

June 13, 2017

Rockville Centre, New York

The Board of Trustees held a Briefing meeting at 5:00pm on the above date in the Mayor's Office.

**PRESENT:** Mayor Francis X. Murray, Trustees Kathy Baxley, Edward J. Oppenheimer, Michael Sepe and Emilio F. Grillo.

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller George Scheu and Deputy Clerk Treasure Mary Schmeling.

**ATTENDANCE:** none

On motion of Trustee Grillo, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to convene in Executive Session at 5:07 p.m. to discuss pending litigation and legal advice and collective bargaining matters.

On motion of Trustee Sepe, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to authorize counsel to stipulate to dismissal of claims against the Town of Hempstead in the Jaeger case.

On motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried the Board voted to ratify the MOA agreement for the PBA.

On motion by Trustee Grillo, seconded by Trustee Sepe and unanimously adopted, the Board voted to convene in public session.

On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried the Board voted to accept the policy proposal regarding time off for non-union employees.

On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried the Board voted to schedule a public hearing on June 29, 2017 at 6:00 pm to consider Bill RVC 1706 a local law to enact a temporary moratorium on use or development of property for private roads or streets.

Village Attorney A. Thomas Levin excused himself from the meeting at 6:20pm.

On motion of Trustee Sepe, duly seconded by Trustee Oppenheimer and unanimously carried the Board voted to adjourn the meeting at 6:45 pm.

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The Board of Trustees held a Public Hearing at 6:00 p.m. on the above date in the Mayor’s Office.

**PRESENT:** Mayor Francis X. Murray, Trustee Edward J. Oppenheimer and Trustee Michael Sepe

**ABSENT:** Deputy Mayor Kathy Baxley and Trustee Emilio F. Grillo

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Comptroller George Scheu, Police Commissioner Charles Gennario, Supervisor of Water Distribution Kevin Reilly, Superintendent of Buildings Patrick D. O’Brien, Superintendent of Electric Philip Andreas, Deputy Clerk Treasurer Mary Schmeling, Director of Information Technology John Peters, Superintendent of Recreation Ginger Creegan, Director of Senior Services Chris O’Leary, Director of Public Works Operations John Thorp, Assistant to the Board Wendy Weinstock, Community Development Director Suzanne Sullivan, Purchasing Department Kathy McMahon, Public Relations Counsel Julie Grilli, Secretary to the Board Lisa Butler

**ATTENDANCE:** Approximately 9 people

Village Administrator Kathleen Murray opened the public hearing with respect to Bill RVC 1706 - a local law to enact a temporary moratorium on use or development of property for private roads or streets.

After hearing all interested persons, on motion of Trustee Oppenheimer and duly seconded by Trustee Sepe and carried by a vote of three to none, the Board voted to continue the public hearing on Bill RVC 1706 until July 10, 2017 at 7:00 pm.

The Board proceeded to the Public Briefing Session agenda at 6:14pm.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and carried by a vote of three to none the Board approved purchase of the Excess Workers Compensation Insurance Renewal with Salerno Brokerage effective 7/1/17 thorough 6/30/18 all terms and conditions remain the same, there is no change in the rate. There has been an adjustment in the premium due to the 2% increase in payroll.

Village Administrator Kathleen Murray advised that Bid No. 1705E1(877)Underground Truck for the Electric Department was properly advertised by the Purchasing Department and opened on June 1, 2017 the result of the bid opening is as follows:

VENDOR	New Vehicle Cost	Demonstration Vehicle Cost
Gabrielli Truck Sales, Ltd.	\$111,342.00	\$72,673.00

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The following companies did not respond: Dejanna Trucks and Utility Equipment, Trux, Inc., Ford Lincoln of Huntington, R.W. Truck Equipment, and Trius Inc.

On motion of Trustee Sepe, and duly seconded by Trustee Oppenheimer and carried by a vote of three to none, the Board voted to award the purchase contract to the lowest bidder substantially meeting all required specifications, namely Gabrielli Truck Sales, Ltd. for an expenditure of \$72,673.00-.

On motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and carried by a vote of three to none the Board voted to adjourn the meeting at 6:27 pm.

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The Board of Trustees held a Briefing meeting at 6:15pm on the above date in the Mayor's Office.

**PRESENT:** Mayor Francis X. Murray, Trustees Kathy Baxley, Edward J. Oppenheimer, Michael Sepe and Emilio F. Grillo.

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller George Scheu and Deputy Clerk Treasure Mary Schmeling

**ATTENDANCE:**

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board voted to convene in Executive Session at 6:15 p.m. to discuss prospective litigation, matters leading to the hiring, firing, demotion, promotion or discipline of one or more particular employees, and to obtain legal advice from counsel.

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board adopted the following resolution:

RESOLVED, that in the event civil litigation is instituted against the Village relating to the incident involving the Kavanagh and Officer Anthony Federico, and in the further event that it is determined that Officer Federico is entitled to defense and indemnification from the Village, the Board of Trustees authorizes Frank Schroeder, Esq. to represent Officer Anthony Federico at the expense of the Village, and to incur such expenses as may reasonable be necessary and as are approved by the Village Attorney, in support of such defense.

On motion of Mayor Murray, duly seconded by Trustee Oppenheimer and unanimously carried the Board voted to adjourn the meeting at 6:59 pm.

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The Regular Meeting of the Board of Trustees was held on the above date in Village Hall. Mayor Francis X. Murray opened the meeting at 7:02 p.m.

**PRESENT:** Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Edward J. Oppenheimer, Michael Sepe and Emilio F. Grillo

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller George Scheu, Police Commissioner Charles Gennario, Superintendent of Water Kevin Reilly, Superintendent of Electric Philip Andreas, Deputy Clerk Treasurer Mary Schmeling, Fire Chief Brian Cook, Superintendent of Buildings Patrick D. O'Brien, Superintendent of Recreation Ginger Creegan, Director of Senior Services Chris O'Leary, Director of Public Works Administration Gwynne Feiner, Director of Public Works Operations John Thorp, Research Assistant to the Board Wendy Weinstock, Community Development Director Suzanne Sullivan, Public Relations Counsel Julie Grilli, Secretary to the Board Lisa Butler

**ATTENDANCE:** Approximately 65 people

Mayor Murray led the Pledge of Allegiance.

Mayor Murray recessed the Regular Meeting of the Board of Trustees and convened into the Annual Organizational Meeting.

The Village election was held on June 20, 2017 with the following results:

<b><u>TRUSTEE - 4 Year Term (2)</u></b>	<b><u>VOTES CAST</u></b>
Edward J. Oppenheimer	387
Emilio F. Grillo	327

<b><u>VILLAGE JUSTICE</u></b>	<b><u>VOTES CAST</u></b>
Kevin P. McDonough	388

Village Administrator Kathleen Murray called upon Sarah Biel, Andrew Oppenheimer and Bradley Biel to administer the Oath of Office to Trustee Edward J. Oppenheimer.

Village Administrator Kathleen Murray called upon Christine M. Grillo, and family to administer the Oath of Office to Trustee Emilio F. Grillo.

Village Administrator Kathleen Murray called upon Honorable William J. Croutier, Jr. to administer the Oath of Office to Village Justice Kevin McDonough.

Mayor Murray appointed Trustee Kathy Baxley to serve as Deputy Mayor, with the power to perform all of the duties of the Mayor in the event of the absence or the inability of the Mayor.

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Trustee Baxley moved that the Regular Meeting nights of the Board of Trustees be held on the first Monday of each month, except as otherwise previously scheduled, or on such dates as may be determined by the Mayor/Board of Trustees.

The motion was duly seconded by Trustee Oppenheimer and unanimously carried.

**DESIGNATION OF DEPOSITORIES:**

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board designated the following as Depositories for the Funds of the Village and adopted the following Resolution.

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**R E S O L U T I O N**

**WHEREAS**, Valley National Bank, JP Morgan Chase Bank, First National Bank of Long Island, Citibank, N.A., Bank of America, M.B.I.A., (Municipal Investors Service Corporation), Capital One Bank, New York Commercial Bank, Flushing Bank, HSBC Bank, Signature Bank, Community National Bank, TD Bank and The Bank of New York Mellon Corporation are qualified depositories of the Incorporated Village of Rockville Centre funds.

**WHEREAS**, the elected and appointed officials of the Incorporated Village of Rockville Centre have this date been installed in office;

**NOW, THEREFORE, BE IT RESOLVED**, that Valley National Bank, JP Morgan Chase Bank, First National Bank of Long Island, Citibank, N.A., Bank of America, M.B.I.A., (Municipal Investors Service Corporation), Capital One Bank, New York Commercial Bank, Flushing Commercial Bank, HSBC Bank, Signature Bank, Community National Bank, TD Bank and The Bank of New York Mellon Corporation be designated as depositories of the Incorporated Village of Rockville Centre, a Municipal Corporation, deposits in said banks be subject to withdrawals upon checks, notes, drafts, undertakings or other orders of payment of money, except hereinafter set forth, when signed, on behalf of the Incorporated Village of Rockville Centre, by the Village Administrator/Clerk-Treasurer or, in the absence of the Village Administrator/Clerk-Treasurer, the Deputy Village Clerk-Treasurer. Amounts under \$5,000 require one signature. Amounts in excess of \$5,000 require the signature of the Mayor, or Deputy Mayor, and the Village Clerk-Treasurer or the Deputy Village Clerk-Treasurer, and

**BE IT FURTHER RESOLVED**, that the funds in the Defense Bond Payroll Deduction Account, authorized by Resolution of the Board of Trustees on March 25, 1942 and funds in the Withholding Tax Deductions Account, shall be subject to withdrawal by checks when signed

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on behalf of the Incorporated Village of Rockville Centre, a Municipal Corporation, by the Village Administrator/Clerk Treasurer, or, in the absence of the Village Administrator/Clerk Treasurer, by the Deputy Village Clerk-Treasurer, and

**BE IT FURTHER RESOLVED,** that whenever the Incorporated Village of Rockville Centre, a Municipal Corporation, by Resolution of the Board of Trustees, determines to borrow or to obtain credit for the Incorporated Village of Rockville Centre from Valley National Bank, JP Morgan Chase Bank, First National Bank of Long Island, Citibank, N.A., Bank of America, M.B.I.A. (Municipal Investors Service Corporation), Capital One Bank, New York Commercial Bank, Flushing Bank, HSBC Bank, Signature Bank, Community National Bank, TD Bank and The Bank of New York Mellon the Village Administrator/Clerk-Treasurer or, in the absence of the Village Clerk-Treasurer, the Deputy Village Clerk-Treasurer, are hereby authorized to sign notes or other obligations of the Incorporated Village of Rockville Centre, therefore, in form satisfactory to said bank and to execute and deliver all instruments and to affix the Corporate Seal of the Incorporated Village of Rockville Centre thereto, and

**BE IT FURTHER RESOLVED,** that the Village Administrator/Clerk-Treasurer, be, and he is hereby authorized to certify to Valley National Bank, JP Morgan Chase Bank, First National Bank of Long Island, Citibank, N.A., Bank of America, M.B.I.A. (Municipal Investors Service Corporation), Capital One Bank, New York Commercial Bank, Flushing Bank, HSBC Bank, Signature Bank, Community National Bank, TD Bank and the Bank of New York Mellon the foregoing Resolution.

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COLLATERALIZING OF DEPOSITS:

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Village of Rockville Centre, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank, other than the bank with the deposits, in favor of the government, for a term not to exceed 90 days, with an aggregate value equal to 140% of the aggregate amount of deposits and the

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agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable Federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.
4. Savings and/or demand deposit accounts placed through a depository institution that has a main or branch office in this state and that contractually agrees to place funds in federally insured depository institutions through the Insured Cash Sweep service, or ICS.

PERMITTED INVESTMENTS:

As authorized by General Municipal Law, Section 11, the Village of Rockville Centre authorizes the Clerk/Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs, in the following types of investments:

- . Special time deposit accounts;
- . Certificates of deposit;
- . Obligations of the United States of America;
- . Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- . Obligations of the State of New York;
- . Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.

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On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board designated the following as Financial Advisor for the Village of Rockville Centre:

Capital Markets Advisors, LLC  
2 Roosevelt Avenue, Suite 201  
Syosset, New York 11791

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board designated the following as Fiscal Agent for the Village of Rockville Centre:

The Depository Trust and Clearing Corp.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, the Board designated the following law firm as Bond Counsel for the Village of Rockville Centre:

Hawkins Delafield & Wood  
1 Chase Manhattan Plaza  
New York, NY 10005

Mayor Murray appointed Philip B. Andreas, Superintendent of Electric Utilities, as the accredited New York Association of Public Power (NYAPP) and American Public Power Association (APPA) voting delegate of the Board of Trustees of the Village of Rockville Centre for the Fiscal Year 2017.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board of Trustees formally re-adopted the Village of Rockville Centre Investment Policy.

#### **INVESTMENT POLICY OF THE VILLAGE OF ROCKVILLE CENTRE**

§1. Scope.

This investment policy applies to all moneys and other financial resources available for investment by the Village or by any other entity or individual on behalf of the Village.

§2. Objectives.

The primary objectives of the Village's investment activities are to:

- A. Conform with all applicable federal, state and other legal requirements;
- B. Adequately safeguard principal;
- C. Provide sufficient liquidity to meet all operating requirements; and
- D. Obtain a reasonable rate of return

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§ 3. Delegation of authority.

The responsibility of the Board of Trustees for administration of the Village's investment program is delegated to the Village Treasurer, who shall establish written procedures for the operation of the investment program consistent with these program guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

§ 4. Prudence.

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village to govern effectively.

A. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

B. All participants in the investment process shall refrain from personal business activity which could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

§5. Diversification.

It is the policy of the Village to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

§6. Internal controls.

A. It is the policy of the Village for all moneys collected by any officer or employee of the Village to transfer those funds to the Village Treasurer within three days of deposit, or within the time period specified by law, whichever is shorter.

B. The Village Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

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§7. Designation of depositories.

The Board of Trustees shall establish a list of banks and trust companies authorized for the deposit of moneys. Unless otherwise provided by the Board of Trustees, deposits in each may be made and maintained to the maximum amount for which Federal Deposit Insurance Act insurance is available or other maximum amount as set forth in an approved collateral agreement between the Village and such institution.

§8. Collateralizing of deposits.

In accordance with the provisions of General Municipal Law § 10, all deposits of the Village, including certificates of deposit and special time deposits, in excess of the amounts insured under the provisions of the Federal Deposit Insurance Act shall be secured:

A. by a pledge of "eligible securities" with an aggregate market value as provided by General Municipal Law § 10, equal to the aggregate amount of deposits from the categories designated in Appendix A of this policy;

B. by an irrevocable letter of credit, issued by a qualified bank other than the bank with the deposits, in favor of the Village for a term not to exceed 90 days with an aggregate value at least equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements. Notwithstanding the foregoing, a letter of credit issued by a federal home loan bank may have a term in excess of 90 days, and shall have an aggregate value at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any; or

C. by an eligible surety bond, in form approved by the Village Attorney, payable to the Village for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

§9. Safekeeping and collateralization.

Eligible securities used for collateralizing deposits shall be held by a third-party bank or trust company subject to security and custodial arrangements.

A. The security agreement shall be in a form approved by the Village Attorney, and shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released, and the events which will enable the local government to exercise its

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rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Village, such securities shall be delivered in a form suitable for transfer, or with an assignment in blank, to the Village or its custodial bank.

B. The custodial agreement shall be in a form approved by the Village Attorney, and shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Village a perfected interest in the securities.

#### §10. Permitted investments.

A. As authorized by General Municipal Law § 11, the Village authorizes the Village Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- (1) Special time deposit accounts.
- (2) Certificates of deposit.
- (3) Obligations of the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof, or a United States government sponsored corporation.
- (4) Obligations of the State of New York.
- (5) Obligations issued pursuant to Local Finance Law § 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Village.
- (6) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments.
- (7) Certificates of Participation (COPS) issued pursuant to General Municipal Law § 109-b.
- (8) Obligations of the Village, but only with any moneys in a reserve fund established pursuant to General Municipal Law §§ 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m or 6-n.
- (9) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of New York State or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys.

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(10) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

(11) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.

§11. Authorized financial institutions and dealers.

The Village shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Village conducts business must be creditworthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Village Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners, and custodians. Such listing shall be evaluated at least annually.

§12. Purchase of investments.

A. The Village Treasurer is authorized to contract for the purchase of investments:

(1) directly, including through a repurchase agreement, from an authorized trading partner;

(2) by participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5-G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board of Trustees; or

(3) by utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Village Board of Trustees.

B. All purchased obligations, unless registered or inscribed in the name of the Village, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by any bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law § 10.

C. The custodial agreement shall be in a form approved by the Village Attorney and be in substantial compliance with the Model Agreement promulgated by the New York State Department of Audit and Control. The custodial agreement shall provide that

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securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company, and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement also shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Village a perfected interest in the securities.

§13. Repurchase agreements. Repurchase agreements are not authorized.

APPENDIX A

Schedule of Eligible Securities

- 100% (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- 100% (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the InterAmerican Development Bank, the Asian Development Bank, and the African Development Bank.
- 100% (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- 100% (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- 100% (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- 100% (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- 100% (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- 80% (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- 60% (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which

may be purchased by banks under the limitations established by bank regulatory agencies.

100%\_\_\_\_\_ (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

100%\_\_\_\_\_ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips."

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board of Trustees adopted the following Village of Rockville Centre Procurement policy.

#### PROCUREMENT POLICY FOR THE INCORPORATED VILLAGE OF ROCKVILLE CENTRE

1. Every purchase under consideration must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known, or can reasonably be expected, that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. Pursuant to Section 103 of New York State General Municipal law, the following items are not subject to competitive bidding.

- purchase contracts under \$20,000;
- public works contracts under \$35,000;
- emergency purchases;
- certain municipal hospital purchases;
- goods purchased from agencies for the blind or severely handicapped;
- goods purchased from correctional institutions; purchases from approved municipal or other government entity contracts;
- surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. Examples of documentation include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source that makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriated.

All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or another method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances:

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- purchase contracts for \$20,000 or more;
- public works contracts for \$35,000 or more;
- goods purchased from agencies for the blind or severely handicapped, pursuant to Section 175-b of the State Finance Law;
- goods purchased from correctional institutions, pursuant to Section 186 of the Correctional Law;
- purchases under State contracts, pursuant to Section 104 of the General Municipal Law;
- purchases under county contracts, pursuant to Section 103(3) of the General Municipal Law;
- purchases pursuant to Subdivision 6 of this policy:

2. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$1,000 - \$4,999	Discretion of the Village's Purchasing Agent
\$5,000 - \$19,999	Written/Faxed quotations Or written request for Proposals(# of quotes: Discretion of Village's Purchasing Agent)

  

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$1,000 - \$4,999	Discretion of the Village's Purchasing Agent
\$5,000 - \$34,999	Written/faxed quotations or written request for proposals (# of quotes: Discretion of Village's Purchasing Agent)

3. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the required number of proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.
4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation is required whenever a contract is awarded other than to the lowest responsible offer or. This documentation will include an explanation of how the award will achieve savings or the grounds upon which it has been determined that the lowest bidder was not responsive or responsible.



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6. Pursuant to General Municipal Law, Section 104-b(2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the Incorporated Village of Rockville Centre to solicit quotations or document the basis for not accepting the lowest bid:

- a. Professional services or services requiring special or technical skills training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill education and training judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Mayor/Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to substantial formal education (b) or training is a necessary prerequisite to the performance of the services; and whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include, but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker services of a certified public accountant, investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized program, or services involved in substantial modification and customizing of pre-packaged software. Any professional services contract equaling or exceeding \$10,000 would require Board approval at a public session.

- b. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source.
- d. Sole source purchases where it is documented that there is no possibility of competition such as from competing dealers or distributors. In addition, it must be determined that no other product provides substantially equivalent benefits.

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- e. Goods or services under \$1,000. The time and documentation required to purchase through this policy may not be cost effective and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
7. In addition to utilizing New York State and Nassau County Procurement contracts, the Purchasing Agent is hereby authorized to utilize any and all procurement contracts issued by any other municipality and or government entity authorized by New York State law.
  8. When a Village credit card is utilized, its usage is limited to actual and necessary Village expenses as determined either by the Village Comptroller or Purchasing Agent. Any expenditure must be accompanied by an itemized receipt that certifies that the usage was for a Village purpose and that the payee is the supplier of the goods or services for which the receipt has been submitted. Notwithstanding these guidelines, the Village will endeavor to limit overall credit card use to the extent practicable.
  9. Pursuant to the requirement established in Chapter 402, Laws of 2007, the Board of Trustees hereby designates Dorothy Hansman to act as Village Purchasing Agent until such time that a full-time Village Purchasing Agent is hired. The Village Purchasing Agent is responsible for purchasing all supplies and materials and Public Works contracts that are deemed necessary for the Village of Rockville Centre. In the absence of the Village Board of Trustees designating a Purchasing Agent, the Comptroller may perform the duties of the Purchasing Agent, or designate another Village employee to perform such duties.
  10. At the discretion of the Village's Purchasing agent, bids may be submitted in electronic format. The receiving device will be designated, as appropriate, by the Village Purchasing Agent.

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On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre No-Smoking Policy.

INCORPORATED VILLAGE OF ROCKVILLE CENTRE  
**ANTI-SMOKING POLICY**

Smoking Prohibited

Smoking is prohibited in all facilities of the Incorporated Village of Rockville Centre (Village).

Adherence to New York State Law

The Village adheres to the smoking restrictions as set forth in Section 1399-o of the New York State Public Health Law.

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On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Freedom of Information Policy.

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**INCORPORATED VILLAGE OF ROCKVILLE CENTRE**  
**PUBLIC ACCESS TO RECORDS POLICY**

**Purpose and Scope**

The Incorporated Village of Rockville Centre (Village) provides access to Village records in compliance with New York State's Freedom of Information Law (Section 84 et seq. of the Public Officers Law).

**Records Access Officer**

The Village Records Access Officer (Access Officer) is the Village Attorney, who is responsible for obtaining department head responses as to the availability of documents reasonably described in public access applications, and for determining whether such records are subject to public access.

**Response to Access Requests**

The Access Officer responds to written requests for Village records within five (5) business days of receipt of the request. The Access Officer's written response will either grant the request, deny the request or acknowledge receipt of the request and set forth a time frame in which the Village will respond to the request. When a requested Village record is available and subject to inspection, the Access Officer will identify the Village facility at which the applicant can inspect the record.

**Inspection of Public Records**

The public record shall be available for inspection during normal Village hours or at a time arranged with the Village facility that stores the record.

**Copying of Public Records**

After inspection, the applicant may request a copy of the record for a fee of \$.25 for each page that is 9 by 14 inches or less. For a copy of a record that is 9 by 14 inches or more, the fee is the actual copying cost excluding fixed Village costs such as salaries. No fee is charged for the inspection itself or for the Village's search for the record.

**Denial of Access; Appeals**

When a request is denied, the Access Officer will provide the reason for the denial and may also advise the applicant that he or she may appeal from the denial. The appeal must be filed within thirty (30) days of the denial. The appeal is to the Mayor of the Village, who is located at One College Place, Rockville Centre, NY 11570. Upon receipt of an appeal, the Mayor shall transmit a copy to the New York State Committee of Open Government (NYSCOOG) at the Department of State, located at 41 State Street, Albany, NY 12231. The appeal will be decided within ten (10) days and a copy of the decision will be transmitted to the NYSCOOG as well.

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On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Non-Discrimination, Non-Harassment and Non-Retaliation Policy.

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**INCORPORATED VILLAGE OF ROCKVILLE CENTRE**  
**EMPLOYMENT POLICY**

**NON-DISCRIMINATION, NON-HARASSMENT AND NON-RETALIATION**  
**POLICY:**

The Village is proud of its tradition of maintaining a friendly work environment with congenial, professional relationships among employees that are free of discrimination and harassment. Consistent with its values, and in compliance with federal, state and county laws, the Village is an equal opportunity employer and does not discriminate in its hiring or treatment of employees on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, predisposing genetic characteristics, marital status, or domestic violence victim status. Nor does the Village permit any employee to engage in conduct in violation of the law.

This equal employment commitment will continue to make the Village of Rockville Centre an employer that attracts and holds the very best people, and enables them to contribute their very best work.

All officers and employees are required to review and adhere to this policy, which prohibits discrimination and harassment, as well as retaliation in response to discrimination or harassment complaints. Sexual harassment is included as misconduct that is prohibited by law and the Village. Any Village employee who engages in discrimination, harassment or retaliation shall be subject to discipline, which, after investigation, could include discipline, up to and including termination of employment.

**LAWS AGAINST DISCRIMINATION:**

Title VII of the Civil Rights Act of 1964, prohibits discrimination against applicants for employment and employees on the basis of race, color, creed, religion, sex, and/or national origin. The Age Discrimination Employment Act (ADEA) prohibits discrimination on the basis of age. The Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability. The New York State Human Rights Law prohibits discrimination based on age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status, or domestic violence victim status. Both federal and state laws also prohibit retaliation against individual who exercise their rights under the applicable statutes.

**DEFINITIONS**

SEXUAL HARASSMENT is expressly prohibited conduct and includes unwelcome requests for sexual favors or verbal or physical conduct of a sexual nature when:

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1. Submission to such conduct is made explicitly or implicitly a term or condition of employment; or
2. Submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
3. Such conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment includes, but is not limited to:

1. Sexually oriented "kidding," "teasing" or jokes; or Repeated offensive sexual flirtations, propositions; or implicit threats of retribution or
2. Repeated verbal abuse of a sexual nature; or
4. Graphic or degrading comments about an individual or his or her appearance; or
5. The display of sexually suggestive objects or pictures; or
6. Subtle pressure for any sexual activity; or
7. Unwelcome physical contact.

Sexual harassment does not refer to occasional socially acceptable compliments or consensual personal and social relationships without a discriminatory employment effect. Instead, it refers to behavior that is not welcome and that is personally intimidating, hostile or offensive to an employee or employees in the workplace.

#### OTHER FORMS OF PROHIBITED HARASSMENT

Also strictly prohibited is harassment on the basis of race, color, religion, creed, national origin, citizenship, age, disability, pregnancy, marital status, veteran status, sexual orientation or any other status protected by law.

Other forms of prohibited harassment include, but are not limited to:

1. Abusive language based on the employee's protected status, including innuendoes,  
slurs, derogatory or insulting comments or sounds, threats and jokes
2. Abusive written language (E-mail or otherwise) showing offensive objects, pictures,  
graphic commentaries or gestures in the workplace, which interfere with employee's  
work performance or creates an intimidating, hostile, or offensive work environment
3. Unwelcome physical contact based on employee's protected status.

#### RETALIATION:

Village officers or employees shall not retaliate against or harass any person for filing any type of harassment or discrimination complaint, or for filing any request for a reasonable accommodation for a disability or religious observance.

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No Village employee shall retaliate against any other employee for cooperating in the investigation of any employment discrimination or harassment complaint.

Retaliatory acts include, but are not limited to, discharge, demotion, reduction in pay, failure to hire or promote, unreasonable working conditions, unfair employment references or the placement of false information in an employee's personnel file.

Any Village employee who engages in retaliation shall be subject to discipline, which, after investigation, could include any kind of discipline, up to and including termination of employment.

Anyone who believes that he or she has been retaliated against for filing a discrimination or harassment complaint, or for cooperating in the investigation of a complaint, should promptly follow the complaint procedures set forth below.

#### DISCRIMINATION, HARASSMENT AND RETALIATION COMPLAINT PROCEDURE REPORTING

No adverse employment action will be taken against you for reporting a discrimination, harassment, or retaliation violation of this policy.

If you believe that you have been treated contrary to Village policy, you should promptly report the discrimination, harassment or retaliation verbally or in writing. A complaint form is available from your Department Head or the Equal Employment Officer (EEO).

Reports can be made to:

1. Your immediate supervisor, or
2. A Department Head, or
3. The Equal Employment Officer.

Your report should include details about the incident(s), the names of individuals involved, and the names of any witnesses. You may report harassment, discrimination and retaliation, even if you are not personally the target of the behavior.

#### REFERRAL

Supervisors and Department Heads must refer all discrimination, harassment or retaliation complaints to the Village EEO, along with a completed complaint form.

In addition, supervisors must report the complaint to the Department Head. This includes any conduct of which they may be aware even if no report or complaint has been made.

#### INVESTIGATION

Although the privacy of an employee reporting a complaint is of paramount importance, the Village will immediately undertake a thorough and objective investigation of the discrimination, harassment or retaliation allegations. Investigations may consist of interviews of the employee or employees who report the harassment, discrimination or retaliation, as well as of the alleged harasser and any other relevant witnesses. In addition, the Village will respond to any legal and/or administrative proceeding arising out of or relating to the complaint. Those

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made privy to the complaint through the need to investigate are charged with the obligation of preserving its confidentiality.

Investigations shall take place in accordance with the employees' union contract.

#### DISPOSITION/ACTION

If the Village determines that unlawful discrimination, harassment or retaliation has occurred, it will take immediate remedial action against any employee determined to be responsible. Disciplinary action may include suspension without pay or termination.

#### INCORPORATED VILLAGE OF ROCKVILLE CENTRE DISCRIMINATION, HARASSMENT AND RETALIATION COMPLAINT PROCEDURE

#### **REPORTING:**

No adverse employment action will be taken against you for reporting a discrimination, harassment, or retaliation violation of this policy. If you believe that you have been treated contrary to Village policy, you should promptly report the discrimination, harassment or retaliation verbally or in writing. A complaint form is available from your Department Head or the Non-Discrimination, Non-Harassment and Non-Retaliation Officer.

Reports can be made to:

1. Your immediate supervisor, or
2. A Department Head, or
3. The Non-Discrimination, Non-Harassment and Non-Retaliation Officer.

Your report should include details about the incident(s), the names of individuals involved, and the names of any witnesses. You may report harassment, discrimination and retaliation, even if you are not personally the target of the behavior.

#### **REFERRAL:**

Supervisors and Department Heads must refer all discrimination, harassment or retaliation complaints to the Village Non-Discrimination, Non-Harassment and Non-Retaliation Officer, along with a completed complaint form.

In addition, supervisors must report the complaint to the Department Head.

#### **INVESTIGATION:**

Although the privacy of an employee reporting a complaint is of paramount importance, the Village will immediately undertake a thorough and objective investigation of the discrimination, harassment or retaliation allegations. Investigations may

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consist of interviews of the employee or employees who report the harassment, discrimination or retaliation, as well as of the alleged harasser and any other relevant witnesses. In addition, the Village will respond to any legal and/or administrative proceeding arising out of or relating to the complaint. Those made privy to the complaint through the need to investigate are charged with the obligation of preserving its confidentiality. Investigations shall take place in accordance with the employees' union contract.

**DISPOSITION/ACTION:**

If the Village determines that unlawful discrimination, harassment or retaliation has occurred, it will take immediate remedial action against any employee determined to be responsible. Disciplinary action may include suspension without pay or termination.

**NON-DISCRIMINATION, NON-HARASSMENT, NON-RETALIATION OFFICERS:**

Wendy Weinstock can be reached at Ext. 296.

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Records Management Policy.

**INCORPORATED VILLAGE OF ROCKVILLE CENTRE**  
**RECORDS MANAGEMENT POLICY**

Be it Resolved by the Board of Trustees of the Incorporated Village of Rockville Centre, Nassau County, New York, as follows:

**SECTION 1 Legislative Intent:**

A. The Board of Trustees of the Incorporated Village of Rockville Centre declares and finds it to be in the public interest and for the public good to establish a Records Management Program to protect and maintain records pertaining to the Incorporated Village of Rockville Centre. The purpose of this Article is to promote the orderly protection of the records pertaining to the Village in compliance with the law; to facilitate the creation of usable records containing accurate and complete information; to avoid the creation of unnecessary records; to establish a lasting commitment to an ongoing systematic Records Retention Program through disposition at regular intervals; and to require all Village employees to contribute to the objectives of the Records Management Program.

B. It is intended to ensure that records are retained as long as needed for the Village's administrative, legal, fiscal and other uses and as long as required by local, State and Federal agencies for fiscal, oversight and other purposes.



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C. It is intended to enable the Village to maintain in an orderly and safe manner its records to document policies and decisions and to facilitate the identification of records of archival value.

D. It is further intended to facilitate the prompt and systematic disposal of those records that are no longer needed for administrative, legal, fiscal or other purposes.

E. It is further intended to enable the Village to facilitate efficient and cost-effective retrieval of documents from inactive or archival storage through the elimination of time and effort required to sort through superfluous records to find needed information.

## **SECTION 2 Definitions:**

AS used in this Article, the following words and phrases shall have these meanings:

### **A. Inactive Storage**

Facilities, including, but not limited to, files, drawers and computer records and indexing that are designated for inactive records.

### **B. Records**

1. Active records required for the conduct of current business.
2. Archival records having sufficient legal, administrative, fiscal or historical value to warrant their permanent retention.
3. Inactive records no longer required for the conduct of current business, but whose retention periods have not expired.
4. Obsolete records which should be disposed of in accordance with SARA Records Retention and Disposition Schedules.
5. Public records are defined as any book, paper, map, photograph, micro-photograph or other information storage device, regardless of physical form or characteristic, which is the property of the Village, or which any Officer or employee of any of said bodies has received or is required to receive for filing.

### **C. Records Advisory Board or Committee**

Members are designated by the Mayor through formal appointment to assist in the inventory and needs assessment; shall include Counsel and Fiscal officer; may include residents of the Community.

### **D. Records Center(s)**

Adequate designated space dedicated specifically for the storage, processing and servicing of non-current (inactive) and archival records for all Local Government Departments and Agencies and of indices to same.

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#### E. Records Disposal Approval Process

Disposal or destruction of records in compliance with SARA Records Retention and Disposition Schedule.

#### F. Records Management Officer

Responsible for the Records Management Program through coordination of creation and disposition of records in accordance with the SARA Records Retention and Disposition Schedule.

#### G. Records Management Program

Continuing administrative effort to manage recorded information from initial creation to final disposition, including the systematic disposal of obsolete records; to set up filing and indexing systems; to store active, inactive and archival records securely and cost efficiently; to microfilm where appropriate; to facilitate ease of access; to oversee, identify and appraise records of archival value.

#### H. Records Retention and Disposition Schedule

A time table detailing the length of time that the Village must retain records; provides the minimum length of time that Municipal Government records must be retained before disposal.

#### I. Retention Period

The length of time set forth in SARA Records Retention and Disposition Schedule that records must be maintained.

#### J. State Archives and Records Administration (SARA)

New York State's Administration responsible for the issuance of the Records Retention and Disposition Schedule (MU-1) and the assistance in interpretation and use of the MU-1.

### **SECTION 3 EXEMPTIONS:**

The following records shall be exempt from the provisions of this chapter except as may be expressly regulated elsewhere in this Article:

Records not included within the MU-1 Retention and Disposition Schedule.

### **SECTION 4 PROHIBITIONS:**

The following activities are prohibited:

Elimination or destruction of any records other than in accordance with the records disposal approval process through compliance with the Records Retention and Disposition Schedules.

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**SECTION 5 COMPLIANCE AND ENFORCEMENT:**

It shall be the duty of the Records Management Officer and he/she is hereby given the power and authority to enforce the provisions of this Article.

**SECTION 6 POWERS AND DUTIES OF RECORD MANAGEMENT OFFICER:**

The Records Management Officer, in conjunction with each Department Head, shall be responsible for the coordination and disposition of records, in accordance with local, State and Federal Laws and regulations.

The Records Management Officer shall be responsible for surveying existing records to determine which records may be transferred to inactive storage.

The Records Management Officer shall be responsible for working with local officials in the development and maintenance of the Records Management Program.

The Records Management Officer shall also be responsible for planning for the use of office facilities, included but not limited to computers and microfilm, to facilitate the retention or disposition of the Village's records.

The Records Management Officer shall also be responsible for the organization of files and records to enable ready access of records by official or the public from an indexed and accessible system.

The Records Management Officer shall also be responsible for the development of procedures, through an internal procedures manual, to establish records management and archival practices. The manual shall be used by all office personnel and shall include guidelines for the maintenance of records, including method of filing; location system; index system; and means of identifying time frames in which inactive records may be removed from each specific office.

The Records Management Officer shall also be responsible for the maintenance of a permanent record that identifies and dates all records that are destroyed or disposed of, and shall report such destruction or disposition to the Board of Trustees and/or the Mayor.

The Records Management Officer, or his/her designee, shall report annually to the Village Board of Trustees on the powers and duties included in this Resolution.

**SECTION 7 OVERSIGHT:**

It shall be the duty and responsibility of the Records Advisory Board to assist in the development of a Records Management Program; to advise the Records Management Officer on the operation of the program; to review the performance of the Records management Program on a continuing basis and recommend improvements and changes as needed; to review requests to

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dispose of records that have passed the retention periods set forth on SARA schedules; and to assist with grant application and grant-funded projects.

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On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Drug and Alcohol Policy.

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**INCORPORATED VILLAGE OF ROCKVILLE CENTRE**  
**DRUG AND ALCOHOL POLICY**

WHEREAS, the use of alcoholic beverages and/or illegal drugs while on duty constitutes a threat to the health and safety of fellow employees and the general public; and

WHEREAS, the Drug-Free Workplace Act (Act) requires the Village of Rockville Centre (Village), as a direct recipient of a federal grant, to certify that it will provide a drug-free workplace as described in the Act, and

WHEREAS, it is in the best interests of the public and of the employees to provide a clearly delineated and uniform drug and alcohol policy:

- All employees are forbidden to use or possess alcohol or illegal drugs at any time during the workday or anywhere within the workplace.
- All employees are forbidden to engage in any sale or other transaction involving illegal drugs on the premises.
- The Village Administrator or any Department Head who has a reasonable suspicion that an employee is in an impaired or intoxicated condition during working hours may mandate that employee to be tested for drug or alcohol levels. Testing will be provided at a recognized testing facility at the Village's expense. If the employee is found to be impaired or intoxicated, or if the employee refused to be tested, he or she will be subject to immediate disciplinary action, including discharge. If the test reveals no impairment or intoxication, the employee will return to his or her shift without any loss of time or salary.
- Any violators of this policy shall be subject to disciplinary action, including discharge as provided by the applicable Collective Bargaining Agreement or other law.
- Employees working directly with federal funds and subject to the Drug-Free Workplace Act will receive an additional policy sheet governing the Act's requirements.

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- The employee may call the designated Union representative who shall be present at the drug or alcohol testing site, as long as he/she arrives within one (1) hour after the incident. Should a representative of the Union either be unavailable, unreachable, or fail to appear within the aforesaid hour, then the employee shall be required to take the required test, or be subject to disciplinary action, including discharge.

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On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Family and Medical Leave Policy.

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**INCORPORATED VILLAGE OF ROCKVILLE CENTRE**  
**FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY**

I. Purpose: To establish a policy and guidelines for the use of family or medical leave ("FMLA") for Village of Rockville Centre employees, consistent with the Rules and Regulations adopted by the United States Department of Labor. If employees have any questions concerning FMLA leave, they should contact the Human Resources/Payroll Office.

II. Employees Eligible for FMLA Leave

FMLA leave is available to "eligible employees". To be an "eligible employee", an employee must: (1) have been employed by the Village for at least 12 months (which need not be consecutive); and (2) have been employed by the Village for at least 1250 hours of service during the 12 month period immediately preceding the commencement of the leave.

III. Employee Entitlements for FMLA Leave

As described below, the FMLA provides eligible employees with a right to leave, continuation of health insurance benefits if applicable and, with some limited exceptions, job restoration. The FMLA also entitles employees to certain written notices concerning their potential eligibility for and designation of FMLA leave.

A. Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12 month rolling period. The Village will use a rolling 12 month period measured backward from the date an employee first uses FMLA leave. Each time an employee uses leave, the Village computes the amount of leave the employee has taken under this policy, and subtracts it from the 12 weeks. The balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken 5 weeks of leave in the past 12 months, he/she could take an additional 7 weeks under this policy. Eligibility for unpaid leave for the birth and care of a newborn child or for the placement with the

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employee of a child for adoption or foster care expires at the end of the 12 month period beginning on the date of the birth, adoption or placement. Any such leave must be concluded within this 12 month period.

Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a serious health condition;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty status in support of contingency operation.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

#### B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember is entitled to take up 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or

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illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "covered servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, is on the temporary retired list, or is a veteran who was a member of the Armed Forces (including the National Guard or Reserves) at any time during the five years preceding the date of treatment, recuperation or therapy, for a serious injury or illness. A member of the Armed Forces would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that the injury or illness may render the servicemember medically unfit to perform duties of the member's office, grade, rank or rating.

C. Intermittent Leave and Reduced Leave Schedules

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember.

D. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

E. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the Village substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The Village will notify employees if they qualify as "key employees", if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

F. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the Village telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and

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responsibilities in connection with such leave; 2) the Village's designation of leave as FMLA-qualifying or non-qualifying, if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The Village may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the Village's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the Village and employee can mutually agree that leave be retroactively designated as FMLA leave.

#### IV. Employee FMLA Leave Obligations

##### A. Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify the Village of their need for FMLA leave. The following describes the content and timing of such employee notices.

##### 1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform the Village's Human Resources/Payroll Office in writing of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the Village to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency cause by a covered military member being on active duty or called to active duty status; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the Village's questions to determine if absences are potentially FMLA-qualifying.



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If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which the Village has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

## 2. Timing of Employee Notice

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the Village notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

### B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with the Village and make a reasonable effort to schedule treatment so as not to unduly disrupt the Village's operations, subject to the approval of an employee's health care provider. Employees must consult with the Village prior to the scheduling of treatment to work out a treatment schedule which best suits the needs of both the Village and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the Village may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, the Village may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise the Village of the reason why such leave is medically necessary. In such instances, the Village and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the Village's operations, subject to the approval of the employee's health care provider.

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C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA leave sought, employees will be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an initial certification, a recertification, and a return to work/fitness for duty certification.

It is the employee's responsibility to provide the Village with timely, complete and sufficient medical certifications. Whenever the Village requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the Village's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. The Village shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The Village will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the Village (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide the Village with authorization allowing it to clarify or authenticate certifications with health care providers, the Village may deny FMLA leave if certifications are unclear.

Whenever the Village deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered service member, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If the Village has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at the Village's expense. If the opinions of the

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initial and second health care providers differ, the Village may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the Village and the employee.

## 2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, the Village may require employees to provide recertification of medical conditions giving rise to the need for leave. The Village will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

## 3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide the Village medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. The Village may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

## D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military members, the Village may require employees to provide: 1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status of the same or a different covered military member.

When leave is taken to care for a covered service member with a serious injury or illness, the Village may require employees to obtain certifications completed by an authorized health care provider of the covered service member. In addition, and in accordance with the FMLA regulations, the Village may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered service member confirming entitlement to such leave.

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E. Ability to Substitute Paid Leave for Unpaid FMLA Leave

Employees must use accrued paid time while taking unpaid FMLA leave. If an employee uses leave due to the employee's own serious health condition, then paid sick leave shall be used first, followed by paid vacation or personal leave. If an employee uses leave for any other reason, then paid vacation and personal leave shall be used. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leaves and the paid time will run concurrently with an employee's FMLA entitlement.

If an employee is receiving either disability or workers' compensation benefits during the period of FMLA leave, then the employee does not have to use accrued paid time, as the FMLA leave is not unpaid. Upon agreement of the employer and employee, the employee may voluntarily use accrued paid time to supplement the disability or workers' compensation benefits received by the employee. However, the total amount of accrued paid time used by the employee, when added to the benefits received, cannot result in the total benefits received exceeding 100% of the employee's usual salary.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, the Village will allow employees to use accrued paid time to supplement any paid disability benefits.

F. Pay Employee's Share of Health Insurance Premiums

As noted above, during FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless the Village notifies employees of other arrangements, whenever employees are receiving pay from the Village during FMLA leave, the Village will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If FMLA leave is unpaid, employees must pay their portion of the group health premium by sending a monthly check in the required amount, to be received by the Village by the fifth day of the month. Payment must be made by check or money order payable to "Incorporated Village of Rockville Centre".

The Village's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, the Village will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control) they will be required to reimburse the Village for the cost of the premiums the Village paid for maintaining coverage during their unpaid FMLA leave.

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V. Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the Village's other leave policies in this handbook or contact the Human Resources/Payroll Office.

VI. Questions and/or Complaints about FMLA Leave

If you have questions regarding this FMLA policy, please contact the Human Resources/Payroll Office. The Village is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Human Resources/Payroll Office immediately. The Village will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

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On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Workplace Violence Prevention Program.

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**VILLAGE OF ROCKVILLE CENTRE****WORKPLACE VIOLENCE PREVENTION POLICY**

It is the policy of the Village of Rockville Centre (herein known as the Village) and the responsibility of the Village Administrator, all Department Heads, Supervisors and Employees to maintain a workplace free from threats and acts of violence in order to maintain a safe workplace for employees, residents and visitors to the Village.

## Definition

Workplace Violence - "Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment" 12 NYCRR Part 800.6(d) (11)

This includes the OSHA typologies.

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- Type I - Strangers - vendors and visitors to the village
- Type II - Customers/Clients - e.g. village residents, program participants
- Type III - Co-Worker - present or former employees versus another employee
- Type IV - Personal - someone with a personal relationship with an employee

#### Non-Retaliation

Neither Village officials nor employees shall retaliate against or harass any person for reporting and/or identifying any type of incident or threat or violence in the workplace.

#### II - PLAN

To implement zero tolerance of violence in, and around, the workplace

- A. The Village will provide a safe workplace.

The Village is committed to ensuring that the workplace provides for the safety of employees, residents and visitors including reasonable protection from workplace violence.

- B. The Village will attempt to reduce the potential for internal workplace violence by positively affecting attitudes and behaviors of its employees

#### Creating a low-risk work environment:

The Village Administrator, department heads and supervisors are expected to promote positive behavior and to lead by example, by treating employees with the respect and dignity each person deserves. Emphasis will be placed on creating a workplace where established standards of conduct are clear, communicated, and consistently enforced, and where discipline is used fairly and appropriately to deal with instances of unacceptable behavior.

#### Supervisory Training:

Department heads and supervisors will be provided with training in how to deal with workplace-related threats and acts of violence. This training will focus on prevention, recognition and de-escalation of violence, will include suggestions for appropriate responses to threats and acts of violence, and will identify those resources which are available for use once a potential problem has been identified, or an incident has occurred.

#### Employee Training:

Employees will receive training in threat awareness, and appropriate responses to aggressive, threatening and violent behaviors. Assessment of additional training needs from employees will be made upon request of the unit supervisor, and appropriate training programs will be developed and presented.

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Employee Assistance Program (EAP): The Village will encourage use of the EAP as an assessment, short-term counseling and referral agency. While supervisors, union representatives, or family members may encourage employees to seek help, the decision to use EAP services is voluntary. Informational brochures and other media will be used to familiarize all employees with the services offered by the EAP.

Self-help: Employees may also choose to seek assistance from private health services to deal with pressures, stress, emotional problems, or other personal issues which could, if ignored, lead to threats or acts of violence. The Village encourages employees to utilize all available resources and will provide information on how to take advantage of other options for the resolution of personal and work-related problems which may have potential for escalating to a violent incident.

Reviewing Risk Factors: The factors identified by the New York State Department of Labor that may place employees at risk of workplace violence include, but are not limited to the following:

- Working in public settings
- Working late at night or early in the morning
- Exchanging money with the public
- Working alone or in small numbers
- Working in a location with uncontrolled public access to the workplace
- Other areas of the workplace with previous security problems.

The Village of Rockville Centre is aware of these factors and is committed to providing a work environment that is safe, secure and free of violence.

- C. The Village will effectively deal with threats of violence, and with actual incidents of violence.

Supervisory Responsibilities: Department heads and supervisors have primary responsibility for ensuring a safe work environment. They are specifically empowered to take immediate action to resolve or stabilize violent situations in the workplace, and to protect people from harm.

- Supervisors will ensure that, when a threat is made or a violent incident occurs, appropriate incident response resources are notified immediately.
- Department heads will also ensure that appropriate disciplinary responses to internal workplace violence and aggression are made, in coordination with the Village Administrator and labor contracts.

Appropriate EAP services will be made available to employees who have experienced or witnessed violence in the workplace.

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Employee Responsibilities. All employees are expected to read, understand and comply with the Village Workplace Violence Program, as well as attend required training. Employees are encouraged to participate in the design, implementation, and periodic revision of this Plan. Any employee or his or her authorized employee representative who believes that a serious violation of the employer's workplace violence protection program exists, or that a workplace violence imminent danger exists, shall bring such matter to the attention of his/her supervisor and manager.

- D. The Village will work to eliminate non-authorized dangerous weapons from the workplace.

The possession of any dangerous weapon, including any firearm, in any Village premise by any person other than a law enforcement officer in the course of his/her duty, is strictly prohibited. See Appendix, for a list of dangerous weapons included in this prohibition.

### III - PLAN IMPLEMENTATION

Copies of this policy and plan will be distributed to all employees, and will be posted on employee bulletin boards. Department heads and supervisors will be responsible for informing employees of this policy and plan, and for maintaining compliance with them. This policy and plan will be provided to all current and new employees. A copy of this plan will also be in the Employee Manual.

#### In-Service Employee Training on Violence Prevention

Training needs related to employee violence prevention will be developed and presented to Village employees annually. This training will incorporate education of the Village Policy and Plan; Types of violence and how to recognize it; How to mitigate potential violence and deal with acts of violence; Resources available.

Employee Assistance Program - The Village will continue to provide education about the services available through the EAP, to help employees deal with concerns and issues related to workplace or family violence.

#### Responsibility

The Village Administrator will coordinate the Village response to workplace-related threats and acts of violence. All reports of incidents or threats will be investigated by the Village Administrator or his designee.

Department heads, and supervisors will continue to have primary responsibility for ensuring a safe workplace, for monitoring and resolution of employee conflicts or disputes, for taking appropriate corrective action when potentially violent situations develop and for working with the Village Administrator when threats or acts of violence occur.

Record Keeping will include an incident reporting system to ensure that all threats and workplace violence incidents are reported to management. Written notification will help



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management develop an appropriate response, will create a historical record and can be used in the annual risk assessment and program evaluation. The Village Administrator will maintain a confidential file of Workplace Violence incident reports and notes. If allegations against an employee are substantiated, copies will also be placed in the perpetrators personnel file.

Enforcement-Any employee determined to have committed such acts will be subject to disciplinary action up to and including termination.

Non-employees engaging in violent or threatening behavior will be reported to the police department for investigation and prosecution.

Program Effectiveness and Evaluation - The Village will evaluate the effectiveness of the Workplace Violence Prevention Program at least annually or after serious incidents in order to further advance this plan, and identify and address specific action items.

#### IV - APPENDIX

##### DANGEROUS WEAPONS

For purposes of this Plan and Policy, the following items are considered to be "dangerous weapons":

- Any weapon which, per applicable law, is illegal to possess
- Any firearm, loaded or unloaded, assembled or disassembled, including pellet, "BB", and stun guns (electronic incapacitation devices)
- Replicate firearms
- Knives (and other similar instruments) with a blade length of more than three inches, other than those present for specific work-related purpose
- Any "switchblade" knife or "gravity" knife.
- "Brass knuckles", "metal knuckles", and similar weapons
- Bows, cross-bows and arrows
- Explosives and explosive devices, including fireworks and incendiary devices
- Pepper spray or aerosol mace.
- "Throwing stars", "numchucks", clubs, 'slappers', and any other item commonly used as, or primarily intended for use as, a weapon
- Any object that has been modified to serve as, or has been employed as, a dangerous weapon

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#### PROHIBITED CONDUCT

For purposes of this Plan and Policy, Workplace violence may include but is not limited to behaviors or actions that involve the potential for aggression or violence such as;

- Intimidating, harassing, bullying, belligerent, or other inappropriate and aggressive behavior.
- Direct or implied threats
- Intimidation including telephone or electronic harassment and stalking
- Pushing, shoving or fighting
- Physical assault
- Unauthorized possession of a weapon
- Damage to property including vandalism
- Stalking a person to cause fear which has arisen as a result of employment with the Village
- Surveillance

This policy also prohibits making deliberately false or misleading reports of threats or violence. Individuals who make such reports will be subject to disciplinary action up to and including dismissal.

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On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board of Trustees formally re-adopted the Village of Rockville Centre Anti-Nepotism Policy.

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#### ANTI-NEPOTISM POLICY

Resolved, that the Board of Trustees of the Village of Rockville Centre hereby adopts the following Policy, effective immediately:

1. Public service is a matter of public trust. As such, the purpose of this policy is to avoid the appearance of improper favoritism to family members in initial employment and in the promotion of current employees. The Village adopts the policies herein to preserve the trust placed in the Village's public servants, to promote public confidence in the Village government, to protect the integrity of Village decision making and to enhance the effectiveness of Village government.

2. This policy shall apply to initial employment and promotion only. Nothing in this policy shall be construed to apply to lateral assignments or lateral appointments of employees.

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3. Definitions. As used in this Policy,

"Immediate family" means a spouse, domestic partner, child, stepchild or dependent, parent, grandparent, brother, sister, brother-in-law, sister-in-law or cousin, or any other person related closer in degree than first cousin by blood or by marriage.

"Nepotism" means favoritism shown to an immediate family member.

"Village official or employee" means any elected or appointed official or employee of the Village of Rockville Centre, whether paid or unpaid, including any member of any Village board, commission or agency.

"Village employment" means any Village position, whether paid or unpaid, elected or appointed, including a position on any Village board, commission or agency, provided, however, that the term shall not include any position as a seasonal employee.

4. No Village official or employee shall use or attempt to use such person's official position to secure Village employment for an immediate family member, nor otherwise engage in conduct that creates an inference of nepotism.

5. Every Village official and every Village employee whose immediate family member is seeking Village employment shall disclose such relationship as provided in the Policy.

6. Any person seeking Village employment, or who is aware of being under consideration for Village employment, shall make disclosure as required by this Policy with respect to any immediate family member of such person who is a Village official or employee.

7. Every person who is a Village official and/or Village employee on the effective date of this policy shall, within thirty days after receipt of notice from the Village Administrator to do so, complete and file with the Village Administrator a written disclosure as to any member of such person's immediate family who is a Village official or employee.

8. The disclosures required by this Policy shall be made in writing, and filed with the Village Administrator, at the earliest opportunity following the date upon which a Village official or employee first learns or has knowledge of any application or request for Village employment by a member of such person's immediate family. Promptly upon receipt of such disclosure, the Village Administrator shall provide a copy thereof to the Mayor and Trustees.

9. It is the policy of the Village to avoid, wherever possible, the hiring of immediate family members of employees, and the promotion of employees, such that the result would be any of the following:

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A. Where one of the immediate family members would have the authority (or practical power) to supervise, appoint, remove, discipline or audit the work of the other;

B. Where both immediate family members would report to the same immediate supervisor, or

C. Where other circumstances might lead to potential conflict among the immediate family members, or conflict between the interest of either or both such family members and the best interest of the Village. However, in a proper case, the appointing or employing Village official or employee may determine that it is in the best interests of the Village to employ or appoint a person notwithstanding the foregoing Policy, and in such case the appointing or employing Village official or employee shall file with the Village Administrator a written statement of such determination and the reasons therefor.

10. Any Village official or employee determined to have intentionally violated the disclosure requirements of this Policy will be subject to appropriate disciplinary action, which may include termination.

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On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Cyber Security Citizens' Notification Policy.

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### **Cyber Security Citizens' Notification Policy Incorporated Village of Rockville Centre**

- A. This policy is consistent with the State Technology Law, § 208. This policy requires notification to affected New York residents and non-residents. New York State values the protection of private information of individuals. The Village of Rockville Centre (Village) is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's private information, in compliance with the Information Security Breach and Notification Act and this policy.
- B. The Village, after consulting with the State's Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures, must notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of the individual's private information through unauthorized disclosure.
- C. A compromise of private information means the unauthorized acquisition of unencrypted computerized data with private information.

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- D. If encrypted data is compromised along with the corresponding encryption key, the data is considered unencrypted and thus falls under the notification requirements. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.
- E. The Village will notify the affected individual directly by one of the following methods:
1. Written notice;
  2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving notice in electronic form and a log of each notification is kept by the Village that notifies affected persons in such form;
  3. Telephone notification, provided that a log of each notification is kept by the Village that notifies affected persons; or
  4. Substitute notice, if the Village demonstrates to the state Attorney General that the cost of providing notice would exceed \$250,000, that the affected class of persons to be notified exceeds 500,000, or that The Village does not have sufficient contact information. The following constitute sufficient substitute notice:
    - a. E-mail notice when the Village has an e-mail address for the subject persons;
    - b. Conspicuous posting of the notice on the Village's web site page, if the Village maintains one; and
    - c. Notification to major statewide media.
- F. The Village must notify, CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.
- G. The Village must notify the Attorney General and the Consumer Protection Board, whenever notification to a New York resident is necessary, as to the timing, content and distribution of the notices and approximate number of affected persons.
- H. Regardless of the method by which notice is provided, the notice must include contact information for the Village making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.
- I. This Policy also applies to information maintained on behalf of the Village by a third party.

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J. When more than 5,000 New York residents must be notified at one time, then the Village must notify the consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

#### Definitions

**Consumer Reporting Agency:** Any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. The state attorney general is responsible for compiling a list of consumer reporting agencies and furnishing the list upon request to The Village.

**Data:** Any information created, stored (in temporary or permanent form), filed, produced or reproduced, regardless of the form or media. Data may include, but is not limited to personally identifying information, reports, files, folders, memoranda, statements, examinations, transcripts, images, communications, electronic or hard copy.

**Information:** The representation of facts, concepts, or instructions in a formalized manner suitable for communication, interpretation, or processing by human or automated means.

**Personal Information:** Any information concerning a natural person which, because of name, number, personal mark or other identifier, can be used to identify such natural person.

**Private Information:** Personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. social security number; or
2. driver's license number or non-driver identification card number; or
3. account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account "Private information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

**Third Party:** Any non-municipal employee such as a contractor, vendor, consultant, intern, other municipality, etc.

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On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Mailing List Policy.

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**INCORPORATED VILLAGE OF ROCKVILLE CENTRE**  
**MAILING LIST POLICY**

Resolved, that the Board of Trustees of the Village of Rockville Centre hereby adopts the following policy, effective immediately, with regard to access to or use of Village mailing lists:

1. The Village shall comply with the Freedom Of Information Law when making its mailing list (s) available for any purpose other than a mailing by or on behalf of the Village or any of its various officers, boards or agencies;

2. The Village mailing list shall be available, upon payment of fees (if any) according to a fee schedule to be adopted or amended from time to time by the Board of Trustees, to governmental and/or not for profit organizations which are primarily based in the Village and/or which primarily serve Village residents;

3. The Village mailing list shall also be available, upon payment of fees (if any) according to a fee schedule to be adopted or amended from time to time by the Board of Trustees, to organizations or entities which are not described in paragraph 2 hereof, for the purposes of mailings to employees of the Village and/or Village residents with respect to matters directly relating to activities of such organizations conducted for the benefit of employees of the Village.

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On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Child Abuse Prevention Policy.

**CHILD ABUSE PREVENTION POLICY**

Objectives for establishing a child abuse prevention policy:

- 1) To keep participants safe
- 2) To establish a familiarity with child abuse as a general problem in society.
- 3) To increase awareness of the symptoms and consequences of child abuse within municipal programs.
- 4) To underscore Rockville Centre's responsibility to prevent child abuse.
- 5) To create an understanding of the Village's safety and liability concerns.
- 6) To outline policy guidelines for screening, supervision, and reporting.
- 7) To ensure worker commitment to follow Rockville Centre's policies.

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NOTE: This Policy applies to all Village employees, and all volunteers providing services at Village programs, events and functions, who have supervision or control over minors (persons under the age of eighteen). As used in this Policy, the term "employee" includes all such persons to whom this policy is applicable.

#### PROCEDURES FOR REDUCING THE RISK OF CHILD ABUSE

##### I. EMPLOYEE SELECTION AND SUPERVISION

- A. All employees require screening Specific screening for all who work with minors includes
  - a. RVC employment application/process, if applicable
  - b. Screening form
  - c. Face-to-face interview
  - d. Reference and background checks
  - e. Criminal records check authorization form -if necessary.
- B. Employees subject to this Policy must receive and sign off on this Policy.
- C. Adequate records must be maintained Adequate records of employee's application, references and screening forms should be up-to-date and accessible.
- D. Supervising Rockville Centre employees. The Six Month Rule -New employees should be closely observed in the first six months and periodically thereafter.
- E. Training: All Employees subject to this Policy will receive training on this Policy.

##### II ROCKVILLE CENTRE CHILD RELEASE PROCEDURES

For children, kindergarten age and younger, parents/guardians will be clearly identified.

- A. Children will be released only to authorized adult(s). "Authorized adults" means a parent or guardian previously identified to the Village, or another adult for whom written parental or guardian permission has been given ahead of time.
- B. Adults picking up children pursuant to parental or guardian authorization must produce photo ID before child will be released. Authorized adults or guardians also may be required to do so, in the Village's discretion.

##### III RECOGNIZING SUSPICIOUS BEHAVIOR

- A. Employees should report to their immediate supervisor(s) any inappropriate conduct or relationships between any person employed by or providing services to the Village of Rockville Centre, and any contractor or other person acting for or on behalf of the Village, with any child or youth.



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1. Immediate notification should be given by the employee to the appropriate supervisor. If the supervisor is the subject of the notification, the notification should be given to the Superintendent of Recreation.
2. The notification should be documented and investigated promptly by the appropriate supervisor, who shall immediately notify the Superintendent of Recreation of the notification, and who shall promptly make a written report of the investigation. If the notification is given by the employee to the Superintendent of Recreation, the Superintendent shall document the notice, promptly investigate and make a written report to the Village Administrator.

B. Employees should be alert to the physical signs of abuse and molestation, as well as to behavioral and verbal signs that a victim may exhibit. Some of the more common signs are summarized in the appendix.

#### IV. RESPONDING TO ACTUAL ALLEGATIONS OF ABUSE

- A. If the child needs emergency care, call 911. If 911 is called, parents, guardians should be immediately notified.
- B. All allegations need to be taken seriously and should follow the Village line of Reporting below.
- C. Situations must be handled directly with due respect for people's privacy and confidentiality.
- D. Do not confront any accused person until the safety of the child or youth has been secured.
- E. The child victim should not be held responsible in any way.
- F. Employees shall cooperate with all reasonable and lawful requests from civil authorities.
- G. For the protection of the accused individual as well as the child, the accused individual will not be permitted to have contact with children until the investigation has been resolved to the satisfaction of the Superintendent of Recreation or the Village Administrator.

#### V. REPORTING PROCEDURES

##### A. Reporting Obligations

The Village has an obligation to report child abuse as required by law. Under New York law, with some limited exceptions, "child abuse" means a physical injury which is inflicted other by than accidental means, or inflicted by cruel or unjustifiable punishment, sexual abuse, unlawful corporal punishment, or neglect of child in out-of-home care. Child care custodians who have knowledge or, observe, or reasonably suspect, child abuse are required to report the alleged abuse to a child protective agency. All employees who are "mandated reporters" will follow NY State guidelines.

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## **B. Rockville Centre Line of Reporting**

All suspected child abuse situations must be reported

1. Employees will inform their supervisors, unless the supervisor is the subject of the report, in which case the employee will notify the Superintendent of Recreation.

2. A supervisor who receives such a report must immediately notify the Superintendent of Recreation or the Superintendent's designee and follow with a village incident report.

3. The Recreation Superintendent or Superintendent's designee will inform the appropriate child protective agency and/or police and will notify the Village Administrator.

4. At their discretion, the Recreation Superintendent, Superintendent's designee and/or Village Administrator will inform the parents/guardians of the child

## **C. Contents of Village Incident Report**

The report must include the name of the person making the report, child's name, name(s) of any witnesses, date and time of incident(s), location, nature and extent of injury to the child, and any other information that led the person making the report to claim or suspect child abuse.

## **APPENDIX**

### **Signs of Child Abuse and Neglect**

- 1 Unexplained or unusual bruises, welts, bite marks, or fractures
- 2 Frequent injuries, even if explained as accidents
- 3 Often dirty; tires, no energy; hungry
- 4 Clothes dirty or wrong for the weather
- 5 Wears long sleeves or other concealing clothing to hide injuries
- 6 Needs glasses, dental care or has other obvious medical needs which are not being met

### **Child's Behavior**

- 1 Wary of physical contact; avoids, other people including children; seems to be alone frequently or for long periods of time
- 2 Appears too anxious to please; allows other people to say and do things to him/her without protest
- 3 Unpleasant, hard to get along with, demanding
- 4 Often doesn't obey
- 5 Shows no enjoyment in other children or toys
- 6 Cries often with little or no expectation of being comforted
- 7 Avoids physical contact with adults
- 8 Seeks affection *from* any adult
- 9 Engages in delinquent acts or runs away

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### **Parent/Caretaker's Behavior**

- 1 Has unrealistic expectations of child
- 2 Uses discipline unsuitable for the child's age, sex, behavior, or which is cruel
- 3 Offers an explanation of child's injury that doesn't make sense or doesn't fit the injury or offers no explanation at all
- 4 Is isolated from friends, neighbors or cannot be located
- 5 Seems unconcerned about child; seldom touches or looks at child
- 6 Keep child confined for long periods of time
- 7 Experiences severe stress due to crisis e.g. Death of relative, arrest, relocation, marital problems
- 8 Leaves child alone, unattended or without adult supervision
- 9 Lacks understanding of child's physical and emotional needs

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On Motion of Trustee Grillo duly seconded by Trustee Baxley and unanimously carried, the Board of Trustees re-adopted the Village of Rockville Centre Data Disaster Recovery Policy.

### **DATA DISASTER RECOVERY POLICY**

The Village of Rockville Centre over has implemented Virtualization of its servers excluding the VAX Computer which houses the legacy financials. A disaster recovery site has been chosen in the middle of Long Island where there is a hardened facility and battery and generator power. The Village of Rockville Centre Servers will replicate all of its data and applications to a server to this location through a secure High Speed VPN Internet Connection. In the event of a catastrophe, where the Villages Computer Center is destroyed, Employees of the Village of Rockville Centre will be able to access their data from Home if an Internet Connection is available. In the event there is no internet connection available, employees can go to this facility to access their data. The facility is located on 29 Bloomingdale Road, Hicksville New York. The Village also adopted the policy of backing up all of its Windows Servers Locally and to a Secure Cloud Facility located in Campbell California. This includes the Network Center (110 Maple Avenue), DPW (10 Sunrise Highway), Recreation Center (111 North Oceanside Road) and Senior Center (50 S Park Avenue). All of these facilities have Barracuda Backup units and the data is replicated to Barracuda's Cloud Service.

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On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board of Trustees adopted the following Village of Rockville Centre Reimbursement for Attendance at Schools and Conferences

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**REIMBURSEMENT FOR ATTENDANCE AT SCHOOLS AND CONFERENCES**

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimous approval of the Board, the policy with respect to reimbursement by the Village for expenses of attendance at various meetings, conferences or schools which are hereby determined to benefit the Village: (a) reasonable expenses of the Mayor or other members of the Board of Trustees will be reimbursed for attendance at one or more New York State Conference of Mayors (NYCOM) related meetings, conferences or schools, as well as the United States Conference of Mayors, the National League of Cities, Nassau County Village Officials' Association (NCVOA) or other organizations as deemed necessary and appropriate for the benefit of the Village; (b) when authorized by the Mayor or by the Board of Trustees, reasonable expenses of the Village Administrator and/or Deputy Village Administrators will be reimbursed for attendance at one or more NYCOM or NCVOA related meetings, conferences or schools, and meetings, conferences or schools of other organizations as deemed necessary and appropriate for the benefit of the Village; (c) when authorized by the Village Administrator and Village Comptroller, reasonable expenses of other Village officers and employees, including the Village Attorney, will be reimbursed for attendance at one or more NYCOM or NCVOA related meetings, as well as meetings, conferences or schools conducted by the AWWA (American Water Works Association), NYSAWWA (New York State Section of the American Water Works Association), LIWC (Long Island Water Conference), NYSRWA (New York State Rural Water Association), the APPA (American Public Power Association), the APWA (American Public Works Association), the New York State Department of Environmental Conservation (NYSDEC), the New York Association of Public Power (NYAPP), the Northeast Public Power Association (NEPPA), the International Code Council, the New York State Building Officials Conference, Inc., the Nassau County Building Inspector's Association, NYS Association of Chiefs of Police (NYSACOP), The Annual International Association of Chiefs of Police Conference (IACP), FBI National Academy Associates, Inc. (FBINAA) and meetings, conferences or schools of other organizations deemed to be necessary and appropriate for the benefit of the Village, provided that such expenses do not exceed \$1000.00 for any one individual's attendance or \$2000.00 for all attendees in the aggregate, at any one such meeting, conference or school. Expenses which the Village Administrator and Village Comptroller do not approve pursuant to this paragraph require the approval of the Board of Trustees.

**APPOINTMENTS:**

Mayor Murray appointed Kathleen Murray as Village Administrator to serve at the pleasure of the Mayor.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

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Mayor Murray appointed George Scheu as Comptroller for a term of one (1) official year.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

Mayor Murray appointed Philip B. Andreas as Superintendent of Electric to serve at the pleasure of the Mayor.

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointment was approved.

Mayor Murray appointed Kathleen Murray as Census Coordinator to serve at the pleasure of the Mayor.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

Mayor Murray appointed Kevin Reilly as Emergency Management Officer to serve at the pleasure of the Mayor.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

Mayor Murray appointed the following as Deputy Emergency Management Officers to serve at the pleasure of the Mayor.

Lt. Christopher Romance - RVC Police Department  
James O'Connor - RVC Electric Department  
James Avondet - RVC Fire Department  
John Thorp - RVC Department of Public Works

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

Mayor Murray appointed A. Thomas Levin as Village Attorney and Records Access Officer, to serve at the pleasure of the Mayor and Board of Trustees.

On the following motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointment was approved.

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#### RESOLUTION APPROVING APPOINTMENT OF VILLAGE ATTORNEY

RESOLVED, that the Mayor's appointment of A. THOMAS LEVIN as Village Attorney and Records Access Officer to serve at the pleasure of the Mayor, is approved, and the compensation of the Village Attorney shall be \$260.00 per hour.

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On motion of Trustee Sepe, duly seconded by Trustee Oppenheimer and unanimously carried, following Resolution Retaining Special Counsel was approved:

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# RESOLUTION RETAINING SPECIAL COUNSEL

RESOLVED, that the Board of Trustees hereby authorizes the Mayor to retain the services of A. THOMAS LEVIN and MEYER, SUOZZI, ENGLISH & KLEIN, P.C., as Special Counsel, to provide legal services as may be requested or required by the Village through the Mayor or other Village officials (other than tax certiorari matters or labor matters), and it is further

RESOLVED, that the said Special Counsel shall be compensated at the rate of \$260.00 per hour for such legal services, plus reimbursement of reasonable and necessary disbursements incurred in connection with the performance of such legal services, which sums shall be billed to the Village monthly, except that non-professional personnel shall be compensated at the customary billing rates of such personnel not to exceed \$260.00 per hour, and it is further

RESOLVED, that the Board of Trustees acknowledges that Meyer, Suozzi, English & Klein PC represents various parties adverse to the Village of Rockville Centre in tax certiorari matters, and the Board of Trustees hereby waives any objection to the said firm continuing to represent parties adverse to the Village in such matters.

\*\*\*\*\*

Mayor Murray appointed Kevin Reilly as Superintendent of Water to serve for a term of one (1) official year.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

Mayor Murray announced that Charles A. Gennario continues to serve as Commissioner of Police for a term ending March 31, 2018.

Mayor Murray appointed Patrick D. O'Brien as Superintendent of Buildings to serve at the pleasure of the Mayor.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

Mayor Murray appointed Gwynne Feiner and John Thorp as Co-Directors of Public Works to serve at the pleasure of the Mayor.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment is approved

Mayor Murray appointed Christina O'Leary as Director of Senior Services to serve at the pleasure of the Mayor.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

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Mayor Murray appointed Thomas Domanico as Village Assessor to serve at the pleasure of the Mayor.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

Mayor Murray appointed the following Deputy Village Attorneys to serve at the pleasure of the Mayor, with the understanding that they are to report to and be responsible to the Village Attorney.

Susan Boland	Michelle Sheehan Prior
Scott Carrigan	Joseph A. Gentile
Christine Ferrazani	David Shargel
Kevin R. Glynn	Alan Stein
Charles Lapp III	Mindy Roman
Jennifer Milone	Christine M. Grillo

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and carried by a vote of four to none, said appointments were approved. Trustee Grillo recused himself from discussion and vote.

Mayor Murray designated the following Law Firms to represent the Incorporated Village of Rockville Centre, with the understanding that they are to report to, and be responsible to, the Village Attorney:

Hammill, O'Brien, Croutier, Dempsey & Pender & Koehler, P.C.  
 Cullen and Dykman, LLP  
 Meyer, Suozzi, English & Klein, P.C.  
 Cherry, Edson & Kelly, LLP  
 Zaklukliewicz, Puzo & Morrissey, PLLC  
 Duncan, Weinberg, Genzer and Pembroke, P.C.  
 Goldberg Segalla  
 Havkins, Rosenfeld, Ritzert & Varriale, LLP  
 Jackson Lewis, LLP  
 Kaufman Borgeest & Ryan, LLP  
 Bond, Schoeneck & King, PLLC

On motion by Trustee Sepe, duly seconded by Trustee Baxley and carried by a vote of four to none, said appointment is approved. Trustee Grillo recused himself from discussion and vote.

Mayor Murray appointed Wendy Weinstock as Liaison Signatory Nassau County Civil Service Commission to serve at the pleasure of the Mayor.

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointment was approved.

Mayor Murray appointed Eugene J. Murray as Honorary Village Ambassador to serve at the pleasure of the Mayor.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

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Mayor Murray appointed Lisa Butler as Secretary to the Board of Trustees to serve at the pleasure of the Mayor.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

Mayor Murray appointed Kristen Kistela as Registrar of Vital Statistics to serve at the pleasure of the Mayor.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

Mayor Murray appointed Stacy Macaluso as Deputy Registrar to serve at the pleasure of the Mayor.

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointment was approved.

Mayor Murray appointed Kathleen Murray as the Village Records Management Officer to serve at the pleasure of the Mayor.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

Mayor Murray appointed Wendy Weinstock as Affirmative Action/Equal Employment Officer to serve at the pleasure of the Mayor.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

Mayor Murray appointed Gwynne Feiner as Deputy Affirmative Action/Equal Employment Officer to serve at the pleasure of the Mayor.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

Mayor Murray appointed Salvatore Romanello to serve as a member of the Zoning Board of Appeals for a term of five (5) official years.

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointment was approved.

Mayor Murray appointed J. Robert Schenone to serve as Chairperson of the Zoning Board of Appeals for a term of (1) official year. On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

The Board of Appeals is composed of the following:

<u>PRESENT BOARD</u>	<u>NEW BOARD</u>
S. Romanello, 2017	J.R. Schenone, 2018 (Chair)
J.R. Schenone, 2018 (Chair)	G. Shaughnessy, 2019
G. Shaughnessy, 2019	Dona Brown, 2020
Dona Brown, 2020	J. Kelly, 2021
J.Kelly, 2021	S. Romanello, 2022



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Mayor Murray appointed the following as Alternate Members of the Zoning Board of Appeals, to serve if the need arises.

David M. Blumenthal	Ray Ventura
Anthony Onorato	Carolyn T. Stone
Dana Sanneman	

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointments were approved.

Mayor Murray appointed Jack Matthews to serve as Counsel to the Zoning Board of Appeals to serve at the pleasure of the Mayor.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

Mayor Murray appointed Ryan Caso to serve as Alternate Counsel to the Zoning Board of Appeals to serve at the pleasure of the Mayor.

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointment was approved.

Mayor Murray appointed Patrick D. O'Brien to serve as Secretary to the Zoning Board of Appeals to serve at the pleasure of the Mayor.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

Mayor Murray appointed Donna Joyce to serve as a Member of the Planning Board for a term of five (5) official years, and as Chairperson of the Planning Board for a term of one (1) official year.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

Mayor Murray appointed Andrew Cameron as a member of the Planning Board to fill a vacancy caused by the resignation of Suzanne Sullivan for a term ending July 2, 2018.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

The composition of the Planning Board is

<u>PRESENT BOARD</u>	<u>NEW BOARD</u>
D. Joyce, 2017 (Chair)	A. Cameron, 2018
A. Cameron, 2018	M. DiDora, 2019
M. DiDora, 2019	M. Meyer, 2020
M. Meyer, 2020	J. Schoen, 2021
J. Schoen, 2021	D. Joyce, 2022 (chair)

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Mayor Murray appointed the following as Alternate Members of the Planning Board, to serve if the need arises.

Thomas Gallucci  
Charles Cellura  
Maureen Quinn  
Jean Pierre Hourani

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointments were approved.

Mayor Murray appointed Thomas Wassel to serve as Counsel to the Planning Board to serve at the pleasure of the Mayor.

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointment was approved.

Mayor Murray appointed Ryan Caso to serve as Alternate Counsel to the Planning Board to serve at the pleasure of the Mayor.

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

Mayor Murray appointed Patrick D. O'Brien as Secretary to the Planning Board to serve at the pleasure of the Mayor.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, said appointment was approved.

The Board of Trustees appointed the following to serve as members of and counsel to the Rockville Centre Board of Ethics for a term of one (1) official year.

Rabbi Baxley Diamond  
Msgr. William Koenig  
Richard Grimm  
Martha Krisel  
Anthony Cancellieri  
Pastor Joe Quagliata  
Michael Sepe  
Thomas Wassel, Counsel to Board of Ethics

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, said appointments were approved.

The Board of Trustees appointed the following members to serve on the Human Rights Commission for a term of one (1) official year.

Msgr. William Koenig (St. Agnes), Chair  
Rabbi Marc Gruber (Central Synagogue)  
Rev. Scott Ressman (United Church)  
Mollie Poulson  
Ellen Grossman

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, said appointments were approved.

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Mayor Murray appointed William Devlin to serve as a member of the Housing Authority for a term of five (5) official years.

Mayor Murray appointed Vincent Bohn as a member of the Housing Authority to fil a vacancy caused by the resignation of P. Dordal for a term ending July 5, 2021.

The Housing Authority Board is composed of:

<u>PRESENT MEMBERS</u>	<u>NEW MEMBERS</u>
W. Devlin, 2017	R. Pagnotta, 2018
R. Pagnotta, 2018	J. Tomaszewski, 2019
J. Tomaszewski, 2019	T. Gallucci, 2020
T. Gallucci, 2020	V. Bohn, 2021
V. Bohn, 2021	W. Devlin, 2022

Mayor Murray appointed the following members to serve as a Board of Examining Plumbers to serve at the pleasure of the Mayor.

Thomas Montemarano (Chairperson) (All About Plumbing and Heating LTD.)  
Larry Ulip (Ulip Plumbing & Heating)  
Ken Moore (Ken Moore Plumbing)

On motion by Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved.

On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board appointed the following individuals as regular members of the Architectural Design Consultants Board for a period of one (1) official year.

George Bella, Chairperson  
Charles R. Beckert  
Michael J. Bonacasa  
Denise Bradley  
Vincent Iacobellis  
Robert Roble

Mayor Murray appointed the following members to serve on the Insurance Committee to serve at the pleasure of the Mayor. None of the parties on the committee has business with the Village nor plans to solicit business with the Village, nor will they be able to solicit for two years following their commitment to this committee:

Steven Ruchman, Chair  
Chris Petrocelli  
John Bender

Mayor Murray appointed the following members to serve as Special Advisors to the Mayor.

Carolyn Bivona  
Nancy Howard  
Bridget Kelly  
James St. John

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Mayor Murray appointed Marilyn Devlin to serve as the Archivist/Village Historian at the pleasure of the Mayor.

Mayor Murray announced the following Liaison Assignments:

TRUSTEE NANCY BAXLEY

Deputy Mayor  
RVC Fire Department  
Recreation Department  
Parks Department  
RVC Board of Education  
Engineering Department  
Martin Luther King Center  
Traffic and Transportation  
RVC Conservancy  
Senior Services

TRUSTEE EDWARD J. OPPENHEIMER

Board of Ethics  
Cable and Communications  
Chamber of Commerce  
Citizens Budget Advisory Committee  
Civic Associations  
Comptroller  
Finance Committee  
Housing Authority  
Information Technology  
Traffic and Transportation  
Museum/Historical Committee  
CONFIDE  
Economic Opportunity Council

TRUSTEE MICHAEL SEPE

RVC Police Department  
Board of Zoning Appeals  
Hispanic Brotherhood  
Traffic and Transportation  
Building Department  
Planning Board  
Tenant/Landlord  
Guild for the Arts  
Human Rights  
Nassau County Legislature

TRUSTEE EMILIO F. GRILLO

Electric Department  
Public Works  
Traffic and Transportation  
Village Court  
Library  
Citizens Budget Advisory Committee  
Community Development  
Water Department  
Youth Council

On motion by Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board designated the Rockville Centre Herald as the official newspaper of the Village, to remain as such at the pleasure of the Mayor and Board of Trustees.

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Mayor Murray advised that the individuals involved in the following Departments will report to the entire Board of Trustees:

Village Administrator/Clerk-Treasurer  
Village Attorney

On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, the Board adopted the following Resolution:

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**R E S O L U T I O N**

It is hereby Resolved that the Village has established and organized itself into the following Department Units:

1. Police Department
2. Building Department
3. Public Works Department
4. Recreation Department
5. Martin Luther King Center
6. Electric Department
7. Water Department
8. Comptroller's Department
9. Senior Services Department
10. Clerk-Treasurer's Department
11. Village Court
12. Information Technology Department (MIS)

Each of the aforesaid Departments shall continue to prepare its proposed Operating Budget and submit said proposed Budget to the Budget Officer.

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On motion by Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, the Board proceeded with the agenda for the Regular Meeting of the Board of Trustees.

July 10, 2017

Rockville Centre, New York

The Regular Meeting of the Board of Trustees was held on the above date in Village Hall. Mayor Francis X. Murray opened the meeting at 7:35 p.m.

**PRESENT:** Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Edward J. Oppenheimer, Michael Sepe and Emilio F. Grillo

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller George Scheu, Police Commissioner Charles Gennario, Superintendent of Water Kevin Reilly, Superintendent of Electric Philip Andreas, Deputy Clerk Treasurer Mary Schmeling, Fire Chief Brian Cook, Superintendent of Buildings Patrick D. O'Brien, Superintendent of Recreation Ginger Creegan, Director of Senior Services Chris O'Leary, Director of Public Works Administration Gwynne Feiner, Director of Public Works Operations John Thorp, Research Assistant to the Board Wendy Weinstock, Community Development Director Suzanne Sullivan, Public Relations Counsel Julie Grilli, Secretary to the Board Lisa Butler

**ATTENDANCE:** Approximately 65 people

Deputy Mayor Kathy Baxley presented certificates to South Side High School's Valedictorian Morley Hawriluk and Salutatorian Grace Feiner. Deputy Mayor Kathy Baxley spoke on their amazing accomplishments and wished them well.

Mayor Murray introduced Mr. Frank Colon from the American Legion who is sponsoring and authorized a community service which consists of a group of young Rockville Centre residents to paint address numbers on the curbs to help the Police and Fire Department access addresses easily. The Post is asking for your donation, and will donating all funds received from this community service to help support the Veterans and homeless Veterans in Nassau County and throughout Long Island.

Mayor Murray thanked the Chamber of Commerce for the donation of the beautiful hanging flower baskets that are throughout the Village. Mayor Murray also wanted to thank Dee's Nursery and the Chamber of Commerce for the additional eight baskets that were needed for North Park Avenue at a later date.

Mayor Murray recognized Annmarie Marks who is a college student from Rockville Center. Ms. Marks came to see the Mayor with a request for local college students to purchase a special parking permit at a reduced rate. The Mayor agreed and will act on this request for next year.

#### **ACB Case #07-2017 167 Allen Road**

Superintendent of Building Patrick D. O'Brien introduced Kurt Jacobs, Architect. The owner Marc Hoffman & Maureen O'Brien is seeking to do a second floor addition and interior alterations. Mr. Jacobs presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and unanimously carried, the Board voted to close the Public Hearing with respect to 167 Allen Road.

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On motion of Trustee Oppenheimer, duly seconded by Trustee Baxley and unanimously carried, the Board voted to approve the Exterior Design Review Case #07-2017.

For details of the comments and discussions from the Board and public please refer to the DVD.

**ACB Case #08-2017 19 North Park Avenue**

Superintendent of Building Patrick D. O'Brien introduced Henry Monteverde, Architect. The owner Piridda Inc. is seeking to do a two story rear extension and alterations to the first floor restaurant. Mr. Henry Monteverde presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board voted to close the Public Hearing with respect to 19 Park Avenue.

On motion of Trustee Oppenheimer, duly seconded by Trustee Baxley and unanimously carried, the Board voted to approve the Exterior Design Review Case #08-2017.

For details of the comments and discussions from the Board and public please refer to the DVD.

Village Administrator Kathleen Murray opened a Public Hearing regarding Proposed Bill 1704 - A local law to supersede certain provisions of the Village Law, and to amend the Code of the Village of Rockville Centre, in relation to procedures for filing of local laws adopting or amending zoning regulations of the Village.

After hearing all interested persons in attendance, on motion of Trustee Oppenheimer, duly seconded by Trustee Sepe and unanimously carried, the Board voted to close the Public Hearing regarding proposed local law RVC 1704.

On motion of Trustee Sepe, duly seconded by Trustee Baxley and unanimously carried, the Board voted to approve proposed Bill RVC 1704 as Local Law 3 of 2017. A copy of the local law is on file with these minutes.

Village Administrator Kathleen Murray continued the Public Hearing regarding Proposed Bill 1706 - A local law to enact a temporary moratorium on use or development of property for private roads or streets, which had been commenced on June 29, 2017.

After hearing all interested persons in attendance, on motion of Trustee Sepe, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to close the Public Hearing regarding proposed local law RVC 1706.

On motion of Trustee Oppenheimer, duly seconded by Trustee Baxley and carried by a voted four in favor and Trustee Sepe opposed, the Board voted to approve proposed Bill RVC 1706 as Local Law 4 of 2017. A copy of the local law is on file with these minutes.

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On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board voted to approve the following FY 2017 General Fund Budget Modification.

General Fund Budget Modifications - FY 18

To			From		
Department	Account	Amount	Department	Account Number	Amount
5110 - St. Main.	484 - Contracts	\$ 20,000	8160 - Refuse Coll.	484 - Contracts	\$ 20,000
5010 - St. Admin.	115 - Seasonal	\$ 4,000	1325 - Clerk Treasurer	115 - Seasonal	\$ 4,000
1430 - Personnel	111 - Regular Time	\$ 8,000	1325 - Clerk Treasurer	111 - Regular Time	\$ 8,000
1430 - Personnel	111 - Regular Time	\$ 6,000	1325 - Clerk Treasurer	111 - Regular Time	\$ 6,000
		\$ 38,000			\$ 38,000

On motion of Trustee Grillo, duly seconded by Trustee Sepe an unanimously carried, the Board authorized the Mayor or his designee to sign a Grant Disbursement Agreement with the Dormitory Authority State of New York for the State and Municipal Facilities Program "SAM" \$200,000.00 grant for streetscape improvements along Maple Avenue.

On motion of Trustee Oppenheimer, duly seconded by Trustee Baxley and unanimously carried, the Board voted to approve an expenditure not to exceed \$3,814.98 for preventative maintenance and service of the Fire Trucks to be performed by Hendrickson Fire Rescue Equipment Inc.

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board approved authorization to pay Rettmark Realty LLC and Law Offices of Richard Weiss \$12,000.00 in settlement of claims arising from a sewer line break in the Village.

On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried, the Board voted to approve the following Standard Workday Resolution.

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**Whereas, New York State Employees' Retirement System Rule 315.4 requires reporting to the Retirement System, on a form prepared by the State Retirement System, with respect to work days for certain elected and appointed officials who are members of the Retirement System and who are being reported for service credit and for whom the Village does not maintain time records; and**

**Whereas, in compliance with such rules and regulations, elected or appointed officials of the Village of Rockville Centre who are required to do so have recorded and submitted an actual record for a three consecutive month period; and**

**Whereas, Rule 315.4(b) requires that the Board of Trustees adopt a resolution establishing a standard work day for each such elected or appointed office or position if the holder of that office or position is a member of the Retirement System for whom service credit is being reported;**



July 10, 2017

Rockville Centre, New York

Now, therefore, it is

Resolved that the Board of Trustees of the Village of Rockville Centre hereby determines that the title, number of hours which constitute the standard work day, beginning and expiration of term, and number of work days to be reported for each month for each such official or position based on such actual records is as indicated on the resolution report form required by the State Comptroller and on file with the Village Administrator; and it is further

Resolved, that for such reporting purposes, the standard work day for all elected or appointed officials for whom the Village maintains time records is 6.0 hours; and it is further

Resolved, that a copy of the filed resolution report form (with social security and registration number information redacted) shall be posted and maintained on the Village's website, or on the official sign board or at the main entrance to the office of the Village Administrator, for a continuous period of at least thirty days following the adoption of this resolution; and it is further

Resolved that a certified copy of the filed resolution report form, and an affidavit of such posting, shall be filed with the New York State Comptroller within 45 days after adoption of this resolution.

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On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried, the Board voted to approve the following resolution designating property of the Department of Public Works as Surplus  
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RESOLUTION DESIGNATING PROPERTY  
AS SURPLUS – PUBLIC WORKS DEPARTMENT

Whereas, the Village of Rockville Centre ("Village") heretofore acquired various equipment and property which thereafter has been used for various purposes; and

**WHEREAS, such property is no longer needed, or has reached the end of its useful life for the Village, to the extent that it is no longer reasonable or feasible for the Village to continue to own and maintain such property;**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Board of Trustees of the Village of Rockville Centre, in regular session duly convened, does hereby declare the following**

**equipment to be surplus, and authorizes and directs the Village Purchasing Department to solicit proposals for the sale of such equipment in its**

**present and existing condition, and location, and without any warranties, express or implied, and submit the same to the Village Administrator:**

July 10, 2017

Rockville Centre, New York

**Public Works Department**

**2008 Elgin Street Sweeper, Model Pelican NP – 3 wheel, 4.5 liter John Deere engine**

**and it is further**

**RESOLVED, that the Board of Trustees hereby delegates to the Village Administrator the power and authority to designate or select the purchaser, or other disposition, of each such vehicle, equipment or property based upon a determination as to which proposal is in the best interests of the Village and consistent with applicable legal requirements, and it is further**

**RESOLVED, that the Mayor, or his designee, is authorized to execute and deliver a bill of sale or such other documentation as may reasonably be required to effectuate the transfer of each such vehicle, equipment or property to its approved purchaser upon payment in full for the purchase price for such vehicle, equipment or property.**

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On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board voted to approve the attendance of Michael Valenzano to attend the 2017 Microgrid conference to be held in Boston, MA from 11/15/2107 through 11/8/2017 at a total cost not to exceed \$1,650.00-.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and unanimously carried, the Board approved the Personal Services Contract with BFJ Planning to complete an analysis of an extension of the Business A-1 District zoning on Long Beach Road and to evaluate the Village zoning regulations in relation to use or development of private roads in the Village of Rockville Centre at a cost not to exceed \$10,000.00-.

On motion of Trustee Oppenheimer, duly seconded by Trustee Baxley and unanimously carried, the Board voted to approve the following resolution designating property of the Department of Public Works as Surplus

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**RESOLUTION DESIGNATING PROPERTY  
AS SURPLUS – PUBLIC WORKS DEPARTMENT**

Whereas, the Village of Rockville Centre (“Village”) heretofore acquired various equipment and property which thereafter has been used for various purposes; and

**WHEREAS, such property is no longer needed, or has reached the end of its useful life for the Village, to the extent that it is no longer reasonable or feasible for the Village to continue to own and maintain such property;**

**NOW, THEREFORE, BE IT**

July 10, 2017

Rockville Centre, New York

**RESOLVED**, that the Board of Trustees of the Village of Rockville Centre, in regular session duly convened, does hereby declare the following equipment to be surplus, and authorizes and directs the Village Purchasing Department to solicit proposals for the sale of such equipment in its present and existing condition, and location, and without any warranties, express or implied, and submit the same to the Village Administrator:

**Public Works Department**

**2004 Dodge Durango SUV, VIN 1D414B48D04F219610  
2007 Sterling 4 Wheel Street Sweeper with Elgin Body,  
VIN#49HAADB47DX66431**

**and it is further**

**RESOLVED**, that the Board of Trustees hereby delegates to the Village Administrator the power and authority to designate or select the purchaser, or other disposition, of each such vehicle, equipment or property based upon a determination as to which proposal is in the best interests of the Village and consistent with applicable legal requirements, and it is further

**RESOLVED**, that the Mayor, or his designee, is authorized to execute and deliver a bill of sale or such other documentation as may reasonably be required to effectuate the transfer of each such vehicle, equipment or property to its approved purchaser upon payment in full for the purchase price for such vehicle, equipment or property.

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On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried the Board, as Lead Agency, classified as Type II under SEQRA, and authorized the Mayor or his designee to sign, an Inter-Municipal Agreement with Nassau County.  
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**RESOLUTION**

**Whereas, the County of Nassau (“County”) has proposed an inter-municipal agreement for an improvement to existing fencing along Peninsula Boulevard in the Village; and  
Whereas, the Board of Trustees hereby finds and concludes that it would be in the interests of the Village to enter into such agreement, to the end that the existing fencing will be replaced utilizing funds to be provided by the County;**

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Board of Trustees of the Village of Rockville Centre, acting as lead agency pursuant to the State Environmental Quality Review Act, hereby finds and concludes that the proposed action consists of purchase of equipment and replacement of an existing facility in kind, and therefore is a Type II Action as described in 6 NYCRR Part 617.5(c)(1), (2) and (25), as to which no environmental review is required; and it is further

July 10, 2017

Rockville Centre, New York

**RESOLVED, that the Mayor or his designee is hereby authorized to execute on behalf of the Village an “Agreement Between the County of Nassau, New York, and the Village of Rockville Centre In Relation to Intermunicipal Cooperation”, in a form approved by the Village Attorney, for the purposes of purchasing and installing a fence along North Village Avenue in the Village.**

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On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and unanimously carried, the Board approved a Personal Services Contract with Susan Stohr d/b/a SJS Associates for legislative consulting services at a fee of \$135.00 per hour, not to exceed 100 hours of service.

On motion of Trustee Baxley, duly seconded by Trustee Oppenheimer and unanimously carried, the Board approved Professional Services Contract with H2M Architects and Engineers, Land Surveying and Landscape Architecture, D.P.C. for the Amendment of the Existing Conditions Report and Feasibility Study for the Village of Rockville Centre Fire Department at 103 Maple Avenue at a cost not to exceed \$18,260.00-.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and unanimously carried, the Board voted to approve the following minutes:

- Special Meeting ----- May 11, 2017
- Briefing Session ----- June 1, 2017
- Executive Session ----- June 1, 2017
- Board Meeting ----- June 5, 2017

On motion of Trustee Grillo, and duly seconded by Trustee Baxley and unanimously carried, the Board approved a one year agreement with Devo & Associates LLC for the parts and supplies needed by the Village of Rockville Centre for 36 parking field consoles at a cost not to exceed \$30,100.00-.

July 10, 2017

Rockville Centre, New York

Village Administrator Kathleen Murray advised that properly distributed RFP was opened on July 7, 2017 the results of the RFP opening is as follows.

Vendor: Lexington		Eagle Control		PCS	
Rates					
Standard	\$155.00/HR	Field Rate	\$155.00/HR	No response	
8:00AM to 4:00PM*		8:00AM to 5:00PM			
M-F		M-F			
OT	\$195.00/HR	OT	\$195.00/HR		
		after 5:00PM			
Emergencies,	\$155.00/HR	Emergencies,	\$225.00/HR		
Weekends, Holdiays		Weekends, Holdiays			
Engineering Rate	\$155.00/HR	Engineering Rate	\$175.00/HR		
OT	\$195.00/HR	OT	\$225.00/HR		
Emergencies,	\$155.00/HR	Emergencies,	\$275.00/HR		
Weekends, Holdiays		Weekends, Holdiays			
Mileage	N/C	Mileage	N/C within 50		
			miles of Yaphank		
Minimum Service	4 Hours	Minimum Service	4 Hr minimum		
Charge		Charge	at needed rate		
Parts	Cost + 30%	Parts	Quoted based		
* hours specified in bid		on current supplier pricing.			

On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried, the Board voted to award the contract to the lowest responsible bidder substantially meeting all required specifications namely, Lexington Technologies Inc. Estimated expenditures will not exceed \$20,000.00-.

Village Administrator Kathleen Murray announced that the Fire Department had the following changes. Bethany Encarnacion joined Defender Hose Co. No. 1, membership is now 334 members.

On motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and unanimously carried, the Board voted to approve the Fire Department Membership report.

There being no further business, on motion of Trustee Oppenheimer, duly seconded by Trustee Grillo and unanimously carried, the Board voted to adjourn the meeting at 8:35 p.m.

Kathleen Murray  
Village Administrator/  
Clerk-Treasurer

KM/lb