

**AGENDA OF SEA CLIFF VILLAGE BOARD**  
**April 1, 2013**

Present: Bruce Kennedy, Village Mayor  
Carol Vogt, Village Deputy Mayor  
Peter Hayes, Village Trustee  
Thomas Murphy, Village Trustee  
Thomas Powell, Village Trustee  
Brian Stolar, Village Attorney  
Marianne Lennon, Village Clerk

**PRESENTATION OF COLORS & PLEDGE ALLEGIANCE**

**Mayor Bruce Kennedy:** Welcome to the Annual Organization Meeting of the Incorporated Village of Sea Cliff. Presentation of Colors and Pledge of Allegiance by Boy Scout Troop 43.

Invocation – Reverend Watkins

**Trustee Vogt**

Moved the approval of the minutes of March 11, 2013. Seconded by Trustee Hayes and unanimously approved by those present.

**Trustee Vogt**

Moved the approval and payment of audited vouchers as listed on Abstract No. 2234 in the amount of \$ 133,793.52, Abstract No. 2235 in the amount of \$ 50,734.62 and Abstract No. 2236 in the amount of \$ 92,958.55. Seconded by Trustee Hayes and unanimously approved by those present.

**SWEARING-IN**

Justice John Reali swore in Bruce Kennedy as Mayor for a term of two years.

**MAYOR KENNEDY-State of the Village**

Board of Trustees, Appointees, Volunteers and fellow residents, thank you for your attendance this evening and your renewed vote of confidence by granting me re-election to the position of Mayor of the Incorporated Village of Sea Cliff.

Tonight, thanks to the commitment of our elected officials, dedicated staff, countless volunteers and proud residents there is a lot of positive things to report.

Before I go any further, I would like to recognize the passing of former Mayor Norm Parsons. Norm served this Village well, in many capacities, for many years. Norm was a mentor, and I will miss his not-so-gentle guidance over the years. He will be missed by many and has left a wonderful legacy of community, service and leadership.

Despite years of difficult economic recession, our business district is stronger than ever, our roads and sidewalks are in good shape, we have a new beach pavilion and Arts Gazebo, our real estate values are increasing, work is ongoing in our municipal buildings and our bond rating has increased. At the same time, our budgets have been tight and balanced with our tax levy remaining relatively flat. While the upcoming year will continue to present ongoing challenges, the outlook for the Village is excellent. We will be holding our budget hearing for fiscal year 2013-2014 in two weeks and despite incredible increases in healthcare, pension and insurance costs; my proposed budget keeps a lid on spending. It currently appears that we will be looking at a tax increase in the neighborhood of 1.5%.

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The past year has had some emphasis on Senior Services with the leadership of our Senior Outreach Worker, Karen Montagnese. We have completed a Village wide Senior Survey to better serve our aging population and lowered the requirement for seniors to qualify for property tax exemptions. In the upcoming year, we will continue to look for ways to better serve our senior population but we will also be re-initiating the Youth Board. The initial focus of the Youth Board will be to identify ways in which the Village can better serve the needs of Sea Cliff's youth as well as how they can better serve their community. I am confident that two of our young leaders, Brian Ciampa and my son Alex Kennedy can help build a group that will be a vibrant part of the lives of generations to come.

We are preparing to go out to bid on Phase 2 of the repair/renovation of this building. This building houses our Village Hall, Library, Museum, Court and assorted meeting rooms. This building has been leaking for decades and we completed a professional assessment several years back with an engineering firm to identify the problem areas as well as to develop a plan to address the issues. Phase 1 which focused on the slate roof, parapets, valleys, and flashings has been completed. Phase 2 will address the bell tower and re-pointing the exterior masonry walls. We are also working with the Library Board to establish a plan for an interior renovation of the Junior Library to upgrade the bathroom, HVAC system, lighting, shelving, carpeting and furniture.

We have installed multi-media displays in both this room and upstairs for use by the assorted Village Boards during public hearings. These large screen TV's allow the audience to be able to see the information and presentations of applicants in Zoning and Planning hearings. Additionally, both the court meeting rooms have been completely renovated.

Road work, curbs and sidewalks continue to be a large part of our annual budget and this past year we were successful in getting the County to repave the entirety of Glen Avenue as well as part of Prospect Avenue. Our Department of Public Works has once again proven this year to be second to none. Their response and handling of the aftermath of Superstorm Sandy was superior. This upcoming year we will be purchasing two new low entry garbage trucks that will better serve their purpose, be more fuel efficient and reduce pollution. I re-negotiated a contract with the DPW union that both sides are happy with. One of the negotiated changes will be a better way of addressing our recycling. No longer will paper and cardboard have to be bundled for pick-up. There will be two separate recycling pick-ups on Wednesdays. One for glass and plastic and a second for paper and cardboard. Paper and cardboard can be put out in its own container for collection. We expect that this will dramatically increase the recycling efforts of our residents which will reduce our disposal costs and help the environment.

Despite financial setbacks in the Sewer Line Project, this project remains a priority. Last week I had a joint meeting with Congressman Israel along with County Legislator DeRiggi and Hempstead Harbor Protection Committee Director, Eric Swenson. We are looking at the possibility of a very large Federal Grant that would fund our project as well as projects in both Glen Cove and Bayville. At the same time, we will continue to seek funding opportunities at all levels of government.

The Board of Trustees and I are committed to using our time more efficiently this upcoming year by prioritizing our agendas, setting time goals and seeing our tasks to completion. It has been a pleasure working with the Board of Trustees and I will miss working with Trustee Tom Murphy. Tom has served the Village well and he is moving on to another pressing issue with our School District – namely the potential impact of the closing of the Glenwood Landing LIPA plant. Tom, thank you for your service on this Board and we look forward to our work together in your new capacity. My good friend Ed Lieberman will be joining this Board and I welcome him, his enthusiasm, his vision and his commitment to getting things done. Ed has already spear-headed an

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event to occur this summer celebrating and promoting our downtown and assorted artists. I am grateful to be working once again with Carol Vogt, without whom I may not have chosen to seek re-election. Carol's tireless work and commitment to our community continues to be an inspiration to me.

Our Public Works General Foreman, Jimmy O'Donnell has retired and I will miss working with him. Jimmy, thank you for all you have done for the Village. We all wish you many years of good health and enjoyment with your family in your retirement.

I could go on for hours about where we have been and where we are going but before closing I would like to recognize and thank our village staff, DPW staff, members of all our Boards, Fire Department and committees and all the volunteer groups for all you do to make Sea Cliff the shining star that it is. The Board of Trustees and I are grateful for your service and belief in the quality of life that all our residents have come to enjoy.

Thank you all and God bless the Incorporated Village of Sea Cliff!

**SWEARING IN OF TRUSTEES**

The Mayor congratulated Carol Vogt on her re-election as Trustee for a term of two years, and welcomes the newly elected Edward Lieberman as Village Trustee for a term of two years.

Mayor Kennedy administered the Local version of the Constitutional Oath of Office to Trustee Vogt and Trustee Lieberman.

I would like to thank all the outgoing committee members:

Ed Lieberman as a member of the Board of Assessment Review, as an alternate on the Planning Board and as a member of the Waterfront Environmental Committee. Thank you to Michael Santoro and Eileen Kennedy as a member of the Landmark Preservation Committee, Ines Powell as a member of the Museum Board, and Mathew Doherty as a member of the Zoning Board of Appeals.

**APPOINTMENTS** – please sign book after taking oath of office.

Mayor Kennedy appointed **Marianne Lennon** as Village Clerk/Treasurer for a term of two years, Collector of Taxes and Registrar of Vital Statistics for a term of one year; **Brian S. Stolar**, as Village Attorney; and Sahn Ward Coschignano & Baker for non-retainer legal work on behalf of the Village, at the same rates presently paid for such services for one year, **Drew Lawrence**, as Superintendent of Buildings for one year, and **John Mirando**, as Director of Public Works/Administrator for a term of one year.

Trustee Vogt moved that these appointments made by the Mayor be approved, seconded by Trustee Powell and unanimously carried.

The Local version of the Constitutional Oath of Office was administered by Mayor Kennedy.

**Mayor Kennedy** appointed the following persons to the positions for a one year term:

Patricia Guy	Deputy Village Clerk, Deputy Registrar
Kathy Mackney	Court Clerk

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Barbara Murray	Deputy Court Clerk
Paula Guidone	Deputy Village Treasurer
Karen Schenck	Tax Clerk
Nancy Eder	Building Department Coordinator
Lorraine Baker	Secretary to the Zoning Board
Carl Rumatowski	Fire Prevention Officer, Plumbing Inspector And Dog Control Officer
Sara Reres	Museum Director
Kathleen Van Bloem	Grant & Contracts Coordinator & Community Development
Karen Montagnese	Senior Outreach Worker
Ted Kolakowski	Parking Violations Officer, Dog Control Officer
Tillman Brown	Parking Violations Officer, Dog Control Officer

Trustee Vogt moved that the appointments made by the Mayor be approved. Seconded by Trustee Powell and unanimously carried.

The Local Version of the Constitutional Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

**Mayor Kennedy** appointed the following person to the position and term indicated:

Susan Katz Richman	Acting Village Justice (1year)
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Trustee Vogt moved that the appointments made by the Mayor be approved. Seconded by Trustee Powell and unanimously carried.

Judge Reali administered the Local Version of the Constitutional Oath of Office to Susan Katz Richman.

**Mayor Kennedy** appointed the following persons to the positions and for the terms indicated:

Donald Kavanagh	Architectural Review Board Chairperson (1Year)
Peter Fleishman	Architectural Review Board (3 years)
Bruce Treiber	Planning Board Chairperson (1year) Planning Board (5 years)
Dina Epstein	Zoning Board of Appeals Chairperson (1year)

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Noel Griffin	Zoning Board of Appeals (5 years)
James Toner	Zoning Board of Appeals Alternate (2Years)
Tom Powell	Delegate – Hempstead Harbor Protection Committee (1 year)
Jean Davis	Village Historian/Landmark Preservation (1 year)
Priscilla Waltz	Village Co-Historian (1 year)

Trustee Hayes moved the appointments made by the Mayor be approved. Seconded by Trustee Lieberman and unanimously carried.

The Local Version of the Constitutional Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

**Mayor Kennedy** appointed the following persons to the positions and for the terms indicated:

**Members – Veteran’s Committee (1 year)**

Scott Whitting, Chairperson	
George Christman	Ted Kopczynski
Phil Como	Ernie Franck

**Members - Service Award Commission (1 year)**

Elena Villafane	Howard Aranoff
Ernest Longobucco	James O’Donnell

**Members – Community Development Advisory Board (1 year)**

Julya Brown	Laurie Petroske
Jack Pierce	

**Members – Newsletter Committee (1 Year)**

Sharon Collins

**Landmarks Preservation Commission**

Naomi Curtis	Landmark Preservation Commission Chairperson (1year)
Robert Lafferty	Landmark Preservation Commission (3 years)

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**Member – Youth Board (1 Year)**

Brian Ciampa  
Alex Kennedy

**Tree Committee (1Year)**

Cecelia Wheeler  
Russell Gorog

Trustee Hayes moved the appointments made by the Mayor be approved. Seconded by Trustee Lieberman and unanimously carried.

The Local Version of the Constitutional Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

**Mayor Kennedy** appointed the following persons to the positions and for the terms indicated:

**Members– Senior Action Committee (1 year)**

Jean Stratford – Chair  
Carol Hartney  
Debbie Pierce  
Ann Costagliola

Alice O'Donnell  
Joyce Kaufmann  
Genevieve Woods

Drivers:

Phil Como  
Dan Maddock  
Christina Scott  
Frank Murray

Lee Janelli  
Maureen Maddock  
Carol Mutee

Bus Escorts:

Kenny Krumenaker  
Robert Osmer  
Jeanne Pilliod  
Charles Hansmann

Bob Murphy  
Jonathan Pilliod  
Peter Vollmer  
Liz Luciano

Trustee Hayes moved the appointments made by the Mayor be approved. Seconded by Trustee Lieberman and unanimously carried.

The Local Version of the Constitutional Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

**Mayor Kennedy** appointed the following persons to the positions and for the terms indicated:

**Members–Village Bulletin Staff (1 year)**

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Barbara Murray - Managing Editor  
Frank Murray                      Carol Griffin  
Margaret Malone                  Suzanne Bohn  
Dan Maddock                      Meaghan Murray

**Members – Board of Assessment Review (1 year)**

Phil Como, Chair                      Barbara Sinenberg  
Steve Tandy                          Ralph Hochberg  
Jonathan Waechter

**Members-Examining Board of Plumbers-3 Years**

Glenn Bunce

**Members – Library Board – 5 Years**

Angeleta Dhandri-Donovan

**Members - Waterfront/Environment Committee (1 year)**

Debra Dumas, Chairperson  
Claudia Moyne                      Lisa DiBeneditis  
Martine Reed                        Mary Beth Charno  
Kristine Livadas                    Barbara Karlowich

**MEMBERS – MUSEUM BOARD (3 Years)**

Soloman Geri  
Kathleen Di Resta                      Gail Lafferty

**SAILING CLUB – 1 YEAR**

Joe Roman                              Charles Hansmann  
Lauri Ellis                              Tony Lauricella  
Lisa Duffy                              Richard Duffy  
Alex Romano                          Chris Lauricella  
Carol Blackburn

Trustee Lieberman moved the appointments made by the Mayor be approved. Seconded by Trustee Vogt and unanimously carried.

The Local Version of the Constitutional Oath of Office was administered to the newly appointed officials by Mayor Kennedy.

**Mayor Kennedy** appointed Trustee Vogt to serve as DEPUTY MAYOR in the absence of the Mayor.

Trustee Hayes moved that appointment be approved. Seconded by Trustee Powell and

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unanimously carried.

**Mayor Kennedy** moved the adoption of the following resolutions:

**RESOLUTION NO. 15, YEAR 2013**

**PLEASE TAKE NOTICE**, that the Board of Trustees of the Incorporated Village of Sea Cliff, N. Y., shall hold a meeting on Monday, April 15, 2012 at 8:00 p.m. in the Community Center, 300 Sea Cliff Avenue, Sea Cliff, New York, for the purpose of holding a public hearing on the 2013-2014 Tentative Budget.

**RESOLUTION NO. 16, Year 2013**

**RESOLVED**, that the Board of Trustees of the Incorporated Village of Sea Cliff hold a public hearing upon:

**Proposed Bill No. 1, Year 2013:** a local law to override the tax levy limit established in General Municipal Law 3-c for fiscal year 2013/2014.

**FURTHER RESOLVED**, that such hearing be held on the 15th day of April, 2013, at 8:00 o'clock p.m. at the Community Center in the Village of Sea Cliff, New York, and that notice thereof in the form required by the Code of the Incorporated Village of Sea Cliff be published in The Gold Coast Gazette, the official newspaper of the Village of Sea Cliff, and posted as required by law.

**RESOLUTION NO. 17, YEAR 2013**

**RESOLVED**, that the GOLD COAST GAZETTE be and the same is hereby designated as the OFFICIAL PAPER of the Village of Sea Cliff.

**RESOLUTION NO. 18, YEAR 2013**

**RESOLVED**, that the following be and the same hereby are designated as the official depositories for the deposits of Village money:

Citi Bank  
Bank of America  
First National Bank of Long Island  
TD Bank  
HSBC Bank, USA  
J.P. Morgan/Chase Bank

and be it further;

**RESOLVED**, that all deposits of the Village in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, as now or hereafter amended, and all certificates of deposit and special time deposits, shall be secured by a pledge or eligible securities with an aggregate market value equal to the aggregate amount of deposits, as provided in General Municipal Law Section 10; and be it further

**RESOLVED**, that, in accordance with General Municipal Law Section 11, the

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Village authorizes the Village Treasurer to invest moneys not required for immediate expenditures for terms that shall permit such funds to be payable to the Village within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained in the investments set forth in General Municipal Law Section 11(3); and be it further

**RESOLVED**, that the Board of Trustees will periodically review the procedures for purchase of investment to ensure that they are in accordance with the December 1984 publication issued by the State Controller entitled "Cash Management and Investment Procedures for use by Local Government Officials"; and be it further

**RESOLVED**, that said funds shall be subject to signature control by the Village Treasurer as regards to all transactions of \$5,000.00 or less and that all transactions in excess of \$5,000.00 be subject to signature control by the Village Treasurer jointly with the Village Mayor or Village Deputy Mayor, and be it further

**RESOLVED**, that the Village Treasurer or Village Mayor are hereby authorized to transfer funds, in any amount, between accounts, and be it further

**RESOLVED**, that the Village Mayor or Deputy Mayor jointly with the Village Treasurer with appropriate attestation of signatures by the Village Clerk, are hereby authorized to effect loans and other forms of borrowing from the aforesaid banks upon delivery of written obligations or evidences of indebtedness as required by law.

**RESOLUTION NO. 19, YEAR 2013**

**WHEREAS**, the Board of Trustees has determined to authorize payment in advance of the audit of claims for certain recurring expenses, including public utility services and postage charges; and

**NOW, THEREFORE, BE IT RESOLVED**

That the Board of Trustees authorizes payment in advance of audit of claims for public utility services and postage charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Board of Trustees disallows.

**RESOLUTION NO. 20, YEAR 2013**

**Purchasing and Procurement Policy**

A. The Village shall not procure any goods or services without competitive bidding unless the Village Clerk has first determined and documented that such procurement is not required by law to be subject to competitive bidding.

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B. Except for procurements made pursuant to subdivision 3 of section 103 or section 104 of the General Municipal Law, Section 175-b of the State Finance Law, Section 186 of the Correction Law, or the policies and procedures adopted pursuant to paragraph "F" of this resolution, alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of the resolution.

C. The method of procurement utilized shall be selected by the Village Clerk to take into account, in her discretion, the method that will best further the purposes of this resolution and the cost-effectiveness of the method.

D. Adequate documentation of each action taken in connection with each procurement subject to this resolution shall be maintained.

E. Documentation justifying any contract awarded to other than the lowest responsible dollar offeror, setting forth the reasons such an award furthers the purpose of this section shall be maintained.

F. The solicitation of alternative proposals or quotations will not be in the best interest of the Village in emergency situations or when entering into personal service contracts.

**RESOLUTION NO. 21, YEAR 2013**

After review by the Board of A148 in the Code of the Village of Sea Cliff regarding meeting procedures, be it

**RESOLVED**, that A148 be amended as follows:

**A148-4. Special meetings; notice to Trustees.**

A. Special meetings of the Board may be called by the Mayor from time to time and shall be open to the public. Not less than 24 hours' notice of special meetings shall be given to the members of the Board of Trustees unless an emergency exists.

**A148-16. Agendas.**

The agenda shall be prepared by the Clerk at the direction of the Mayor. The Mayor or any Trustee may have an item placed on the agenda. When possible, items for the agenda shall be given to the Clerk at least 24 hours before the meeting, however, items may be placed on the agenda at anytime, including during the meeting.

The agenda shall be prepared by noon on the day of the meeting. If necessary, a

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supplemental agenda shall be distributed at the beginning of the meeting. Upon completion of the agenda, if time permits, the Clerk shall post the agenda on the Village website.

**A148-17. Guidelines for Public Comment.**

- A. The public shall be permitted to speak only during the public comment period of a meeting or at such other time as a majority of the Board shall permit.
- B. Speakers must step to the front of the room unless they are unable to physically do so.
- C. Speakers must give their name, address and organization, if any.
- D. Speakers must be recognized by the Mayor, or in the absence of the Mayor, the Deputy Mayor.
- E. Speakers must limit their remarks to 5 minutes on a given topic.
- F. Speakers may not yield any remaining time they may have to another speaker.
- G. Board members may, with the permission of the Mayor, interrupt a speaker during the speaker's remarks, but only for the purpose of clarification or information.
- H. All remarks shall be addressed to the Board as a body and not to any member thereof or a member of the public.
- I. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.
- J. Interested parties or their representatives may address the Board by written communications.
- K. When deemed appropriate by the Mayor, any above guidelines may be waived.

**A.148-18. Guidelines for Use of Recording Equipment.**

All members of the public and all public officials are permitted to tape or video record public meetings. Recording is not permitted during executive sessions. Any permitted recording should be done in a manner which does not interfere with the meeting and does not interfere with safe access or egress. The Mayor may make the determination that the recording is being done in an intrusive or manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Village Board, size of the equipment, location of the equipment and the ability of the public to still participate in the meeting. If the Mayor makes the determination that the recording is intrusive and has the effect of interfering with the meeting or with the Board's deliberative process or determines that it has the potential to interfere with safe access or egress, the Mayor may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

**A148-19. Amendments to Rules of Procedure.**

The foregoing procedures may be amended from time to time by a majority vote of the Board.

**RESOLUTION NO. 22, YEAR 2013**

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of Brian S. Stolar, as Village Attorney, to serve at the pleasure of the Mayor, and the services of such Village Attorney to be compensated pursuant to the retainer agreement with Brian S. Stolar, and it is further

RESOLVED, that the Board of Trustees hereby retains Sahn Ward Coschignano & Baker, PLLC, as special counsel to the Village for non-retainer legal services (including litigation matters or Village acquisition or sale of real estate) as may be required, the services of such special counsel

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to be compensated pursuant to the retainer agreement with such special counsel, and it is further

RESOLVED, that the Mayor is authorized to execute the retainer agreement with Brian S. Stolar and Sahn Ward Coschignano & Baker, PLLC, a copy of which will be affixed to and made a part of these minutes.

**RESOLUTION NO. 23, YEAR 2013**

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of Richard Siegel, Esq., as special counsel for commercial tax certiorari proceedings, to serve at the pleasure of the Mayor, and the services of Mr. Siegel to be compensated pursuant to the retainer agreement with Richard Siegel, and it is further

RESOLVED, that the Mayor is authorized to execute the retainer agreement with Richard Siegel, a copy of which will be affixed to and made a part of these minutes.

**RESOLUTION NO. 24, YEAR 2013**

RESOLVED, that the Board of Trustees hereby approves the Mayor's appointment of Richard S. Prisco, as Village Prosecutor, and Brian S. Stolar, as Deputy Village Prosecutor, to serve at the pleasure of the Mayor, and be it further

RESOLVED, that the services of the Village Prosecutor be compensated pursuant to the retainer agreement with Richard S. Prisco, and be it further

RESOLVED, that the services of the Deputy Village Prosecutor be compensated at the rate of \$125 per hour, plus reimbursement of all reasonable and necessary disbursements incurred in connection with the performance of the duties described herein, and it is further

RESOLVED, that the office of Village Prosecutor shall prosecute all violations prosecuted in the Village Justice Court, and that the Deputy Village Prosecutor shall provide such services in the absence or unavailability of the Village prosecutor, and it is further

RESOLVED, that the Mayor is authorized to execute the retainer agreement with Richard S. Prisco, as Village Prosecutor, a copy of which will be affixed to and made a part of these minutes.

**RESOLUTION NO. 25, YEAR 2013**

Board Meeting Schedule

Monday	April 1, 2013	Annual Meeting	Monday	October 7, 2013	Conference
Monday	April 8, 2013	Conference	Tuesday	October 15, 2013	Board Meeting
Monday	April 15, 2013	Board Meeting			

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		(Budget Hearing)			
			Monday	November 4, 2013	Conference
				November 12,	
Monday	May 6, 2013	Conference	Tuesday	2013	Board Meeting
Monday	May 13, 2013	Board Meeting			
			Monday	December 2, 2013	Conference
Monday	June 3, 2013	Conference	Monday	December 9, 2013	Board Meeting
Monday	June 10, 2013	Board Meeting			
			Monday	January 6, 2014	Conference
Monday	July 1, 2013	Conference	Monday	January 13, 2014	Board Meeting
	July 8, 2013	Board Meeting			
			Monday	February 3, 2014	Conference
Monday	August 5, 2013	Conference	Monday	February 10, 2014	Board Meeting
Monday	August 12, 2013	Board Meeting			
			Monday	March 3, 2014	Conference
	September 3,				
Tuesday	2013	Conference	Monday	March 10, 2014	Board Meeting
	September 9,				
Monday	2013	Board Meeting			
			Monday	April 7, 2014	Annual Meeting

**RESOLUTION NO. 26, YEAR 2013**

RESOLVED, to authorize the Mayor to sign a service engagement agreement with USI Consulting Group, to prepare a full valuation of post-retirement welfare benefits that meet the requirements of GASB Statement No. 45 in the amount of \$3,900.00.

**RESOLUTION No. 27, Year 2013**

**A RESOLUTION AUTHORIZING THE SUBRECIPIENT TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF NASSAU FOR THE 39<sup>th</sup> PROGRAM YEAR, FOR THE PURPOSE OF UNDERTAKING A COMMUNITY DEVELOPMENT PROGRAM UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED**

**WHEREAS**, the Secretary of the U.S. Department of Housing and Urban

Development is authorized under Title I of the Housing and Community Development Act of 1974, as amended, to make grants to states and other units of general local government to help finance Community Development Programs; and

**WHEREAS**, the Secretary of the U.S. Department of Housing and Urban Development has approved a Community Development Program; and

**WHEREAS**, pursuant to said Cooperative Agreement, the **COUNTY** and the **SUBRECIPIENT** have agreed to undertake project activities using Community

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Development Block Grant Funds to be received by the **COUNTY** from the U.S. Department of Housing and Urban Development; and

**WHEREAS**; the Secretary of the U.S. Department of Housing and Urban Development has approved an application for Community Development Block Grant Funds, under Title I of the Housing and Community Development Act of 1974, as amended by the **COUNTY** and;

**WHEREAS**, the Board of Trustees of the Incorporated Village of Sea Cliff deems it to be in the public interest for the **SUBRECIPIENT** to enter into said proposed Agreement for the purpose of undertaking project activities therein set forth, under Title I of the Housing and Community Development Act of 1974, as amended.

**NOW, THEREFORE, BE IT RESOLVED**, that Mayor Bruce Kennedy be and he hereby is authorized to execute an Agreement between the **SUBRECIPIENT** and the County of Nassau for the purpose of undertaking project activities under Title I of the Housing and Community Development Act of 1974, as amended.

**RESOLUTION NO. 28, YEAR 2013**

**VILLAGE OF SEA CLIFF**  
**CHILD SEXUAL ABUSE PREVENTION POLICY**

The Village is committed to providing a safe and secure environment for minors participating in Village sponsored programs and activities. The Village also remains committed to protecting volunteer and compensated workers from any false accusations by providing adequate supervision during Village sponsored activities. In furtherance of these objectives, the Village finds it appropriate and responsible to adopt a child sexual abuse prevention policy. The objectives for establishing this child sexual abuse policy include:

- 1) To establish a familiarity with the problem of child sexual abuse as a general problem in society.
- 2) To increase awareness of the symptoms and consequences of child sexual abuse.
- 3) To underscore the Village's vulnerability to child sexual abuse.
- 4) To create an understanding of liability concerns and Village's policy guidelines pertaining to screening, supervision, and reporting.
- 5) To provide instruction on worker selection and worker training in instances where workers are likely to interact with children.
- 6) To encourage worker commitment to follow the Village's policies.

**PROCEDURES FOR REDUCING THE RISK OF CHILD SEXUAL ABUSE**

**I. Worker Selection**

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A. *All Village workers, paid and volunteer, who, due to their position, may work with children, are required to be screened in accordance with the following procedures:*

1. Primary Screening Procedures

a. For all paid and volunteer Village workers who work with minors.

b. The Screening Procedures include the following items:

- i. Employment application; ii. Screening form;
- iii. Personal interview ;
- iv. Reference checks and child abuse background check; and
- v. Criminal records check authorization form-if necessary.

B. *Supervising Village Volunteers and Workers*

*General Rules*

1. The Two Adult Rule

Two adults should be present during any activity involving children. One of the adults should be over 21 years of age.

2. The Six Month Rule

New Volunteers and Workers should be observed closely in the first 6 months and periodically thereafter.

3. Programs involving parents

Children and the children's parents or guardian will be clearly identified.

- a. A Bulletin Board at the location of such program with photographs of all parents and children who are permitted to access the location should be maintained. (Photographs should be taken twice a year).
- b. When a new family joins, pictures of the parent(s) and child/children will be taken and posted.
- c. Village workers will release the child/children only to the adult(s) in the picture unless parental or guardian permission is given in writing ahead of time.
- d. The supervisor for each department where such programs take place should make sure that each worker and volunteer has filled out a child prevention screening form. The forms should be given to the Village Clerk for filing in the Village records.

II. *Recognizing Suspicious Behavior*

Village workers and volunteers should confront any inappropriate conduct or

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relationships between an adult worker and a child or youth, and the situation should be confronted immediately and investigated.

Village workers and volunteers 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 below.

Physical signs may include one or more of the following:

- Lacerations and bruises
- Nightmares
- Irritation, pain, or injury to the genital area
- Difficulty with urination
- Discomfort when sitting
- Torn or bloody underclothing
- Venereal disease

Behavioral signs may include:

- Anxiety when approaching nursery area, day care, recreation center
- Nervous or hostile behavior toward adults
- Sexual self-consciousness
- "Acting out" or sexual behavior
- Withdrawal from activities and friends

Verbal signs may include the following statements: Don't

- like [a particular worker or volunteer].
- [A worker or volunteer] does things to me when we're alone.
- I don't like to be alone with [a worker or volunteer].
- [A worker or volunteer] fooled around with me.

**III.**      *Reporting Procedures For Public Entity and Volunteer Worker*

**A.**      *Reporting Obligations*

The Village has a legal and moral obligation to report any questionable or inappropriate behavior.

Under New York Law, with some limited exceptions, "child abuse" means a physical injury which is inflicted by other than accidental means, cruel or unjustifiable punishment, sexual abuse, unlawful corporal punishment, or neglect of child in out-of-home care. Child care custodians must report abuse to a child protective agency when they have knowledge of, or observe, a child whom they know or reasonably suspect has been the victim of child abuse.

**B.**      *Line of Reporting*

All suspected child abuse situations should be reported to supervisors, directors, board and mayor if appropriate. They will inform appropriate child protective agency or police.

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*C. Contents of Report*

The telephone report must include the name of the person making the report, the child's name, present location, nature and extent of injury to the child, and any other information that led the person making the report to suspect child abuse, or that the agency requests.

*IV. Responding to Actual Allegations of Abuse*

*A. Preparation*

1. All allegations must be taken seriously and reported to the worker's department head.
2. Situations must be handled forthrightly with due respect for people's privacy and confidentiality.
3. Immediately contact insurance carrier.
4. Full cooperation to be given to all reasonable and lawful requests from civil authorities.
5. Following verification of allegations, adequate care must be shown for the well-being of the victim(s).
6. The child victim should not be held responsible in anyway.

*B. The Response Plan*

1. Maintain Adequate Records

Adequate records of workers' application, references, and screening forms. They should be up-to-date and accessible. This will be the responsibility of the Village Clerk's office.

2. Designated Spokesperson

The Mayor will speak for the Village.

The Mayor will present a clear position statement of the Village's position which states the Village's policies and establish safeguards against sexual abuse.

*C. Guidelines For An Actual Allegation of Sexual Abuse.*

In the case of an actual allegation, the following guidelines will be used:

- 1) Document all efforts at handling the incident.
- 2) Report the incident immediately to the Village's insurance

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company.

- 3) Contact the proper civil authorities following the guidance of the insurance company and attorney. Do not attempt an in-depth investigation.
- 4) If circumstances warrant it, the victim's parents will be notified.
- 5) Do not confront the accused until the safety of the child or youth member is secured.
- 6) Do not prejudge the situation, take the allegations seriously and reach out to the victim and the victim's family.
- 7) Treat the accused with dignity and support. If the accused is a volunteer, that person should be relieved temporarily of his or her duties until the investigation is finished. If the person is a paid employee, arrangements should be made to either maintain or suspend his or her income until the allegations are cleared or substantiated. Village workers will have no contact with children while allegations are pending.

**Resolution No. 29, Year 2013**

WHEREAS, the New York State Workplace Violence Prevention Act requires public sector employers to develop and implement workplace violence protection programs; and

WHEREAS, the Village Board hereby appoints Marianne Lennon as Safety Coordinator;  
now

BE IT RESOLVED, that the Village Board hereby adopts the Plan to the Code of the Village of Sea Cliff as follows:

ARTICLE V

**Workplace Violence Prevention Policy and Procedures**

**§A144-20. Objective**

The Village of Sea Cliff, Nassau County, New York is committed to preventing workplace violence and to promoting and maintaining a safe and secure work environment for all employees. The purpose of this Policy is to address the issue of potential workplace violence in the Village, to help

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prevent workplace violence from occurring to the fullest extent possible, and to set forth procedures to be followed when such violence has occurred. Given the increasing violence in society in general, the Village of Sea Cliff has adopted the following guidelines to deal with intimidation, harassment, or other threats of violence, or actual violence, that may occur on its premises. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand the provisions of this Policy.

**§A144-21. Definition.**

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the work environment, or the Village's ability to provide services to the public.

**§A144-22. Scope of Policy.**

- A. All full-time and part-time, active employees of the Village of Sea Cliff are covered by this Policy.
- B. All employees of the Village of Sea Cliff are expected to maintain a working environment free from violence, threats of harassment, intimidation or coercion.
- C. All members of the public, vendors, contractors, consultants, and others who do business with the Village of Sea Cliff, whether at a Village facility or at an off-site location where Village business is conducted, are covered by this Policy.
- D. This Policy also applies to other persons not affiliated with the Village, such as former employees, and visitors.

**§A144-23. Zero tolerance.**

The Village of Sea Cliff has a Policy of zero tolerance for violence. Employees who engage in any violence in the workplace, or threaten violence in the workplace, may be removed from Village property and are subject to disciplinary action up to and including the immediate termination of employment for cause. No talk of violence or joking about violence will be tolerated.

**§A144-24. Prohibited conduct.**

- A. The Village of Sea Cliff does not tolerate any type of workplace violence committed by or against employees. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Employees are prohibited from making threats or engaging in violent activities.
- B. The following list of behaviors, while not inclusive, provides examples of conduct that are prohibited:
  - (1) Intentional physical contact for the purpose of causing harm such as slapping, stabbing, punching, striking, shoving, pushing, or other physical attack.
  - (2) Causing physical injury to another person;

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- (3) Making oral or written statements specifically intended to frighten, coerce, or threaten another person where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.
- (4) Menacing, threatening, or other disruptive behavior intended to disturb, interfere with or prevent normal work activities such as harassment, intimidation, yelling, using profanity, verbally abusing another person, waving arms and fists, throwing objects, pounding on a desk or door, damaging property, or stalking.
- (5) Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- (6) Intentionally damaging Village property or property of another employee;
- (7) Unauthorized possession of a weapon while on Village property or while on Village business;
- (8) Committing acts motivated by, or related to, sexual harassment or domestic violence.

**§A144-25. Reporting procedures.**

- A. Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.
- B. All threats of violence, or actual violence, both direct and indirect, should be reported as soon as possible to the employee's immediate supervisor or department head. This includes threats by employees, as well as threats by vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.
- C. Employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Employees should not place themselves in peril. If an employee sees or hears a commotion or disturbance near his or her workstation, the employee should not try to intercede or see what is happening.
- D. It is everyone's business to prevent violence in the workplace. Employees can help by reporting what they see in the workplace that could indicate that a co-worker is in trouble. Employees are in a better position than management to know what is happening with those they work with.
- E. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. The Village will promptly and thoroughly investigate all reports of threats of violence, or actual violence, and of suspicious individuals or activities. The identity of the Village employee making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the Village may suspend employees, either with or without pay, pending investigation.
- F. When employees have complaints about other employees, they should contact their supervisor immediately. The Village encourages employees to bring their disputes or differences with other employees to the attention of their supervisors before the situation escalates into potential violence. The Village is eager to assist in the resolution of employee disputes, and will not

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discipline employees for raising such concerns.

- G. Employees of the Village who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

**§A144-26. Identifying possible threats.**

- A. Individual situations. While the Village does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor if any employee exhibits behavior which could be a sign of a potentially dangerous situation. Examples of such behavior include:

- (1) Discussing weapons or bringing them to the workplace;
- (2) Displaying overt signs of extreme stress, resentment, hostility or anger;
- (3) Making threatening remarks;
- (4) Sudden or significant deterioration of performance;
- (5) Displaying irrational or inappropriate behavior.

- B. Employees at risk.

- (1) The Human Resource Department or Safety Coordinator will identify and maintain a list of employees who have been determined to be at risk for becoming victims of violence because of the nature of their job or because they are subject to harassment, violence, or threats from a non-employee. The Village will design a plan with at-risk employees to prepare for any possible emergency situations.
- (2) The Village, at the request of an employee, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee on Village property unless necessary to transact Village-related business. This Policy particularly applies in cases where the employee suspects that an act of violence will result from an encounter with said individual(s).
- (3) Employees who have obtained Orders of Protection should notify their supervisors and the Safety Coordinator of any orders that list Village locations as protected areas.
- (4) Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor, or the Safety Coordinator. Confidentiality will be maintained to the extent possible.

**§A144-27. Enforcement.**

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on Village

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premises will be reported to the proper authorities and fully prosecuted.

**§A144-28. Responsibilities.**

- A. Mayor. The Mayor shall be responsible for the implementation of this Policy. The responsibility includes dissemination of this Policy to all Village employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administrators and supervisors are aware of their responsibilities under this Policy through internal communications and training.
- B. Safety Coordinator. The Safety Coordinator is responsible for the following actions and procedures:
- (1) Respond to, intervene in, and document all incidents of violence in the workplace;
  - (2) Maintain an internal tracking system of all threats and incidents of violence;
  - (3) Assist the Law Enforcement Agency and supervisors in responding to workplace violence;
  - (4) Facilitate appropriate responses to reported incidents of workplace violence;
  - (5) Notify the Law Enforcement Agency of workplace violence incidents reported to that office;
  - (6) Consult with, as necessary, counseling services to secure professional intervention;
  - (7) Provide new employees with a copy of the Workplace Violence Prevention Policy and Procedures;
  - (8) Insure that employees receive appropriate training;
  - (9) Disseminate this Policy annually to all employees.
- C. Supervisor/Department Head. Each Department Head or other person with supervisory responsibility, (hereinafter "supervisor") shall have the following responsibilities within his or her area of jurisdiction for the implementation of this Policy:
- (1) Report any complaint of workplace violence made to him or her and any other incidents of workplace violence of which he or she becomes aware or reasonably believes to exist to the Safety Coordinator;
  - (2) Inform their immediate supervisor promptly about any complaints, acts, or threats of violence even if the situation has been addressed and resolved;
  - (3) After having reported such complaint or incident to the Safety Coordinator and immediate supervisor, keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings;
  - (4) Contact the Law Enforcement Agency immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

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**§A144-29. Training Program and notification.**

- A. As part of its commitment to preventing workplace violence, the Village has established training programs for all employees. Training will be included as part of the orientation for all employees. Thereafter, employees will be scheduled for annual refresher training. This training is mandatory and attendance will be taken.
- B. Upon hiring, and annually thereafter, employees will receive copies of this Policy. Additionally, the Policy will be posted in the Village Hall and placed on the Village's website, as appropriate.

**§A144-30. Employee assistance program.**

- A. The Village provides an employee assistance program (EAP) for all full-time and part-time employees. This EAP offers services to these employees and their eligible dependents. While the Village receives periodic reports on the number and types of visits or calls made to the EAP, the Village does not receive information about individual contacts with the EAP.
- B. All employees are encouraged to use the EAP whenever they feel the need for guidance in coping with life's difficulties. If an employee has difficulty handling drugs or alcohol, the EAP can provide information on treatment. The EAP is a confidential service to be used when an employee needs help.

**§A144-31. Violence prevention team.**

- A. The Village has created a violence prevention team to create and implement the Workplace Violence Prevention Program. The team will also handle the consequences of any incidents of violence that occur, providing assistance to employees and information to the media. The team will take the steps necessary to continue or resume business. The Village believes that a multi-disciplinary approach is best suited to handle workplace violence problems.
- B. If an employee has suggestions for ways to improve the safety and security at work, he or she should pass them along to their supervisor or leave a suggestion in any one of their mail boxes.

**§A144-32. Incident management.**

- A. In the event of a major workplace incident that effects, or has the potential to affect, the mental health of the Village workplace, the Village will provide initial counseling and support services to all Village employees and their immediate family members who request such counseling and support services.
- B. As the crisis passes and support systems are put into place for individuals affected by the incident, the Village will make every effort to return to normal business operations. A reasonable effort will be made to notify employees and others who need to know of the status of business operations directly whenever possible. In cases where direct contact is not possible or practical, an effort will be made to communicate through the Village Web-Site, news media and other available resources.

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**§A144-33. Confidentiality.**

The Village of Sea Cliff shall maintain the confidentiality of investigations of workplace violence to the extent possible. The Village will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this Policy and that the safety and well being of employees of the Village would be served by such action.

**§A144-34. Retaliation.**

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this Policy. Those found responsible for retaliatory action will be subject to discipline up to and including termination.

**RESOLUTION NO. 30, YEAR 2013**

**RESOLVED**, that upon receipt of an executed Stipulation of Settlement from the attorney for the following property owner confirming the settlement listed below, that the following tax certiorari proceeding be settled as indicated below, and that the Law Office of Richard Siegel, acting as Village Attorney in this proceeding, be and it hereby is authorized to execute a Stipulation of Settlement and other documents as required to effect the settlement in accordance with the following schedule:

John McGowan & Sons, Sec. 21 Blk 95, Lot 7,8,9,10  
Years Settled: 2008/09 to 2012/13  
Total Refund: \$4,000.00  
Revised Years: 2013-2016  
Reduction in Assessment: 69,000  
New Assessed Value: 450,000

**and, be it further**

**RESOLVED**, that the Village Treasurer be and she hereby is authorized and directed to pay the refund amount indicated in accordance with the Stipulation of Settlement and Court Order; **and, be it further**

**RESOLVED**, that upon receipt of an executed Stipulation of Settlement and Order of the Nassau County Supreme Court, the Village Assessor be and he hereby is authorized and directed to reduce and set the assessed value of the above property for the 2013/14 Tax Year in accordance with the above schedule and the Stipulation of Settlement.

These resolutions were circulated previously to the Board members. Seconded by Trustee Hayes and unanimously approved by those present.

**Mayor Kennedy** thanked all those who could not continue as members of Boards and Committees for their outstanding service.

**Mayor Kennedy** congratulated the newly elected officials and committee members, and

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thanked everybody for coming.

**Mayor Kennedy** invited everyone present to stay for refreshments and thanked the Civic Association for providing the refreshments.

Meeting adjourned at 8:45 p.m.

Marianne Lennon  
Village Clerk