

A **Regular Meeting** of the Board of Trustees of the Village of Port Washington North was held at 3 Pleasant Avenue, Port Washington, New York, on Wednesday, **October 28, 2020** at 7:30pm. Pursuant to the Governor's Executive Order 103 the meeting was also held via video conference. The public was able to hear and participate in the meeting by computer link, telephone dial-in and, additionally, the public was able to ask any questions through email.

Present:	Mayor	-	Robert S. Weitzner
	Trustee	-	Steven Cohen
		-	Matthew Kepke
		-	Sherman Scheff
	Clerk	-	Palma Torrisi
	Attorney	-	Stuart Besen
	Court Reporter	-	Kelly Cullen

Excused: Trustee Malatino

1. Organizational Meeting

A. On motion of Trustee Kepke, seconded by Trustee Cullen, it was unanimously
RESOLVED, that pursuant to Village Law Section 3-301(b), the members of the Board of Trustees are hereby appointed as the members of the **Board of Assessment Review** of the Village of Port Washington North for a term of one official year, said term to expire April **2021**.

B. On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously
RESOLVED that Stuart Besen of the law firm Milber Makris Plousadis & Seiden LLP be engaged as **Village Attorney** for general counsel legal work on behalf of the Village, in accordance with his retainer letter dated October 21, 2020, for a term to expire April **2021**.

C. On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously
RESOLVED that firms Dvirka & Bartilucci Consulting Engineers and Cameron Engineering & Associates be engaged as the **Village Engineers** for engineering work on behalf of the Village for a term of one year, terms to expire April **2021**.

D. Official Village Newspaper Designation

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously
RESOLVED that the *Port Washington Times* be and hereby is designated as the **official newspaper** of record for the Village of Port Washington North for the official year ending April 2021, and that the Village Clerk is hereby authorized to also publish notices in the *Port Washington Times*.

E. Designating Depository Banks

On motion of Trustee Cohen, seconded by Trustee Scheff, the following resolution was unanimously adopted:

WHEREAS the Board of Trustees has determined that Village Law §4-412(3)(2) requires the designation of banks or trust companies for the deposit of all Village monies; and

WHEREAS the Village Treasurer has recommended Bank of New York, CitiBank and Dime Bank, as **authorized depositories for Village funds**;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees designates Bank of New York, CitiBank and Dime Bank as depositories of all moneys received by the Village Treasurer, Clerk, and Receiver of Taxes.

F. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously

RESOLVED that the Board of Trustees hereby adopts the following:

Investment Policy

A. SCOPE. This investment policy applies to all moneys and other financial resources available for investment on the Village's own behalf or on behalf of any other entity or individual.

B. OBJECTIVES. The primary objectives of the local government's investment activities are, in priority order:

1. to conform with all applicable federal, state and other legal requirements;
2. to adequately safeguard principal;
3. to provide sufficient liquidity to meet all operating requirements; and
4. to obtain a reasonable rate of return.

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

D. 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. 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. All participants involved in the investment process shall refrain from personal business activity that could

conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

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

F. INTERNAL CONTROLS. It is the policy of the Village for all moneys collected by any officer or employee of the government to transfer those funds to the Treasurer within 10 days of receipt, or within the time period specified in law, whichever is shorter. The 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.

G. DESIGNATION OF DEPOSITORIES. The banks and trust companies authorized for the deposit of moneys are:

Bank of New York

CitiBank

Dime Bank

H. COLLATERALIZING OF DEPOSITS. In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Village, 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 by a pledge of "eligible securities" with an aggregate "market value", as provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits.

I. 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 agreements.

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

The custodial agreement 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 when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

J. PERMITTED INVESTMENTS. As permitted by General Municipal Law, Section 11, the Village authorizes the 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 Village, but only with any moneys in a reserve fund established pursuant to General Municipal Law, Section 6-c, 6-d, 6-e, 6-f, 6-h, 6-j, 6-k, 6-l, 6-m or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village within two years of the date of purchase.

K. 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 that can be made with each financial institution or dealer. All financial institutions with which the Village conducts business must be credit worthy. 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 Treasurer is responsible for evaluating the financial position and maintaining a list of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

L. PURCHASE OF INVESTMENTS. The Treasurer is authorized to contract for the purchase of investments:

1. Directly from an authorized trading partner
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G 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

3. By utilizing an on-going investment program with an authorized tracking partner pursuant to a contract authorized by the Board of Trustees.

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 such 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, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the village, 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 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.

G. On motion of Trustee Kepke, seconded by Trustee Scheff, the following was unanimously adopted:

Procurement Policy

Whereas, the General Municipal Law of the State of New York section 104-b has required the adoption of procurement procedures for the purchase of goods and services exempt from the competitive bidding procedures of section 103 of that same law, and

Whereas, the Trustees of the Village of Port Washington North have considered said legislation and consulted with and solicited comments from the appropriate Village personnel, and in furtherance thereof have determined the following to be the procurement procedure of the Village of Port Washington North,

Now Therefore Be It Resolved, that Village employees in consultation with the appropriate professional representing the Village shall make a written determination as to the exemption of any goods or services from the competitive bidding procedures section 103 of the New York State General Municipal Law, and

Be It Further Resolved that for all purchases of goods or services in excess of \$500.00 but otherwise exempt from section 103 the Village employees shall act as follows:

a). \$ 1,000.00 up to \$ 5,000.00 solicitation of no less than two (2) oral quotes or written price verification via catalog or other pricing index.

b). \$ 5,001.00 up to \$ 20,000.00 for purchases or up to \$ 35,000.00 for public works contracts solicitation of three written price quotes or written price verifications.

c). items less than \$ 1,000.00 which can be anticipated to be purchased on a regular basis more than two times per year shall be subject to a or b above.

Be It Further Resolved, that in all instances the Village employee purchasing goods and services shall keep accurate records detailing the procurement procedures as outlined above.

Be it Further Resolved that, in the event any contract is awarded to other than the lowest bidder, there shall be documentation and justification of the reason why the purchase or public works is in the best interest of the Village.

Be It Further Resolved, that except when otherwise directed, the Trustees hereby exempt the following services from the provisions of this resolution due to the fact said services require confidential, continuous, and professional, talented or otherwise unique relationships to the Village all in accordance with the General Municipal Law of the State of New York section 103:

- | | |
|-------------------|---------------------------|
| 1. Architectural | 6. Insurance |
| 2. Legal | 7. Information Technology |
| 3. Financial | 8. Public relations |
| 4. Engineering | 9. Artistic |
| 5. Tax Certiorari | |

Emergency services, State or County bid contract, standardized equipment, road restoration performed by other municipalities, services performed via Intermunicipal Agreement and sole source situations are exempt from the provisions of this resolution.

Failure to comply with the above procurement procedures shall not invalidate the award of any contract nor shall any Village employee incur monetary liability as a result of such failure.

Be It Further Resolved that this resolution shall be reviewed from time to time but in no event less than one year from the date hereof. This resolution shall take effect immediately.

H. Sexual Harassment Policy

On motion of Trustee Kepke, seconded by Trustee Scheff, the following Sexual Harassment Policy was unanimously adopted:

Village of Port Washington North
Sexual Harassment Policy
Adopted October 17, 2018

The Village of Port Washington North (the “Village”) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. The Village has a zero-tolerance policy for any form of sexual harassment, and all employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Village’s commitment to a discrimination-free work environment.

Sexual harassment is against the law. All employees have a legal right to a workplace free from sexual harassment, and employees can enforce this right by filing a complaint internally with the Village, or with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

The Village of Port Washington North policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business with the Village.

Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.

Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The Village of Port Washington North has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of the Village who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee¹ working in the workplace who believes they have been subject to such retaliation should inform a supervisor, manager, Mayor or Village Clerk. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other available forums, as explained below in the section on Legal Protections.

¹ A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects the Village of Port Washington North to liability for harm to victims of sexual harassment. Harassers

may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.

The Village will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.

All employees are encouraged to report any harassment or behaviors that violate this policy. The Village will provide all employees a complaint form for employees to report harassment and file complaints.

Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe to the Mayor or Village Clerk.

This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be posted prominently in all work locations and be provided to employees upon hiring.

What Is "Sexual Harassment"?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;

A sexually harassing hostile work environment consists of words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

Physical assaults of a sexual nature, such as:

Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employees' body;

Rape, sexual battery, molestation or attempts to commit these assaults.

Unwanted sexual advances or propositions, such as:

Requests for sexual favors accompanied by implied or overt threats concerning the victim's job performance evaluation, a promotion or other job benefits or detriments;

Subtle or obvious pressure for unwelcome sexual activities.

Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment.

Sexual or discriminatory displays or publications anywhere in the workplace, such as:

Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.

Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:

Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;

Sabotaging an individual's work;

Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at Village sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

What is "Retaliation"?

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- Filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;

- Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;

- Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;

- Complained that another employee has been sexually harassed; or

- Encouraged a fellow employee to report harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The Village of Port Washington North cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, Mayor or Village Clerk. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, Mayor or Village Clerk.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form.

Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Mayor or Village Clerk.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint And Investigation Of Sexual Harassment

All complaints or information about suspected sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, and should be completed within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employees who participate in any investigation will not be retaliated against.

Investigations will be done in accordance with the following steps:

Upon receipt of complaint, the Mayor or Village Clerk will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.

If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them.

Request and review all relevant documents, including all electronic communications.

Interview all parties involved, including any relevant witnesses;

Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents;
- A list of names of those interviewed, along with a detailed summary of their statements;
- A timeline of events;
- A summary of prior relevant incidents, reported or unreported; and
- The final resolution of the complaint, together with any corrective actions action(s).

Keep the written documentation and associated documents in the employer's records.

Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document.

Inform the individual who complained of their right to file a complaint or charge externally as outlined below.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the Village of Port Washington North but is also prohibited by state, federal, and, where applicable, local law.

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

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Village does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400 [appropriate other contact info], www.dhr.ny.gov

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml

Contact the Local Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

I. Inventory of Fixed Assets

A. On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously
RESOLVED that the Inventory of Fixed Assets for this Village, as recommended by the New York State Department of Audit & Control, be accepted as set forth in the annual **GASB 34** report, which is on file with the Village Clerk.

B. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously
RESOLVED that the Village enter into an agreement with **Appraisal Affiliates Inc.** to provide annual maintenance service on the appraisal of Village-owned personal property, pursuant to GASB 34, for the period of June 1, **2020** to May 31, **2021**, at a cost not to exceed **\$900.00** and as more particularly set forth in a written proposal dated October 22, 2020.

J. Workplace Violence Policy

Clerk Torrisi stated that no reports of workplace violence were received in the prior official year. On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously
RESOLVED that the Board of Trustees hereby adopts the following Work Place Violence Policy for the Village of Port Washington North:

WORKPLACE VIOLENCE POLICY

I. SCOPE OF POLICY

The Village of Port Washington North ("Village") is committed to the safety and security of its employees. Workplace violence presents a serious occupational safety hazard to Village staff and to residents, vendors, contractors and the general public (hereinafter collectively referred to as "visitors"). Threats, threatening behavior or acts of violence against employees or visitors by anyone on Village property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as visitors, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

II. OBJECTIVE

This policy is designated to meet the requirements of New York State Labor Law 27b. The process involved in complying with this law includes a workplace evaluation that is designed to identify the workplace violence hazards Village employees could be exposed to. Other tools that are utilized during this process include establishing ongoing participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process, and investigating workplace violence incidents or allegations. All employees will participate in annual Workplace Prevention Training program.

III. DEFINITION

Workplace violence is any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment, including but not limited to:

- A. An attempt or threat to inflict physical injury upon an employee;
- B. Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- C. Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- D. Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

IV. PROCEDURE

The goal of this policy is to promote the safety and well-being of all people in the Village workplace. All incidents of violence or threatening behavior will be

responded to immediately upon notification. The Village has identified response personnel that include a member of management and an employee. All Village personnel are responsible for notifying one of the contact persons designated below of any violent incidents, threatening behavior, including threats they have witnessed or received. The Village personnel designated as contact persons are the Mayor and the Village Clerk.

K. Standard Workday & Reporting

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Village of Port Washington North hereby establishes a standard work day of six hours for all elected and appointed Village officials; and BE IT RESOLVED that the Village of Port Washington North hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their records of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
Mayor	8	Robert Weitzner			<input type="checkbox"/>	4/1/19 - 4/5/21	10.33	<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>
Appointed Officials								
Treasurer	6	Mary Jo Bella			<input type="checkbox"/>	4/1/19 - 4/5/21	5.00	<input type="checkbox"/>
Planning Board Member	6	Keith Kindler			<input type="checkbox"/>	4/4/18 - 4/3/23	1.36	<input type="checkbox"/>
					<input type="checkbox"/>			<input type="checkbox"/>

2. Clerk

A. On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of August 26, 2020 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

B. On motion of Trustee Kepke, seconded by Trustee Scheff, the following resolution was unanimously adopted:
RESOLVED that the annual general Village election shall be held on March 16, 2021; and it is further
RESOLVED that the Board of Trustees designates the following offices as vacant at the end of the current official year, to be filled at the Village Election to be held on March 16, 2021 for the following terms:

Mayor	- Two Years
Trustee	- Two Years
Trustee	- Two Years

3. Treasurer

A. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously

RESOLVED that the reading of the Abstracts of Vouchers for the General Fund #226, totalling \$182,508.04, and Trust & Agency #166, totalling \$635.00, be waived and that it be and hereby is approved as prepared by Treasurer Bella.

B. Trustee Scheff stated that he reviewed the bank statement reconciliations for September 2020.

4. Reports

A. Public Works

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Public Works report for the October 2020 be and hereby is accepted as presented by Superintendent Novinski.

B. Building Department

On motion of Trustee Scheff, seconded by Trustee Kepke, it was unanimously RESOLVED that the Building Department report for September 2020 be and hereby is accepted as presented by Superintendent Barbach.

C. Emergency Management & Traffic Safety

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the Emergency Management and Traffic Safety reports for the month of September 2020 be and hereby are approved as presented by Commissioner Kaplan.

D. Beautification

On motion of Trustee Cohen, seconded by Trustee Scheff, the Board accepted the Beautification Commission report for the month of September 2020 as presented by Commissioner Roth.

5. Business

A. Board of Appeals Member Appointment

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that Mayor Weitzner's appointment of Jon Weinstein to fill the unexpired term of Stephen Hazelkorn, said term to expire April 2024, as a member of the Board of Appeals is approved.

B. Street Light Maintenance Contract

Clerk Torrisi reported that the following proposals were received by the Village by 12:00 noon on Friday, October 23, 2020:

	<u>Anker's</u>	<u>Palace</u>
Street Light Maintenance (annual)	\$11,100.00	\$9,780.00
Coach Light Fixture	650.00	625.00
Aluminum Post for Coach Light Fixture	995.00	925.00
Black Steel Arm for Coach Light Fixture	415.00	375.00
Cobra Head Fixture	510.00	495.00
Arm for Cobra Head Fixture	510.00	495.00
Mark-outs (/ft.)	1.25	1.00
Directional Drilling/Horizontal Boring (/ft.)	32.00	40.00
All other Construction Work (/hour)	125.00	120.00

Traffic Safety Commissioner Kaplan recommended Palace Electrical Contractors Inc. as the lowest responsible bidder. On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously

RESOLVED that the Street Light Maintenance contract be and hereby is awarded to Anker's Electrical Service Inc., as the lowest responsible bidder, for the term of October 1, 2020 to September 30, 2021, at a cost not to exceed \$11,100.00 per year and as more particularly set forth in a written agreement between the parties.

C. Conditional Use Extension for Parking & Storage of Motor Vehicles at 101 Winners Circle

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the Board of Trustees hereby extends the conditional use permit of Biener Auto Group Inc., 795 Northern Boulevard, Great Neck, New York 11021, to allow the outdoor storage and parking of motor vehicles at 101 Winners Circle, Port Washington, New York 11050 (said premises are designated on the Nassau County Land & Tax Map as Section 4, Block 123, Lots 18, 20, 23, 24, 43 & 50 and are owned by Parvis Fazarazad, 101 Channel Drive LLC, 750 Route 25A, East Setauket, New York 11733) to June 30, 2021, upon the same terms and conditions as the permit granted on January 22, 2020.

D. Commercial Leaf Blowers & Noise

On motion of Trustee Cohen, seconded by Trustee Scheff, it was unanimously RESOLVED that the Board of Trustees will hold a public hearing on November 18, 2020 at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, Port Washington, New York, to consider the adoption of Bill 2 of 2020, Restricting the Use of Gas-Powered Leaf Blowers in the Village of Port Washington North.

E. Building Plan Examiner P/T

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that Michael Mandarino be hired, effective November 4, 2020, as a Building Plan Examiner part-time, at the rate of pay of \$50.00 per hour, subject to Nassau County Civil Service Commission approval.

F. Village Tree Issues

Mayor Weitzner reported that the trees that came down during hurricane Isaias came down from the roots, causing problems with sidewalks, curbs and roads. The Mayor stated that he plans to reach out to the public about the repair project.

6. Executive Session

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the regular meeting be adjourned and that the Board enter into executive session for the purpose of discussing litigation with counsel.

On motion of Trustee Scheff, seconded by Trustee Cohen, it was unanimously RESOLVED that the executive session be closed and that the regular meeting be reconvened.

Mayor Weitzner stated that no action was taken in executive session, and reconvened the regular meeting.

7. Tax Certiorari Settlements

A. On motion of Trustee Scheff, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS there is now pending the Supreme Court, Nassau County, proceedings by the owners of certain real properties within the Village of Port Washington North to reduce the assessed valuations placed on property for Village Tax purposes; and WHEREAS the Village Attorney recommend that said proceeding be settled in accordance with a written memorandum to the Board dated October 20, 2020; NOW, THEREFORE, BE IT RESOLVED that the Village Attorney is hereby authorized to settle the following tax certiorari proceeding on the basis indicated:

S K Foods Corp.
37 Shore Road
Section 4, Block 51, Lots 17, 109 & 111

<u>Tax Year</u>	<u>Present Assessment</u>	<u>Proposed Assessment</u>	<u>Refund</u>
2014	\$24,800	--	{ Lump Sum
2015	\$24,800	--	{
2016	\$24,800	--	{ Settlement

2017	\$24,800	--	{
2018	\$24,800	--	{ of
2019	\$24,800	--	{
2020	\$24,800	--	{ \$7,000
2021	--	\$20,500	

BE IT FURTHER RESOLVED that the Assessor is hereby directed to place the tax year 2021/22 assessment of Section 4, Block 51, Lots 17, 109 & 111 upon the Village roll at \$20,500; and BE IT FURTHER RESOLVED that there shall be a three-year moratorium on filing tax certioraris for the aforesaid property.

B. On motion of Trustee Kepke, seconded by Trustee Cohen, the following resolution was unanimously adopted:

WHEREAS there is now pending the Supreme Court, Nassau County, proceedings by the owners of certain real properties within the Village of Port Washington North to reduce the assessed valuations placed on property for Village Tax purposes; and WHEREAS the Village Attorney recommend that said proceeding be settled in accordance with a written memorandum to the Board dated October 21, 2020; NOW, THEREFORE, BE IT RESOLVED that the Village Attorney is hereby authorized to settle the following tax certiorari proceeding on the basis indicated:

Publishers Clearing House
101 Winners Circle
 Section 4, Block 123, Lots 4, 18, 20, 23, 24, 43 & 50

<u>Tax Year</u>	<u>Present Assessment</u>	<u>Proposed Assessment</u>	<u>Refund</u>
2006	\$660,000	--	{
2007	\$410,000	--	{ Settlement
2008	\$410,000	--	{
2009	\$410,000	--	{ of \$75,000.
2010	\$410,000	--	{
2011	\$410,000	--	{ Payable
2012	\$410,000	--	{
2013	\$410,000	--	{ over
2014	\$410,000	--	{
2015	\$410,000	--	{ 3 Years
2016	\$410,000	--	{

On motion of Trustee Kepke, seconded by Trustee Scheff, it was unanimously RESOLVED that the meeting be and hereby is closed at 10:30 p.m.

Palma Torrisi, Village Clerk