

The regular meeting of the Board of Trustees was held on Thursday, July 11, 2013 at Village Hall, 196 Central Avenue, Lawrence New York 11559.

Those members present were: Mayor Martin Oliner
Deputy Mayor C. Simon Felder (arrived at 7:40 p.m.)
Trustee Michael A. Fragin (arrived at 7:30 p.m.)
Trustee Irving Langer
Trustee Alex H. Edelman
Also present were: David E. Smollett, Village Administrator
Abraham Farber, Deputy Treasurer
A. Thomas Levin, Village Attorney (arrived at 8:10 p.m.)
Alison Cohen, Secretary to the BOT

The Board convened in public work session at 7:15 p.m.

WORK SESSION

The following item was added to the meeting agenda:

Item 14 – Approval to hire Cameron Engineering to assist with Letters of Intent for the Hazard Mitigation Grant Program (HMGP-4085)

No Board Action was taken during the Work Session.

REGULAR MEETING - Mayor Oliner called the regular (reorganization) meeting to order at 8:10 p.m.

The Agenda Items are presented in the order they were addressed at the meeting.

NEW BUSINESS

Item 6 – Announce June 18, 2013 Election Results

Administrator Smollett had presented the Certificate of Election Results (copy attached hereto) to the Board for the Village election held June 18, 2013, which showed the following votes cast for two Trustee positions on the Village Board of Trustees:

Michael A. Fragin	758 Votes	-	Elected
Alex H. Edelman	567 Votes	-	Elected
David J. Seidemann	558 Votes		

Mayor Oliner congratulated re-elected Trustee Fragin and welcomed newly elected Trustee Edelman.

Village Justice Buchalter administered the oath of office to Michael A. Fragin as Village Trustee.

Village Justice Buchalter administered the oath of office to Alex H. Edelman as Village Trustee.

Trustee Fragin thanked the citizens who came out to vote; those who voted for him; and he thanked Trustee Edelman for a spirited race as well as David Seidemann for his continued involvement in the community.

Item 8 – Appointments for Fiscal Year 2014

Mayor Oliner announced the following appointments:

Deputy Mayor	C. Simon Felder
Commissioner – Police	Irving Langer
Commissioner – Fire	Michael A. Fragin
Commissioner – Finance	Michael A. Fragin
Commissioner – Public Works/Highway	Alex Edelman
Commissioner – Parks & Recreation	Irving Langer
Commissioner – Sanitation	Alex Edelman

Board Action: Mayor Oliner appointed Simon Gluck as Acting Village Justice with compensation of \$10,000 per annum, and moved approval of the appointment. Deputy Mayor Felder seconded the motion. All in favor.

Trustee Fragin declined the appointment as Commissioner of Finance.

Mayor Oliner appointed Jeffrey Hirth as Chairman of the Information Technology Committee.

Board Action: Mayor Oliner moved the appointment of Joel Ganz as Alternate to the Zoning Board of Appeals, and moved the re-appointment of David Seidemann as Alternate to the Zoning Board of Appeals, each for a one year term, ending in 2014. Trustee Fragin seconded the motion(s). All in favor.

Board Action: Mayor Oliner moved the designation of the following banks as Official Depositories:

TD Bank
Capital One
Citibank
Flushing Commercial Bank
Community National Bank

Mayor Oliner also moved the appointment of Saul Klausner to the Town Village Aircraft Safety & Noise Abatement Committee, Dr. Marc Sicklick as Liaison to Nassau

County Office of Emergency Management, Albright, Viggiano, Zureck & Co. as Village Auditors to audit the annual financial reports of the Village, The Nassau Herald as the official newspaper of the Village, General Code Publishers as code publishers for the Village and Cameron Engineering as Village engineers. Trustee Langer seconded the omnibus motion. All in favor.

Item 7 – Set/Finalize BOT Meeting Calendar Dates Through July 2014

Board Action: Mayor Oliner moved the approval of the following BOT meeting calendar for 2013 – 2014:

BOARD OF TRUSTEES MEETING
CALENDAR FOR 2013 – 2014
WORK SESSION AT 7:15 PM – GENERAL MEETING AT 8:00 PM
ALL MEETINGS AT VILLAGE HALL, 196 CENTRAL AVE.
LAWRENCE, NY 11559

AUGUST 29, 2013
SEPTEMBER 12, 2013
OCTOBER 10, 2013
NOVEMBER 14, 2013
DECEMBER 12, 2013
JANUARY 9, 2014
FEBRUARY 6, 2014
MARCH 6, 2014
APRIL 3, 2014
MAY 8, 2014
JUNE 12, 2014
JULY 10, 2014

Trustee Langer seconded the motion. All in favor.

Item 9 – Resolve Village Policies for 2013 – 2014:

- Procurement Policy
- Vehicle Use Policy
- Electronic Communication Systems Policy
- Workplace Violence Policy
- Investment Policy

Board Action: Trustee Edelman moved the adoption of the above listed Village Policies, which had been distributed to the Board for their review (available at Village Hall for public viewing Monday through Friday, 8:00 a.m. to 4:00 p.m.). Trustee Fragin seconded the motion. All in favor. Copies of the adopted policies are attached to these minutes.

Approval of minutes:

BOT May 30, 2013
BOT June 13, 2013

Board Action: Mayor Oliner moved the approval of the minutes of the May 30, 2013 BOT meeting. Trustee Fragin seconded the motion. All in favor, except for Trustee Edelman, who abstained because that BOT meeting preceded his tenure.

Board Action: Mayor Oliner moved the approval of the minutes of the June 13, 2013 BOT meeting. Deputy Mayor Felder seconded the motion. All in favor, except for Trustee Edelman, who abstained because that BOT meeting preceded his tenure.

Item 1 – Approve Abstracts #'s

General Fund	#691, 692, 693
Recreation Fund	#114, 115, 116, 117
Sewer Fund	#66
Trust Fund	#253, 254
Payroll	#2346

Board Action: Mayor Oliner moved the approval of General Fund Abstracts #691, #692 and #693. Trustee Fragin seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Recreation Fund Abstracts #114, #115, #116 and #117. Trustee Fragin seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Sewer Fund Abstract #66. Trustee Langer seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Trust Fund Abstracts #253 and #254. Trustee Fragin seconded the motion. All in favor.

Board Action: Mayor Oliner moved the approval of Payroll Abstract #2346. Trustee Fragin seconded the motion. All in favor.

Item 3 – Resolution to designate person to receive notice of claim from the New York Secretary of State

Administrator Smollett read the following Resolution:

Whereas, the New York State Uniform Notice of Claim Act ("Act"), effective on June 15, 2013, requires all municipal corporations subject to that law to file with the New York Department of State a certificate that (a) designates the New York Secretary of State as the village's agent for service of notices of claim, and (b) provides the name and address of an officer, person, or designee, nominee or other agent-in-fact to which the Secretary of State will forward any notices of claim, and

Whereas, the Board of Trustees wishes to provide for, or ratify, the Village's compliance with such requirements;

Now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby designates the New York Secretary of State as the Village's agent for service of notices of claim pursuant to the Act; and it is further

RESOLVED, that the Village hereby designates the Village Administrator/Village Clerk, at the Village office address, as the officer to whom the Secretary of State shall forward any notices of claim; and it is further

RESOLVED, that the Village Administrator is authorized to complete and file, and amend, such registration forms as may be required by the Secretary of State to make such registration, and to amend such registration in the event of any change in the identity of the Village Administrator or Village address (including email address) in the future.

Board Action: Mayor Oliner moved the adoption of the above New York State Uniform Notice of Claim Act ("Act") Resolution. Trustee Langer seconded the motion. All in favor.

Item 4 – Refund request for LY&CC golf member fee for 2013

Administrator Smollett explained the circumstances pursuant to Marilyn Schwartz' surgery and inability to play golf for the 2013 season. The Park Commission recommended that the Village Board of Trustees grant Mrs. Schwartz a full credit for her 2013 membership dues and apply it to her 2014 membership fee, and therefore, no actual refund or reimbursement would be made by the Village.

Board Action: Trustee Langer moved the approval of Marilyn Schwartz' full 2013 golf membership refund, of \$3,075.00, as a credit toward next year's (2014) golf membership at the LY&CC. Deputy Mayor Felder seconded the motion. All in favor.

Item 5 – LY&CC Refunds

Administrator Smollett explained the Parks Commission's recommendations regarding approval of two requested refunds; for Mrs. Jerry Bernstein a full refund in the amount of \$5,350 as her husband passed away; for Marvin Rose downgrade from Silver to Bronze membership/ \$774.00; and the denial of Dr. Lawrence Levitan's refund request of \$2,269.00 due to a hand injury.

Board Action: Mayor Oliner moved the approval of the LY&CC refund (per the Park Commission's recommendation) for Marvin Rose in the amount of \$774.00; as well as the denial of Dr. Lawrence Levitan's refund request for \$2,269.00. Trustee Langer seconded the motion. All in favor.

Trustee Fragin asked Leo McMahon to come back to the Board with a recommendation for a pro-rated refund amount for Mrs. Jerry Bernstein, for their consideration. Mr. McMahon said that he would do so.

Item 2 – Approval to go out for road improvement bids for the following:

- **Barrett Rd. from Pond X-ing to Yacht Basin Rd.**
- **Pond X-ing from Barrett Rd. to Clinton Rd.**
- **Clinton Rd. from Pond X-ing to Barrett Rd.**
- **Sage Ave. from Barrett Rd. to Causeway**

- **Bannister Lane**

Administrator Smollett stated that the Village would like to go out to bid for roadwork on the above roads.

Board Action: Mayor Oliner moved that the Village Administrator be authorized to advertise for roadwork bids for the above listed roads to be received at a time and place designated by the Village Administrator, and to open the bids at the designated time and place. Trustee Langer seconded the motion. All in favor.

Trustee Fragin stated that Broadway, which is under Nassau County's jurisdiction, is in terrible condition and in dire need of repaving. Trustee Edelman, Commissioner of Public Works/Highway, said he is focusing on this issue.

Item 10 – Approval to go out for bids: Electrician, Street Lighting Maintenance, HVAC, Tree services, Trees/Plants, #2 Fuel Oil, Diesel Fuel, Gasoline, Yard Containers, Automotive Parts, Vactor Basin Cleaner, Masonry Supplies, Appliance Repairs, Plumbing Contractor, Asphalt.

Board Action: Mayor Oliner moved that the Village Administrator be authorized to advertise bids for the above listed items to be received at a time and place designated by the Village Administrator, and to open the bids at the designated time and place.. Trustee Fragin seconded the motion. All in favor.

Deputy Mayor Felder recommended that the Village pursue an aggressive tree planting program, with trees that absorb large quantities of water to try to mitigate the Village's flooding issues. Gerry Castro said he would research this.

Trustee Fragin recommended additional landscaping be done in various locations throughout the Village.

Item 11 – 2014 Recommended Golf Rates

Mr. Leo McMahon presented the following rate schedule for the 2014 season and advised that the Park Commission recommended their adoption.

Gold	\$5,625.00
Gold Res	\$3,100.00
Silver	\$3,950.00
Silver Res	\$2,600.00
Bronze	\$2,975.00
Bronze Res	\$2,360.00
Family	\$7,500.00
Family Res	\$5,300.00
Jr. Ex	\$2,500.00
Jr. Ex Res	\$2,000.00
Guest Fees/wkday	\$45.00
Guest Fees/wkend	\$60.00
Recreation Pass	\$525.00

Greens Fee	\$40.00
Golf Cart Fee	\$28.00

Keep all Senior and Children's rates at 2013 prices, no increase.

Discussion ensued with regard to some of the recommendations.

Board Action: Trustee Langer moved the adoption of the above recommended rate schedule for the 2014 golf season with the two (2) following revisions:

Recreation Pass to be set at	\$350.00
Greens Fee to be set at	\$31.50

Additionally, the recreation pass as well as all other memberships will include free use of the driving range with no additional charge for golf balls.

Mayor Oliner seconded the motion. All in favor.

Item 12 – Resolve to Allow Village Administrator to apply for the 2013 – 2014 Justice Court Assistance Program (JCAP) Grant

Board Action: Mayor Oliner moved to approve submission of the 2013 – 2014 Justice Court Assistance Program (JCAP) Grant Application. Deputy Mayor Felder seconded the motion. All in favor.

Item 13 – Stop sign on Broadway at Sutton Place

Deputy Mayor Felder described the traffic situation at Broadway and Sutton Place.

Board Action: Deputy Mayor Felder moved the installation of a four-way stop sign at Broadway and Sutton Place. Mayor Oliner seconded the motion.

Discussion ensued in this regard. Resident, Jeffrey Hirth, suggested that a walkway/crosswalk with yield signs be installed at this location. Mayor Oliner asked Administrator Smollett for Sam Schwartz's recommendation regarding their study of this location. Administrator Smollett said that he would follow up with Sam Schwartz regarding the final report. No Board action was taken at this time.

Item 14 – Approval to hire Cameron Engineering to assist with Letters of Intent for the Hazard Mitigation Grant Program (HMGP-4085)

Board Action: Trustee Edelman moved the acceptance of a proposal dated July 11, 2013 from Cameron Engineering to assist in submitting letters of intent to the Hazard Mitigation Grant Program (HMGP-4085) administered by the New York State Office of Emergency Management. Mayor Oliner seconded the motion. All in favor.

GOOD AND WELFARE

1. **Village Calendar of Events** - Mayor Oliner noted that a parade run by the L.C.F.D. is scheduled for Sat. August 3rd at 6:00 p.m. In this regard Mayor Oliner suggested that the Village should publish a calendar of events taking place in the Village and should

also consider publishing a periodic newsletter to keep residents informed of key issues. Alison Cohen was designated to begin this process.

2. **Pool Safety** - Trustee Fragin stated that it has come to his attention that several pools have been installed by residents in the Village without the appropriate fencing, and although the Building Department has been diligent in responding to these violations, it remains a safety hazard. Once a C of O is issued, the Village is limited to issuing summonses regarding these code violations. Mayor Oliner suggested that we post a notice on the Village website requesting that residents report to the Village administration on any dangerous situations they may see, especially regarding these pool violations.

3. **Lawrence Cedarhurst Fire Department** - Trustee Fragin noted that the Lawrence Association's Past President, Rochelle Kvelson's house, sustained severe fire damage and he commended the L.C.F.D. for their efforts in extinguishing the fire.

On motion by Mayor Oliner, seconded by Trustee Fragin and unanimously approved, the Board convened in Executive Session at 9:45 p.m. to discuss collective bargaining matters and litigation.

The Board reconvened in public session at 10:15 p.m.

There being no further business, the meeting was adjourned at 10:15 p.m.

This is to certify that I, David E. Smollett, read the preceding minutes, and they are in all respects a full and correct record of such proceedings.



David E. Smollett, Administrator,
Clerk/Treasurer

MAYOR
MARTIN OLINER

DEPUTY MAYOR
C. SIMON FELDER

TRUSTEES
MICHAEL A. FRAGIN
IRVING LANGER
ALEX H. EDELMAN

INCORPORATED
VILLAGE OF LAWRENCE



VILLAGE ADMINISTRATOR
DAVID E. SMOLLETT

VILLAGE ATTORNEY
A. THOMAS LEVIN

BUILDING SUPERINTENDENT
MICHAEL RYDER

ITEM #6

July 11, 2013

To: The Board of Trustees

VILLAGE OF LAWRENCE

ELECTION RESULTS 2013

I, David E. Smollett, Village Administrator, Village Clerk, do hereby certify the following to be accurate and true:

The official election results at the June 18, 2013 Village elections were:

Votes cast for Michael A. Fragin 758

Votes cast for Alex H. Edelman 567

Votes cast for David J. Seidemann 558

A handwritten signature in cursive script, reading "David E. Smollett".

David E. Smollett
Village Administrator

PROCUREMENT POLICY FOR THE VILLAGE OF LAWRENCE

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchase; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under Federal (GSA), State and County contracts; and surplus and second-hand purchases from another governmental entity.

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

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the Municipal Law; purchases under county contracts pursuant to Section 103 (3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy:

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated amount of Purchase Contract

Method

\$1,000 - \$2,000
verbal quotations

2

\$2,000 - \$19,999	3
written/fax/email	

Quotations or
written request for proposals

Estimated amount of Public Works Contract

<u>Method</u>	
\$1,000 - \$3,000	2
verbal quotations	

\$3,001 - \$34,999	3
written/fax/email	

Quotations or
written request for proposals

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

4. Documentation is required of each action taken in connection with each procurement.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interest of the Village of Lawrence to solicit quotations or document the basis for not accepting the lowest bid:

a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State

licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; services of a certified public accountant; printing services involving extensive writing, editing or art work; programming services for customized programs, or services involved in substantial modification and customizing of pre-packaging software.

b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village of Lawrence is precluded from purchasing surplus and second hand goods at auction or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used good and a lower price may indicate an older product.

d. Goods or services under \$1,000. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interest of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

7. This policy shall go into effect July 11, 2013 and will be reviewed annually.

(Approved BOT mtg. 7/11/13)

Vehicle Use Policy - Village of Lawrence

Section 1. General Restrictions on Use

- A. Village vehicles (vehicles owned or leased by the Village) are to be used for the sole purpose of official village business and are not to be used for and other purpose, except when authorized by the Village Administrator.
- B. Said vehicles and equipment may not be used for the personal use or private gain of any official or employee, nor for any other purpose which is not in the general public interest.
- C. Standards. For the purpose of compliance with this policy, the following standards must be met at all times:
 - 1. Village vehicles and related equipment must remain under the general administrative jurisdiction and direction of the department head to which they are assigned;
 - 2. Village vehicles must be assigned to specific Village officials and employees for specific purposes and tasks. Said vehicles may not be used for any unauthorized purpose nor to conduct personal, private, or non-Village related business.
 - 3. No Village vehicle shall be used for travel between home and work without the authorization of the Board of Trustees.
 - 4. Village vehicles must always be operated in a safe and responsible manner and in compliance with all applicable motor vehicle and traffic laws in effect. Employees are responsible for any driving or parking infractions or fines that result from their operation of Village vehicles, and must report them to their department head. In the event of an accident, regardless of severity, an accident report must be filed with the Village Administrator's office by the applicable department head within 24 hours;
 - 5. Village vehicles may not be used to transport persons who are not officials or employees of the Village, nor material not related to the conduct of official Village business, without direct authorization by the appropriate department head or the Village Administrator.
 - 6. Village vehicles must always be maintained in a safe and secure condition when not in use, including being locked and/or under direct observation, and all keys maintained under controlled and authorized jurisdiction of the appropriate department head;

7. In the event a Village vehicle must travel beyond a twenty-five mile radius of the Village to conduct Village business, the department head or employee must receive prior approval from the Village Administrator or department head, either on a case-by-case basis or as a comprehensive approval for specified purposes;
8. No advertisements, signs, bumper stickers or other markings of a political or commercial nature may be displayed on Village vehicles at any time except those of a limited community service nature which have been authorized by the Board of Trustees.

Section 2. Occupant Restraint Devices. *All village vehicles shall be equipped with such occupant restraint devices (seat belts, shoulder harnesses, air bags, etc.) as are required by applicable law in effect at the time the particular vehicle was manufactured.*

- A. All occupant restraint devices installed in village vehicles shall be maintained in proper operating condition.
 1. The head of the department to which the vehicle is assigned shall be responsible for making sure that those devices are maintained in proper working order.
 2. The interior of all vehicles shall be maintained. The operator is responsible for the cleanliness of the interior after usage and shall notify the department head if exterior cleaning is required.
 3. Prior to usage, operators shall conduct a safety check, including fluid levels and complete checklists. Complete checklists are to be signed by the operator and submitted to the department head who will maintain said checklists for one year.
 4. The operator shall complete a vehicle log on a daily basis.
- B. No village employee or other person shall operate a village vehicle in which the occupant restraint devices for each occupied seating position in the front seat are not completely operational.
- C. No person may drive or ride in the front seat of a village vehicle, or any other motor vehicle being used to conduct official village business, unless properly restrained by the occupant restraint device available at the occupied seating position. It shall be the driver's responsibility to ensure that passengers use available restraint devices.

Section 3. Safe Operation of Vehicles

- A. Employees driving village vehicles are responsible for the safe use of the vehicle and must obey all motor vehicle laws. Employees must operate vehicles in a safe, courteous manner to prevent property damage and injury to themselves and others.
- B. Defensive Driving - It is the policy of the Village to encourage defensive driving. A good defensive driver must anticipate the incorrect actions of pedestrians and other motorists

and be alert for the unexpected. Drivers must adjust to variables such as lighting, weather, road and traffic conditions. Adherence to the following suggestions will contribute to sound defensive driving tactics:

1. Obey traffic laws.
2. Drive with common sense and courtesy.
3. Always keep eyes moving, use mirrors, aim high in steering and be aware of the total traffic environment.
4. When stopping on a highway, attempt to get all four wheels off the roadway.
5. Adjust speed to traffic, visibility and weather conditions. Rain can induce hydroplaning and new rain can create an oil slick on the roadway.
6. Be prepared to take evasive action.
7. Follow at a safe distance and be ready for sudden stops by other vehicles.
8. Always signal intentions to other drivers.
9. Prepare early for turns and move into the proper lane.
10. When braking, consider vehicles to the rear. Slow down gradually. Lightly tap the brake to warn other vehicles.
11. Until they clearly indicate otherwise, assume that other users of the highway do not see your vehicle and will not yield to you.
12. When stopped for a left turn, keep wheels straight until starting a turn; otherwise a rear collision may force your vehicle into opposing traffic.
13. Watch for indications of parked cars pulling into your path.

Section 4. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

OFFICIAL VILLAGE BUSINESS – Any job-related duty while being paid or reimbursed by the Village of Lawrence. This includes business travel during non-work hours.

Section 5. Action Upon Noncompliance

Any instance noted in an accident report or developed in subsequent investigation of an accident involving a village vehicle which indicates that the front seat occupant restraint devices in the village vehicle were not being properly utilized when the accident occurred will be grounds for

discipline, including suspension of the village vehicle driver's privilege of using a village vehicle for a period of up to one year, as determined by the Village Administrator.

Section 6. Full Time Assignment of Vehicles

- A. Full time assignment is defined as the assignment of a Village vehicle by the Village Administrator for daily use in the performance of official duties throughout the work day. Unless authorized by the Board of Trustees, full-time assignment of a vehicle does not authorize the employee to take the vehicle home, or use the vehicle other than during the employee's working hours at or in the vicinity of the Village.
- B. Except in extraordinary cases authorized by the Board of Trustees, full-time assignments shall be made only to employees who meet one or more of the following criteria:
 - 1. Employee must continuously be required, on a daily or near daily basis, to spend a substantial person of the employee's working hours in field locations that are not readily available by public transportation;
 - 2. Employee must continuously be required, on a daily or near daily basis, to transport heavy or bulky equipment to field locations;
 - 3. Employee is continuously required, on a daily or near daily basis, to provide essential emergency services.

Eligibility under these criteria does not itself entitle an employee to a vehicle on a full-time basis

- C. Commuting with vehicles assigned on a full-time basis. In determining whether to permit an employee to use a village vehicle for commuting to and from home, the Board of Trustees shall consider the following criteria, among others:
 - 1. Whether the employee is required on a daily basis to report to a field location from the employee's home which is not near or on route to the normal vehicle housing location, and is not the employee's regularly assigned work location;
 - 2. Whether the employee frequently is required, on an average of once a week or more, to respond to emergencies during non-business hours.

D. Tax Requirements. Employees who commute with Village vehicles are required under Internal Service (IRS) Regulations to report the value of all personal use (including commuting) as taxable income. The value of personal use must be calculated according to the appropriate method prescribed by IRS, and reported to the Village for payroll and tax reporting purposes.

Section 7. Reimbursement of Use of Personal Vehicles For Village Business

Where an employee is authorized by the Village Administrator to use the employee's personal vehicle for Village business, the Village shall reimburse the employee for such use in an amount per mile equal to that amount established by the IRS for business mileage use.

Section 8. Village Fuel

Employees who are authorized to have full-time assignment of a vehicle may obtain fuel for the vehicle from the Village fuel pump, and use of such fuel is limited to the use of the vehicle for Village purposes, and for commuting where authorized pursuant to this policy. Employees who use personal vehicles may not obtain fuel for those vehicles from the Village fuel pump.

(Approved BOT mtg. 7/11/13)

ELECTRONIC COMMUNICATION SYSTEMS POLICY

FOR THE VILLAGE OF LAWRENCE

The Village of Lawrence has provided Internet and e-mail service to Village offices (Village Hall, LY&CC and Highway/DPW) and Village employees. These systems are provided to assist in the conduct of village business. This document was created to advise all users regarding the access to and the disclosure of information created, transmitted, received and stored via the use of Village electronic communication systems. Village computers, e-mail and internet systems are intended for business use. All use of the internet and e-mail are a privilege, not a right, and the privilege may be withdrawn.

1. **Authorized Use.** Internet access and e-mail is provided for legitimate Village business use in the course of your assigned duties. Although personal use of internet and e-mail resources is discouraged, incidental, occasional and brief personal use may be permitted with the consent of your department head and such use may also be prohibited, limited or removed by your department head in their discretion. Such use must not interfere with the productivity of the Village. All provisions of this policy also apply to personal use.
2. **Ownership.** All e-mail messages created, sent and received are, and remain at all times, the property of the Village of Lawrence. Employees, public officials, contractors or other users have no right to privacy as to any information or file transmitted or stored through the Village's computer system, e-mail or other technical resources. The Village may access its electronic communication system and obtain the login/access history within the system with or without notice to users of the system in the ordinary course of business when the Village deems it appropriate to do so. The reason for which the Village may obtain such access includes, but is not limited to, maintaining the system, preventing or investigating allegations of system abuse or misuse, assuring compliance with software copyright laws complying with legal and regulatory requests for information and insuring that the Village's operations continue appropriately during an employee's absence. The Village intends to routinely monitor its electronic communication systems.
3. **Confidentiality.** While you may have a confidential password, users should be aware that this does not mean that the system is for personal confidential

communication, or does it suggest that e-mail is the property of the employee. Passwords should not be relied upon to maintain confidentiality, as passwords cannot guarantee security. You are responsible for the security of your password and you will be held responsible for all use or misuse of your account. You must maintain secure passwords and never use an account assigned to another user. While the system may accommodate passwords, they must be known to the Village in the event that a user's system may need to be accessed by the Village.

4. **Privacy.** The Village reserves the right to retrieve, monitor, read and disclose any message composed, sent or received, and any information that is maintained on, stored in, or transmitted over its computer system. Please note that even when a message is deleted or a visit to a web is closed, it is still possible to recreate the message or locate the web site. Accordingly, e-mail and Internet are considered a public communication, and are not private.
5. **Proper Use.** Electronic communication systems may only be used for lawful purposes. Each user is responsible for ensuring that the Internet access privilege is used in an effective, ethical and lawful manner. Unlawful or inappropriate use of e-mail and the Internet may gain negative publicity for the Village and expose the Village and/or the user to civil and/or criminal legal liability. Users may only access messages, files or programs that they have permission to enter.
6. **Prohibited Uses.** The Village incorporates a network wide electronic web, email and content filtering system. These system tools allow the Village to monitor internet and email use by employees. This system limits access to various web sites, URL's, domains, blogs, social networking sites and other interactive features that is considered non work related or be a possible system security risk. It is also understood that though web, email and content filtering is part of the Villages' secured data communication systems, there may be instances where all restricted sites are not captured or filtered. It is considered inappropriate to even attempt to log into any unauthorized sites that is not associated with Village business. Village electronic communication systems are not to be used at any time for personal gain including but not limited to, personal business enterprise, outside employment, political or religious causes, comments or solicitation. Other inappropriate uses include, but are not limited to accessing, transmitting or storing pornographic material, sexually explicit material, hate group information or gambling material,

profane, obscene or other offensive language, games, chat rooms or list servers unrelated to Village business, union business, transmitting chain letters or infringement of trademark, copyright, trade secrets or other intellectual property rights.

Unauthorized tampering, review, duplication, dissemination, removal, damage or alteration of files, passwords, computer systems or programs, e-mail messages or other property of the Village or improper use of information obtained by unauthorized means is prohibited. Use of the system for harassment, defamation, discrimination, or disseminating confidential information is prohibited. Furthermore, the Village's policy prohibiting harassment in its entirety applies to the use of its electronic communication systems. No one may use electronic communication in a manner that may be construed by others as harassment or offensive based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs or any other characteristic protected by federal, state or local law.

7. **FOIL.** Electronic documents such as e-mail messages are considered documents subject to the Freedom of Information Law and as such may be subject to public disclosure.
8. **Viruses.** To prevent computer viruses from being transmitted through the system, loading or downloading any software product onto their computer is not allowed without prior authorization. Authorization is to be requested from the Village Clerk's Office.
9. **Violation of Policy.** Violation of this policy could result in disciplinary action up to and including termination.
10. **Other improper use.** Unauthorized duplication of copyrighted computer software that violates the law is strictly prohibited.

No employee, public official, contractors or other users shall have a reasonable expectation of privacy when using Village of Lawrence electronic communication systems.

Any questions regarding this policy may be directed to the Village Clerk's Office at (516) 239-4600.

(Approved BOT mtg. 7/11/13)

INVESTMENT POLICY FOR VILLAGE OF LAWRENCE

I. SCOPE

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

II. OBJECTIVES

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

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Clerk 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 data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. 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 of Lawrence 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.

V. DIVERSIFICATION

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

VI. INTERNAL CONTROLS

It is the policy of the Village of Lawrence for all moneys collected by any officer or employee of the government to transfer those funds to the (chief fiscal officer) within 2 days of deposit, or within the time period specified in law, whichever is shorter.

The Clerk 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.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>
TD Bank	6,000,000
Capital One	6,000,000
Flushing	6,000,000
Citibank	6,000,000
Community National Bank	6,000,000

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of Village of Lawrence, 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:

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

BOT
Resolution
4/8/2010

4. In addition to the deposit of eligible securities, the officers making a deposit may, in the case of an irrevocable letter of credit issued in favor of the local government by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to such local government as security for the payment of one-hundred percent (100%) of the aggregate amount of public deposits from such officers and the agreed upon interest, if any.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by depositary or 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 which 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 of Lawrence 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 and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

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

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Village of Lawrence.

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

- Certificates of Participation (COPs) issued pursuant to GML

§ 109-b.

- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to

GML §§ 6-c, 6-d, 6-e, 6-g, 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 of Lawrence 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 of Lawrence within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Village of Lawrence shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village of Lawrence. 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 Clerk Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Clerk Treasurer is authorized to contract for the purchase of investments:

- Directly, including through a repurchase agreement, from
an authorized trading partner.

- 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 governing board.

- By utilizing an ongoing investment program with an

authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, 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 of Lawrence by the bank or trust company. Any obligation held

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

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodial shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

(Approved BOT mtg. July 11, 2013)

VILLAGE OF LAWRENCE
WORKPLACE VIOLENCE PREVENTION POLICY

A. OBJECTIVE

The Village of Lawrence is committed to preventing workplace violence and to maintaining a safe work environment for all employees. Given the increasing violence in society in general, the Village of Lawrence has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur on its premises. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand the provisions of this policy.

B. DEFINITION

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace.

C. SCOPE OF POLICY

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

D. ZERO TOLERANCE

The Village of Lawrence has a policy of zero tolerance for violence. If you engage in any violence in the workplace, or threaten violence in the workplace, your employment will be terminated immediately for cause. No talk of violence or joking about violence will be tolerated.

E. PROHIBITED CONDUCT

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

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

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

F. REPORTING PROCEDURES

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or department head. This includes threats by employees, as well as threats by vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

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

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

The Village Administrator will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the Village employee making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the Village Administrator may suspend employees, either with or without pay, pending investigation.

The Village of Lawrence encourages employees to bring their disputes or differences with other employees to the attention of their supervisors before the situation escalates into potential violence. The Village Administrator is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

G. IDENTIFYING POSSIBLE THREATS

Individual Situation: While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor if any employed exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes:

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

Employees at Risk: The Human Resource Department will identify and maintain a list of employees who have been determined to be at risk for becoming victims of violence because of the nature of their job or because they are subject to harassment, violence, or threats from a non-employee. The Village Administrator will design a plan with at-risk employees to prepare for any possible emergency situations.

H. ENFORCEMENT

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

I. TRAINING PROGRAM

As part of its commitment to preventing workplace violence, the Village of Lawrence has established training programs for all employees. Training will be included as part of your orientation. Thereafter, you will be scheduled for annual refresher training. This training is mandatory and attendance will be taken.

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

(Approved by BOT 7/11/13)