

July 10, 2009

Rockville Centre, New York

The Board of Trustees held a public Briefing Session on the above date in the Mayor's office. The meeting was called to order at 3:15 p.m.

PRESENT: Mayor Mary Whalen Bossart, Trustees Charles R. Joyce David A. Krasula, Kevin R. Glynn and Edward J. Oppenheimer.

ABSENT: None.

ALSO PRESENT: Deputy Administrator-Finance/Comptroller Michael Schussheim. Village Attorney A. Thomas Levin participated by telephone.

On motion by Trustee Krasula, duly seconded by Trustee Oppenheimer and unanimously carried, the Board voted to pay the NYS Workers' Compensation Board \$100,000 in 2009, 2010 and 2011 for previous assessments and will timely file all future reports and payments in order to bring the Village into compliance, in full settlement of claims for previous assessments for various years prior to 2009, though the NYS workers' Compensation Board will not sign a release.

At 3:34 p.m., on motion by Trustee Krasula, duly seconded by Trustee Oppenheimer and unanimously carried, the meeting was adjourned.

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The Board of Trustees held a public Briefing Session on the above date in the Mayor's office. The meeting was called to order at 7:30 p.m.

PRESENT: Mayor Mary Whalen Bossart, Trustees Charles R. Joyce David A. Krasula, Kevin R. Glynn and Edward J. Oppenheimer.

ABSENT: None.

ALSO PRESENT: Village Attorney A. Thomas Levin and Public Relations Counsel Jeff Kluewer.

The Board discussed priorities for the coming fiscal year.

At 9:10 p.m., on motion by Trustee Krasula, duly seconded by Trustee Oppenheimer and unanimously carried, the meeting was adjourned.

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The Regular Meeting of the Board of Trustees was held on the evening of the above date in the Village Hall. Mayor Bossart opened the session at 8:15 P.M.

PRESENT: Mayor Mary Whalen Bossart, Trustees Charles R. Joyce, David A. Krasula, Kevin R. Glynn and Edward J. Oppenheimer.

ABSENT: None.

ALSO PRESENT: Village Administrator Francis D. Quigley, Jr., Village Attorney A. Thomas Levin, Deputy Administrator-Finance/Comptroller Michael Schussheim, Deputy Administrator-Operations/Village Engineer Paul J. Pallas, Police Commissioner John P. McKeon, Superintendent of Parks and Recreation Anthony T. Brunetta, Superintendent of Buildings Daniel V. Casella, Superintendent of Water Anthony Iannone, Director of Senior Services Cyd B. Charrow, Director of Information Technology John A. Peters, Public Relations Counsel Jeff Kluewer and Secretary to the Village Administrator and Board of Trustees Monica Farrell Derr.

ATTENDANCE: Approximately 50 people.

Mayor Bossart asked Maddie Fitzpatrick to lead the Pledge of Allegiance.

Mayor Bossart recessed the Regular Meeting and convened the Annual Organization Meeting.

Mayor Bossart called on Village Administrator Francis D. Quigley, Jr. for a report on the Village Election of June 16, 2009.

Mr. Quigley reported that the Village Board, sitting as a Board of Canvass on June 17, 2009, reviewed the votes cast with the votes received by the candidates, as follows:

<u>TRUSTEE - 4 Year Term (2)</u>	<u>VOTES CAST</u>
Kevin R. Glynn	2,190
Edward J. Oppenheimer	1,962
Jeanne Farnan Mulry	1,887

<u>VILLAGE JUSTICE</u>	<u>VOTES CAST</u>
Kevin McDonough	2,206
Mindy Roman	1,539

Results of the election by Election District are as follows:

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ED	Location	J. Mulry	K. Glynn	E. Oppenheimer	M. Roman	K. McDonough	Actual Voters
42	Hewitt School	55	78	113	72	88	163
43	Hewitt School	115	148	163	127	149	273
44	Hewitt School	85	115	137	102	118	224
45	Hewitt School	92	109	127	107	113	224
46	Wilson School	77	94	113	105	86	192
47	Wilson School	54	56	83	74	56	136
48	Wilson School	94	94	130	102	106	215
49	Watson School	141	156	136	164	100	269
50	SSMS	88	103	76	96	65	168
51	SSMS	149	182	127	168	104	283
52	Recreation Center	75	89	100	96	71	169
53	Center	82	91	136	117	86	207
54	40 Maine Avenue	11	11	12	13	7	24
55	Live Oaks FH Recreation	92	102	71	93	62	165
56	Center Recreation	70	96	62	94	44	147
57	Center	89	102	69	119	39	162
58	Defenders FH Recreation	22	25	27	18	25	46
59	Center Recreation	86	131	64	125	40	180
60	Center Riverside	24	26	14	29	7	36
61	School	147	141	72	150	57	225
62	Defenders FH	117	104	78	108	74	195
63	Woodlands FH	122	137	52	127	42	208
Totals:		1887	2190	1962	2206	1539	3911

Village Administrator Quigley advised that an Affidavit of Eligibility has been signed by each of the elected candidates, a Certificate of Election was filed in the Village Administrator's office, and all candidates were officially notified on June 16, 2009.

Village Administrator Quigley called on former Trustee Thomas A. Glynn to administer the Oath of Office to Trustee Kevin R. Glynn.

Village Administrator Quigley called upon the Honorable Susan Kluewer, President of the Board of Judges of Nassau County District Court, to administer the Oath of Office to Trustee Edward J. Oppenheimer.

Village Administrator Quigley called upon the Honorable Frank E. Yannelli to administer the Oath of Office to Village Judge Kevin McDonough.

Village Administrator Quigley reported that **THE BOARD OF TRUSTEES IS ORGANIZED AS FOLLOWS:**

Mayor Mary Whalen Bossart
Trustee Charles R. Joyce
Trustee David A. Krasula
Trustee Kevin R. Glynn
Trustee Edward J. Oppenheimer
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Note: The term of an elected Village Official takes effect on the first Monday in the month (July) following the Village's election (June). The term actually expires at one minute to Noon and conversely a new term commences at Noon that same day.

Mayor Bossart designated Charles R. Joyce to serve as Deputy Mayor, with the power to perform all of the duties of the Mayor in the event of the absence or the inability of the Mayor.

Trustee Joyce moved that the Regular Meeting nights of the Board of Trustees be held on the first and third Monday of each month, or on such dates as may be determined by the Mayor/Board of Trustees.

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

DESIGNATION OF DEPOSITORIES:

On motion by Trustee Glynn, duly seconded by Trustee Oppenheimer and unanimously carried, the Board designated the following as Depositories for the Funds of the Village and adopted the following Resolution. Mayor Bossart and Trustees Joyce, Krasula, Glynn and Oppenheimer voted aye.

R E S O L U T I O N

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

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

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

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or, in the absence of the Village Administrator/Clerk-Treasurer, the Deputy Village Clerk-Treasurer. Amounts under \$40,000 require one signature. Amounts in excess of \$40,000 require the signature of the Mayor, or Deputy Mayor, and the Village Clerk-Treasurer or the Deputy Village Clerk-Treasurer, and

BE IT FURTHER RESOLVED, that the funds in the Defense Bond Payroll Deduction Account, authorized by Resolution of the Board of Trustees on March 25, 1942 and funds in the Withholding Tax Deductions Account, shall be subject to withdrawal by checks when signed on behalf of the Incorporated Village of Rockville Centre, a Municipal Corporation, by the Village Administrator/Clerk Treasurer, or, in the absence of the Village Administrator/Clerk Treasurer, by the Deputy Village Clerk-Treasurer, and

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

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

COLLATERALIZING OF DEPOSITS:

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

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1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank, other than the bank with the deposits, in favor of the government, for a term not to exceed 90 days, with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable Federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

PERMITTED INVESTMENTS:

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

- . Special time deposit accounts;
- . Certificates of deposit;
- . Obligations of the United States of America;
- . Obligations guaranteed by agencies of the United States of America

where the payment of principal and interest are guaranteed by the United States of America;

- . Obligations of the State of New York;
- . Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.

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

New York Municipal Advisors Corporation (NYMAC)
50 Jackson Avenue
Syosset, New York

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

The Depository Trust and Clearing Corp.

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

Fulbright & Jaworski LLP
666 Fifth Avenue
New York, NY 10103

Mayor Bossart appointed Paul J. Pallas, Superintendent of Electric Utilities, as the accredited New York Association of Public Power (NYAPP) and American Public Power Association (APPA) voting delegate of the Board of Trustees of the Village of Rockville Centre for the Fiscal Year 2010.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, said appointment was approved.

On motion by Trustee Oppenheimer, duly seconded by Trustee Joyce and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Investment Policy.

INVESTMENT POLICY OF THE VILLAGE OF ROCKVILLE CENTRE

§1. Scope.

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

§2. Objectives.

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

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

§ 3. Delegation of authority.

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

§ 4. Prudence.

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

- A. Investments shall be made with judgment and care, under circumstances then

prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

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

§5. Diversification.

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

§6. Internal controls.

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

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

§7. Designation of depositories.

The Board of Trustees shall establish a list of banks and trust companies authorized for the deposit of moneys. Unless otherwise provided by the Board of Trustees, deposits in each may be made and maintained to the maximum amount for which Federal Deposit Insurance Act insurance is available, or other

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maximum amount as set forth in an approved collateral agreement between the Village and such institution.

§8. Collateralizing of deposits.

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

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

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

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

§9. Safekeeping and collateralization.

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

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

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

B. The custodial agreement shall be in a form approved by the Village Attorney, and shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general

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

§10. Permitted investments.

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

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

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

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

§11. Authorized financial institutions and dealers.

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

§12. Purchase of investments.

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

- (1) directly, including through a repurchase agreement, from an authorized trading partner;
- (2) by participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5-G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board of Trustees; or
- (3) By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Village Board of Trustees.

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

the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law § 10.

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C. The custodial agreement shall be in a form approved by the Village Attorney and be in substantial compliance with the Model Agreement promulgated by the New York State Department of Audit and Control. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company, and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement also shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Village a perfected interest in the securities.

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

APPENDIX A

Schedule of Eligible Securities

100% ___ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

100% ___ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the InterAmerican Development Bank, the Asian Development Bank, and the African Development Bank.

100% ___ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

100% ___ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

100% ___ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

100% ___ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

100% ___ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

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80% ___ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

60% ___ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

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

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

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Procurement policy.

Revised July 2009
Adopted by Board of Trustees July 11, 2005

PROCUREMENT POLICY
FOR THE INCORPORATED VILLAGE OF ROCKVILLE CENTRE

1. Every purchase under consideration must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known, or can reasonably be expected, that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. Pursuant to Section 103 of New York State General Municipal law, the following items are not subject to competitive bidding.
 - purchase contracts under \$10,000;
 - public works contracts under \$20,000;
 - emergency purchases;
 - certain municipal hospital purchases;
 - goods purchased from agencies for the blind or severely handicapped;
 - goods purchased from correctional institutions; purchases under State and County contracts;
 - surplus and second-hand purchases from another governmental entity.

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

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

- purchase contracts over \$10,000;
 - public works contracts over \$20,000;
 - goods purchased from agencies for the blind or severely handicapped, pursuant to Section 175-b of the State Finance Law;
 - goods purchased from correctional institutions, pursuant to Section 186 of the Correctional Law;
 - purchases under State contracts, pursuant to Section 104 of the General Municipal Law;
 - purchases under county contracts, pursuant to Section 103(3) of the General Municipal Law;
 - purchases pursuant to Subdivision 6 of this policy:
2. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$250 - \$4,999	Discretion of the Village's Purchasing Agent
\$5,000 - \$9,999	Written/Faxed quotations or written request for Proposals. (# of quotes:

Discretion of Village's
Purchasing Agent)

Estimated Amount of
Public Works Contract

Method

\$250 - \$4,999

Discretion of the
Village's Purchasing Agent

\$5,000 - \$19,999

Written/faxed quotations or
written request for proposals
of quotes: Discretion of
Village's Purchasing Agent)

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A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the required number of proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or the grounds upon which it has been determined that the lowest bidder was not responsive or responsible.
6. Pursuant to General Municipal Law, Section 104-b(2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the Incorporated Village of Rockville Centre to solicit quotations or document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skills training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill education and training judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such they do not readily lend themselves to competitive procurement procedures.

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

Any

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professional services contract equaling or exceeding \$10,000 would require Board approval at a public session.

- b. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section

does not preclude alternate proposals if time permits.

- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Incorporated Village of Rockville Centre is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods or services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
- e. In addition to utilizing New York State and Nassau County Procurement contracts, the Purchasing Agent is hereby authorized to utilize any and all procurement contracts issued by any municipality in the State of New York, New Jersey, Connecticut and all procurement contracts issued by any agency or department of the Federal Government.
- 7. When a Village credit card is utilized, its usage is limited to actual and necessary village expenses. Any expenditure must be accompanied by an itemized receipt that certifies that the usage was for a Village purpose and that the payee is the supplier of the goods or services for which the receipt has been submitted.
- 8. Pursuant to the requirement established in Chapter 402, Laws of 2007, the Board of Trustees hereby designates Anne Sheppard as Village Purchasing Agent. The Village Purchasing Agent is responsible for purchasing all supplies and materials and Public Works contracts that are deemed necessary for the Village of Rockville Centre.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Smoking Policy.

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INCORPORATED VILLAGE OF ROCKVILLE CENTRE
SMOKING POLICY

Smoking Prohibited

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

Adherence to New York State Law

The Village adheres to the smoking restrictions as set forth in Section 1399-o of the New York State Public Health Law, adopted and effective as of July 24, 2003.

On motion by Trustee Glynn, duly seconded by Trustee Oppenheimer and unanimously carried, the Board of Trustees formally adopted the Village of Rockville.

INCORPORATED VILLAGE OF ROCKVILLE CENTRE
PUBLIC ACCESS TO RECORDS POLICY

Purpose and Scope

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

Records Access Officer

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

Response to Access Requests

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

Inspection of Public Records

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

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Copying of Public Records

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

Denial of Access; Appeals

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

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

INCORPORATED VILLAGE OF ROCKVILLE CENTRE
EMPLOYMENT POLICY
NON-DISCRIMINATION, NON-HARASSMENT AND NON-RETALIATION

Effective Date: 3/1/01

This document replaces previous policies on Non-Discrimination, Non-Harassment and Non-Retaliation and is included in the Rockville Centre employee manual.

POLICY:

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

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

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All officers and employees are required to review and adhere to this policy, which prohibits discrimination and harassment, as

well as retaliation in response to discrimination or harassment complaints. Sexual harassment is included as misconduct that is prohibited by law and the Village. Any Village employee who engages in discrimination, harassment or retaliation shall be subject to discipline, which, after investigation, could include suspension without pay or termination.

LAWS AGAINST DISCRIMINATION:

The United States Constitution's Equal Protection Clause, Title VII of the Civil Rights Act of 1964, the Equal Pay Act of 1963, and the New York State Human Rights Law forbid discrimination against applicants for employment and employees on the basis of race, color, religion, sex, national origin, marital status, veteran status or sexual orientation. The Age Discrimination Employment Act (ADEA) and the New York State Human Rights Law prohibit discrimination on the basis of age. The Americans with Disabilities Act (ADA) and the New York State Human Rights Law prohibit discrimination on the basis of disability.

DEFINITIONS:

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

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

Sexual harassment includes, but is not limited to:

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

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

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RETALIATION:

Village officers or employees shall not retaliate against or harass any person for filing any type of harassment or discrimination complaint, or for filing any request for a reasonable accommodation for a disability or religious observance. No Village employee shall retaliate against any other employee for cooperating in the investigation of any employment discrimination or harassment complaint. Retaliatory acts include, but are not limited to, discharge, demotion, reduction in pay, failure to hire or promote, unreasonable working conditions, unfair employment references or the placement of false information in an employee's personnel file. Any Village employee who engages in retaliation shall be subject to discipline, which, after investigation, could include suspension without pay or termination. Anyone who believes that he or she has been retaliated against for filing a discrimination or harassment complaint, or for cooperating in the investigation of a complaint, should promptly follow the complaint procedures set forth below.

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

REPORTING:

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

Reports can be made to:

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

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

REFERRAL:

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

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

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INVESTIGATION:

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

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

DISPOSITION/ACTION:

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

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

Cyd B. Charrow can be reached at Ext. 268.

On motion by Trustee Oppenheimer, duly seconded by Trustee Joyce and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Records Management Policy.

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

—

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

SECTION XXX-1 Legislative Intent:

A. The Board of Trustees of the Incorporated Village of Rockville Centre declares and

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

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

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

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

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

SECTION XXX-2 Definitions:

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

A. Inactive Storage

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

B. Records

1. Active records required for the conduct of current business.

2. Archival records having sufficient legal, administrative, fiscal or historical value to warrant their permanent retention.

3. Inactive records no longer required for the conduct of current business, but whose retention periods have not expired.

4. Obsolete records which should be disposed of in accordance with SARA Records Retention and Disposition Schedules.

5. Public records are defined as any book, paper, map, photograph, micro-photograph or other information storage device, regardless of physical form or characteristic, which is the property of the Village, or which any Officer or employee of any of said bodies has received or is required to receive for filing.

C. Records Advisory Board or Committee

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

D. Records Center(s)

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

E. Records Disposal Approval Process

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

F. Records Management Officer

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

G. Records Management Program

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

H. Records Retention and Disposition Schedule

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

I. Retention Period

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

J. State Archives and Records Administration (SARA)

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

SECTION XXX--3 EXEMPTIONS:

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

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

SECTION XXX-4 PROHIBITIONS:

The following activities are prohibited:

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

SECTION XXX-5 COMPLIANCE AND ENFORCEMENT:

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

SECTION XXX-6 POWERS AND DUTIES OF RECORD MANAGEMENT OFFICER:

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

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

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

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

The Records Management Officer shall also be responsible for the organization of files

and records to enable ready access of records by official or the public from an indexed and accessible system.

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

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

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

SECTION XXX-7 OVERSIGHT:

It shall be the duty and responsibility of the Records Advisory Board to assist in the development of a Records Management Program; to advise the Records Management Officer on the operation of the program; to review the performance of the

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Records management Program on a continuing basis and recommend improvements and changes as needed; to review requests to dispose of records that have passed the retention periods set forth on SARA schedules; and to assist with grant application and grant-funded projects.

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

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

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

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

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

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

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

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Family and Medical Leave Policy.

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

PURPOSE: To establish a policy and guidelines for the use of family or medical leave for Village of Rockville Centre employees, consistent with the Rules and Regulations adopted by the United States Department of Labor.

Covered Family and Medical Reasons. As provided by the Family and Medical Leave Act (FMLA) of 1993, all eligible employees shall be entitled to 12 weeks of unpaid, job-protected leave during a 12 month period for one or more of the following reasons:

- 1) The birth and care of a newborn child or placement with the employee of a child for adoption or foster care;
- 2) to care for a spouse, child or parent with a serious health condition; or,
- 3) if a serious health condition makes the employee unable to perform the functions of his/her position.

Employees with questions about whether specific illnesses are covered under this policy or under the Village's sick leave policy should meet with a representative from the Human Resources/Payroll office.

Employee eligibility: An employee shall be entitled to family leave when he/she meets the following criteria:

- 1) The employee has worked for at least 12 months for the Village. The 12 months need not have been consecutive. (If the employee was on the payroll for part of a week, the Village will count the entire week. The Village considers 52 weeks to be equal to 12 months.)
- 2) The employee has to have worked for the Village for at least 1,250 hours over the 12 months before the leave would begin.

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- 3) When both spouses are employed by the Village, they are jointly entitled to a combined total of 12 work weeks of family leave during any rolling 12-month period for the birth and care of newborn child or placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

Calculation of Leave: Eligible employees can use up to 12 weeks of leave during any 12 month period. The Village will use a rolling 12 month period measured backward from the date an employee first uses FMLA leave. Each time an employee uses leave, the Village computes the amount of leave the employee has taken under this policy, and subtracts it from the 12 weeks. The balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken 5 weeks of leave in the past 12 months, he/she could take an additional 7 weeks under this policy. Eligibility for unpaid leave for the birth and care of a newborn child or for the placement with the employee of a child for adoption or foster care expires at the end of the 12 month period beginning on the date of the birth, adoption or placement. Any such leave must

be concluded within this 12 month period.

Maintenance of Benefits: An employee shall be entitled to maintain group health and dental insurance coverage on the same basis as if he/she had continued to work at the Village. To maintain uninterrupted coverage, during a period of family or medical leave an employee who contributes to group health and/or dental insurance may choose to remain covered under the Village's group health and dental insurance plans on the same conditions, including the payment by the employee of the employee's share of the premiums for coverage, as would have been provided if the employee had been continuously employed during the leave period. While substituting paid leave during the period of family or medical leave, the Village will continue to make payroll deductions to collect the employee's share, if any, of the premiums for such coverages. While on unpaid leave, the employee who contributes must continue to make his/her contributions. Payment must be made monthly and must be received by the Village by the fifth day of the month. Payment must be made by check or money order payable to "Incorporated Village of Rockville Centre." An employee's failure to pay required premiums within 30 days of the due date will result in the cessation of the employee's group health and/or dental insurance coverages during the entire remaining leave period.

Other benefits such as the accrual of seniority will not continue during leave. However, the use of family or medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Job Restoration: An employee who utilizes family or medical leave under this policy will be restored to the same job or a job with equivalent status, pay, benefits and other employment terms.

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The Village may choose to exempt certain highly compensated, "key" employees from this job restoration requirement and not return to the same or similar position at the completion of FMLA leave. Employees who may be exempted will be informed of this status when they request leave. If the Village deems it necessary to deny job restoration for a key employee on FMLA leave, the Village will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

An employee who has been on leave due to the employee's own serious health condition who wants to return to work must provide the Village with a certification from a health care provider that the employee is able to resume work. Return to employment will be denied if this certification is not provided.

Use of Paid and Unpaid Leave: If an employee has accrued paid leave of less than 12 weeks, the employee will use paid leave first and take the remainder of the 12 weeks as unpaid leave.

If an employee uses leave because of the serious health condition of an immediate family member, the employee will first use all paid leave, and then will be eligible for unpaid leave.

An employee using leave for the birth of a child will use paid sick leave for physical recovery after childbirth. The employee then may use all paid vacation or personal leave for the care of the newborn child, and then will be eligible for unpaid leave for the remainder of the 12 weeks.

An employee using leave for the adoption or foster care of a child will use all paid vacation or personal leave first, and then will be eligible for unpaid leave for the remainder of the 12 weeks.

Intermittent Leave and Reduced Work Schedules: In certain cases, intermittent use of the 12 weeks of family or medical leave or a part of a reduced work week may be allowed by the Village. Employees wishing to use leave intermittently or to utilize a reduced work week for birth or adoption purposes will need to discuss and gain approval for such use from the employees' Department Head and the Village Administrator.

Employees may also use family or medical leave intermittently or as part of a reduced work week whenever it is medically necessary. If the need to use leave is foreseeable and based on preplanned and prescheduled medical treatment, then the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the Village's operations. This provision is subject to the approval of the health care provider.

In some cases, the Village may temporarily transfer an employee using intermittent or a reduced work week to a different job with equivalent pay and benefits if another position would better accommodate the intermittent or reduced schedule.

Procedure for Requesting Leave: All employees requesting leave under this policy must submit a written request to their Department Head, with a copy to the Human

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An eligible employee must provide the Village with at least 30 days' advance written notice before the requested family or medical leave is to begin. If, under the circumstances, 30 days' notice is not practicable, notice must be given to the Village as soon as practicable.

An eligible employee requesting leave to care for the employee's spouse, child or parent with a serious health condition or because of the employee's own serious health condition is required to provide a certification (in the form acceptable to the Village) of the serious health condition from a health care provider. This certification must be provided within 15 calendar days after it is requested by the Village. Recertification of the serious health condition will also be required to be provided to the Village no more often than every 30 days during the leave period. Failure to provide the required certification or recertification could result in the leave being refused or the leaving being discontinued, as the case may be.

Qualified health care providers include: doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologist, optometrists, and chiropractors, nurse practitioners and nurse midwives authorized to practice under State law and performing with in the scope of their practice under state law and Christian Science practitioners.

When seeking certification of a serious medical condition, an employee should ensure that the certification contains the following:

- 1) The date when the condition began, the expected duration, a diagnosis and a brief statement of treatment.
- 2) If the employee is seeking medical leave for his/her own medical condition, certification should also include a statement that the employee is unable to perform the essential functions of the employee's position.
- 3) For a seriously ill family member, the certification should include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.
- 4) If taking intermittent leave or working a reduced schedule, certification should include dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

If deemed necessary, the Village may ask for a second opinion. The Village will pay for the employee to get a certification from a second doctor, which the Village will select. If there is a conflict between the original certification and the second opinion, the Village may require the opinion of a third doctor. The Village and the employee will jointly select the third doctor, and the Village will pay for the opinion. The third opinion will be considered final.

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On motion by Trustee Oppenheimer, duly seconded by Trustee Joyce and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Violence Prevention Policy.

VILLAGE OF ROCKVILLE CENTRE

WORKPLACE VIOLENCE PREVENTION POLICY

A. OBJECTIVE

The Village of Rockville Centre is committed to preventing workplace violence and to maintaining a safe work environment for all employees. Given the increasing violence in society in general, the Village of Rockville Centre has adopted the following guidelines to deal with intimidation, harassment, or other threats of (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.

B. 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.

C. SCOPE OF POLICY

All full-time, part-time, and seasonal active employees are covered by this policy.

D. ZERO TOLERANCE/ENFORCEMENT

The Village of Rockville Centre has a policy of zero tolerance for violence. 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.

E. PROHIBITED CONDUCT

We do not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities.

This list of behaviors, while not wholly inclusive of all manner of violent, or potentially violent behavior, provides examples of conduct that is prohibited.

- Shoving, pushing, harassing, intimidating or coercing another person by means of threatening or violent behavior;
- Intentionally or recklessly causing physical injury to another person by means of a violent act;
- Making threatening remarks directed at another person;

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- Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing another or waving arms and fists).
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally or recklessly damaging employer property or property of another employee by means of a violent act;
- Unauthorized possession of a weapon while on Village property or while on Village business;
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

F. REPORTING PROCEDURES

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 (RVC Police Emergency) immediately.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your 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.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

It is everyone's business to prevent violence in the workplace. You can help by reporting what you see in the workplace that could indicate that a co-worker is in trouble. You are in a better position than management to know what is happening with those you work with.

The Village will promptly and thoroughly investigate all reports of threats of (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.

The Village encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Employee Development Department 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.

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G. IDENTIFYING POSSIBLE THREATS

Individual Situation: While we do 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 sign of a potentially dangerous situation. Such behavior includes:

- Discussing or expressing an intent, or desire, to unlawfully employ the use of weapons or bringing weapons with them to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior.

Employees at Risk: The Employee Development Department 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.

H. TRAINING PROGRAM

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 your orientation.

Thereafter, you will be scheduled for refresher training. This training is mandatory and attendance will be taken.

I. EMPLOYEE ASSISTANCE PROGRAM

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 we receive periodic reports on the number and types of visits or calls made to the EAP, we do not receive information about individual contacts with the EAP.

You are encouraged to use the EAP whenever you feel the need for guidance in coping with life's difficulties, such as issues with drugs or alcohol, family/martial issues, mental health problems, stress, etc. The EAP is a confidential service to be used when you need help.

If you have suggestions for ways to improve the safety and security at work, please pass them along to your supervisor or submit to the Employee Development Department.

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Nepotism Policy.

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NEPOTISM POLICY

Adopted March 31, 2008, amended May 19, 2008

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

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

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

3. Definitions. As used in this Policy,

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

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

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

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

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

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

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

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

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

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

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

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

C. Where other circumstances might lead to potential conflict among the immediate family members, or conflict between the interest of either or both such family members and the best interest of the Village.

However, in a proper case, the appointing or employing Village official or employee may determine that it is in the best interests of the Village to employ or appoint a person notwithstanding the foregoing Policy, and in such case the appointing or employing Village official or employee shall file with the Village Administrator a written statement of such determination and the reasons therefor.

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

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board of Trustees formally adopted the Village of Rockville Centre Cyber Security Citizens' Notification Policy.

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

A. This policy is consistent with the State Technology Law, § 208 as added by Chapters 442 and 491 of the Laws of 2005. This policy requires notification to affected New York residents and non-residents. New York State values the protection of
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private information of individuals. The Village of Rockville Centre (Village) is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's private information, in compliance with the Information Security Breach and Notification Act and this policy.

B. The Village, after consulting with the State's Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures, must notify an individual when it has been determined that there has been, or is reasonably believed to have been a compromise of the individual's private information through unauthorized disclosure.

C. A compromise of private information means the unauthorized acquisition of unencrypted computerized data with private information.

D. If encrypted data is compromised along with the corresponding encryption key, the data is considered unencrypted and thus falls under the notification requirements.

E. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.

F. The Village will notify the affected individual directly by one of the following methods:

1. Written notice;
2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving notice in electronic form and a log of each notification is kept by the Village that notifies affected persons in such form;
3. Telephone notification, provided that a log of each notification is kept by the Village that notifies affected persons; or
4. Substitute notice, if the Village demonstrates to the state Attorney General that the cost of providing notice would exceed \$250,000, that the affected class of persons to be notified exceeds 500,000, or that The Village does not have sufficient contact information. The following constitute sufficient substitute notice:
 - a. E-mail notice when the Village has an e-mail address for the subject persons;
 - b. Conspicuous posting of the notice on the Village's web site page, if the Village maintains one; and
 - c. Notification to major statewide media.

G. The Village must notify, CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.

- H. The Village must notify the Attorney General and the Consumer Protection Board, whenever notification to a New York resident is necessary, as to the timing, content and distribution of the notices and approximate number of affected persons.
- I. Regardless of the method by which notice is provided, the notice must include contact information for the Village making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.
- J. This Policy also applies to information maintained on behalf of the Village by a third party.
- K. When more than 5,000 New York residents must be notified at one time, then the Village must notify the consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

Definitions

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

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

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

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

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

1. social security number; or
2. driver's license number or non-driver identification card number; or
3. account number, credit or debit card number, in combination with any required security code, access code,

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or password which would permit access to an individual's financial account
"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

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

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

INCORPORATED VILLAGE OF ROCKVILLE CENTRE
MAILING LIST POLICY

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

Village mailing lists:

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

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

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

On motion by Trustee Glynn, duly seconded by Trustee Oppenheimer and unanimously carried, the Board approved attendance by certain municipal officials and employees (i.e., Mayor, Board of Trustees, Village Attorney, Village Administrator, Deputy Village Administrators, Village employees) at one or more New York State Conference of Mayors (NYCOM) related meetings, conferences or schools, as well as the United States Conference of Mayors, the National League of Cities, AWWA (American Water Works Association), NYSAWWA (New York State Section of the American Water Works Association), LIWC (Long Island Water

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Conference), NYSRWA (New York State Rural Water Association), the APPA (American Public Power Association), the APWA (American Public Works Association), the New York State Department of Environmental Conservation (NYSDEC), the New York Association of Public Power (NYAPP), the Northeast Public Power Association (NEPPA), the International Code Council, the New York State Building Officials Conference, Inc., Nassau County Village Officials Association (NCVOA) and the Nassau County Building Inspector's Association. Meetings benefit the municipality and, therefore, attendance at these meetings, conferences or schools is hereby approved for one (1) year commencing July 6, 2009.

APPOINTMENTS:

Mayor Bossart appointed Francis D. Quigley, Jr. as Village Clerk-Treasurer/Village Administrator to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, said appointment was approved.

Mayor Bossart appointed Michael Schussheim as Deputy Village Administrator-Finance to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Paul J. Pallas as Deputy Village Administrator-Operations/Village Engineer to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Monica Farrell Derr as Deputy Village Clerk-Treasurer/Census Coordinator to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, said appointment was approved.

Mayor Bossart appointed Daniel V. Casella as Emergency Management Officer to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, said appointment was approved.

Mayor Bossart appointed Anthony Iannone as Superintendent of Water Utilities to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, said appointment was approved.

Mayor Bossart appointed Anthony T. Brunetta as Superintendent of Parks & Recreation to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, said appointment was approved.

Mayor Bossart appointed Daniel V. Casella as Superintendent of Buildings to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Cyd B. Charrow as Director of Senior Services to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, said appointment was approved.

Mayor Bossart appointed John A. Peters as Director of Information Technology to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Daniel V. Casella as Village Assessor to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Christine Tarpinian as Court Clerk to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, said appointment was approved.

Mayor Bossart appointed the following Deputy Village Attorneys for a period of one (1) year commencing July 6, 2009, with the understanding that they are to report to and be responsible to the Village Attorney.

Scott Carrigan	Charles Lapp III
Maureen Dougherty	Jennifer Milone
Jeffrey Goodstein	Joseph A. Gentile
Emilio F. Grillo	Michelle Sheehan Prior
Robin Mary Heaney	Mindy Roman
Donna Hitscherich	Frank Schroeder
Kerry L. Simmons	Alan Stein
Lee D. Kleinhardt	Donald Wolfson
Susan Boland	Jared Andrew Kasschau

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

Mayor Bossart designated the following law firms to represent the Incorporated Village of Rockville Centre, with the

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understanding that they are to report to, and be responsible to, the Village Attorney:

Hammill, O'Brien, Croutier, Dempsey & Pender
Jacobson & Schwartz
Cullen and Dykman LLP
Meyer, Suozzi, English & Klein
Cherry Edson & Kelly
Zaklukiewicz, Puzo & Morrissey

Duncan, Weinberg, Genzer and Pembroke
Goldberg Segalla
Bond, Schoeneck & King, PLLC

On motion by Trustee Krasula, duly seconded by Trustee Oppenheimer, the appointment was approved by a vote of 4-0-1. Trustee Glynn recused himself, sine he is employed by one of the firms.

Mayor Bossart appointed Eugene J. Murray as Honorary Village Ambassador to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Francis D. Quigley, Jr. as Liaison Signatory Nassau County Civil Service Commission to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, said appointment was approved.

Mayor Bossart appointed Erin McLaughlin as Registrar of Vital Statistics to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Martha Anselmo as Deputy Registrar to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Francis D. Quigley, Jr. as the Village Records Management Officer to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, said appointment was approved.

Mayor Bossart appointed Cyd B. Charrow as Affirmative Action/Equal Employment Officer to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

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Mayor Bossart appointed Mel Friedman to serve as a member of the Zoning Board of Appeals for a period of five (5) years commencing July 6, 2009.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, said appointment was approved.

NEW BOARD

R. Ventura, 2010
G. Rinn, 2011
K. Ryan, 2012 (Chair)
J. Robert Schenone, 2013
M. Friedman, 2014

Mayor Bossart announced that Kevin M. Ryan is to serve as Chairperson of the Zoning Board of Appeals for a period of one (1) year commencing July 6, 2009.

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

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

David M. Blumenthal	Louis J. Milone
Maureen Gibbons	Carolyn T. Stone
Fred Levine	Elliott C. Winograd

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, said appointment was approved.

Mayor Bossart appointed James T. Rochford to serve as Counsel to the Zoning Board of Appeals for a period of one (1) year commencing July 6, 2009.

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

Mayor Bossart appointed Daniel V. Casella to serve as Secretary to the Zoning Board of Appeals to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

Mayor Bossart appointed Mary Beth Kearns to serve as Chairperson of the Planning Board for a period of one (1) year commencing July 6, 2009.

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

NEW BOARD

M. Meyer, 2010
J. Schoen, 2011
D. Joyce, 2012
M. B. Kearns, 2013 (Chair)
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Mayor Bossart appointed the following as Alternate Members of the Planning Board, if the need arises.

Thomas Gallucci	Stephen F. McLoughlin
Peter Szcerba	Charles Cellura
Patrick O'Brien	Bryan A. McKenna
Maureen Quinn	

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, said appointments were approved.

Mayor Bossart appointed Steven G. Leventhal to serve as Counsel to the Planning Board for a period of one (1) year commencing July 6, 2009.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, said appointment was approved.

Mayor Bossart appointed Thomas Domanico as Secretary to the Planning Board to serve at the pleasure of the Mayor and Board of Trustees commencing July 6, 2009.

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

The Board of Trustees appointed the following members to serve on the Rockville Centre Board of Ethics for a period of one (1) year commencing July 6, 2009.

Rev. Harald K. Kuehne
Rabbi Barry Dov Schwartz
Robert C. Williams
Vincent L. Vario
Martha Krisel
Gary Kondor
Steven G. Leventhal, Counsel to Board of Ethics

On motion by Trustee Krasula, duly seconded by Trustee Glynn and unanimously carried, said appointment was approved.

The Board of Trustees appointed the following members to serve on the Human Rights Commission for a period of one (1) year, commencing July 6, 2009.

Rev. Roger D. Johns (Pastor St. Marks), Chair
Rev. Robert Gunn (Pastor United Church)
Rabbi Marc Gruber (Central Synagogue)
Mollie Poulson
Ruth Keller
Ann Pagnotta
Leonard Sandel

On motion by Trustee Oppenheimer, duly seconded by Trustee Joyce and unanimously

carried, said appointment was approved.

Mayor Bossart appointed John Tomaszewski to serve as a member of the Housing Authority for a period of five (5) years commencing July 6, 2009.

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G. Kondor, 2010
P. Dordal, 2011
W. Devlin, 2012
R. Pagnotta, 2013
J. Tomaszewski, 2014

Mayor Bossart appointed the following members to serve as a Board of Examining Plumbers for a period of one (1) year, commencing July 6, 2009.

James Armellino (Turnabout Plumbing & Heating, Inc.) Chairperson
Tom Sullivan (Island Wide Plumbing)
Larry Ulip (Ulip Plumbing & Heating)
Ken Moore (Ken Moore Plumbing)

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

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board named five individuals as regular members of the Architectural Design Consultants Board for a one-year period commencing July 6, 2009.

Robert Roble, Chairperson
Michael J. Bonacasa
Charles R. Beckert
Denise Bradley
David Resnick
Vincent Iacobellis (Alternate)

Mayor Bossart appointed the following members to serve on the Insurance Committee commencing July 6, 2009. None of the parties on the committee has business with the Village nor plans to solicit business with the Village, nor will they be able to solicit for two years following their commitment to this committee:

Michael Jewell, Chair
Jeff Greenfield
Steve Ruchman

Mayor Bossart announced the following Liaison Assignments:

TRUSTEE CHARLES R. JOYCE

Deputy Mayor
Board of Zoning Appeals
Chamber of Commerce
Electric Department
Hispanic Brotherhood
Police Department and Auxiliary Police
Public Works
RVC Community Council Steering Committee
Senior Services
Traffic, Transportation and Parking

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TRUSTEE DAVID A. KRASULA

Building Department
Cable and Communications
Chamber of Commerce

Chief Fiscal Officer
Comptroller
Finance Committee
Fire Department and Fire Prevention
Planning Board
RVC Board of Education
RVC Housing Authority
RVC Museum/Historical Committee
Traffic, Transportation and Parking

TRUSTEE KEVIN R. GLYNN

Board of Ethics
Chamber of Commerce
Community Development
CONFIDE
Economic Opportunity Council
Environment and Beautification
Library Board
Parks and Recreation Department
Tenant/Landlord
Traffic, Transportation and Parking
Village Court

TRUSTEE EDWARD J. OPPENHEIMER

Chamber of Commerce
Citizens Budget Advisory Committee
Civic Associations
Engineering Department
Guild for the Arts
Human Rights
Information Technology
Martin Luther King Center
Nassau County Legislature
Traffic, Transportation and Parking
Water Department

Mayor Bossart advised that all Trustees participate in all parts of the Government and attend many of the meetings.

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

Village Administrator/Clerk-Treasurer
Village Attorney
Public Relations
Comptroller

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Mayor Bossart announced that the Budget for the Fiscal Year commencing June 1, 2009 and ending May 31, 2010, was adopted by the Board of Trustees on April 27, 2009.

Mayor Bossart stated that a line-by-line budget is available in the Comptroller's Office and on the Village website at www.rvcny.us.

Mayor Bossart announced that a Public Hearing on the Budget was held on April 2, April 6, April 14 and April 20, 2009 in the Village Hall.

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

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

R E S O L U T I O N

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

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

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

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board adjourned the Organizational Meeting.

Mayor Bossart reconvened the Regular Meeting.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board adopted a Resolution to publish a Legal Notice to hold a Public Hearing on Bill 2-2009 in relation to flood damage prevention. Mayor Bossart and Trustees Joyce, Krasula, Glynn and Oppenheimer voted aye.

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R E S O L U T I O N

Publication of legal notice for public hearing

Bill RVC 2-09. A local law to amend the Code of the Village of Rockville Centre, in relation to flood damage prevention.

WHEREAS, the Village proposes to enact new legislation to amend the current provisions of the Village Code with respect to flood damage prevention, which new legislation is mandatory in order for the Village to comply with DEC and Federal Emergency Management Agency directives, and to permit owners of real property in the Village to qualify for flood insurance; and

WHEREAS, a public hearing is required for the adoption of a local law to accomplish such goal, and a legal notice is required to announce the subject, time and place of the public hearing,

IT IS HEREBY RESOLVED that the Village Administrator shall cause a legal notice to be published in the next available edition of the official paper of the Village of Rockville Centre (the Rockville Centre Herald) to announce that a public hearing will commence with respect to this proposed legislation (Bill RVC 2-09) on August 10, 2009, at 8:15 pm., and shall give such other notice of hearing as may be required by law.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board adopted a SEORA Resolution in relation to Bill 2-2009. Mayor Bossart and Trustees Joyce, Krasula, Glynn and Oppenheimer voted aye.

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

Bill RVC 2-09. A local law to amend the Code of the Village of Rockville Centre, in relation to flood damage prevention.

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

WHEREAS, the Board of Trustees is considering the adoption of legislation designated Bill RVC 2-09, to amend the Village Code with respect to flood damage prevention, and to enact new legislation which is mandatory in order for the Village to comply with DEC and Federal Emergency Management Agency directives, and to permit owners of real property in the Village to qualify for flood insurance; and

WHEREAS, the Board of Trustees has considered the nature of the proposed action, and an Environmental Assessment Form (EAF),

NOW, THEREFORE, IT IS

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RESOLVED, that the Board hereby finds and concludes that the proposed adoption of Bill 2-09 is an Unlisted Action pursuant to the State Environmental Quality Review Act and regulations adopted pursuant thereto;

the Board is the lead agency with respect to environmental review of this proposed action;

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

whether the proposed action would result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

whether the proposed action would result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

whether the proposed action would impair the environmental characteristics of any Critical Environmental Area;

whether the proposed action would conflict with the community's current plans or goals as official approved or adopted;

whether the proposed action would impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

whether the proposed action would result in a major change in the use of either the quantity or type of energy;

whether the proposed action would create a hazard to human health;

whether the proposed action would create a substantial change in the use, or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

whether the proposed action would encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

whether the proposed action would create changes in two or more elements of the environment, no one of which would have a significant impact on the environment, but when taken considered together would result in a substantial adverse impact on the environment;

whether the proposed action would create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

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whether the proposed action would result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular;

the proposed action would not have a significant adverse environmental impact with respect to any of the foregoing factors, and none of those factors is sufficiently significant to require further study; and

no further environmental review is required with respect to the proposed action.

And it is further

RESOLVED, that a public hearing shall be held with respect to proposed Bill RVC 2-09 on August 10, 2009, at 8:15 pm.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board adopted a resolution to accept contributions in support of the Village's annual anniversary celebration. Mayor Bossart and Trustees Joyce, Krasula, Glynn and Oppenheimer voted aye.

WHEREAS, various individuals and businesses generously have offered contributions to the Village in support of the Village's annual anniversary celebration; and

WHEREAS, the munificence of these donors has permitted the continuation of a wonderful Village tradition and public celebration, which might not have been possible without such generosity;

Now, therefore, be it

RESOLVED, that the Village of Rockville Centre gratefully accepts donations from the following individuals or businesses in the following indicated amounts:

06/23/09	A. THOMAS & IRIS LEVIN	95 BULSON ROAD, RVC	100.00
06/24/09	SUNRISE ONE OPERATING LLC	415 OCEAN AVE, LYNBROOK	1,500.00
06/24/09	CHARLES & JEAN JOYCE	26 SOUTHARD AVE., RVC	50.00
06/24/09	FRONT ST BAKE SHOP, INC	51 FRONT ST, RVC	200.00
06/30/09	FRANCIS X. MURRAY	69 LAKESIDE DR., RVC	1,000.00
06/30/09	ANTOINETTE GELATO	483 ARIZONA AVE., RVC	25.00
06/30/09	LAWRENCE AND MARGARET QUINN	70 WALNUT AVE., RVC	50.00
06/30/09	ROBERT N. HELFENSTEIN		50.00

On motion by Trustee Oppenheimer, duly seconded by Trustee Glynn and unanimously carried, the Board approved a Change Order for the 2007 Road Program.

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July 6, 2009

Rockville Centre, New York

The Road Program for 2007 consisted of three components; roadway infrastructure work, fire hydrant installation and electric conduit and manhole installation. The total bid cost for all work was \$3,608,720. Based on our analysis of the bid documents three purchase orders were issued. The first for the general fund was \$3,000,000.; the second for the Water Department was \$100,000. and lastly for the Electric Department was for \$508,720. The total billed by the Contractor, Richard W. Grim, Inc. was \$3,760,074.21 a total overrun of \$151,354.21.

After reviewing the bills submitted by the Contractor we have concluded that the Contractor did not bill in accordance with the intent of the breakdown of purchase orders described above. The following represents our analysis of the bills vs. the purchase order and how the bills should have been submitted:

	<u>Bid/PO</u>	<u>Billed</u>	<u>Corrected Bill</u>	<u>Over/Under</u>
General Fund	\$3,000,000	\$3,245,365.91	\$3,158,874.91	-\$158,874.91
Electric	508,720	423,032.30	506,373.30	+\$ 2,346.70
Water	100,000	91,676.00	94,826.00	+\$ 5,174.00

The overrun of \$158,874.91 for the general fund consists primarily of additional asphalt required in the shoulder areas due to poor subsurface conditions. Obviously, the actual subsurface conditions are difficult to assess prior to actual construction. These conditions were confirmed prior to allowing the Contractor to increase the asphalt quantities to provide a proper installation.

Although the total corrected amount billed to the water department does not exceed the purchase order amount there was certain work required that was not in the specifications. This consisted of the installation of hydrant tees that are required for proper operation.

General Fund \$158,874.91

Water Dept. \$45,426.00

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board approved additional monies for H2M Laboratories to perform water sampling testing for FY 2009 in the amount of \$2,035.00, for a total expenditure of \$47,035.00.

On motion by Trustee Joyce, duly seconded by Trustee Oppenheimer and unanimously carried, the Board approved a Nassau County Grant to provide \$66,000 for Gym Renovation at the Recreation Center.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board approved the Minutes of the Special Meeting of June 11, 2009.

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July 6, 2009

Rockville Centre, New York

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board approved the Minutes of the Briefing Session of June 17, 2009.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board approved the Minutes of the Special Meeting of June 22, 2009.

On motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the Board approved the Minutes of the joint Board/School District Meeting of June 24, 2009.

On motion by Trustee Joyce, duly seconded by Trustee Krasula and unanimously carried, the Board approved the Minutes of the Briefing Session of June 26, 2009.

Village Administrator Quigley advised that duly advertised Bids for the CY 2009 Roadway Project had been opened by the Purchasing Department on June 18, 2009, with the following results:

<u>BIDDERS</u>	<u>QUOTED PRICE</u>
Richard Grim Inc.	\$1,624,803.00
Araz Industries Inc.	1,836,900.00
Newborn Construction	1,967,000.00

The following companies did not respond: Adjo, Bancker, Bimasco, CAC Contracting, Carlo Lizza & Sons, Diversified Construction, Elmore, Hinck Electric, Hawkeye, Intercounty Paving, Merrick Utility, NY Paving, Pratt Brothers, Robustello, Stasi Brothers, Suffolk Paving and Valente Contracting.

After negotiations with the low bidder, namely Richard Grim Inc., the vendor agreed to lower their bid to \$1,608,555.00.

On motion by Trustee Oppenheimer, duly seconded by Trustee Joyce and unanimously carried, the Board awarded the bid to the lowest responsible bidder, namely Richard Grim Inc., for an expenditure not to exceed \$1,608,555.00.

That concluded the business portion of the meeting. For a verbatim record, please refer to the DVD.

At 9:10 p.m., on motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the meeting was adjourned.

Francis D. Quigley, Jr.
Village Administrator

/mfd

Rockville Centre, New York

The Board of Trustees held a public Briefing Session on the above date in the Mayor's office. The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Mary Whalen Bossart, Trustees Charles R. Joyce David A. Krasula, Kevin R. Glynn and Edward J. Oppenheimer.

ABSENT: None.

ALSO PRESENT: Village Administrator Francis D. Quigley, Jr., Village Attorney A. Thomas Levin, Deputy Administrator-Finance/Comptroller Michael Schussheim, Deputy Administrator-Operations/Village Engineer Paul J. Pallas, Police Commissioner John P. McKeon, Superintendent of Water Anthony Iannone, Superintendent of Public Works Harry L. Weed, Superintendent of Parks and Recreation Anthony T. Brunetta, Director of Senior Services Cyd B. Charrow and Director of Information Technology John A. Peters.

Insurance Consultant Chris Durnan made a presentation to the Board.

Trustee Joyce moved to purchase a Workers Compensation Excess Coverage Policy with a retained limit of \$500,000 for a premium of \$117,800. Trustee Oppenheimer seconded the motion, and it was carried by a vote of 4-1. Trustee Krasula voted nay.

After discussion, it was the consensus of the Board not to object to the participation of Artisan Breads at the Farmers Market. Mayor Bossart said she would check further with Ethel Terry.

At 8:12 p.m., on motion by Trustee Krasula, duly seconded by Trustee Joyce and unanimously carried, the meeting was adjourned.