

The **Annual Meeting** of the Board of Trustees of the Village of Port Washington North was held on Tuesday, **April 12, 2022** at 7:30pm at 3 Pleasant Avenue, Port Washington, New York.

|          |                |   |                    |
|----------|----------------|---|--------------------|
| Present: | Mayor          | - | Robert S. Weitzner |
|          | Trustees       | - | Steven Cohen       |
|          |                | - | Matthew Kepke      |
|          |                | - | Michael Malatino   |
|          | Clerk          | - | Palma Torrisi      |
|          | Attorney       | - | Stuart Besen       |
|          | Court Reporter | - | Lisa Marie Marconi |

Excused: Trustee Scheff

#### A. Annual Meeting

1. Mayor Weitzner administered the Oath of Office to Trustees-Elect Steven Cohen and Michael Malatino.

2. On motion of Trustee Malatino, seconded by Trustee Kepke, it was **RESOLVED** that Mayor Weitzner's appointment of Steven Cohen as Deputy Mayor for one official year, said term to expire April 2023 be approved.

Vote was recorded as follows: Trustee Cohen-abstain, Trustee Kepke-aye, Trustee Malatino-aye, Mayor Weitzner-aye. Motion carried.

3. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously **RESOLVED** that the following appointments made by Mayor Weitzner for a term of one official year, term to expire April **2023**, be approved:

- a. Palma Torrisi as Assessor
- b. Palma Torrisi as Tax Collector
- c. Mary Jo Bella as Budget Officer
- d. Robert Barbach as Superintendent of Buildings
- e. Michael Mandarino as Building Plan Examiner
- f. Ronald Novinski as Superintendent of Public Works
- g. Steven Kaplan as Emergency Manager
- h. Howard Roth as Beautification Commissioner
- i. Steven Kaplan as Traffic Safety Commissioner
- j. Scott Baxter as Planning Board Chair
- k. Paul Joseph as Board of Appeals Chair
- l. Howard Krebs as Associate Village Justice
- m. Linda Kropacek as Clerk to the Village Justice
- n. Marybeth Malloy as Village Special Prosecutor

4. On motion of Trustee Malatino, seconded by Trustee Kepke, it was unanimously **RESOLVED** that Mayor Weitzner's appointment of Michael Peltz for a term of seven years, term to expire April 2029, as a member of the **Planning Board** is approved.

5. On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that Mayor Weitzner's appointment of Paul Joseph for a term of five years, term to expire April 2027, as a member of the **Board of Appeals** is approved.

6. On motion of Trustee Cohen, seconded by Trustee Malatino, 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 **2023**.

Mayor Weitzner administered the Oath of Office to those Village officials present.

7. On motion of Trustee Kepke, seconded by Trustee Malatino, 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 March 28, **2022**, for a term to expire April **2023**.

8. On motion of Trustee Malatino, 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 **2023**.

9. On motion of Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the firm Cullen & Danowski LLP be engaged as **Independent Auditor** for auditing services on behalf of the Village, in accordance with its retainer letter dated March 28, **2022**, for a term of one year, term to expire April **2023**, to perform an independent, external audit of the Village's finances for the fiscal year commencing June 1, **2022** and ending on May 31, **2023**, and to file the Annual Financial Report electronically with the State Comptroller, to file the Annual Financial Report with the State Comptroller electronically, to complete a GASB 34 compliant financial statement, and to conduct an audit of the Village Justice Court, at a cost not to exceed \$11,000.00.

10. On motion of Trustee Malatino, seconded by Trustee Cohen, 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 **2023**, and that the Village Clerk is hereby authorized to also publish notices in the *Port Washington News*.

#### 11. Special Districts

On motion of Trustee Malatino, seconded by Trustee Kepke, the following resolution was unanimously adopted:

WHEREAS before the incorporation of the Village of Port Washington North the territory was included within the limits of the following **Special Districts**: Port Washington Garbage District, Port Washington Police District and Port Washington Water District; and

WHEREAS a portion of the territory was included within the limits of the Port Washington Water Pollution Control District; and

WHEREAS the Board of Trustees, after due consideration, has determined that it is in the best interests of the Village that the Special Districts continue the service that they heretofore rendered;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Port Washington North does hereby request the officers of the Town of North Hempstead to extend for the year **2023** against the property in the area of the Village of Port Washington North the following Special Districts' taxes:

Port Washington Garbage District  
Port Washington Police District  
Port Washington Water District

and the said Board requests that the Town of North Hempstead extend for the year **2023** the Sewer Tax against the property of said Village within the limits of the Port Washington Water Pollution Control District.

## 12. Establishing a Regular Meeting Schedule

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that 3 Pleasant Avenue, Port Washington, New York, be and hereby is designated as the place of the regular meetings of this Board until further notice and that the day and time of said **regular meetings** shall be 7:30 p.m., with the exception of the March 28, 2023 meeting which shall be at 6:30 p.m., on the following dates:

|                |                    |                        |
|----------------|--------------------|------------------------|
| May 10, 2022   | September 13, 2022 | January 10, 2023       |
| June 14, 2022  | October 11, 2022   | February 14, 2023      |
| July 12, 2022  | November 15, 2022  | March 14, 2023         |
| August 9, 2022 | December 13, 2022  | March 28, 2023 (6:30p) |
|                |                    | April 11, 2023         |

## 13. Designating Banks

On motion of Trustee Kepke, seconded by Trustee Cohen, 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 CitiBank, Dime Bank, and Valley Bank as authorized depositories for Village funds;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees designates CitiBank, Dime Bank, and Valley Bank as depositories of all moneys received by the Village Treasurer, Clerk, and Tax Collector.

14. On motion of Trustee Cohen, seconded by Trustee Malatino, 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 **CitiBank, Dime Bank, Valley 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.

15. On motion of Trustee Malatino, seconded by Trustee Cohen, 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.

## 16. Sexual Harassment Policy

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

### **Introduction**

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:**

1. 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.
2. 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.
3. 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-employee 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.

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.

4. 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.
5. 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.
6. 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.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe to the Mayor or Village Clerk.
8. 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;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

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 employee's 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](http://www.dhr.ny.gov)

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://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](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto: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](http://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.

#### 17. Inventory of Fixed Assets

A. On motion of Trustee Cohen, seconded by Trustee Malatino, 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 Cohen, seconded by Trustee Malatino, 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, **2022** to May 31, **2023**, at a cost not to exceed \$1,000.00 and as more particularly set forth in a written proposal dated April 10, 2022.

#### 18. Advance Approval of Claims

On motion of Trustee Kepke, seconded by Trustee Malatino, the following resolution was unanimously adopted:  
WHEREAS, pursuant to Village Law Section 5-524(6), this Board, by resolution, may authorize certain payments in advance of its audit of claims, in order to provide for the smooth, continuous, and proper operation of the Village's affairs,

NOW, THEREFORE, BE IT RESOLVED that the Village Treasurer is hereby authorized to make **payment in advance** of audit of claims for **electric, gas, water, sewer, telephone services, cable, internet, postage, freight and express charges**. All such claims shall be presented at the next regular meeting for audit, and the claimant and the officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by this Board.

#### 19. Workplace Violence Policy

Clerk Torrisi stated that no reports of workplace violence were received in the prior official year. On motion of Trustee Malatino, seconded by Trustee Cohen, 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.

20. Standard Workday & Reporting

On motion of Trustee Kepke, seconded by Trustee Cohen, 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)<br>Min. 8 hrs<br>Max. 8 hrs | Name: (First and Last) | Social Security Number: (Last 4 digits) | NY&LR8 ID: | Tier 1 (Check only if member if Tier 1) | Current Term Begin & End Dates: (mm/dd/yy-mm/dd/yy) | Record of Activities Result* |
|-----------------------------|--|------------------------|---|------------|---|---|------------------------------|
| <b>Elected Officials:</b>   |  |                        |   |            |   |   |                              |
| Mayor                       | 6  | Robert WEITZNER        |   |            | <input type="checkbox"/>                | 4/5/21-4/3/23                                       | 10.33                        |
|                             |  |                        |   |            | <input type="checkbox"/>                |   |                              |
|                             |  |                        |   |            | <input type="checkbox"/>                |   |                              |
| <b>Appointed Officials:</b> |  |                        |   |            |   |   |                              |
| Treasurer                   | 6  | May Jo BELLA           |   |            | <input type="checkbox"/>                | 4/5/21-4/3/23                                       | 5.00                         |
| Planning Board Member       | 6  | Keith KINDLER          |   |            | <input type="checkbox"/>                | 4/4/16-4/3/23                                       | 1.36                         |

Mayor Weitzner closed the Annual Meeting.

B. Regular Meeting

1. Public Hearing - Budget Fiscal Year June 1, 2022 to May 31, 2023

a. Mayor Weitzner opened the public hearing, duly advertised in the **March 25, 2022** *Port Washington Times*, to consider the adoption of the proposed **BUDGET** for the fiscal year June 1, **2022** through May 31, **2023**. Budget Officer Bella presented the proposed **\$2,852,868** budget and recommended that the tax rate be **\$16.1797** per \$100 of assessed valuation. A stenographic transcript of the hearing is on file with the Village Clerk. All those present wishing to speak having been heard, on motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that Mayor Weitzner close the public hearing.

b. On motion of Trustee Kepke, seconded by Trustee Cohen, it was RESOLVED that the Budget for the fiscal year commencing June 1, **2022** through May 31, **2023**, as submitted by the Budget Officer, be and hereby is approved. A copy of the Budget for **2022-2023** is attached hereto.

|  | Adopted<br>Budget<br>2022-2023 |
|--|--------------------------------|
| <b>Income</b>                                    |                                |
| 1001 · Real Property Taxes                       | 1,400,000                      |
| 1090 · Interest & Penalties                      | 5,000                          |
| 1100- Payment in Lieu of Taxes                   | 75,000                         |
| 1120 Nassau County Sales Tax                     |                                |
| 1130 · Utilities Gross Receipts Tax              |                                |
| .01 · Key Span/LIPA                              | 65,000                         |
| .02 · Verizon                                    | 1,000                          |
| .03 · Vonage                                     | 20                             |
| .25 · Cable (telephone)                          | 1,000                          |
| .35 · AT&T                                       | 20                             |
| .95 · Other                                      | 200                            |
| <b>Total 1130 · Utilities Gross Receipts Tax</b> | <b>67,240</b>                  |
| 1170 · Cable Franchise                           | 63,000                         |
| 1255 · Clerk Fees                                | 200                            |
| 2110 · Zoning Board Fees                         |                                |
| General  | 200                            |
| Vill Hall/Vill Club                              | 200                            |
| <b>Total 2110 · Zoning Board Fees</b>            | <b>200</b>                     |

|  |        |
|--|--------|
| 2115 · Planning Board Fees                         | 500    |
| 2401 · Interest and Earnings                       |        |
| 2401.LOSAP Interest (LOSAP)                        |        |
| 000 · Village                                      | 350    |
| 100 · T&A Interest                                 | -      |
| Total 2401 · Interest and Earnings                 | 350    |
| 2555 · Building/Alteration Permits                 | 75,000 |
| 2560 · Street Opening Permits                      | 4,000  |
| 2590 · Permits -Other                              |        |
| .500 · Landscaping permits                         | 5,000  |
| .200 · Alarm permits                               | 200    |
| .300 · Pool permits                                | 2,500  |
| .400 · Fence permits                               | 2,000  |
| 2590 · Permits -Other - Other                      | -      |
| Total 2590 · Permits -Other                        | 9,700  |
| 2610 · Fines                                       | 15,000 |
| 2660 · Sale of Real Property                       | -      |
| 2665 · Insurance Recoveries                        | -      |
| 2701 · Refund of Expenditures                      | -      |
| 2705 · Gifts and Donations                         |        |
| Aaron Morgan Bench Fund                            | -      |
| Gifts and Donations Other                          | -      |
| Total 2705 · Gifts and Donations                   | 0      |
| 2805      PW Water District RePaving Reimbursement | -      |
| 3001 · St Aid, Revenue Sharing                     | 10,694 |
| 3005 · St Aid, Mortgage Tax                        | 90,000 |
| 3040      St. Aid Misc.                            |        |
| 3089 · St Aid, Other                               |        |
| 105 · Grant-Dept Trans, Pleasant Ave (NYS Senate)  | -      |
| 106 · Grant-Parks Baywalk Phase III/2020 SAM Grant |        |
| 113 · JCAP Court Grant                             |        |
| 114- Grant - State (NYS Ass'y) DASNY SAM Radcliff  | -      |
| 115-Grant -County CRP Grant                        | 50,000 |

|   |                         |
|---|-------------------------|
| 117- Grant - State (NYS Assembly) DASNY             | -                       |
| 118-Grant - Phase II Watermain Proj. (a)#24458      | 100,000                 |
| 119-Grant - Phase II Watermain Proj. (b)#24459      | 50,000                  |
| 120-Grant - (2) Village Vehicles                    | 90,000                  |
| 121-Grant - Addl. Roadwork                          | 60,000                  |
| 3089 · St Aid, Other - Other                        | -                       |
| <b>Total 3089 · St Aid, Other</b>                   | <u>350,000</u>          |
| <br>  |                         |
| 3400 FEMA Reimb. - Storms                           | -                       |
| 3450        ARPA Federal Grant                      | 163,384                 |
| 3501 · St Aid, CHIPS                                | <u>33,600</u>           |
| <b>Total Income</b>                                 | <u><u>2,362,868</u></u> |
| <br>  |                         |
| <b>Expense</b>                                      |                         |
| 13254.Treasurer Investment Exp. LOSAP               |                         |
| 10101 · Bd of Trustees -Pers Service                | 12,000                  |
| 11101 · Vill Court Clerk - Pers Service             | 11,200                  |
| 11104 · Municipal Court - Cont Expense              |                         |
| JCAP Court Grant                                    | -                       |
| Auditor   | -                       |
| Prosecutor  | 13,000                  |
| Training/Dues                                       | 1,200                   |
| Village Justice Court                               | 1,000                   |
| 11104 · Municipal Court - Cont Expense - Other      | -                       |
| <b>Total 11104 · Municipal Court - Cont Expense</b> | <u>15,200</u>           |
| <br>  |                         |
| 12101 · Mayor - Pers Service                        | 5,000                   |
| 13204 · Auditor - Cont Expense                      |                         |
| Prof. Fees - G.R. Util Tax Audit                    | -                       |
| Auditor   | 10,500                  |
| Fixed Asset Appraisal                               | 900                     |
| Other   | -                       |
| <b>Total 13204 · Auditor - Cont Expense</b>         | <u>11,400</u>           |

|   |               |
|---|---------------|
| <b>13251 · Treasurer - Pers Service</b>     | 37,629        |
| <b>14101 · Clerk - Pers Service</b>         |               |
| <b>Dep Vill Clerk - Pers Service</b>        | 72,800        |
| <b>Vlg Clerk/Assessor - Pers. Serv</b>      | 91,564        |
| <b>14101 · Clerk - Pers Service - Other</b> | <u>-</u>      |
| <b>Total 14101 · Clerk - Pers Service</b>   | 164,364       |
| <b>14204 · Law, Contr Expense</b>           |               |
| <b>Attorney Fees/Expense</b>                | 50,000        |
| <b>Attorney for Litigation</b>              |               |
| <b>Bond Counsel</b>                         |               |
| <b>Fine collection fees</b>                 |               |
| <b>Legal publications</b>                   | 2,500         |
| <b>Recodification</b>                       |               |
| <b>Tax Cert/Assess Consult</b>              | <u>21,500</u> |
| <b>Total 14204 · Law, Contr Expense</b>     | 74,000        |
| <b>14501 · Elections - Pers Service</b>     | 1,100         |
| <b>14504 · Village Election - Expense</b>   | 500           |
| <b>14604 · Records Management</b>           |               |
| <b>16204 · Village Hall - Operations</b>    |               |
| <b>Bank Charges</b>                         | 600           |
| <b>Copy Machine</b>                         | 3,000         |
| <b>Electric /Gas/Water</b>                  | -             |
| <b>Grant Writing</b>                        |               |
| <b>Legal Ads</b>                            | 2,500         |
| <b>Miscellaneous</b>                        | 1,000         |
| <b>Newsletter</b>                           | 5,000         |
| <b>Office Expense</b>                       | 6,000         |
| <b>Office Supplies</b>                      | 4,000         |
| <b>Postage/Delivery</b>                     | 4,500         |
| <b>Printing/Copying</b>                     | 2,000         |
| <b>Rent</b>                                 | 60,000        |
| <b>VH Generator Exp.</b>                    | -             |

|  |                |
|--|----------------|
| Seminars/Conferences                                 | 2,500          |
| Steno Service  | 5,000          |
| Lease Phone System/Serv. Contract                    | 2,400          |
| Telephone/Internet                                   | 7,200          |
| Temp Help  | 5,000          |
| 16204 · Village Hall - Operations - Other            | -              |
| <b>Total 16204 · Village Hall - Operations</b>       | <b>110,700</b> |
| <br>   |                |
| 16802 · Computer Hardware/Software                   | 15,000         |
| 16804 · Central Data Process, Contr Exp              |                |
| Computer, Online Service                             | 2,000          |
| Computer, Web Hosting                                | 250            |
| Computer,Repairs/Maintenance                         | 4,000          |
| Payroll Expense                                      | 1,800          |
| 16804 · Central Data Process, Contr Exp - Other      | -              |
| <b>Total 16804 · Central Data Process, Contr Exp</b> | <b>8,050</b>   |
| <br>   |                |
| 19104 · Insurance                                    | 34,000         |
| 19204 · Municipal Assoc Dues                         | 5,000          |
| 19304 · Tax Cert, Judgements & Claims                | 60,000         |
| S.C.A.R.S.   | 15,000         |
| 19404 · Settlements & Claims                         | 35,000         |
| 19504 · Taxes on Property - Sewer Tax                | 1,100          |
| 19809 · Other  |                |
| <br>   |                |
| 19904 · Contingent Account                           | 172,404        |
| <br>   |                |
| 34104 · Fire - Contr Expense                         |                |
| 90258-Serv. Award Program Exp.                       |                |
| Fire Dept - Inc. Award Programs                      | 34,396         |
| Fire Dept - Workers' Comp                            | 9,500          |
| 34104 · Fire - Contr Expense - Other                 | 287,974        |
| <b>Total 34104 · Fire - Contr Expense</b>            | <b>331,870</b> |

|  |                |
|--|----------------|
| <b>36201 · Safety Inspection - Per Service</b>         |                |
| Superintendent of Buildings                            | 93,000         |
| Bldg Inspector   | 33,000         |
| Safety Inspection Expenses                             | 500            |
| <b>36201 · Safety Inspection - Per Service - Other</b> | <hr/>          |
| <b>Total 36201 · Safety Inspection - Per Service</b>   | <b>126,500</b> |
| <b>36204 · Safety Inspector - Contr Exp.</b>           |                |
| <b>39894 · Other Public Safety</b>                     | <b>4,000</b>   |
| <b>50200 · Engineers &amp; Consultants</b>             | <b>22,000</b>  |
| <b>50204 · Engineering - Contr Expense</b>             |                |
| Grant-Dept Trans, Pleasant Ave (NYS Senate)            | -              |
| JCAP Court Grant                                       |                |
| Grant - State (Radcliff)                               | -              |
| Grant -County CRP Grant                                | 50,000         |
| Grant - State (D'Urso)DASNY                            | -              |
| Grant - Phase II Watermain Proj. (a)#24458             | 100,000        |
| Grant - Phase II Watermain Proj. (b)#24459             | 50,000         |
| Grant - Purchase (2) Village Vehicles                  | 90,000         |
| Grant - Addl. Roadwork                                 | 60,000         |
| ARPA Grant Sewer Proj. Eng'g.                          | 21,000         |
| ARPA Sewer Project                                     | 142,384        |
| <b>50204 · Engineering - Contr Expense - Other</b>     | <hr/>          |
| <b>Total 50204 · Engineering - Contr Expense</b>       | <b>513,384</b> |
| <b>51101 · Maint of Strs, Supt Highways</b>            | <b>28,332</b>  |
| <b>51102     St. Maint.-Vehicle/Equip Purchase</b>     |                |
| <b>51104 · Maint Sts - Cont Expense</b>                |                |
| Road Construction Projects (Drift/Sound/Steam)         | 200,000        |
| Regular Street Maint                                   | 85,000         |
| Storm Drain Maintenance                                | 15,000         |
| Emergency Road Maintenance                             | 15,000         |
| Street Sign Maintenance                                | 7,000          |
| Street Sweeping  | 38,000         |

|   |                |
|---|----------------|
| Thermoplastic/DPW Misc. Exp.                  | 2,500          |
| Traffic Sign Maintenance                      | 3,000          |
| Tree Wk Prev Maint Roads                      | 65,000         |
| Vehicle Maintenance                           | 5,000          |
| Vil Entrance Sign Maintenance                 | 2,500          |
| 51104 · Maint Sts - Cont Expense - Other      | -              |
| <b>Total 51104 · Maint Sts - Cont Expense</b> | <b>438,000</b> |
| 5112.2 · CHIPS Expense                        | 33,600         |
| 51424 · Snow Removal                          |                |
| Contingency                                   | 20,000         |
| Plowing/Labor                                 | 87,500         |
| Sand and Salt                                 | 23,000         |
| 51424 · Snow Removal - Other                  | -              |
| <b>Total 51424 · Snow Removal</b>             | <b>130,500</b> |
| 51777 · S.S.Sandy Expenses(FEMA Reimb.)       |                |
| 51824 · Street Lightling                      |                |
| Mark Outs                                     | 7,000          |
| Electric                                      | 8,000          |
| Maintenance                                   | 26,500         |
| Pole Rental                                   | 400            |
| 51824 · Street Lightling - Other              | -              |
| <b>Total 51824 · Street Lightling</b>         | <b>41,900</b>  |
| 54104 · Sidewalks - Contr Expense             | 110,000        |
| 80101 · Zoning Board - Pers Service           | 3,000          |
| 80104 · Zoning Board - Expense                | 150            |
| 80201 · Planning Board - Pers Service         | 3,335          |
| 80204 · Planning Board - Expense              | 150            |
| 81704 · St Cleaning, DPW Leaf Removal         | 24,000         |
| 85604 · Trees, Parks & Beautification         | 75,000         |
| 90108 · State Retirement System               | 40,000         |
| 90308 · Payroll Tax Expense                   | 28,500         |
| 90408 · Worker's Compensation                 |                |



|  |                         |
|--|-------------------------|
|  | 14,000                  |
| 90608 · Health Insurance               | 95,000                  |
| 91898 · Payroll Tax Expense-           | 1,000                   |
| 97107 · Serial Bonds, Principal        | -                       |
| 97108 · Serial Bonds, Interest Expense | -                       |
| <b>Total Expense</b>                   | <u>2,852,868</u>        |
|  | <u>\$</u>               |
| <b>Budgeted Appropriation:</b>         | <u><u>(490,000)</u></u> |

Vote was recorded as follows: Trustee Cohen-aye, Trustee Kepke-aye, Trustee Malatino-aye, Mayor Weitzner-aye. Motion carried.

c. On motion of Trustee Cohen, seconded by Trustee Kepke, it was RESOLVED that for the fiscal year June 1, **2022** through May 31, **2023** the tax be and hereby is levied against each and every parcel of real property within the Village of Port Washington North as shown on the last completed Assessment Roll at the rate of **\$16.1797** per \$100 of assessed valuation, and the Clerk is directed to extend and carry upon the Assessment Roll the amount to be levied against each parcel of real property shown thereon.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Kepke-aye, Trustee Malatino-aye, Mayor Weitzner-aye. Motion carried.

d. On motion of Trustee Malatino, seconded by Trustee Cohen, it was RESOLVED that a **Warrant for the Collection of Taxes** be issued to the Clerk in the following form:

**YOU ARE COMMANDED** to receive and collect from the several persons named in the assessment roll, the several sums named in the last column thereof opposite their respective names, altogether a total of **\$1,400,000** for the purposes set forth in a budget heretofore adopted for the fiscal year June 1, **2022** to May 31, **2023**, a copy of which is annexed to the minutes; and

**You are hereby COMMANDED** to receive as much taxes as may voluntarily be paid to you from June first to and including July first of this year, without additional charge; and all taxes for which payment has not been received and remain unpaid after July 1, **2022**, shall have added an additional five percent (5%) interest for the month of July, and for each month and fraction thereafter, an additional interest payment, which shall be computed at the maximum percentage rate permitted, pursuant to the Real Property Tax Law, until said taxes and accrued interest are paid in full; and you are to make a return of this warrant by **February 1, 2023**; and if any tax on real estate or any interest herein placed upon the tax roll shall be unpaid at the time when you are required to return this warrant and roll, you are to

deliver to the Board of Trustees an account of the taxes remaining due containing a description of the lands upon which such taxes were unpaid as the same were placed upon the tax list, together with the amount of the tax so assessed and interest thereon.

Dated: **April 12, 2022**

Seal

\_\_\_\_\_  
Robert S. Weitzner, Mayor

In witness whereof, I have hereunto set my hand as Clerk of the above Village this **12<sup>th</sup> day of April 2022.**

\_\_\_\_\_  
Vote was recorded as follows: Trustee Cohen-aye, Trustee Kepke-aye, Trustee Malatino-aye, Mayor Weitzner-aye. Motion carried.

e. On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously  
RESOLVED that the **annual salaries**, effective June 1, **2022**, for the officials be and hereby are as follows:

|                |         |                 |          |                          |             |
|----------------|---------|-----------------|----------|--------------------------|-------------|
| Mayor          | \$5,000 | Treasurer       | \$37,629 | Building Superintdnt     | \$111.56/hr |
| Trustees       | 12,000  | Clerk           | 91,564   | Building Inspector       | 53.56/hr    |
| Planning Board | 3,335   | Deputy Clerk    | 72,800   | Clerk to Village Justice | 64.48/hr    |
| Board Appeals  | 3,000   | Supt Public Wks | 28,333   | Spec'l Vill. Prosecutor  | 125.00/hr   |

2. Clerk

a. On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously  
RESOLVED that the reading of the minutes of the meeting of the Board of Trustees of February 8, 2022 be waived and that they be and hereby are approved as prepared by Clerk Torrisi.

b. On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously  
RESOLVED that this Board, pursuant to Article 14 of the Real Property Tax Law of the State of New York, determines to collect the amount of such unpaid taxes levied or assessed for the year **2021** by a **Tax Sale** in the manner and after the form and requirements as provided and prescribed by said Article and completed subsequent to the 20<sup>th</sup> day of March **2022** but not later than July 31, **2022** in accordance with Section 1452 subdivision 4 of the Real Property Tax Law; and  
BE IT FURTHER RESOLVED that pursuant to Section 1452 of the Real Property Tax Law, the Treasurer of the Village of Port Washington North will sell at Public Auction in the manner provided by law on the **14<sup>th</sup> day of June 2022** at 12:00 noon at the Village Hall, 3 Pleasant Avenue, Port Washington, New York, parcels of real estate

to discharge taxes as assessments for the fiscal year ending May 31, **2021**, fees, interest and charges which may be due thereon at the time of such sale.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Kepke-aye, Trustee Malatino-aye, Mayor Weitzner-aye. Motion carried.

### 3. Treasurer

a. On motion of Trustee Kepke, seconded by Trustee Malatino, it was unanimously RESOLVED that the reading of the General Fund Abstract of Vouchers #244, totalling \$58,503.43, and the Trust & Agency Abstract of Vouchers #181, totalling \$1,511.72, be waived and that they be and hereby are approved as prepared by Treasurer Bella.

b. On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Budget Report as of March 31, 2022, showing the General Fund Balance to be \$2,692,168.02 and the Trust & Agency Fund Balance to be \$20,526.30, and the budget modifications contained therein, be and hereby are accepted as prepared by Treasurer Bella.

c. The Mayor stated that Trustee Scheff reviewed the bank statement reconciliations for January and February 2022.

### 4. Reports

#### a. Public Works

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the Public Works report for March 2022 be and hereby is accepted as submitted by Superintendent Novinski.

#### b. Building Department

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that the Building Department reports for March 2022 be and hereby are accepted as submitted by Superintendent Barbach.

#### c. Emergency Management & Traffic Safety Commission

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Emergency Management and Traffic Safety reports for the month of March 2022 be accepted as presented by Commissioner Kaplan.

#### d. Justice Court

The Board accepted the Justice Court reports for January and February 2022 submitted by Court Clerk Kropacek.

5. Business

a. Site Plan Modification Application of 101 Channel Drive LLC

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Board of Trustees will hold a public hearing on Tuesday, May 10, 2022 at 7:30 p.m. at the Village Hall, 3 Pleasant Avenue, New York 11050, to consider the application of Nicole LaMontagne as applicant as Parvis Farahzad as owner of 101 Channel Drive, Port Washington, New 11050, and more particularly designated as Section 4, Block 123, Lots 18, 20, 23, 24 & 43 on the Land and Tax Map of Nassau County, seeking an amendment to revise a site plan for a movie studio approved by the Board of Trustees on July 13, 2021 in the following manner: revise and modify the drainage system previously approved; eliminate the pond; revise the landscape plan; and add a guard booth to the property.

b. Concrete Repair & Replacement Work Contract

Clerk Torrisi reported that the following is a summary of the bids for the Concrete Repair & Replacement Work 2022-2025 contract that were received on April 11, 2022 by 12:00 noon:

| <u>Name of Bidder</u>  | <u>2022/23</u> | <u>2023/24</u> | <u>2024/25</u> | <u>3 Yr.Total</u> |
|------------------------|----------------|----------------|----------------|-------------------|
| John McGowan & Sons    | 131,389.50     | 131,389.50     | 139,204.50     | \$401,983.50      |
| Stasi Brothers Asphalt | 106,078.00     | 108,520.25     | 110,862.50     | \$325,460.75      |

On motion of Trustee Malatino, seconded by Trustee Cohen, it was unanimously RESOLVED that Stasi Brothers Asphalt Inc., as the lowest responsible bidder, be and hereby is awarded the contract for Concrete Repair and Replacement work for the term to begin May 1, 2022 and end April 30, 2023, upon the terms, conditions and prices set forth in the bid proposal, specifications and contract for Concrete Repair and Replacement Work.

c. NYMIR Insurance - Salerno Brokerage

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North hereby authorizes Salerno Brokerage to place the following insurance with NYMIR for the period 3/26/2022 to 3/26/2023 for a total cost of \$33,403.92, as more particularly set forth below:

| <u>Policy</u>   | <u>Renewal Premium</u> | <u>Carrier</u> |
|---|------------------------|----------------|
| Package Policy including Property, Equipment Breakdown, Crime & | \$20,770.22            | NYMIR          |

|                             |             |       |
|-----------------------------|-------------|-------|
| General Liability and Cyber |             |       |
| Municipal Inland Marine     | \$ 1,120.90 | NYMIR |
| Public Officials Liability  | \$ 4,711.30 | NYMIR |
| Municipal Automobile        | \$ 2,602.80 | NYMIR |
| Municipal Umbrella          | \$ 4,198.70 | NYMIR |

d. Soundview Marketplace Site Plan Review

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

WHEREAS, a public hearing was held on March 8, 2022, at 7:30 p.m. before the Board of Trustees of the Incorporated Village of Port Washington North located at 3 Pleasant Avenue, Port Washington, New York 11050. The public had full access to the public hearing and anybody who wished to comment did so.

WHEREAS, Soundview PW LLC, by Todd Cooper as applicant and PEBB Soundview, LLC, by Ian Weiner, as owner of 101 Shore Road, Port Washington, New York 11050 a/k/a Soundview Market Place and more particularly designated as Section 4 Block 129 Lot(s) 1, 10, 12, 14B & 14C on the Land and Tax Map of Nassau County. On August 2, 2021, applicant/owner submitted a site plan application, which was subsequently revised on and submitted to the Village of Port Washington North on December 8, 2021, and revised again March 15, 2022 by drawing No. SP-5.2. The property is located in the Village of Port Washington North Business District Zone.

WHEREAS, the Applicant and Owner are seeking to reconfigure and change Soundview Market Shopping Center to include demolishing one of the buildings located in the shopping center, adding a beverage service establishment with a drive through facility, adding a restaurant with outdoor seating and enhancing the landscaping of the shopping center and other ancillary improvements to said shopping center. The site plan drawings are on file at the Office of the Village Clerk located at 3 Pleasant Avenue, Port Washington, New York.

WHEREAS, on February 8, 2022, the Village Board of Trustees for the Village of Port Washington North previously passed legislation permitting an establishment to have a drive through facility under limited conditions.

WHEREAS, on March 31, 2022, the Nassau County Planning Commission at its regular meeting determined that the Port Washington North Board of Trustees could take whatever action it deemed appropriate in reviewing the Soundview Market Site Plan pursuant to Section 239-m of the General Municipal Law.

WHEREAS, Village Board of Trustees of the Village of Port Washington North declared itself lead agency and a Short Environmental Assessment Form was submitted on

August 2, 2021, to assess if there is any environmental impacts associated with the proposed action.

WHEREAS, the Village Board of Trustees as lead agency for the action contemplated herein, after review of the proposed action 6 NYCRR Section 617, the EAF, other relevant documents and testimony received, has determined that the above-described Site Plan Review is an unlisted action and adopts the SEQRA negative declaration and the determination that the proposed action will not result in any significant adverse impacts to the environment.

WHEREAS, the Village Board of Trustees for the Village of Port Washington North conducted a public hearing for the Site Plan after notice was given to the public through the official newspaper of the Village of Port Washington North, The Port Washington Times, dated February 25, 2022, and the required posting of the notice of the public hearing was completed pursuant to Port Washington North Village Code Chapter 137, and all documents submitted, testimony received from, persons in support of and in opposition to the site plan.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Port Washington North Board of Trustees hereby approves the site plan submitted by applicant and owner dated December 8, 2022, and revised on March 15, 2022 with Drawing No.: SP-5.2 with any and all supporting documents submitted for the premises known as Soundview Market, 101 Shore Road, Port Washington, New York, Section 4, Block 129 Lot(s) 1, 10, 12, 14B & 14C and hereby grants final site plan approval to the applicant and owner based upon the plans submitted with the following conditions: (a) Lighting fixtures along Shore Road and replacement fixtures along the main entry drive to the Center shall be subject to the approval of the Port Washington North Building Department; (b) the applicant/owner shall plant the Manhattan Euonymous (EKM) on the drive-thru lane with a minimum height of 48" subject to the approval of the Port Washington North Building Department; (c) Port Washington North Building Department shall consult with the Port Washington Fire Department to determine whether it is necessary to add an additional fire hydrant to the shopping center and to review the provisions of the fire lanes. On April 12, 2022, the Village of Port Washington North received from the Port Washington Fire Department correspondence approving the Site Plan; (d) That applicant/owner shall demolish the existing out parcel building (the former Boston Market Building), including the removal of the apron(s) and sidewalk(s) to add additional parking for the shopping center; (e) remove all bays at the former HSBC building; (f) Conditions (d) and (e) must be completed in order for applicant/owner to receive a building permit pursuant to the site plan. The Site Plan is approved and must be substantially in accordance with the Site Plan drawings submitted on December 8, 2021, and revised on March 15, 2022, with Drawing No.: SP-5.2 and filed with the Village of Port Washington North and leaves any de minimis changes to said Site Plan to the discretion of the Superintendent of Buildings.

Vote was recorded as follows: Trustee Cohen-aye, Trustee Kepke-aye, Trustee Malatino-aye, Mayor Weitzner-aye. Motion carried.

e. Small Claim Proceedings Consultant – Michael Haberman Assocs.

On motion of Trustee Cohen, seconded by Trustee Malatino, it was unanimously RESOLVED that the Village hereby engages the professional services of Michael Haberman Associates, Inc. to defend the Village in residential small claims assessment review proceedings, in accordance with its proposal dated March 15, 2022. The rate for such services, including but not limited to administration, market analysis, negotiations, conferences and court appearances, shall be \$125.00 per parcel.

f. ArcGIS Maintenance Agreement - ESRI

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the Village of Port Washington North enter into an agreement with ESRI for ArcGIS Desktop maintenance services for a one-year period commencing June 15, 2022 at a cost not to exceed \$400.00, as more particularly set forth in a written proposal dated March 16, 2022, and authorizes the Village Clerk to submit any required documentation.

g. Change of Address: Section 4, Block 123, Lots 18, 20, 23, 24, 43 & 50

On motion of Trustee Cohen, seconded by Trustee Kepke, it was unanimously RESOLVED that the Board of Trustees of the Village of Port Washington North does hereby establish the address of the parcel of land, formerly known as 101 Winners Circle, designated on the Nassau County Land and Tax Map as Section 4, Block 123, Lots 18, 20, 23, 24 and 43 shall be 101 Channel Drive, Port Washington, New York; and it is further RESOLVED that the address of the parcel of land, formerly part of 101 Winners Circle, designated on the Nassau County Land and Tax Map as Section 4, Block 123, Lot 50 shall be 4 Channel Drive, Port Washington, New York.

On motion of Trustee Kepke, seconded by Trustee Cohen, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 9:15 p.m.

Palma Torrisi, Village Clerk