AM.

8. Adjourn

There being no further business, **G. Murphy motioned to adjourn the meeting, which M. Doyen seconded. On a vote of 4–0, the motion carried unanimously.** D. Burnham was not present for this vote. The meeting adjourned at 11:00 AM so that Commissioners could attend a "How to be a Good Board Member" workshop from the Community Foundation of Eastern Connecticut.

Respectfully submitted by,
Katie Kibler, Minute Taker
February 7, 2024

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

FIWMD Workshop Minutes
February 1, 2024

ADOPTED

Respectfully revised by Katie Kibler on February 13, 2024