

June 18, 2020

Rockville Centre, New York

The Special Meeting of the Board of Trustees was held on the above date via video conference call at 6:00 p.m. due to the Covid-19 pandemic health emergency, and in compliance with Executive Orders issued by Governor Cuomo. All participants were on the video conference call at the same time, and all participants were able to hear each other. The public was afforded an opportunity to participate in the meeting by video conference. The meeting was recorded, and the transcription is on file in the Village office. The recording is available on the Village website.

**PRESENT:** Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Michael Sepe and Nancy Howard and Trustee Emilio F. Grillo.

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller Dennis Morgan, Superintendent of Electric Philip Andreas, Village Engineer Kevin Reilly, Superintendent of Building Patrick D. O'Brien, Director of Public Works Administration Gwynne Feiner, Director Suzanne Sullivan, Director of Recreation Ginger Creegan, Public Relations Counsel Julie Grilli, and Secretary to the Board Lisa Butler.

**ATTENDANCE:** 8 people

The Village Administrator read a statement regarding the circumstances under which the meeting was held. See the recording of the meeting for the full text of the statement.

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried the Board adopted the following the SEQRA determination with respect to Bill RVC 2020E/2020E.1

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**SEQRA Determination Pursuant to New York State  
Environmental Quality Review Act**

**Bill 2020E and Bill 2020E.1** A local law to amend the Code of the Village of Rockville Centre, in relation to temporary outdoor dining licenses.

WHEREAS, the New York State Environmental Conservation Law and the regulations of the Department of Environmental Conservation as contained in 6 NYCRR Part 617 require review of the possible environmental consequences of various actions under consideration by the Board of Trustees, and

WHEREAS, the Board of Trustees is considering the adoption of legislation designated Bill RVC 2020E, and alternative version RC 2020E.1, to provide for temporary authorizations for outdoor dining, and

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WHEREAS, the Board of Trustees has reviewed a Short Environment Assessment Form ("SEAF") prepared by the Village Attorney with respect to each of the proposed local laws, and

WHEREAS, the Nassau County Planning Commission has recommended local determination with respect to each version of the proposed legislation,

NOW, THEREFORE, IT IS

RESOLVED, that the Board of Trustees hereby finds and concludes that the Board of Trustees is the Lead Agency with respect to the proposed adoption of Bill RVC 2020E or Bill RVC 202E.1 (collectively, the "Action"), and it is further

RESOLVED, that the Board of Trustees further finds and concludes that the Action is a Type II Action as described in 6 NYCRR 617.4(c)(21 and (33), which requires no environmental impact review, and it is further

RESOLVED, that notwithstanding the foregoing determination, the Board of Trustees has reviewed and considered the SEAF, and finds and concludes as follows:

*A. the Board has considered the following factors in respect to its review of the environmental impacts of the proposed action:*

i. the Action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

ii. the Action would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

iii. the Action would not impair the environmental characteristics of any Critical Environmental Area;

iv. the Action would not conflict with the community's current plans or goals as official approved or adopted;

v. the Action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

vi. the Action would not result in a major change in the use of either the quantity or type of energy;

vii. the Action would not create a hazard to human health;

viii. the Action would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

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- ix .the Action would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;
  - x. the Action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;
  - xi. the Action would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;
  - xii. the Action would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;
- B. the Action would not have a significant adverse environmental impact; and,
- C. no further environmental impact review is required with respect to the Action.

And it is further

RESOLVED, that the Mayor is hereby authorized to execute Part 3 of the SEAF on behalf of the Board of Trustees

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Village Administrator Kathleen Murray opened a Public Hearing with respect to proposed legislation RVC 2020E, A local law to amend the Code of the Village of Rockville Centre, in relation to temporary outdoor dining licenses.

Mayor Murray requested a motion to substitute Bill RVC 2020E.1 for Bill RVC 2020E. On motion of Trustee Sepe, duly seconded by Trustee Baxley and unanimously carried the Board approved the substitution.

After hearing all interested persons in attendance, on motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried the Board closed the public hearing regarding proposed Bill RVC 2020E.1. The recording of the hearing is available on the Village website in the Village office.

On motion of Trustee Sepe, duly seconded by Trustee Baxley and unanimously carried the Board adopted proposed Bill RVC 2020E.1 as Local Law 3 of 2020. A copy of the Local Law is on file with these minutes.

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**ACB Case #06-2019 164 Morris Ave**

Superintendent of Building Patrick D. O'Brien reopened Case No. 06-2019 164 Morris Avenue. Mr. Richard Geier President of RKG Building Inc., agreed to change the front of the home to the original proposed rendering by June 23, 2020.

After hearing all persons who wished to be heard, on motion of Trustee Sepe, duly seconded by Trustee Baxley and unanimously carried, the Board closed the Public Hearing with respect to 164 Morris Ave. The recording of the hearing is available on the Village website in the Village office.

On motion by Trustee Sepe, seconded by Trustee Baxley, the Board approved the reopened case, and approved issuance of a certificate of occupancy, on condition that the front of the dwelling be changed by June 23, 2020 to conform to the originally approved rendering.

On motion of Trustee Sepe, duly seconded by Trustee Howard and carried by a vote of four in favor and none opposed (Trustee Grillo recused himself from discussion and vote on this item) the Board adopted the following resolution authorizing the compensation of the Village Prosecutor and Deputy Village Prosecutors to be changed from \$125.00 to \$150.00 per each Village Court session attended effective July 1, 2020.

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***Resolved, effective July 1, 2020, and until further resolution by the Board of Trustees, the compensation of the Deputy Village Attorneys serving as Village Prosecutor and Deputy Village Prosecutors shall be \$150.00 per each Village Court session attended.***  
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On motion of Trustee Howard, duly seconded by Trustee Baxley and unanimously carried the Board approved a personal services contract, in a form approved by the Village Attorney, with Pinnacle Indoor Golf Center, Inc. d/b/a SportsWorld Academy to direct and supervise the Rockville Centre Baseball School from 6/29/20 through 8/31/20 for a fee of \$500.00 per week, not to exceed a total cost of \$3,000.00-.

On motion of Trustee Baxley, duly seconded by Trustee Sepe and unanimously carried the Board approved a personal services contract, in a form approved by the Village Attorney, with Cosmo DeLillo to provide qualified persons to officiate at sports activities including basketball games in the Villages Recreation Center program during the period of 6/29/20 through 8/31/20 for a total cost not to exceed \$2,800.00-.

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried the Board approved a personal services contract, in a form approved by the Village Attorney, with Ginger Creegan to be effective during the period of 6/21/20 through 8/31/20.

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On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried the Board approved an agreement with DEVO & Associates LLC for monitoring of parking field consoles in the Village’s parking fields in the amount of \$24,624.00-.

On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried the Board approved an agreement with DEVO & Associates LLC for parts and supplies needed by the Village for parking field consoles in an amount not to exceed \$30,000.00-.

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried the Board approved an Amendment to Contract with H2M Architects & Engineers, Land Surveying & Landscape Architecture, D.P.C. for additional services for the renovations to 142 Maple Avenue for an amount not to exceed \$133,500.00-.

On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried the Board adopted the following resolution designation property of the Electric Department as Surplus:

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RESOLUTION DESIGNATING  
PROPERTY AS SURPLUS

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:**

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Item/Model	Serial Number/VIN	Dimensions Height/Width/Weight	Estimated Value
50 kva transformers	#1561	48"x12@250#	\$12.50
37.5 kva transformers	#288	36"x12@200#	\$10.00
75 kva transformer	#1011	48"x12@250#	\$12.50
50 kva transformer	#1442	48"x12@250#	\$12.50
25 kva transformer	#415	48"x12@250#	\$12.50
37.5 kva transformer	#1141	36"x12@200#	\$10.00
25 kva transformer	#642	48"x12@250#	\$12.50
37.5 kva transformer	#693	36"x12@200#	\$10.00
25 kva transformer	#428	48"x12@250#	\$12.50
25 kva transformer	#577	48"x12@250#	\$12.50
333 kva transformer	#5073	50"x26@550#	\$27.50

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 Howard, duly seconded by Trustee Baxley and unanimously carried the Board adopted the following resolution rescinding the January 6, 2020 Bid award of 2011E2(965) Cooling Tower 9 & 10 to Nalco Company, LLC.

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**RESOLUTION RESCINDING BID AWARD -  
 BID NO. 2011E2(965)COOLING TOWERS 9 & 10**

**WHEREAS**, on October 1, 2019, the Village of Rockville Centre heretofore duly advertised for sealed competitive bids for BID NO. 2011E2(965)COOLING TOWERS 9 & 10; and

**WHEREAS**, the said competitive bid process included numerous documents, including the proposed contract for such project, and bidders were advised to submit with their bids any objections or changes which they wished to assert or request with regard to the contract documents; and

**WHEREAS**, the Village opened the sealed bids on December 9, 2019; and

**WHEREAS**, among the sealed bids opened on December 9, 2019 was a bid from Nalco Company LLC ("Nalco"), in which Nalco did not assert any objections or request any changes in the underlying project contract document; and

**WHEREAS**, after review of the bids received, and after recommendation from the Village Purchasing Department, the Board of Trustees awarded the aforesaid bid to Nalco on January 6, 2020; and

**WHEREAS**, notice of the said award was duly given to Nalco, and on January 17, 2020 the proposed contract was sent to Nalco for execution; and

**WHEREAS**, Nalco thereafter requested various changes in the contract, including a change with respect to the contractor to perform the contract, and various other changes, many of which changes were deemed material, and unacceptable, by the Village; and

**WHEREAS**, discussions thereafter continued between representatives of Nalco and the Village with regard to the contract terms, which negotiations have proved unsuccessful, and no contract has been executed in furtherance of the bid award; and

**WHEREAS**, the cooling towers at which the proposed work was to be done are integral to the continued supply of electric energy by the Village, and further delay in implementing remediation of existing conditions is unacceptable; and

**WHEREAS**, the Village is pursuing alternate arrangements to address the existing conditions as Cooling Towers 9 & 10; and

WHEREAS, the Village Purchasing Department and the Village Electric Department have recommended that the Board of Trustees rescind the aforesaid bid award, and that the Village proceed to implement alternate solutions to existing conditions at Cooling Towers 9 & 10,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees finds that it is in the best interest of the Village that the aforesaid bid award be rescinded, and that the Village proceed expeditiously to make alternative arrangements with respect to Cooling Towers 9 & 10, and it is further

RESOLVED, that the Board of Trustees hereby rescinds the January 6, 2020 bid award to Nalco Company, LLC for BID NO. 2011E2(965)COOLING TOWERS 9 & 10, effective immediately; and it is further

RESOLVED, that the Purchasing Department is hereby authorized and directed to give notice to Nalco with respect to the rescission of the bid award.

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On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried the Board adopted the following resolution awarding contract to D Beatty Enterprises LLC for repair of Cooling Towers 9 & 10.  
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RESOLUTION AWARDING CONTRACT FOR REPAIR TO  
COOLING TOWERS 9 & 10

WHEREAS, consistent with the Village's procurement policies, the Village Electric Department and has solicited and reviewed proposals with regard to repairs needed with respect to Cooling Towers 9 & 10; and

WHEREAS, as a result of those efforts, the Village has received a proposal dated June 2, 2020 from D Beatty Enterprises LLC for work labor, services and materials in the amount of \$8700.00 to effectuate such repairs; and

WHEREAS, the Village Electric Department has recommended acceptance of such proposal as being in the best interest of the Village, and to expeditiously remediate unsatisfactory conditions at such cooling towers,

NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees finds and concludes that acceptance of the aforesaid proposal is in the best interest of the Village, and it is further



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RESOLVED, that on behalf of the Village, the Board of Trustees hereby accepts the aforesaid June 2, 2020 proposal, for a cost not to exceed \$8700.00, and authorizes the Mayor (or his designee) to execute such documents as are reasonably necessary to effectuate such agreement and proceed with the work as described in the proposal, subject to form approval by the Village Attorney.

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On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board adopted the following resolution rescinding the Bid Award, and making a new Bid Award, for Line Item 6 in Bid No. 2002E3(976) Overhead/Underground Electrical Wires & Cable for the Electric Department.

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**RESCISSION OF BID AWARD, AND MAKING A NEW BID AWARD,  
FOR LINE ITEM 6 IN BID NO 2002E3(976)  
OVERHEAD/UNDERGROUND ELECTRICAL WIRES & CABLE FOR THE  
ELECTRIC DEPARTMENT**

Whereas, on April 6, 2020, based upon a recommendation from the Village Purchasing Department, Line items 1 and 3 in Bid No. 2002E3(976) Overhead/Underground Electrical Wires & Cable for the Electric Department were awarded to the lowest responsible bidder, Michael's Electrical Supply Corp.; and

Whereas, Michael's Electrical Supply Corp. has informed the Electric Department that it is not able to purchase from their supplier the wire which is required in satisfaction of this purchase item; and

Whereas, in order to acquire the supplies in this item, which are necessary for the Village to obtain, rescission of the previous bid award to Michael's Electrical Supply Corp., for Line items 1 and 3 is necessary; and

Whereas, the Village Purchasing Department is advised that the required items are available from the next lowest responsible bidder, Stuart C. Irby Co. at an additional cost of approximately \$180.00; and

Whereas the Village Purchasing Department has requested that the Board of Trustees rescind the prior award as stated herein, and award the contract for purchase of such line items to Stuart C. Irby Co.;

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NOW, THEREFORE, BE IT

RESOLVED, that the Board of Trustees hereby rescinds so much of its April 6, 2020 award to Michael's Electrical Supply Corp. as was for purchase if Line items 1 and 3 in such award; and it is further

RESOLVED, that the said bid award for line item 1 and 3 in such April 6, 2020 award be, and hereby is, made to Stuart C. Irby Co., *nunc pro tune*, as of May 12, 2020, for an additional cost not to exceed \$180.00, as the lowest responsible bidder able to supply such line items; and it is further

RESOLVED, that in all other respects the bid award made on April 6, 2020 May 13, 2019 for Bid No. 2002E3{976) Overhead/Underground Electrical Wires & Cable for the Electric Department shall remain in full force and effect.

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Village Administrator Kathleen Murray advised the Board that Bid No. 2005W3(984)Sodium Hypochlorite and Bid No 2005W1(979) Sodium Hydroxide was properly advertised and opened on June 3, 2020 the results of the opening are as follows:

Sodium Hypochlorite			
VENDOR	Base Bid	First Year Option	Second Year Option
Autochem Corp.*	\$28,800.00	\$30,400.00	\$32,000.00
Twin County Swimming Pool Maintenance & Supply Co. Inc.	\$30,800.00	\$30,800.00	\$31,800.00
PVS Minibulk, Inc.	\$36,800.00	\$38,600.00	\$40,600.00
Kuehne Chemical Co., Inc.	\$140,000.00	\$150,000.00	\$160,000.00
*Vendor does not have required insurance			
Sodium Hydroxide			
VENDOR	Base Bid	First Year Option	Second Year Option
Kuehne Chemical Co., Inc.	\$240,000.00	\$252,000.00	\$276,000.00
JCI Jones Chemicals, Inc.	\$250,000.00	\$262,440.00	\$275,580.00

The following vendors did not respond: Tridon Chemical, Universal Chemicals, Inc., Univar USA Inc., Connection Chemical, Brenntag, Empire Chemical, and Nationwide Environmental Services.

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried the Board awarded the contracts to the lowest responsible bidders substantially meeting all required

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specifications, namely Twin County Swimming Pool Maintenance & Supply Company Inc. for the Base Bid and two Option Years for a total expenditure not to exceed \$93,400.00 and Kuehne Chemical Co., Inc., for the Base Bid and two Option Years for a total expenditure not to exceed \$768,000.00-.

Village Administrator Kathleen Murray advised the Board that Bid No. 2005DPW1(978)Vehicle Collision Repair for the Village of Rockville Centre was properly advertised and opened on June 9, 2020 the results of the opening are as follows:

ITEM #		Artkev Corp. DBA Arties Collision II			Master Collision Inc.		
		BASE BID	OPTION YEAR 1 ( % increase)	OPTION YEAR 2 ( % increase)	BASE BID	OPTION YEAR 1 ( % increase)	OPTION YEAR 2 ( % increase)
1	LABOR RATE FOR BODY WORK PER/HR	\$40.00/HR	0%	0%	\$50.00/HR	5%	5%
2	LABOR RATE FOR ELECTRICAL WORK PER/HR	\$40.00/HR	0%	0%	\$50.00/HR	5%	5%
3	LABOR RATE FOR PAINTING SERVICES PER/HR	\$29.00/HR	0%	0%	\$50.00/HR	5%	5%
4	COST OF BODY PARTS (+/-) PERCENTAGE:	-10%	0%	0%	+ 7%	+5%	+5%
5	COST OF ELECTRICAL PARTS (+/-) PERCENTAGE:	-10%	0%	0%	+ 7%	+5%	+5%
6	COST OF PAINT SUPPLIES (+/-) PERCENTAGE:	-10%	No Response	No Response	+ 7%	+5%	+5%

The following companies did not respond: Impressive Auto Body, Island Auto Body, and Ford.

Recommend award of the Base Bid and Option Year 1 and 2 to the lowest responsible bidder substantially meeting all required specifications, namely Artkev Corp, d/b/a Artie's Collision II for a not to exceed cost of \$180,000.00.

On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board awarded the Base Bid and Option Year 1 and 2 to the lowest responsible bidder substantially meeting all required specifications, namely Artkev Corp. d/b/a Artie's Collision II for a not to exceed cost of \$180,000.00-.

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board voted to convene in executive session at 7:15 p.m. to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, pending litigation and legal advice.

No action was taken in executive session.

There being no further business, on motion by Trustee Howard, seconded by Trustee Baxley, and unanimously carried the Board voted to return to public session at 7:59 pm and adjourned the meeting.

July 1, 2020

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The Board of Trustees held a Public Meeting on the above date via video and telephone conference call at 6:00 p.m. due to Covid-19 pandemic, and in compliance with Executive Orders issued by Governor Cuomo. All participants were on the conference call at the same time, and all participants were able to hear each other; members of the public were afforded the opportunity to hear and observe by video or telephone conference call. The meeting was recorded, and the transcription is on file in the Village office. The recording is available on the Village website.

**PRESENT:** Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Michael Sepe, Emilio F. Grillo and Nancy Howard.

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller Dennis Morgan, Police Commissioner James Vafeades, Superintendent of Electric Philip Andreas, Village Engineer Kevin Reilly, Superintendent of Building Patrick D. O'Brien, Deputy Clerk Wendy Weinstock, Director of Senior Services Chris O'Leary, Director of Public Works Administration Gwynne Feiner, Director of Public Works Operations John Thorp, Community Development Director Suzanne Sullivan, Public Relations Counsel Julie Grilli, Secretary to the Board Lisa Butler

**ATTENDANCE:** 3 people

The Village Administrator read a statement regarding the circumstances under which the meeting was held. See the recording of the meeting for the full text of the statement.

The Board reviewed the proposed agenda for the July 6, 2020 Board Meeting.

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried, the Board voted to convene in executive session at 6:53 p.m. to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, pending litigation and legal advice.

No action was taken in executive session.

On motion of Trustee Sepe, duly seconded by Trustee Baxley and unanimously carried, the Board closed the executive session and returned to public session and adjourned the meeting at 8:33p.m.

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The Board of Trustees meeting was held on the above date via video and telephone conference call at 7:00 p.m. due to Covid-19 pandemic, and in compliance with Executive Orders issued by Governor Cuomo. All participants were on the conference call at the same time, and all participants were able to hear each other; members of the public were afforded the opportunity to hear and observe by video or telephone conference call. The meeting was recorded, and the transcription is on file in the Village office. The recording is available on the Village website.

**PRESENT:** Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Michael Sepe, Emilio F. Grillo and Nancy Howard.

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller Dennis Morgan, Police Commissioner James Vafeades, Superintendent of Electric Philip Andreas, Village Engineer Kevin Reilly, Superintendent of Building Patrick D. O'Brien, Deputy Clerk Wendy Weinstock, Director of Senior Services Chris O'Leary, Director of Public Works Administration Gwynne Feiner, Superintendent of Recreation Ginger Creegan, Community Development Director Suzanne Sullivan, Public Relations Counsel Julie Grilli, Secretary to the Board Lisa Butler

**ATTENDANCE:** 13 people

The Village Administrator read a statement regarding the circumstances under which the meeting was held. See the recording of the meeting for the full text of the statement.

Village Administrator Kathleen Murray recessed the Regular Meeting of the Board of Trustees and convened into the Annual Organizational Meeting.

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.

Trustee Baxley moved that the Regular Meeting nights of the Board of Trustees be held on the first Monday of each month at 7:00 pm, except as otherwise previously scheduled, or on such dates as may be determined by the Mayor or Board of Trustees.

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

**DESIGNATION OF DEPOSITORIES:**

On motion by Trustee Sepe, duly seconded by Trustee Grillo 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, The Bank of New York Mellon Corporation and U.S. Bank National Association 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, The Bank of New York Mellon Corporation and U.S. Bank National Association 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 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, The Bank of New York Mellon Corporation and U.S. Bank National Association 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 is 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, The Bank of New York Mellon Corporation and U.S. Bank National Association the foregoing Resolution.

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On motion by Trustee Grillo, duly seconded by Trustee Howard 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

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On motion by Trustee Howard, 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 Sepe 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 2020.

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

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

# **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

## § 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



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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.

§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

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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 rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the

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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

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under a specific state statute may be accepted as security for deposit of public moneys.

(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

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

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**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:

- purchase contracts over \$20,000;
- public works contracts over \$35,000;
- 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 - \$7,999	Discretion of the Village's Purchasing Agent
\$7,999 - \$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 - \$7,999	Discretion of the Village's Purchasing Agent
\$7,999 - \$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 offeror. 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.
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.
  - 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 Kathleen McMahon to act as Village Purchasing Agent. 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.
  - 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 Sepe and unanimously carried, the Board of Trustees adopted the following Uniform Guidance Procurement Policy.

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**Village of Rockville  
Centre  
Uniform Guidance  
Procurement Policy**

The Village will follow all applicable requirements in the Uniform Grant Guidance (2 CFR Part 200) listed below in conjunction with the Village's procurement policy whenever it procures goods or services using federal grant funds, including funds awarded by the United States as grants or funds awarded to a pass-through entity, such as the New York State, for subgrants.

***General Procurement Standards***

In accordance with the Uniform Grant Guidance Requirements, the Village will:

- A. Use its own documented procurement procedures which reflect applicable state, local and tribal laws and regulations in conjunction with this policy to conform to applicable federal law and the standards identified in the Uniform Grant Guidance.
- B. Maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- C. Maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.
- D. Have procedures in place to avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.
- E. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration should be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

- F. Maintain records that sufficiently detail the history of the procurement including, but not limited to:
  - 1. Rationale for the method of procurement;
  - 2. Selection of contract type;
  - 3. Contractor selection or rejection; and
  - 4. The basis for the contract price.
- G. Use time and material type contracts, only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk.
- H. Be responsible, in accordance with good administrative practice and sound business, for the settlement of all contractual and administrative issues arising out of procurements.

### ***Competition***

In accordance with the Uniform Grant Guidance Requirements, the Village will:

- I. Conduct all procurement transactions in a manner providing full and open competition consistent with the standards of the Uniform Grant Guidance.
- J. Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids and proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.
- K. Have written procedures for procurement transactions to ensure that all solicitations:
  - 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and
  - 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.
- L. Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Additionally, the Village must not preclude potential bidders from qualifying during the solicitation period.

### ***Methods of procurement to be followed***

- M. The Village will use one of the following methods of procurement when using federal grant funds:

1. **Micro-purchases** - Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$7,999. To the extent practicable, the Village must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the Village considers the price to be reasonable.
2. **Small purchase procedures** - Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property over \$7,999 up to \$20,000 (for purchase contracts) or \$35,000 (for public works contracts). If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
3. **Sealed bids** - Bids for contracts of over \$20,000 (for purchase contracts) or \$35,000 (for public works contracts) up to \$250,000, are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. These bids subject to the requirements of New York State regarding competitive bidding, as outlined in the Village's policy, except where the "non-competitive proposals" method is determined to be most appropriate.
4. **Competitive proposals** - The technique of competitive proposals is for contracts greater than \$250,000 and is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:
  - a. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
  - b. Proposals must be solicited from an adequate number of qualified sources;
  - c. The Village must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
  - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
  - e. The Village may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and

reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

5. **Noncompetitive Proposals** - Purchase or Public Works Contracts of over \$7,999 may utilize noncompetitive proposals, where only one source is solicited, when one or more of the following conditions apply:
- a. The item is available only from a single source;
  - b. There is an emergency which does not permit delay due to soliciting competition;
  - c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Village; or
  - d. The Village solicits from a number of sources and determines competition to be inadequate.

***Contracting with small and minority businesses, women's business enterprises and labor surplus areas.***

N. The Village must take all necessary affirmative steps to assure that minority businesses, women's business enterprises and labor surplus areas firms are used when possible.

Affirmative steps must include:

- 1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- 2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
- 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
- 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises;
- 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- 6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in items 1 through 5 above.

### ***Contract Cost and Provisions***

In accordance with the Uniform Grant Guidance Requirements, the Village will:

O. Include in all contracts made by the Village the applicable provisions contained in Appendix II to Part 200 of the Uniform Grant Guidance – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

P. Perform a cost or price analysis in connection with every procurement action in excess of \$250,000 including contract modifications.

Q. Negotiate profit as a separate element of the price for each contract in which there is not price competition and, in all cases, where cost analysis is performed.

R. Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions, in the System for Award Management (SAM).

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On motion by Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board of Trustees adopted the following Budget Modification Policy for the Village of Rockville Centre.

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### **Village of Rockville Centre Budget Modification Policy**

#### ***Purpose and Scope:***

The purpose of this policy is to define the authority relating to budget modifications and facilitate the reallocation of budgeted funds from one object code to another within the Village's budget after the original budget has been approved. This policy applies to all Village Commissioners and Department Heads with oversight of one or more Village Departments with an operating budget approved by the Village Board of Trustees.

Responsible budget management should prevent the Village and Village Departments from developing deficit balances. The purpose of this policy is to set parameters to help avoid deficit balances by empowering Village Commissioners and Department Heads with the authority and the flexibility necessary to maintain positive balances.

#### ***Policy:***

After passage of the annual budget, the transfer of unencumbered balances appropriated for one department and object of expenditure to any other department and object of expenditure may be necessary to prevent exceeding budgetary line items. Village Commissioners and Department Heads have oversight and are responsible for monitoring and reviewing

their Department's budgets on a monthly basis to ensure that their budget line items are not in risk of being exceeded. Village Commissioners and Department Heads can request to move budgeted funds between allowable object codes within their Departments, through a budget modification request. The budget modification request should specify the amount and what fund, department and object of expenditure should be increased and likewise decreased. This request is to be submitted to the Village Comptroller who will certify the availability of funds for transfer. Additionally, an unencumbered balance appropriated to a department may be transferred to any other department within the same fund upon approval of the respective Village Commissioners and Department Heads and subject to the certification of available funds by the Village Comptroller.

The Village Comptroller, in addition to reviewing and certifying the budget modification requests from Village Commissioners and Department Heads, will monitor the budget on a monthly basis to ensure that all other budget line items and the overall budget are not in risk of being exceeded. If necessary, the Village Comptroller will prepare budget modification requests to prevent exceeding the budget and/or budget line items. In the case that the overall budget is in risk of being exceeded, the Village Comptroller will provide recommendation to the Board of Trustees of the action to be taken to fund the over expenditure.

All budget modification requests are subject to the review and approval of the Board of Trustees. Once approval is obtained, the budget modifications will be posted to the general ledger by the Village Comptroller.

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On motion by Trustee Grillo, duly seconded by Trustee Howard and unanimously carried, the Board of Trustees adopted the following Fund Balance Policy for the Village of Rockville Centre.

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**Village of Rockville  
Centre  
Fund Balance Policy**

***Purpose:***

The Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the Village and is fiscally advantageous for both the Village and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the Village to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

***Definitions:***

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund.

GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

- 1) **Nonspendable fund balance** - amounts that are not in a spendable form (e.g., inventory, prepaids, long-term receivables) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) **Restricted fund balance** - amounts that are subject to externally enforceable legal restrictions, such as limitations imposed by creditors, grantors, contributors, laws and regulations of other governments, constitutionally or through enabling legislation (e.g., grants, donations, General Municipal Law reserves).
- 3) **Committed fund balance** - amounts that can be used only for the specific purposes determined by a formal action of the Board of Trustees, which may be changed or lifted only by referring to the formal action that imposed the constraint originally. Additionally, the underlying action that imposed the limitation would need to occur before the close of the reporting period. (e.g. establishment of local law)
- 4) **Assigned fund balance** - amounts *intended* to be used by the Village for specific purposes. Intent can be expressed by the Board of Trustees or by a designee to whom the governing body delegates the authority. (e.g. designated for ensuing years budget) In governmental funds other than the general fund, assigned fund balance represents the amounts in excess of nonspendable, restricted and committed fund balance. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund. (e.g. highway)
- 5) **Unassigned fund balance** - includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose. In funds other than the general fund, the unassigned classification should only be used to report a deficit balance

### *Policy:*

#### ***Designating Funds:***

The responsibility for designating funds to specific classifications shall be as follows:

**Committed Fund Balance** - The Board of Trustees is the Village's highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is establishment of local law by the Board.



**Assigned Fund Balance** - In addition to the Board of Trustees, the Board has authorized the Village Comptroller as an official authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

*Authorization for the Use of Restricted, Committed and Assigned Fund Balance:*

The authorization for the use of Restricted, Committed and Assigned Fund Balance shall be as follows:

**Restricted fund balance** - if the expenditure meets the requirements of the purpose and restriction, the Village Comptroller can use the restricted funds without further approval from the Board of Trustees unless the restriction stipulates further approval is required.

**Committed fund balance** - if the expenditure meets the purpose and requirements of the local law, the Village Comptroller can use the committed funds without further approval from the Board of Trustees unless the local law stipulates further approval is required.

**Assigned fund balance** - if the expenditure meets the purpose and requirements of the assignment, the Village Comptroller can use the assigned funds without further approval from the Board of Trustees unless the assignment stipulates further approval is required.

*Order of Expenditure of Funds:*

When multiple categories of fund balance are available for expenditure, the Village will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

*Minimum Unassigned Fund Balance:*

It is the goal of the Village to achieve and maintain an unassigned fund balance in the general fund at fiscal year end of not less than 10% of expenditures. This will ensure the Village maintains a prudent level of financial resources to protect against reducing service levels or raising taxes and fees because of temporary revenue shortfalls, unexpected one-time expenditures, emergencies and disasters. If the unassigned fund balance at fiscal year end falls below the goal, the Village shall develop a restoration plan to achieve and maintain the minimum fund balance.

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

July 6, 2020

Rockville Centre, New York

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 Baxley, duly seconded by Trustee Sepe and unanimously carried, the Board of Trustees re-adopted the following Village of Rockville Centre Public Access to Records Policy.

\*\*\*\*

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.

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### **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. Appeals shall be heard and determined by the Mayor of the Village, whose office is located at One College Place, Rockville Centre, NY 11570. Upon receipt and determination of an appeal, the Mayor shall transmit a copy to the New York State Committee on Open Government (NYSCOOG) at the Department of State, at its offices in Albany, NY 12231.

\*\*\*\*\*

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

\*\*\*\*\*

## **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 local laws, the Village is an equal opportunity employer and does not discriminate in its hiring or treatment of employees on the basis of race, creed, color, religion, sex, national origin, age, disability, veteran status, military status, family status, sexual orientation, predisposing genetic characteristics, marital status, criminal or arrest record, gender identity, transgender status, domestic violence victim status or any other category protected by federal, state or local law. Nor does the Village permit any employee to engage in conduct in violation of any federal, state or local 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.

The Village prohibits sexual harassment and retaliation of or against its applicants, interns, contractors, volunteers or employees by another employee, supervisor, customer, client, vendor or other third party in all aspects of the employment relationship including: recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, activities, access to programs and treatment. All applicants, interns, contractors, volunteers or 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, criminal or arrest record, marital status, or domestic violence victim status. Both federal and state laws also prohibit retaliation against individuals who exercise their rights under the applicable statutes.

#### **DEFINITIONS**

**SEXUAL HARASSMENT** is a form of sex discrimination that violates this policy and is unlawful under federal, New York State and local law (as applicable). Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individuals' sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status), and/or sexual orientation when:

**Submission of such conduct or those advances is made explicitly or implicitly a term or condition of employment; or**

1. Submission to or rejection of such conduct or

advances or requests by an individual is used as the basis for employment decisions affecting the individual; or

2. Such conduct or advances or requests has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment, even if the individual is not the intended target.

Sexual harassment can be verbal (e.g., jokes, insults, gestures or teasing), visual (e.g., offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (e.g., unwanted touching, physically threatening another) that denigrates or shows hostility or aversion towards an individual based on sex or gender, gender identity, gender expression and/or sexual orientation.

Examples of sexual harassment include, but are not limited to:

- unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment
- obscene or vulgar gestures, posters, or comments
- sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies
- propositions, or suggestive or insulting comments of a sexual nature
- derogatory cartoons, posters, and drawings
- sexually-explicit e-mails, text messages, posts or voicemails
- conversation about one's own or someone else's sex life
- conduct or comments consistently targeted at only one gender, even if the content is not sexual
- teasing or other conduct directed toward a person because of the person's gender
- sex stereotyping

#### 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.

Examples 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:**

**Retaliation is adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, participated in the reporting and investigation process set forth in this policy or testified or assisted in an investigation or proceeding involving an actual or perceived violation of this policy. Adverse conduct includes, but is not limited to any action that would keep an employee from reporting sexual harassment or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and denying employment benefits because an applicant or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process.**

**Retaliatory acts also 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 individual's personnel file.**

Village officers, employees and individuals covered by this policy 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.

No Village employee or individual covered by this policy shall retaliate against any other employee or individual covered by this policy for cooperating in the investigation of any employment discrimination or harassment complaint. Any individual covered by this policy 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 or a complaint, should promptly follow the complaint procedures set forth below.

## DISCRIMINATION, HARASSMENT AND RETALIATION

### COMPLAINT PROCEDURE REPORTING

The Village cannot prevent sexual harassment unless it knows about it. 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).***

If an employee or individual covered by this policy believes someone has violated this policy, the individual should promptly bring the matter to the immediate attention of:

1. Your immediate supervisor, or
2. A Department Head, or
3. The Equal Employment Officer; or
4. Any member of management with whom you feel comfortable

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. If you make a complaint under this policy and have not received a response regarding the status of the Village's investigation into your complaint within five (5) business days, you should contact Wendy Weinstock immediately.

Aside from the internal processes at the Village, employees may also choose to pursue legal remedies with the following governmental entities at any time:

***New York State Division of Human Rights where complaints may be filed any time within one year of the alleged harassment. If an individual does not file at DHR, they can sue directly in New York state court under the Human Rights Law, within three years of the alleged discrimination. The DHR enforces the New York State Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., which protects employees, paid or unpaid interns and non-employees regardless of immigration status from unlawful discrimination, harassment or retaliation. The DHR has the power to award relief, which varies but may include requiring an employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines. Complaining internally to the Village does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment. There is no cost to file a complaint with DHR; you do not need an attorney to do so. NYS Division of Human Rights One Fordham Plaza, 4<sup>th</sup> Floor, Bronx, NY 10458 or [www.dhr.ny.gov](http://www.dhr.ny.gov) or calling (718) 741-8400.***

*- United States Equal Employment Opportunity Commission (EEOC):*

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). If an employee believes they have been discriminated against or subject to harassment at work, they can file a "Charge of Discrimination" by calling 1-800-669-4000 or 1-800-669-6820 for TTY or via [www.eeoc.gov](http://www.eeoc.gov) or [info@eeoc.gov](mailto:info@eeoc.gov). The EEOC has district, area, and field offices where complaints can be filed. The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

-Many localities enforce laws protecting individuals from sexual harassment and discrimination. You can contact the county, city or town in which you live to see if such laws exist. For example, employees who work in Nassau County can file complaints of sexual harassment with the Nassau County Commission on Human Rights (240 Old Country Road, 6<sup>th</sup> Floor, Suite 606, Mineola, NY 11501; 516-571-3662; [www.nassaucountyny.gov/414/Human-Rights-Commission](http://www.nassaucountyny.gov/414/Human-Rights-Commission)).

-If harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department, or dial 911 in an emergency.

#### REFERRAL

Supervisors and Department Heads **must** refer all discrimination, harassment or retaliation complaints (whether written or verbal) to the Village EEO, along with a completed complaint form (if one exists). Failure to do so may result in disciplinary action up to and including termination.

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 the alleged harasser and any other relevant witnesses, and document reviews the investigator believes to be relevant. 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. However, complete confidentiality may not be possible in all circumstances. Employees are required to cooperate in investigations conducted pursuant to this policy.

Upon completion of the investigation, the Village will determine whether this policy has been violated based upon its reasonable, good-faith evaluation of the information gathered during the investigation. The Village will inform the complainant and the accused of the results of the investigation.

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. Individuals who violate this policy (which includes supervisory or management personnel who fail to report or knowingly allow sexually harassing behavior to continue) will be subject to disciplinary action, up to and including termination from employment. Individuals who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Village of Rockville Centre  
**Equal Employment Officer (EEO), Wendy Weinstock, LMSW 678-9296**  
**Village Administrator, Kathleen MacDonald Murray**

On motion by Trustee Grillo, duly seconded by Trustee Howard and unanimously carried, the Board of Trustees re-adopted the following 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.

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.

#### 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.

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**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.

**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.

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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

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 Howard, duly seconded by Trustee Baxley and unanimously carried, the Board of Trustees re-adopted the following 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.
- 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 Baxley, duly seconded by Trustee Sepe and unanimously carried, the Board of Trustees re-adopted the following Village of Rockville Centre Family and Medical Leave Act (FMLA) 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 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 Service member 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 service member is entitled to take up 26 weeks of leave during a single 12-month period to care for the service member with a serious injury or

illness. Leave to care for a service member 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 service member.

A "covered service member" 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 service member 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 service member.

#### 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 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 service member 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.

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.

### 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 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 Recertification

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.

#### 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.

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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.

#### 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 following 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.

- 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.

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.

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



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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 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.

##### 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 Howard and unanimously carried, the Board of Trustees re-adopted the following 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.
- 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.
- 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 Howard, duly seconded by Trustee Baxley and unanimously carried, the Board of Trustees re-adopted the following 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 Baxley, duly seconded by Trustee Grillo and unanimously carried, the Board of Trustees re-adopted the following 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.

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.
  - 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 than by 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.

##### 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

#### **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 Sepe and unanimously carried, the Board of Trustees re-adopted the following 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 Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board of Trustees adopted the following Village of Rockville Centre Reimbursement Policy for Attendance at Schools and Conferences

#### **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) The Government Finance Officers Association of the United States and Canada (GFOA) 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 Grillo, duly seconded by Trustee Howard and unanimously carried, said appointment was approved.

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

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

Mayor Murray appointed Dennis Morgan as Budget Officer for a term of one (1) official year.

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

July 6, 2020

Rockville Centre, New York

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

On motion by Trustee Grillo, duly seconded by Trustee Howard 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 Howard, duly seconded by Trustee Baxley 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.

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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 \$275.00 per hour.

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On motion of Trustee Baxley, duly seconded by Trustee Sepe and unanimously carried, said appointment was approved

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#### RESOLUTION RETAINING SPECIAL COUNSEL

On motion by Trustee Baxley, seconded by Trustee Sepe and adopted unanimously, A. Thomas Levin and Meyer, Suozzi, English & Klein P.C. were appointed as Special Counsel to the Village, to serve at the pleasure of the Mayor and Trustees, and the following resolution was adopted:

**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 \$275.00 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 \$275.00 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.***

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Mayor Murray announced that James Vafeades continues to serve at the pleasure of the Mayor as Commissioner of Police to serve at the pleasure of the Mayor.

Mayor Murray appointed Thomas Domanico as Village Assessor 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.

Pursuant to Village Law section 20-2006(2-a), Mayor Murray appointed Mindy Roman as Village Prosecutor, and the following Deputy Village Prosecutors to serve at the pleasure of the Mayor to prosecute Vehicle and Traffic Law violations and other Code violations in the Village Justice Court, with the understanding that they are to report to and be responsible to the Village Attorney.

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

On motion by Trustee Howard, duly seconded by Trustee Baxley and carried by a vote of four to none, the foregoing appointments were approved. Trustee Grillo recused himself from discussion and vote on this matter.

Mayor Murray designated the following Law Firms to be assigned by the Village Attorney, or Claims Service Bureau, 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.

Havkins, Rosenfeld, Ritzert & Varriale, LLP  
 Jackson Lewis, LLP  
 Kaufman Borgeest & Ryan, LLP  
 Sahn Ward & Coschignano, PLLC  
 Bartlett LLP

On motion by Trustee Baxley, duly seconded by Trustee Sepe and unanimously carried, the foregoing designations were approved.

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

Mayor Murray appointed Wayne Lipton as Honorary Village Ambassador to serve at the pleasure of the Mayor.

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

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

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

Mayor Murray appoints J. Robert Schneone, and as Chairperson of the Zoning Board of Appeals for one (1) official year.

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

The Board of Appeals is composed of the following:

<u>PRESENT BOARD</u>	<u>NEW BOARD</u>
Dona Brown, 2020	J. Kelly, 2021
J. Kelly, 2021	S. Romanello, 2022
S. Romanello, 2022	J.R. Schenone, 2023 (Chair)
J.R. Schenone, 2023 (Chair)	G. Shaughnessy, 2024
G. Shaughnessy, 2024	D. Brown, 2025

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

David M. Blumenthal	Beth Ann Schultz
Anthony Onorato	
Dana Sanneman	

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

Mayor Murray appointed Maria Meyer to serve as a Member of the Planning Board for a term of five (5) official years.

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

Mayor Murray appointed Donna Joyce to serve as Chairperson of the Planning Board for a period of one (1) official year.

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

The composition of the Planning Board is

<u>PRESENT BOARD</u>	<u>NEW BOARD</u>
M. Meyer, 2020	J. Schoen, 2021
J. Schoen, 2021	D. Joyce, 2022 (Chair)
D. Joyce, 2022 (Chair)	A. Cameron, 2023
A. Cameron, 2023	M. DiDora, 2024
M. DiDora, 2024	M. Meyer, 2025

July 6, 2020

Rockville Centre, New York

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  
Susan Quilty

On motion by Trustee Baxley, duly seconded by Trustee Sepe 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 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 Planning Board to serve at the pleasure of the Mayor.

On motion by Trustee Grillo, duly seconded by Trustee Howard 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 Howard, duly seconded by Trustee Baxley 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 to serve at the pleasure of the Board of Trustees.

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

On motion by Trustee Baxley, duly seconded by Trustee Sepe 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  
Rev. Scott Ressman (United Church)  
Rabbi Emeritus Elliot Skiddell  
Ellen Grossman

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



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

The Housing Authority Board is composed of:

<u>PRESENT MEMBERS</u>	<u>NEW MEMBERS</u>
T. Gallucci, 2020	V. Bohn, 2021
V. Bohn, 2021	W. Devlin, 2022
W. Devlin, 2022	R. Pagnotta, 2023
R. Pagnotta, 2023	J. Tomaszewski, 2024
J. Tomaszewski, 2024	T. Gallucci, 2025

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 Grillo, duly seconded by Trustee Howard and unanimously carried, said appointments were approved.

On motion by Trustee Howard, duly seconded by Trustee Baxley and unanimously carried, the Board appointed the following individuals as 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 permitted to solicit during, or for two years following, their service on 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  
Katie Conlon  
Bridget Kelly  
James St. John

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

July 6, 2020

Rockville Centre, New York

Mayor Murray announced the following Liaison Assignments:

TRUSTEE KATHY BAXLEY

Deputy Mayor  
Chamber of Commerce  
Community Events  
Recreation Department  
RVC Board of Education  
Engineering Department  
Martin Luther King Center  
Traffic and Transportation  
RVC Conservancy  
Senior Services

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  
Parks Department

TRUSTEE NANCY HOWARD

RVC Fire Department  
Board of Ethics  
Cable and Communications  
Civic Associations  
Comptroller  
Finance Committee  
Housing Authority  
Information Technology  
Traffic and Transportation  
Museum/Historical Committee  
CONFIDE  
Economic Opportunity Council

July 6, 2020

Rockville Centre, New York

On motion by Trustee Baxley, duly seconded by Trustee Sepe 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.

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 Sepe, duly seconded by Trustee Grillo 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. Deputy Clerk's Department
11. Deputy Treasurer's Department
12. Village Court

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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July 6, 2020

Rockville Centre, New York

On motion by Trustee Baxley, duly seconded by Trustee Howard and unanimously carried, the Board returned to the agenda for the Regular Meeting of the Board of Trustees.

**ACB Case #04-2020 220 Maple Avenue.**

Superintendent of Building Patrick D. O'Brien introduced Mr. Sal Ferrara Architect RA to present an application to remodel an existing commercial building.

Mr. Ferrara presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Sepe, duly seconded by Trustee Howard and unanimously carried, the Board closed the Public Hearing with respect to 220 Maple Avenue.

On motion of Trustee Sepe, duly seconded by Trustee Howard and unanimously carried; the Board approved the Exterior Design Review Case #04-2020.

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

**ACB Case #06-2020 12 Midfarm Road.**

Superintendent of Building Patrick D. O'Brien introduced Mr. George Bella Architect RA to present an application for approval of a new residence.

Mr. Bella presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Sepe, duly seconded by Trustee Howard and unanimously carried, the Board closed the Public Hearing with respect to 12 Midfarm Road.

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried; the Board approved the Exterior Design Review Case #06-2020.

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

Mayor Murray made appointments of new hires, promotions and other appointments as shown on the list of "Managerial & Confidential and Part Time Employees from November 14, 2019 through, May 22, 2020" on file in the Village office together with these minutes.

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July 6, 2020

Rockville Centre, New York

On motion of Mayor Murray, duly seconded by Trustee Baxley and unanimously carried the Board approved the new hires, promotions and appointments, and the compensation rates for Managerial & Confidential and Part Time employees from November 14, 2019 through May 22, 2020, effective on the respective dates indicated on the full list.

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried the Board adopted the following SEQRA Negative Declaration Resolution relating to the proposed Parking Lot at 103 Maple Avenue.

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**SEQRA Negative Declaration Resolution  
Parking Lot at 103 Maple Avenue**

**WHEREAS, the Board of Trustees of the Village of Rockville Centre is considering the construction of a parking area (the “Action”) on property owned by the Village at 103 Maple Avenue, north of the existing firehouse, for use in connection with the said firehouse and other nearby municipal buildings; and**

**WHEREAS, the Board of Trustees is the Lead Agency for review of environmental impact of the proposed Action pursuant to the State Environmental Quality Review Act; and**

**WHEREAS, the Village Administrator, in cooperation with other Village personnel and consultants, has completed an Short Environmental Assessment Form (EAF) which reviews and analyzes the potential environmental impacts of the Action; and**

**WHEREAS, the Board of Trustees has reviewed and considered the said SEAF, and the Action,**

**NOW, THEREFOR, the Board of Trustees of the Village of Rockville Centre does hereby find and determine as follows:**

**(a) the Action is not a Type II Action as classified by SEQRA, in that it does not involve any of the activities enumerated in 6 NYCRR 617.5(c);;**

**(b) the Action is not a Type I Action as classified by SEQRA as it does not meet or exceed any of the applicable thresholds set forth in 6 NYCRR 617.4(b);**

**(c) the Action is classified as an Unlisted Action pursuant to the State Environmental Quality Review Act and its implementing regulations (hereinafter collectively referred to as "SEQRA");**

**(d) the Board has considered an Environmental Assessment Form prepared with respect to the Action;**

**(e) as a consequence of the said review, the Board has considered the following factors, among others, and hereby makes the following findings with respect to each of the following factors:**

**(i) the Action would consist of construction of a new parking area on the north side of the existing firehouse at 103 Morris Avenue, on property owned by the Village;**

**(ii) the Action would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;**

**(iii) the Action would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;**

**(iv) the Action would not impair the environmental characteristics of any Critical Environmental Area;**

**(v) the Action would not conflict with the Village's current plans or goals as official approved or adopted;**

**(vi) the Action would not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;**

**(vii) the Action would not result in a major change in the use of either the quantity or type of energy;**

**(viii) the Action would not create a hazard to human health, and would enhance the availability of parking for personnel of the Fire Department, and other Village departments located in the vicinity, and foster the protection of the public health, safety and general welfare;**

**(ix) the Action would not create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;**

**(x) the Action would not encourage or attract large numbers of persons to any place for more than a few days, or for more than reasonably short periods of time, compared to the number who would come to such place without such action;**

- (xi) the Action would not create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;
- (xii) the Action would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;
- (xiii) the Action would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular; and
- (xiv) the Action would enhance and improve public safety;
- (f) the Board further finds and determines that;
  - (i) the Action would not have a significant adverse environmental impact;
  - (ii) minor or insignificant environmental impacts which may result from the Action will be reviewed on an ongoing basis, and appropriate action taken in the event it should become necessary to do so, in the opinion of the Board, to mitigate such impacts; and
  - (g) the Board further finds and determines that no further environmental review is required with respect to the Action.

**RESOLVED, that the Mayor is authorized to execute Part 3 of the SEAF on behalf of the Lead Agency.**

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On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried, the Board approved a Bond Resolution in the following form proposed by bond counsel for the construction of a new parking lot north of the firehouse located at 103 Maple Avenue.

BOND RESOLUTION OF THE VILLAGE OF  
ROCKVILLE CENTRE, NEW YORK, ADOPTED  
JULY 6, 2020, AUTHORIZING THE  
CONSTRUCTION OF A NEW PARKING LOT  
NORTH OF THE FIREHOUSE LOCATED AT 103  
MAPLE AVENUE IN THE VILLAGE, STATING  
THE ESTIMATED MAXIMUM COST THEREOF IS  
\$250,000, APPROPRIATING SAID AMOUNT  
FOR SUCH PURPOSE, AND AUTHORIZING THE

ISSUANCE OF BONDS OF THE VILLAGE IN  
THE PRINCIPAL AMOUNT OF NOT TO EXCEED  
\$250,000 TO FINANCE SAID  
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF  
ROCKVILLE CENTRE, IN THE COUNTY OF NASSAU, NEW YORK,  
HEREBY RESOLVES (by the favorable vote  
of not less than two-thirds of all the members of said Board  
of Trustees) AS FOLLOWS:

Section 1. The Village of Rockville Centre, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct a new parking lot north of the Firehouse located at 103 Maple Avenue in the Village. The estimated maximum cost thereof, including preliminary costs costs incidental thereto and the financing thereof, is \$250,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Village in the principal amount of not to exceed \$250,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$250,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.



Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (f) of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said

bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Rockville Centre Herald*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ROCKVILLE CENTRE, NEW YORK

PLEASE TAKE NOTICE that on July 6, 2020, the Board of Trustees of the Village of Rockville Centre, in the County of Nassau, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Rockville Centre, New York, adopted July 6, 2020, authorizing the construction of a new parking lot north of the Firehouse located at 103 Maple Avenue in the Village, stating the estimated maximum cost thereof is \$250,000, appropriating said amount for such purpose, and authorizing the issuance of bonds of the Village in the principal amount of not to exceed \$250,000 to finance said appropriation,"

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct a new parking lot north of the Firehouse located at 103 Maple Avenue in the Village; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$250,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds of the Village in the principal amount of not to exceed \$250,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING the issuance of not to exceed \$250,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 6, 2020

Kathleen Murray  
Village Clerk

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried the Board adopted the following SEQRA Type II Resolution relating to funding the reconstruction of the existing building located at 142 Maple Avenue in the Village for use as a new public safety building.

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SEQRA TYPE II RESOLUTION FOR BOND ISSUE

RESOLVED, that the Board of Trustees ("Board") of the Village of Rockville Centre hereby finds and concludes that:

- (a) the Board is the Lead agency with respect to review of the following proposed actions pursuant to the State Environmental Quality Review Act and its implementing regulations (SEQRA);
- (b) on September 4, 2018, following adoption of a resolution determining that the action was a Type II Action pursuant to SEQRA, the Board of Trustees duly adopted a resolution to authorize issuance of serial bonds in the total amount of \$4,000,000; for reconstruction of the existing building at 142 Maple Avenue, Rockville Centre, New York for use as a new public safety building;
- (c) due to the passage of time, and other factors, the estimated cost of the aforesaid project has increased, as a result of which the Board of Trustees is now considering adoption of a resolution to increase the authorized bonding amount for the said project, without material change in the nature or scope of the said project;
- (d) the following action is hereby determined to be a Type II Action with respect to which no environmental impact review is required pursuant to SEQRA:

RESOLUTION OF THE VILLAGE OF ROCKVILLE CENTRE, NEW YORK, ADOPTED JULY 6, 2020, AMENDING THE BOND RESOLUTION ADOPTED ON SEPTEMBER 4, 2018 RELATING TO THE RECONSTRUCTION OF THE EXISTING BUILDING LOCATED AT 142 MAPLE AVENUE IN THE VILLAGE FOR USE AS A NEW PUBLIC SAFETY BUILDING.

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On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried, the Board approved the following Bond Resolution in the following form proposed by bond counsel to the

reconstruction of the existing building located at 142 Maple Avenue in the Village for use as a new public safety building.

RESOLUTION OF THE VILLAGE OF ROCKVILLE  
CENTRE, NEW YORK, ADOPTED JULY 6, 2020,  
AMENDING THE BOND RESOLUTION ADOPTED ON  
SEPTEMBER 4, 2018 RELATING TO THE  
RECONSTRUCTION OF THE EXISTING BUILDING  
LOCATED AT 142 MAPLE AVENUE IN THE  
VILLAGE FOR USE AS A NEW PUBLIC SAFETY  
BUILDING

Recitals

WHEREAS, on September 4, 2018, the Board of Trustees of the Village of Rockville Centre (the "Village"), in the County of Nassau, New York authorized the issuance of bonds in the principal amount of not to exceed \$4,000,000 for the reconstruction of the building located at 142 Maple Avenue in the Village for use as a new Public Safety Building, including planning, design and consulting services in connection therewith (the "Project"); and

WHEREAS, on November 21, 2018, the Village issued a bond anticipation note in the principal amount of \$2,000,000 pursuant to the bond authorization referred to in the first recital hereof; and

WHEREAS, bids received by the Village for the Project were substantially higher than the original estimate and the Board of Trustees decided to review and modify the scope of the Project; and

WHEREAS, on November 21, 2019, the Village retired the \$2,000,000 bond anticipation note with the unexpended proceeds of said note, leaving an unissued balance of \$2,000,000 pursuant to the bond resolution adopted on September 4, 2018; and

WHEREAS, following modifications to the scope of the Project, the cost thereof is now estimated to be \$6,000,000 and the Board of Trustees of the Village has determined that it is in the best interest of the Village to amend the bond resolution adopted on September 4, 2018 to state the new estimated maximum cost of the Project and to authorize a sufficient amount of bonds to finance said cost;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ROCKVILLE CENTRE, IN THE COUNTY OF NASSAU, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Rockville Centre duly adopted by the Board of Trustees on September 4, 2018, entitled:

"Bond Resolution of the Village of Rockville Centre, New York, adopted September 4, 2018, authorizing the reconstruction of the existing building located at 142 Maple Avenue in the Village for use as a new Public Safety Building, including planning, design and consulting services in connection therewith, stating the estimated maximum cost thereof is \$4,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds of the Village in the principal amount

of not to exceed \$4,000,000 to finance said appropriation,"

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF ROCKVILLE CENTRE, NEW YORK, ADOPTED SEPTEMBER 4, 2018 AND AMENDED JULY 6, 2020, AUTHORIZING THE RECONSTRUCTION OF THE EXISTING BUILDING LOCATED AT 142 MAPLE AVENUE IN THE VILLAGE FOR USE AS A NEW PUBLIC SAFETY BUILDING, INCLUDING PLANNING, DESIGN AND CONSULTING SERVICES IN CONNECTION THEREWITH, IMPROVEMENT OF THE SITE AND PURCHASE OF THE ORIGINAL FURNISHINGS OR EQUIPMENT REQUIRED FOR THE PURPOSES FOR WHICH SAID NEW PUBLIC SAFETY BUILDING IS TO BE USED; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,000,000; APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF THE VILLAGE IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$6,000,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ROCKVILLE CENTRE, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than



two-thirds of all the members of said Board of Trustees)

AS FOLLOWS:

Section 1. The Village of Rockville Centre, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to reconstruct the building located at 142 Maple Avenue in the Village for use as a new Public Safety Building, including planning, design and consulting services in connection therewith, improvement of the site and purchase of the original furnishings or equipment required for the purposes for which said new Public Safety Building is to be used. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Village in the principal amount of not to exceed \$6,000,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$6,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The building to be improved is of Class "B" construction as defined by Section 11.00 a. 11(b) of the

Law, and the period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the

Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Rockville Centre Herald*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form.

VILLAGE OF ROCKVILLE CENTRE, NEW YORK

PLEASE TAKE NOTICE that on July 6, 2020, the Board of Trustees of the Village of Rockville Centre, in the County of Nassau, New York, adopted an amending bond resolution entitled:

"Bond Resolution of the Village of Rockville Centre, New York, adopted September 4, 2018 and amended July 6, 2020, authorizing the reconstruction of the existing building located at 142 Maple Avenue in the Village for use as a new Public Safety Building, including planning, design and consulting services in connection therewith, improvement of the site and purchase of the original furnishings or equipment required for the purposes for which said new Public Safety Building is to be used; stating the estimated maximum cost thereof is \$6,000,000; appropriating said amount for such purpose, and

authorizing the issuance of bonds of the Village in the principal amount of not to exceed \$6,000,000 to finance said appropriation,"  
 an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to reconstruct the existing building located at 142 Maple Avenue in the Village for use as a new Public Safety Building, including planning, design and consulting services in connection therewith, improvement of the site and purchase of the original furnishings or equipment required for the purposes for which said new Public Safety Building is to be used; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$6,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds of the Village in the principal amount of not to exceed \$6,000,000 to finance said appropriation and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable;

SECOND: AUTHORIZING the issuance of not to exceed \$6,000,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 6, 2020

Kathleen Murray  
 Village Clerk

July 6, 2020

Rockville Centre, New York

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried the Board authorized the Mayor to execute a proposed Consent Judgement to resolve the 2012 EPA Notice of violation for alleged emissions violations from the Rockville Centre Power Plant, in a form recommended by Special Counsel.

On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried the Board adopted the following resolution designating property of the Electric Department as surplus.

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**RESOLUTION DESIGNATING  
PROPERTY AS SURPLUS**

**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:**

Item/Model	Serial Number/VIN	Dimensions Height/Width/Weight	Estimated Value
1991 Ford Van 351 V-8	1FTJE34H2MHB26438		\$500.00

**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 Howard and unanimously carried the Board approved the revised June 18, 2020 proposal for a Professional Services Agreement with N.D. Eryou Consulting Engineer for Secondary Containment area Construction Inspection Services for an amount not to exceed \$4,800.00 as amended pursuant to Village Attorney's recommendations.

On motion of Trustee Howard, duly seconded by Trustee Sepe and unanimously carried the Board adopted the following resolution authorizing the Mayor or his designee to execute an agreement with Leggz, Ltd. to use the parking lot adjacent to the John A. Anderson Recreation Center on July 25, 2020 rain date Saturday August 1, 2020 in a form approved by the Village Attorney.

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**Whereas, Leggz, Ltd. has requested to use a portion of the parking lot at the John A. Anderson Recreation Center on July 25, 2020 (rain date August 1, 2020) between the hours of 8 am and 9 pm, and**

**Whereas, the Recreation Department has recommended granting permission for such activity, upon reasonable terms and conditions, including payment to the Village of \$850.00 and other consideration, and**

**Whereas the Board of Trustees has considered the potential environmental impacts of such use, as required by the State Environmental Quality Review Act (SEQRA),**

**NOW, THEREFORE, be it**

**RESOLVED, that the Board of Trustees, as Lead Agency pursuant to SEQRA, hereby finds and determines that the proposed action is a Type II Action, pursuant to 6 NYCRR §617.5(c) (21), (26) and (32), which requires no further environmental impact review, and it is further**

**RESOLVED, that the Mayor or his designee is authorized to execute on behalf of the Village a license agreement for such event with Leggz, Ltd. in a form approved by the Village Attorney, including terms and conditions proposed by the Recreation Department.**

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 On motion of Trustee Howard, duly seconded by Trustee Sepe and unanimously carried the Board confirmed purchase of Excess Workers Compensation insurance policies coverage effective 7/1/20-3/20/21 with:

1. Safety National Casualty Company for an SIR of \$1,000,000.00 for Police and Fire and all other at a cost of \$170,090.00.
2. Buffer coverage with Gray Insurance Company up to \$150,000.00 at a premium of \$46,344.00-. Total cost of the two policies is \$216,434.00-.

July 6, 2020

Rockville Centre, New York

On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried the Board authorized the Mayor or his designee to execute the Addendum Rider 'A' to Fireworks Performance Contract between Fireworks by Grucci, Inc. and the Village of Rockville Centre, in a form approved by the Village Attorney.

On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried the Board adopted the following resolution designating polling places and hours.

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**RESOLUTION DESIGNATING POLLING PLACE AND HOURS**

**WHEREAS, pursuant to the Election Law, the Board of Trustees is required to designate the polling place for the village election to be held on September 15, 2020, and the hours of election,**

**NOW, THEREFORE, BE IT RESOLVED, that the polling place for the village election to be held on September 15, 2020 shall be John A. Anderson Recreation Center, 111 No. Oceanside Road, Rockville Centre, New York, and it is further**

**RESOLVED, that the hours of the said village election shall be from 7 a.m. to 9 p.m., inclusive.**

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On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board adopted the following Resolution Extending Zoning and Planning Approvals and Permits.

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**RESOLUTION EXTENDING ZONING AND PLANNING APPROVALS AND PERMITS**

**WHEREAS, pursuant to Chapter 111 of the Laws of 2020, the Board of Trustees is authorized, by acting in a single resolution, to extend for up to 120 days approvals issued prior to March 7, 2020 for building permits, and zoning and planning approvals; and**

**WHEREAS, holders of such permits and approval have sustained delays in being able to act in furtherance of the permits or approvals due to restrictions imposed during the COVID-19 pandemic emergency; and**

**WHEREAS, the Board of Trustees hereby finds and concludes that extending the duration of some or all of such permits and approvals is in the best interest of the Village,**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Board of Trustees hereby extends the following permits or approvals for the indicated periods of time:**

- (a) All building permits issued prior to March 7, 2020, and which had not expired prior to that date, are hereby extended for a period of time until 120 days after the otherwise applicable expiration date of such permits;**



(b)All zoning and planning approvals granted prior to March 7, 2020, and periods of time contained in such approvals within which any action was required to be taken or completed, which were in effect on such date, are hereby extended for a period of time until 120 days after the otherwise applicable expiration date of such approvals or requirements.

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On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried the Board authorized the Mayor or his designee to execute the following agreement on behalf of the Village, with the Rockville Centre Fire Department, to provide fire protection and emergency ambulance services for the period of June 1, 2020 through and including May 31, 2021.  
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AGREEMENT

AGREEMENT entered into as of this 1st day of June, 2020 by and between the INCORPORATED VILLAGE OF ROCKVILLE CENTRE, a municipal corporation of the State of New York, having its place of business at One College Place, Rockville Centre, New York hereinafter referred to as the VILLAGE and the ROCKVILLE CENTRE FIRE DEPARTMENT, a statutory corporation organized under the Village law of the State of New York, hereinafter referred to as the FIRE DEPARTMENT.

WHEREAS, the VILLAGE is authorized, pursuant to Section 4-412, Subdivision 9 of the Village Law of the State of New York to contract with the FIRE DEPARTMENT for the furnishing of fire protection within the VILLAGE and similar services with the FIRE DEPARTMENT; and,

WHEREAS, the VILLAGE desires to make a contact for the protection of public and private property against the hazards of fire and for the extinguishment thereof; and

WHEREAS, the FIRE DEPARTMENT has the means, manpower, ability and facilities for providing such protection and for such extinguishment.

NOW, THEREFORE, in consideration of the sum of ONE HUNDRED SEVENTY NINE THOUSAND FIVIE HUNDRED (\$179,500.000 DOLLARS to be paid by the VILLAGE to the FIRE DEPARTMENT, and the supplying and maintaining by the VILLAGE of the necessary fire apparatus and equipment incidental thereto, together with maintaining in proper repair the fire houses of the several companies and maintaining fire headquarters, the FIRE DEPARTMENT hereby agrees to provide the VILLAGE with fire protection and emergency ambulance service within the full means at its disposal, and undertakes the extinguishment of any fires that occur within the VILLAGE limits for a period of June 1, 2020 to May 31, 2021. The following items will not be paid for by the VILLAGE: Shields, Plaques and other gifts/awards. The FIRE DEPARTMENT further agrees to clean and keep clean all apparatus and equipment supplied to the FIRE DEPARTMENT by the VILLAGE, and to clean and keep clean the fire houses owned by the VILLAGE.

In addition, the Village further agrees to reimburse the Fire Department

\$10,000 for expenditures incurred by the Fire Department in the event that total volunteer firefighters auto accident related expenditures paid by the Village below \$10,000 for the period June 1,

2020 through May 31, 2021. Accidents in which the Fire Department has no liability will not be included among these expenditures.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

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On motion of Trustee Howard, duly seconded by Trustee Sepe and unanimously carried, the Board approved the following minutes for filing:

- Special Meeting ----- May 14, 2020
- Briefing Meeting ----- May 28, 2020
- Executive Session ----- May 28, 2020
- Board Meeting ----- June 1, 2020
- Executive Session ----- June 1, 2020

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried, the Board voted to convene in executive session at 8:10 p.m. to discuss legal advice.

No action was taken in executive session.

On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried, the Board closed the executive session and returned to public session at 8:21p.m.

On motion of Trustee Howard, duly seconded by Trustee Baxley and unanimously carried the Board adopted the following resolution to publish a legal notice in regard to 220 Hempstead Dedication of proposed road.

July 6, 2020

Rockville Centre, New York

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**RESOLUTION**  
**Publication of legal notice for public hearing**

*WHEREAS, James O'Reilly and Brett O'Reilly have petitioned and offered pursuant to New York Village Law sections 6-610, 6-612, 6-614 and 7-734(4(a) that the Village Board of Trustees accept dedication of a street as proposed on the subdivision map of Killarney Estates, Rockville Centre, filed with the Nassau County Clerk on February 10, 2020; and*

*WHEREAS, a public hearing is required by law with respect to such request prior to any action by the Board of Trustees with respect thereto;*

*NOW, THEREFORE, BE IT*

*RESOLVED that the Village Administrator shall cause a legal notice to be published in the next available edition of the official newspaper of the Village of Rockville Centre to announce that a virtual public hearing will commence on July 23, 2020 at 1:00 pm with respect to the petition and offer of James O'Reilly and Brett O'Reilly that the Board of Trustees accept dedication of a proposed road as aforesaid, and it is further*

*RESOLVED, that the Village Administrator shall designate in such notice the manner in which interested persons shall have access to such virtual hearing, and the means and ability to submit comments as may be required by law.*  
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There being no further business, on motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried, the Board voted to adjourn the meeting at 8:23 p.m.

\_\_\_\_\_  
Kathleen Murray  
Village Administrator/  
Clerk-Treasurer

KM/lb