

AGENDA OF SEA CLIFF VILLAGE BOARD
April 7, 2014

Present: Bruce Kennedy, Village Mayor
Carol Vogt, Village Deputy Mayor
Peter Hayes, Village Trustee
Thomas Powell, Village Trustee
Edward Lieberman, 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 was made by Rev. David Collins

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, the minutes of March 10, 2014 were approved.

On a motion by Trustee Vogt, seconded by Trustee Hayes and unanimously approved by those present, the payment of audited vouchers as listed on Abstract No.2370 in the amount of \$182,651.76 and Abstract No. 2371 in the amount of \$ 92,970.41, and Requisition No. 4, payable to Galvin Brothers for the Scudders Pond Improvement Project in the amount of \$390,710.30 were approved.

Mayor Kennedy moved the adoption of the following resolutions:

RESOLUTION NO. 17, YEAR 2014

PLEASE TAKE NOTICE, that the Board of Trustees of the Incorporated Village of Sea Cliff, N. Y., shall hold a meeting on Monday, April 21, 2014 at 7:00 p.m. in the Community Center, 300 Sea Cliff Avenue, Sea Cliff, New York, for the purpose of holding a public hearing on the 2014-2015 Tentative Budget.

RESOLUTION NO. 18, Year 2014

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

Proposed Bill No. 1, Year 2014: a local law to override the tax levy limit established in General Municipal Law 3-c for fiscal year 2014/2015.

FURTHER RESOLVED, that such hearing be held on the 21th day of April, 2014, at 7:00 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.

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RESOLUTION NO. 19, YEAR 2014

RESOLVED, that the request of Daniel Roth, premises located at 225 Sea Cliff Avenue, for a special temporary license for Friday, June 6th, 2014 from 7:00 pm to 11:00 pm. be granted and be it further

RESOLVED, that the board waive the requirement of a public hearing for the special temporary license and approved the issuance of a special temporary license for live music to be played at Still Partners on Friday, June 6, 2014 from 7:00 pm to 11:00 pm, with the same terms and conditions as the current cabaret license.

Seconded by Trustee Powell and unanimously approved by those present.

SWEARING-IN

Mayor Kennedy thanked the outgoing Trustees, Peter Hayes and Tom Powell for their years of service.

The Mayor congratulated Elena Villafane and Kevin McGilloway on their election for Village Trustee for two years, and John Reali as Village Justice for a term of four years.

Mayor Kennedy administered the Constitutional Oath of Office to Trustee Villafane, Trustee McGilloway and Judge Reali.

MAYOR KENNEDY- State of the Village Address

Board of Trustees, Appointees, Volunteers and fellow residents; thank you for your attendance this evening for the 2014 Village of Sea Cliff Annual Meeting. It is my pleasure and honor to present the State of the Village Address. This has been another good year for our Village. Despite still being in the grips of difficult financial times we once again have proven that government can continue to offer all vital services while being extremely financially responsible.

Since 2009, the Village has maintained a virtually flat year to year budget without resident service cuts – in fact the Village offers more to the residents today than we did 5-years ago. The New York State Comptroller’s office has recently adopted an evaluation system of measuring and reporting the fiscal health of local governments. Sea Cliff scored in the top 1% of all the 535 village governments across New York State. Last year, Standard & Poor’s upgraded our Village Bond Rating to a AA+ and after an additional review last week, they renewed this exceptional rating.

We have heard a lot in the past couple of years from our Governor that he wants to decrease the property tax burden that we on Long Island have to shoulder and the Board of Trustees and I strongly support Governor Cuomo in this effort. However, the Governor needs to take a hard look at what is driving costs and in turn property taxes. While facing mandated costs such as state pensions, health insurance, and workman’s compensation which annually grow at double digit rates in the face of decreasing state funding; it is no great mystery why property taxes on Long Island are so high. Local government cannot cap costs that they cannot control. Fixing this dilemma is going to take a lot of teamwork between the state - local governments – and school districts but I am confident that overall property tax relief is an achievable goal. We have proved it here in Sea Cliff.

We have seen some changes in personnel at Village Hall this past year. Our Community

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Development Director, Kathleen VanBloom, as well as our Section 8 Administrator, Lenny Kaplan, have retired. We will miss both Kathleen and Lenny; we thank them for their years of service and wish them the best in their well deserved retirement years. In an effort to create greater synergies in the staff, both of those part-time positions have been combined as well as the responsibility of grant writing into one new full time position which has been filled by resident Erin McDonnell. Erin is off to a great start and has already proven herself as a tremendous asset to the Village. Erin, on behalf of all of us, welcome to the team.

The Fire Department held its election last week and I am proud to announce the appointment of Ernie “Bullet” Longobucco as the Chief, Mark Vitale as the 1st Assistant Chief, and Michael Hallquest as the 2nd Assistant Chief. Our gratitude is extended to Chief Danny Whittemore for his leadership in guiding the Fire Services for the past two years.

This was a tough winter with extreme cold temperatures and record snowfall amounts. Our Department of Public Works staff once again proved their dedication to the job. Despite very difficult conditions, these men were out countless hours, both day and night, to ensure the safety of our residents. How about a round of applause for these often underappreciated gentlemen? Now that spring is apparently here, it is time to start our roadwork, cleaning the parks & walkways, and other seasonal work in preparation of baseball and beach season. Our DPW staff is coordinating with the beach staff in preparation for another incredible summer. The food vendor has been selected, lifeguards are being hired, and talent is being scheduled for the Friday Night Concert Series at the Beach Arts Gazebo.

Our Senior Outreach Worker, Karen Montagnese, continues her good work in identifying and addressing the needs of our Senior Citizens. Karen has also been collaborating with our other committees and volunteer groups to further enhance the lifestyles of all our residents. Karen developed a Senior Survey which has been well received that helps us to be of greater serve to our seniors. If you are or know a senior that has not completed the survey, please fill it out so you can get the benefits that our Senior Services offer.

A couple of years back we made additional property tax relief available to our senior citizens and this year we will be putting forth legislation that will offer similar relief to the often forgotten champions of our community – our Veterans. I would like to take this opportunity to thank our veterans for their selfless sacrifices and service to our nation. Will the veterans in the room please rise so that we can recognize you.

So often people think things “just happen” but we all know that nothing good happens without the initiation of citizens that are working for the betterment of their community. Sometimes these people are your elected officials. Carol Vogt, my Deputy Mayor, is one of those people. She is a hardworking humble woman who spends countless hours crossing the “T’s” and dotting the “I’s”, meeting with committees and staff to ensure that everything works out seamlessly. Edward Lieberman is another one of these people. In his freshman year as Trustee, he spearheaded three new events that brings the community together, promotes our downtown, and rally’s together our volunteer organizations. I believe that public service is its own reward; but it is important to acknowledge the successes of our elected officials. Pete Hayes and Tom Powell have successfully served our Village as Trustees for the past four years and we thank them for the benefits we enjoy because of their work. I would like to welcome Elena Villafane and Kevin McGalloway to the Board. These two fine individuals bring incredible knowledge and talent to the Board and will help raise Sea Cliff to even greater heights.

Sea Cliff’s property values continue to inch higher, our business community and restaurants are buzzing, our arts community is alive and vibrant, our environment is cleaner, and the outlook is bright! While the upcoming year will present challenges, the outlook for the Village is excellent.

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We will be holding our budget hearing for fiscal year 2014-2015 within the next few weeks and despite incredible increases in healthcare, pension and insurance costs; my proposed budget keeps a lid on spending.

It is an honor to serve as your Mayor and to work with the Board of Trustees, all the appointed Board Members, our Fire Chiefs, the entire Village staff, the countless committees and volunteers, and all the residents that work so hard and selflessly to reassure the quality of life we have come to enjoy.

Sea Cliff continues to be the quintessential community and the Board of Trustees and I are proud to be your representatives and advocates.

APPOINTMENTS – please sign book after taking oath of office.

Mayor Kennedy appointed **Marianne Lennon** as 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 Lieberman 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, Deputy Court Clerk
Kathy Mackney	Court Clerk
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 Rumatoski	Fire Prevention Officer, Plumbing Inspector And Dog Control Officer
Sara Reres	Museum Director
Erinn McDonnell	Grant & Contracts Coordinator, Community Development and Sec. 8 Administrator
Karen Montagnese	Senior Outreach Worker
Ted Kolakowski	Parking Violations Officer, Dog Control Officer

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

Members - Service Award Commission (1 year)

Timothy O'Donnell Howard Aranoff
Ernest Longobucco Peter Hayes

Members – Community Development Advisory Board (1 year)

Laurie Petroske
Jack Pierce

Members – Newsletter Committee (1 Year)

Robert Lafferty

Landmarks Preservation Commission

Naomi Curtis	Chairperson (1year)
	(3 years)
Paul Anderson	(2 years)
Allison Frankel	(2 years)

Member – Youth Board (1 Year)

Brian Ciampa
Alex Kennedy

Tree Committee (1Year)

Cecelia Wheeler
Russell Gorog

Trustee Lieberman moved the appointments made by the Mayor be approved. Seconded by Trustee Villafane 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)

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Jean Stratford – Chair
Carol Hartney
Debbie Pierce
Ann Costagliola
Dan Maddock

Alice O'Donnell
Joyce Kaufmann
Genevieve Woods
Maureen Maddock

Drivers and Escorts

Phil Como
Carol Mutee
Christina Scott
Kenny Krumenaker
Robert Osmer
Jeanne Pilliod
Liz Luciano

Lee Janelli
Frank Murray
Tom Blackburn
Bob Murphy
Jonathan Pilliod
Peter Vollmer
Charles Hansmann

Members–Village Bulletin Staff (1 year)

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

Robert Coyle

Members – Library Board – 5 Years

Kim Hertlein
Lili Scott

Members – Museum Board – 3 Years

Alan Klein

Members - Waterfront/Environment Committee (1 year)

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

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Members – Sailing Club – (1 year)

Joe Roman
Richard Johnson
Lisa Duffy

Trustee Villafane moved the appointments made by the Mayor be approved. Seconded by Trustee McGilloway 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 Villafane moved that appointment be approved. Seconded by Trustee McGilloway and unanimously carried.

Mayor Kennedy thanked all the outgoing committee members:

Kevin McGilloway and James Weil as members of the Zoning Board of Appeals, Elena Villafane and James O'Donnell as members of the Service Award Commission. Thank you to Sharon Collins for the many years on the Newsletter Committee, as well as Kevin Boris for serving on the Museum Board and Julya Brown for serving on the Community Development Board.

Mayor Kennedy moved the adoption of the following resolutions:

RESOLUTION NO. 20, YEAR 2014

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. 21, YEAR 2014

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

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Law Section 10; and be it further

RESOLVED, that, in accordance with General Municipal Law Section 11, the 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. 22, YEAR 2014

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. 23, YEAR 2014

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.

B. Except for procurements made pursuant to subdivision 3 of section 103 or section

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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. 24, YEAR 2014

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, effective April 7, 2014, 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 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. 25, YEAR 2014

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

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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. 26, YEAR 2014

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. 27, YEAR 2014

Board Meeting Schedule

Monday	April 7, 2014	Annual Meeting	Monday	October 6, 2014	Conference
Monday	April 21, 2014	Board Meeting (Budget Hearing)	Tuesday	October 14, 2014	Board Meeting
Monday	May 12, 2014	Conference	Monday	November 3, 2014	Conference
Monday	May 19, 2014	Board Meeting	Tuesday	Nov. 11, 2014	Board Meeting
Monday	June 2, 2014	Conference	Monday	December 1, 2014	Conference
Monday	June 9, 2014	Board Meeting	Monday	December 8, 2014	Board Meeting
Monday	July 7, 2014	Conference	Monday	January 5, 2015	Conference
Monday	July 14, 2014	Board Meeting	Monday	January 12, 2015	Board Meeting
Monday	August 4, 2014	Conference	Monday	February 2, 2015	Conference
Monday	August 11, 2014	Board Meeting	Monday	February 9, 2015	Board Meeting
Tuesday	Sept. 2, 2014	Conference	Monday	March 2, 2015	Conference
Monday	Sept. 8, 2014	Board Meeting	Monday	March 9, 2015	Board Meeting
			Monday	April 6, 2015	Annual Meeting

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RESOLUTION NO. 28, YEAR 2014

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

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

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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 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

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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.

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

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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 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

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Resolution No. 29, Year 2014

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 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.

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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;
 - (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

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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 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.

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- (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 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;

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- (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.

§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-

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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.

§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.

Seconded by Trustee Villafane and unanimously approved by those present.

Mayor Kennedy congratulated the newly elected officials and committee members, and thanked everybody for coming.

Mayor Kennedy invited everyone present to stay for refreshments and thanked the Beautification Committee for providing the refreshments.

Meeting adjourned at 8:50 p.m.

Marianne Lennon
Village Clerk