

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
AUGUST 1, 2022
AGENDA**

**LOCATION:
VILLAGE HALL
77 MAIN STREET, WARWICK, NY**

**Call to Order
Pledge of Allegiance
Roll Call**

1. Introduction by Mayor Newhard.
2. Acceptance of Minutes: July 18, 2022.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____
Trustee McKnight ____ Mayor Newhard ____

3. Authorization to Pay all Approved and Audited Claims in the amount of
\$_____.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____
Trustee McKnight ____ Mayor Newhard ____

Announcement

1. The Village of Warwick Department of Public Works is recognized in the New York State LTAP Center – Cornell Local Roads Program’s 2022 Build a Better Mousetrap Competition for their outstanding achievement and innovation in the development of the “FinzBoni” named after DPW Employee, Mike Finelli who, with the help of John Santiago and Justin Trone, created this display of ingenuity.
2. The Village of Warwick Bocce Ball Court near the pavilion in Veterans Memorial Park is now open to the public.

Privilege of the Floor

Please limit your comments to **three (3)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual

Board members. Please state your name clearly before speaking. These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

Motions

Trustee Cheney's Motions

1. **MOTION** to grant permission to Village of Warwick Employee, Arthur Wendel, to carry over 5 vacation days.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____

Trustee Foster's Motions

2. **MOTION** to grant permission to Everett Cox to use the Veterans Memorial Park Pavilion for a birthday party on Sunday, August 7, 2022, from 2:00 p.m. to 6:00 p.m. Request includes use of electricity, restrooms, and Village-owned tables and chairs. Completed park permit, proper insurance and security deposit have been received.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____

Trustee Bachman's Motions

3. **MOTION** to adopt The Village of Warwick's Policy Against Discrimination and Harassment effective August 1, 2022. The policy will replace Section 9.6 of the Village of Warwick Employee Handbook entitled 'Sexual Harassment' and the Village of Warwick's Policy Against Discrimination and Harassment that was adopted on December 6, 2019.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____

4. **MOTION** to refund Liberty Green III in the amount of \$5,000 total for PILOT overpayments made during fiscal years 2018-19 to 2022-23 for Liberty Green III, Section 230 Lot 1 Block 1.13, due to a billing statement error.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____

Trustee McKnight's Motions

5. **MOTION** to approve the New York State Local Retirement System Standard Workday and Reporting Resolution for Village of Warwick Planning Board Member and Chairman, Jesse Gallo, with a Record of Activities of 0.89 days worked per month.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____

6. **MOTION** to appoint Wayne Greenblatt as Zoning Board of Appeals Member with a term of August 1, 2022, to April 5, 2027.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____

7. **MOTION** to appoint Vanessa Holland as Alternate Planning Board Member with a term of August 1, 2022, to April 3, 2023.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____

Final Comments from the Board

Executive Session, if applicable

Adjournment

News Release

For Immediate Release

The Village of Warwick Department of Public Works Recognized in the New York State LTAP Center - Cornell Local Roads Program's 2022 Build a Better Mousetrap Competition

Ithaca, NY - The NYSLTAP Center - Cornell Local Roads Program (NYSLTAP - CLRP) recognized the Village of Warwick Department of Public Works in its 2022 *Build a Better Mousetrap Competition* for their outstanding achievement in innovation. The Department displayed exemplary ingenuity in the development of its "FinzBoni". The Village of Warwick's "FinzBoni" allows them to keep their Village ice skating rink safe for residents to use in the winter months. This innovation saves the DPW hours of manpower while delivering a smooth surface for skaters.

"The Build a Better Mousetrap Competition highlights innovation at the local level. The entries for 2022 include a fantastic array of outstanding ideas by the highway and public works departments across New York State."

- NYSLTAP Center - Cornell Local Roads Program Director David Orr, PE,

The NYSLTAP - CLRP *Build a Better Mousetrap Competition* is a statewide contest for NYS highway and public works departments held annually to discover and share creative innovations that solve everyday problems. Entries are judged under the criteria of cost, implementation, transferability, and commonality of the problem solved. Winners go on to be entered into a national competition.

The New York State LTAP Center - Cornell Local Roads Program provides technical assistance and training to highway and public works departments across New York State. Additional information about the New York State LTAP - Cornell Local Roads Program Build a Better Mousetrap Competition can be found online at <https://cals.cornell.edu/nysltap-local-roads/technical-assistance/build-better-mousetrap> For more information, contact the NYSLTAP Center - Cornell Local Roads Program at (607) 255-5833 or by email at clrp@cornell.edu.

77 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwick.org



(845) 986-2031
FAX (845) 986-6884
mayor@villageofwarwick.org
clerk@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

Press Release
July 27, 2022

Village of Warwick Bocce Ball Court Now Open to the Public

The Village of Warwick Department of Public Works just completed installing a regulation size Bocce Ball Court. The new court is in Veterans Memorial Park near the pavilion, easily accessible from McFarland Drive. The courts are open to the public.

Office of the Mayor
Board of Trustees
Village Clerk
Treasurer
Telephone: 845-986-2031
Fax: 845-986-6884

Public Works Supervisor
Telephone: 845-986-2081
Fax: 845-987-1215



Village Justice
Telephone: 845-986-7044
Fax: 845-986-2870

Building, Planning, Zoning
and Historical District
Review Board
Telephone: 845-986-9888
Fax: 845-987-1215

OFFICE OF THE CORPORATION
MEETINGS HELD 1ST & 3RD MONDAY OF EACH MONTH

Village of Warwick

77 MAIN STREET
P.O. BOX 369
ORANGE COUNTY

Warwick, NY 10990

RECEIVED

JUL 20 2022

**VILLAGE OF WARWICK
VILLAGE CLERKS OFFICE**

VACATION CARRY OVER

I Art Wender request to carry-over 5 vacation days.
(Name of employee) (Amount)

The reason time accrued or vacation was not used: To be used during
this year.

under article X sec.2(B) of the Village of Warwick Department of Public Works Collective Bargaining Agreement and the Employee Handbook.

Art Wender
(Signature of employee)

7-19-2022
(Date)

M. Moser
(Signature of Department Head)

7/20/22
(Date)

VILLAGE USE ONLY

☐ Approved by Village Board
☐ Denied by Village Board

(Time Accrued) (Time Used) (Anniversary Date)

Comments: _____

(Board Signature)

(Date)

Village of Warwick,
Village Board of Trustees ,
77 Main St. Warwick, NY
10990

Everett Cox
52 Campsite Way,
Warwick, NY 10990
Tel. (845) 544-1341
July 21, 2022

To the Village Board of Trustees:

I wish to use the Veterans Memorial Park pavilion for a birthday party on Sun.
Aug. 7, 2022 from 2 PM until 6PM. The expected number of guests is 24. Proof
of liability insurance is provided. No alcoholic beverages will be served.

Thank you very much for your time and consideration.

Sincerely,

Everett Cox

RECEIVED

JUL 22 2022

VILLAGE OF WARWICK
VILLAGE CLERKS OFFICE

77 Main Street
Post Office Box 369
Warwick, NY 10990
www.villageofwarwick.org



RECEIVED

JUL 21 2022

VILLAGE OF WARWICK
CLERK

(845) 986-2031

FAX (845) 986-6884

mayor@villageofwarwick.org

clerk@villageofwarwick.org

VILLAGE OF WARWICK

INCORPORATED 1867

Facility Use Request Form For Gatherings of Less Than 200 People

ONLY USE THIS FORM IF YOUR EVENT WILL HAVE 200 PEOPLE OR LESS

Date Request Submitted: July 21, 2022

Title of Event: birthday party

Purpose of Event: celebrate birthday

SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY

☐ Railroad Green ☐ Stanley-Deming Park ☐ Lewis Woodlands

☒ Veterans Memorial Park ☒ Veterans Memorial Park Pavilion

**Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

☐ South Street Lot ☐ 1st Street Lot ☐ Chase Lot (non-permit only)
☐ Spring Street Lot ☐ Wheeler & Spring St. Lot ☐ Upper CVS Lot ☐ Lower CVS Lot

Village of Warwick Streets: _____

SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: Aug. 7, 2022 Rain Date Requested: none

Arrival Time: 2 PM Departure Time: 6 PM

Event Start Time: 2 PM Event End Time: 8 PM

SECTION 3: APPLICANT INFORMATION

Check one: ☐ Non-Profit Organization ☐ Commercial/Business Organization ☒ Family

**For-profit activities are prohibited.*

Applicant's Name/Responsible Party: Everett Cox

**Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: 57 Campsite Way, Warwick NY 10990

Email Address: COTEVERETT@gmail.com Cell Phone: 347-528-4147

Proof of Town of Warwick Residency of Responsible Party: ☒ Driver's License ☐ Utility Bill

Name of Organization (if Applicable): _____

Name of Organization's Director(s)/Officer(s): _____

Organization's Phone: _____ Email Address: _____

Mailing Address of Organization: _____

Physical Address of Organization: _____

SECTION 4: EVENT INFORMATION

Maximum Number of People Intended at the Event: 30

** If greater than 200 people, at any given time DO NOT complete this form. See instructions.*

of Adults: _____ # of People Under 18: _____

Expected Number of Vehicles Intended at the Event: 15

Please explain the parking plan for the event: Pavilion parking

WILL YOUR EVENT INCLUDE:

CHECK YES OR NO

Greater than 200 people at any given time <i>If yes, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE</i>	Yes _____ No <u>✓</u>
Music / Loudspeakers / Sound System <i>If yes, explain:</i> _____ <i>Location of Music/Loud Speakers/ Sounds System:</i> _____	Yes _____ No <u>✓</u>
Parade, walk, road race, etc. <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources.</i>	Yes _____ No <u>✓</u>
Tent(s) <i>Include a map detailing the placement of the tent(s).</i> <i>Date & time tent will be set up:</i> _____ <i>Date & time tent will be removed:</i> _____	Yes _____ No <u>✓</u>

RVs, Campers, Food Trucks, etc. If yes, explain: _____	Yes _____ No <input checked="" type="checkbox"/>
Admission Fee to Be Charged If yes, please list the admission fee: _____	Yes _____ No <input checked="" type="checkbox"/>
Alcohol Host Liquor Liability Insurance is required.	Yes _____ No <input checked="" type="checkbox"/>
Food will be served or sold If yes, explain the method of food distribution and disposal of trash: <u>Summer Salads + Fruit All trash will be removed</u> <i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.</i> <i>*Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	Yes <input checked="" type="checkbox"/> No _____
Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc. If yes, explain: _____ Additional contract(s) and/or insurance is required.	Yes _____ No <input checked="" type="checkbox"/>
Portable Toilets Placement of portable toilets must be detailed on the map that is required with the application.	Yes _____ No <input checked="" type="checkbox"/>
Other Please explain: _____	Yes _____ No _____

SPECIAL REQUESTS:
CHECK YES OR NO

Road Closure List road(s): _____ Closed between the hours of _____ and _____ Number of 'No Parking' meter bags requested, if applicable: _____	Yes _____ No <input checked="" type="checkbox"/>
Use of Village-owned tables and chairs Veterans Memorial Park Pavilion Only. No. of Tables <u>6</u> No. of Chairs _____	Yes <input checked="" type="checkbox"/> No _____
Use of Electricity	Yes <input checked="" type="checkbox"/> No _____
Use of Memorial Park Football/Over 35 Field Lights Additional fee required for use of field lights.	Yes _____ No <input checked="" type="checkbox"/>
Use of Memorial Park Pavilion Lights	Yes _____ No <input checked="" type="checkbox"/>

Use of Village of Warwick Restrooms <i>Memorial Park and Stanley Deming Park only.</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Other Please explain: <u>Are there pavilion toilets?</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

SECTION 5: FEES/SECURITY DEPOSIT

Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick

☒ \$200 Security Deposit - *(Must be a Separate Payment)*

☐ Memorial Park Football/Over 35 Field Lights (circle one) - \$10 per day or \$300 per season

TOTAL FEES: \$ _____ (excluding security deposit)

SECTION 6: INDEMNITY & HOLD HARMLESS

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of _____ (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by _____ (Name Organization).

Everett Cox

Printed Name of Applicant/Responsible Party

Everett Cox

Signature of Applicant/Responsible Party

July 21, 2022

Date

Clerk Use Only: Security Deposit Check # \$200 CASH Certificate of Insurance ☒ Host Liquor Liability NA
 Fees Received NA Park Map(s) ☒ Police Dept. Approval (if applicable) NA

RECEIVED

JUL 22 2022

**VILLAGE OF WARWICK
VILLAGE CLERKS OFFICE**

Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.

17. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
18. Supervision and parking are the responsibility of the applicant organization/individual.
19. Permits may be revoked at any time.
20. All posted rules must be adhered to.
21. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
22. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
23. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc. Need pamphlet to hand out to applicants.
24. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
25. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

INDEMNITY & HOLD HARMLESS

FACILITY USER does hereby covenant and agree to defend, indemnify, and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services.

I have read and understand the Facilities Use Requirements:

Everett Cox

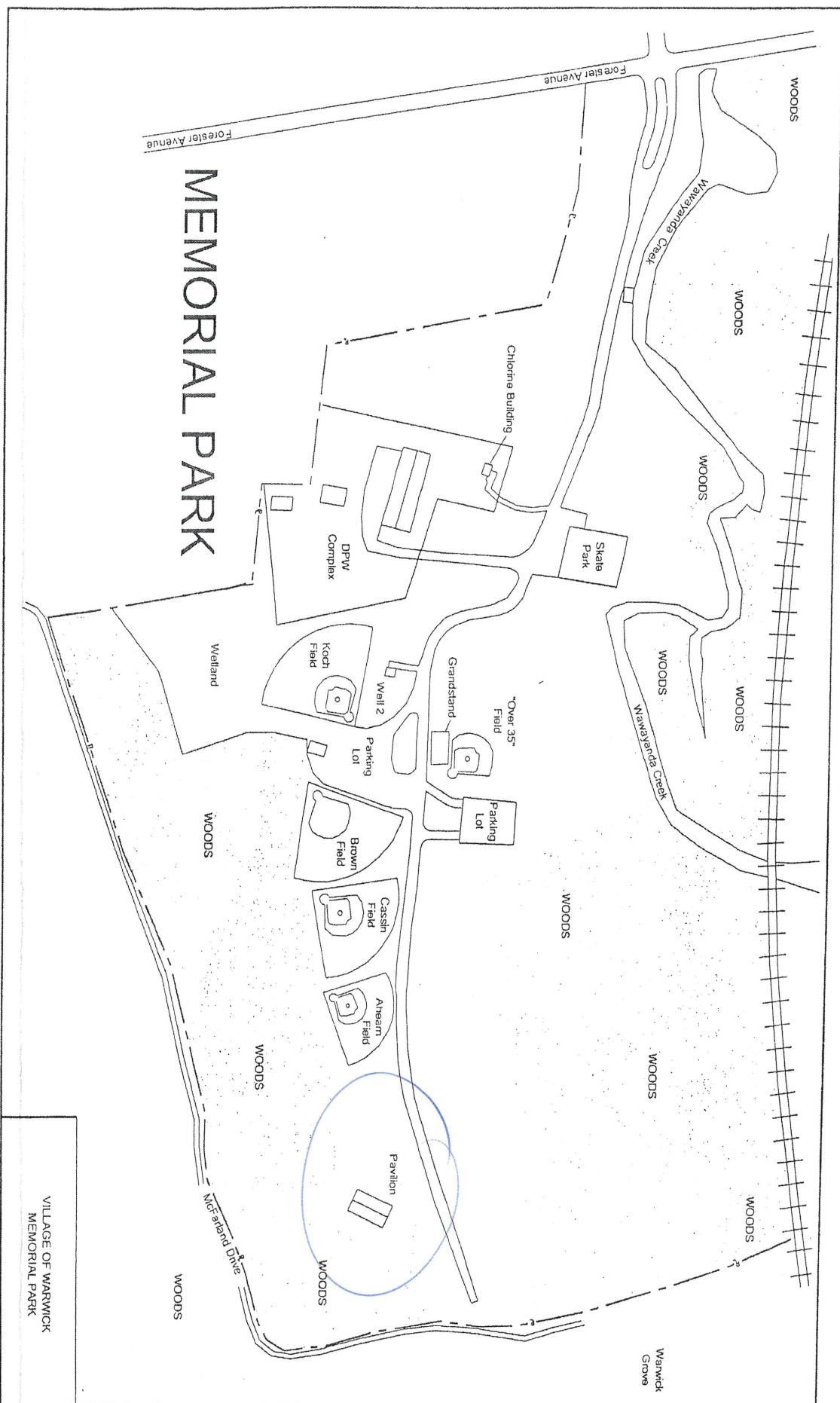
Printed Name of Applicant/Responsible Party

Everett Cox

Signature of Applicant/Responsible Party

Date

July 21, 2022



**VILLAGE OF WARWICK'S
POLICY AGAINST DISCRIMINATION AND HARASSMENT**

SECTION 1: PURPOSE

- A. Scope of Policy
- B. Policy Objectives

SECTION 2: DEFINITIONS

SECTION 3: POLICY

SECTION 4: POLICY ENFORCEMENT

- A. Complaint Procedure for Employees
 - 1. Notification Procedure
 - 2. Making a Complaint
 - 3. Supervisory Responsibilities
- B. Time for Reporting a Complaint
- C. Confidentiality and Privacy
- D. Acknowledgment of Complaint

SECTION 5: INVESTIGATION PROCEDURES

- A. Timing of Investigations
- B. Method of Investigation
- C. Notification to Complaining Party and the Accused Party
- D. Remedial Measures

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

SECTION 7: APPEALS

SECTION 8: RECORD KEEPING

SECTION 9: LEGAL PROTECTIONS AND EXTERNAL REMEDIES

SECTION 10: QUESTIONS

SECTION 11: COMPLIANCE OFFICERS

SECTION 12: EFFECTIVE DATE AND POLICY DISSEMINATION

SECTION 1: PURPOSE

The Village of Warwick believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, the Village of Warwick, (hereinafter "Municipality"), is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subject to harassment or discrimination in the workplace. It is our Municipality's policy to provide an employment environment free from harassment and discrimination based on race, color, gender, religion, religious creed, sex, familial or marital status, age, national origin or ancestry, physical or mental disability, genetic information/predisposition or carrier status, military or veteran status, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender, pregnancy (including childbirth and related medical conditions, and including medical conditions related to lactation), citizenship, domestic violence victim status or any other characteristic protected by applicable federal, state or local law.

A. Scope of Policy This Policy applies to all Municipality employees and all personnel in a contractual or other business relationship with the Municipality including, for example, applicants, temporary or leased employees, interns (whether paid or unpaid), independent contractors, vendors, consultants, volunteers or visitors. In the remainder of this Policy, the term "employees" refers to this collective group. This Policy applies with equal force on Municipality property as well as Municipality-sponsored events, programs, and activities that take place off Municipality premises.

B. Policy Objectives By adopting and publishing this Policy, it is the intention of the Municipality's governing body to:

- (1) Notify employees about the types of conduct that constitute harassment and discrimination prohibited by this Policy;
- (2) Inform employees about the complaint procedures established by the Municipality that enable any employee who believes they are the victim of harassment or discrimination to submit a complaint which will be investigated by the Municipality;
- (3) Clearly advise all supervisory staff, managers, and employees that harassment and discrimination is strictly prohibited; and
- (4) Notify all employees that the Municipality has appointed Compliance Officers who are specifically designated to receive complaints and ensure compliance with this Policy.

NOTE: The names and office location of each Compliance Officer designated to receive and investigate complaints are listed below in Section 11 of this Policy. Any change in the designated Compliance Officers shall be distributed in writing to all current employees and shall be posted.

SECTION 2: DEFINITIONS

“Prohibited Discrimination of Employees”

Prohibited discrimination of employees can take the form of any adverse employment action against an employee, by either a Municipality employee or official or a third party engaged in activities sponsored by the Municipality which is based upon the employee's protected characteristic. Prohibited discrimination of employees also includes harassment based on a protected characteristic even where there is no tangible impact upon the employee's employment opportunities and/or employment benefits. The phrase “prohibited discrimination” as used in this Policy includes all forms of prohibited discrimination and harassment based on a protected characteristic, including “Sexual Harassment” as defined below.

“Harassment”

Harassment is strictly prohibited and includes, but is not limited to, conduct that is unwelcome and has the purpose or effect of unreasonably interfering with a person's work performance, or creating an intimidating, hostile or offensive working environment. Such harassment of employees is prohibited by this Policy if it is based on a protected characteristic or directed at an individual because of a protected characteristic. In this regard, individuals subject to this Policy should be mindful that conduct or behavior that is acceptable, amusing or inoffensive to some individuals may be viewed as unwelcome, abusive or offensive to others.

“Sexual Harassment”

Sexual harassment is strictly prohibited. It 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, self-identified or perceived sex, gender expression, 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:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., promotion, transfer, demotion, termination); or
- (3) Such gender-based conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or of creating an intimidating, hostile or offensive working environment, even if the reporting individual is not the intended target of the sexual harassment.

The foregoing includes offensive comments, jokes, innuendoes or other statements of a sexual or gender-based nature as well as favoritism between a supervisor and subordinate based on an intimate/sexual relationship or desire for the same.

Who can be the 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. Harassers 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 employer 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, on personal devices or during non-work hours.

“Prohibited Behavior and Examples of Harassment, including Sexual Harassment”

Specific forms of behavior the Municipality considers harassment or sexual harassment are set forth below. Every conceivable example cannot be delineated herein, and thus the descriptions below should not be interpreted in any way as being all-inclusive.

- **Verbal:** Abusive verbal language including jokes, comments, teasing or threats related to an employee’s protected characteristic, sexual activity and/or body parts whether or not said in that person’s presence including, but not limited to: sexual innuendos; slurs; suggestive, derogatory, or insulting comments or sounds; whistling; jokes; propositions; threats; comments on a person’s appearance that make the person feel uncomfortable because of his or her protected characteristic; sex stereotyping, continuing to ask someone for dates or to meet after work after the person has made it clear that he or she does not want to go; comments about an employee’s anatomy or protected characteristic that are unwelcome, unreasonably interfere with an employee’s work performance, or create an intimidating, hostile or offensive work environment; or unwelcome advances or demands based on someone’s protected characteristic.
- **Nonverbal:** Abusive written language showing or displaying pornographic or sexually explicit objects or pictures; graphic commentaries based on a protected characteristic; derogatory cartoons or caricatures; luring or obscene gestures; staring at a person’s body in a sexually suggestive manner; gestures or motions based on a protected characteristic; sending material through the Municipality e-mail system or other electronic communication devices (e.g. voice mail) or using the Municipality’s mail, computers or cell phones to view material that is demeaning or derogatory based on one’s protected characteristic.
- **Physical:** Unwelcome physical conduct, including but not limited to hitting, pushing, shoving, slapping, petting, pinching, grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, coerced sexual intercourse, rape or assault or attempts to commit these assaults, persistent brushing up against a person’s body,

unnecessary touching and flashing or other unwelcome physical conduct.

- **Other:** Hostile actions taken against an individual because of an individual's sex, sexual orientation, gender identity and the status of being transgender or because of any other protected characteristic, 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; or name-calling.

Any employee who feels discriminated against or harassed should report that conduct so that any violation of this Policy can be corrected promptly. Any harassing conduct, even if a single incident, can be addressed under this Policy.

SECTION 3: POLICY

The Municipality prohibits harassment and discrimination based on any characteristic protected by applicable law and will not tolerate any form of unlawful discrimination or harassment. The Municipality will take all steps necessary to prevent and stop the occurrence of unlawful discrimination and/or harassment, including sexual harassment, in the workplace.

All employees, including but not limited to, Municipality officials and supervisory personnel, are responsible for ensuring a work environment free from prohibited harassment and discrimination. All employees will be held responsible and accountable for avoiding or eliminating inappropriate conduct that may give rise to a claim of harassment or discrimination. Employees are encouraged to report violations to a supervisor, manager, or one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy. Officials, managers and supervisors must take immediate and appropriate corrective action when suspected instances of prohibited harassment and/or discrimination come to their attention to assure compliance with this Policy as well as report the suspected misconduct to the Municipality's designated Compliance Officers. Furthermore, if any employee believes that any member of management has violated this policy or has not properly responded to and/or handled a report or concerns about discrimination or harassment, the employee should immediately contact one of the Municipality's designated Compliance Officers.

Each employee is assured pursuant to *Section 6* of this Policy, that retaliation against an individual who makes a complaint or report under this Policy is absolutely prohibited and constitutes, in and of itself, a violation of this Policy. Employees who engage in retaliation against any employee for making a good faith complaint of harassment or discrimination, or for opposing in good faith any practices forbidden by applicable anti-discrimination laws or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws, shall be subject to discipline, up to and including termination of employment. Any employee who believes he/she has been retaliated against in violation of this policy should report violations to one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy.

Any questions regarding the scope or application of this Policy should be directed to one of the Compliance Officers listed in *Section 11* of this Policy.

SECTION 4: POLICY ENFORCEMENT

A. Complaint Procedure for Employees

1. Notification Procedure

Prompt reporting of complaints or concerns is encouraged so that timely and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of prohibited discrimination and/or harassment is encouraged and essential, regardless of the offender's identity or position. An employee or other individual who feels aggrieved because of harassment or discrimination shall contact his or her supervisor or a Compliance Officer listed in *Section 11* of this Policy, or another administrator. Likewise, anyone who witnesses or becomes aware of instances of harassment or discrimination should report such behavior to his or her supervisor or a Compliance Officer listed in *Section 11* of this Policy, or another administrator.

2. Making a Complaint

Complaints are accepted orally and in writing. All employees are encouraged to use the Municipality's "Complaint of Alleged Discrimination" form. A copy of this form is attached to this Policy. Additional complaint forms can be obtained from a Compliance Officer, with no questions asked, or from the Municipality's website. Because an accurate record of the allegedly objectionable behavior is necessary to resolve a complaint of prohibited discrimination or harassment, the Municipality encourages employees to place complaints in writing, even if originally made orally. If an employee has any questions or difficulty filling out the complaint form, she/he can obtain assistance from any one of the Compliance Officers or the supervisor to which he/she complained. All complaints should include: the name of the complaining party, the name of the alleged offender(s), date(s) of the incident(s), description of the incident(s), names of witnesses to the incident(s) and the signature of the complaining party.

Once the complaining party has completed and dated a complaint, with or without the assistance of one of the Municipality's Compliance Officers or a supervisor, the written complaint, or oral complaint as the case may be, should be promptly forwarded to one of the Municipality's Compliance Officers.

Complainants are expected to cooperate with the Municipality's investigation procedures by providing all relevant information relating to the complaint, as are other supervisory and non-supervisory employees

having relevant or related knowledge or information.

3. Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected harassment or discrimination, observe what may be harassing behavior, or have any reason to suspect that harassment is occurring, are required to report such suspected harassment or discrimination to one of the Municipality's Compliance Officers.

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

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

B. Time for Reporting a Complaint

Prompt reporting of all complaints is strongly encouraged. All employees should be aware that appropriate resolution of complaints and effective remedial action oftentimes is possible only when complaints are promptly filed.

C. Confidentiality and Privacy

The Municipality shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees. To the extent complaints made under this Policy implicate criminal conduct, the Municipality may be required by law to contact and cooperate with the appropriate law enforcement authorities.

D. Acknowledgement of Complaint

Upon receipt of an oral or written complaint, the Compliance Officer should endeavor to contact promptly the complainant to confirm that the complaint has been received. If the complainant does not receive such confirmation promptly, she/he is encouraged to contact a Compliance Officer or his/her supervisor or the supervisor to whom the complaint was made to ensure its receipt. The purpose of this acknowledgment procedure is to ensure that all complaints are received by authorized individuals, carefully processed and promptly investigated.

SECTION 5: INVESTIGATION PROCEDURES

A. Timing of Investigations

The Municipality will promptly investigate all allegations of discrimination and harassment prohibited by this Policy. The Municipality will also attempt to complete investigations under this Policy promptly. The length of the investigation will depend upon the complexity and particular circumstances of each complaint.

B. Method of Investigation

Investigations will provide all parties due process, and reach reasonable conclusions based on the evidence collected. Investigations will be conducted by Municipality Compliance Officers, Municipality's legal counsel, and/or other impartial persons designated by the Municipality. The primary purposes of all investigations under this Policy will be to determine:

- Did the conduct complained of occur;
- Did the conduct complained of violate this Policy; and
- What remedial measures or preventative steps, if any, shall be taken.

Investigations will necessarily vary from case to case and may typically include the following: fact-finding interviews, including of the accuser and the accused; document request, review and preservation; depositions; and observations or other reasonable methods. Municipality investigators should pursue reasonable steps to investigate each complaint in a thorough and comprehensive manner. Any notes, memoranda, or other records created by Municipality employee or agent conducting an investigation under this Policy shall be deemed confidential and privileged to the extent allowed by law.

Investigators will typically 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 basis for the decision and final resolution of the complaint, together with any remedial actions.

C. Notification to Complainant Party and the Accused Party

The results of the investigation shall be communicated in writing to both the person filing the complaint and the accused party.

D. Remedial Measures

This Policy is intended to prevent all forms of unlawful discrimination and harassment and put an end to any prohibited discrimination that is found to have occurred. While disciplinary action may be appropriate in certain instances, punitive measures are not the exclusive means for responding to prohibited discrimination or harassment. During the pendency of any investigation being conducted pursuant to this Policy, remedial measures may be taken if appropriate and necessary.

Any individual who is found to have engaged in prohibited discrimination or harassment or conduct which may be prohibited by this Policy may receive education, training, counseling, warnings, discipline, or other measures designed to prevent future violations of this Policy. Disciplinary action may include: warnings, suspension, or discharge from employment or such disciplinary action as may be permitted by applicable collective bargaining agreements and law. Any third party found to have engaged in discrimination or harassment of an employee may be barred from Municipality property.

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

Unlawful retaliation can be any action that could discourage an employee from coming forward to make a complaint or support a discrimination or harassment claim. Adverse action need not be job-related or occur in the workplace to constitute retaliation (e.g., threats of physical violence outside of work hours).

Retaliation against anyone for making a good faith complaint of harassment or discrimination, for opposing in good faith any practices forbidden by applicable anti-discrimination laws or for filing a good faith complaint with, or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws is strictly prohibited by this Policy and by law.

Even if the alleged harassment or discrimination does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if he/she had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment or discrimination.

Complaints of retaliation should be brought directly to a Compliance Officer. Such complaints will be promptly investigated. If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including termination of the business relationship.

SECTION 7: APPEALS

Any complainant or accused party who wishes to appeal the conclusion which the Municipality reached in investigating a complaint filed under this Policy, may do so within ten (10) calendar days of receipt of the appealing party's notification of the investigation outcome. Untimely submissions shall not receive consideration. Such appeal must be made in writing to the Municipality's governing body. The appealing party shall be entitled to present evidence in writing as to why the conclusion was flawed, improper, or otherwise not supported by the evidence. The Municipality's consideration and review of any such appeal shall be conducted confidentially in executive session. Following a review of that evidence, as well as the information obtained in the investigation process and conclusions derived therefrom, the

Municipality's governing body, or its designee, shall render a decision. That decision shall be final. The appealing party shall be notified of the decision in writing.

Nothing set forth in the Appeal Process above shall be construed to, in any way, confer upon either the complainant(s) or the person(s) accused of violating this Policy any right to appeal the Municipality's determination as to appropriate disciplinary and/or corrective action to be taken on meritorious complaints. In this regard, the Municipality at all times retains sole discretion to determine the appropriate disciplinary and/or corrective action to be taken with regard to a meritorious complaint.

SECTION 8: RECORD KEEPING

The Municipality shall maintain a written record of all complaints of discrimination and/or harassment for a period of at least three years. The Municipality shall also document the steps taken with regard to investigations, as well as conclusions reached and remedial action taken, if any. The Municipality shall also maintain these documents for, at a minimum, three years.

The Municipality's records regarding alleged discrimination and harassment shall be maintained separate and apart from personnel records in a secure and confidential location.

SECTION 9: LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Discrimination and harassment based on protected characteristics, including sexual harassment, are not only prohibited by the Municipality but are also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Municipality, employees may also choose to pursue legal remedies with the governmental entities referenced in the following laws. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment and harassment based on other protected characteristics set forth in this Policy, 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 the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. Complaints of sexual harassment that accrue on or after August 12, 2020 may be filed with DHR

at any time **within three years** of the alleged sexual 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 harassment, including sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

New York employees may now call 1-800-427-2773 to receive free legal counseling regarding any complaint of workplace sexual harassment or to submit a complaint regarding such harassment. The hotline will operate during regular business hours and will be staffed by a team of *pro bono* attorneys for the New York State Division of Human Rights (“Division”).

Complaining internally to the Municipality does not extend your time to file with DHR or in court. The one year or three years is counted from the 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 sexual or other illegal harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual or other illegal harassment 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 of monetary damages, attorney’s fees (in sex discrimination and sexual harassment cases only) and civil fines.

DHR’s main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

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

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (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 discrimination or 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. In general, employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work 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 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

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

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Employees of the Village of Warwick may file complaints of sexual harassment with the New York State Division of Human Rights Regional Office:

7-11 South Broadway, Suite 314
White Plains, NY 10601
Telephone: (914) 989-3120
Fax: (914) 989-3122
Email: infowhiteplains@dhr.ny.gov

Contact the Local Police Department

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

SECTION 10: QUESTIONS

Any questions by employees of the Municipality about this Policy or potential harassment or discrimination should be brought to the attention of one of the Municipality's Compliance Officers. The names, addresses, and telephone numbers of the Municipality's Compliance Officers are listed in *Section 11* of this Policy.

SECTION 11: COMPLIANCE OFFICERS

<u>Mayor, Michael J. Newhard</u>	<u>77 Main Street, P.O. Box 369, Warwick, NY 10990</u>
Name	Office Location/Mailing Address
<u>(845) 986-2031</u>	<u>mayor@villageofwarwick.org</u>
Telephone Number	Email Address

Village Clerk, Raina Abramson	77 Main Street, P.O. Box 369, Warwick, NY 10990
Name	Office Location/Mailing Address
(845) 986-2031	clerk@villageofwarwick.org
Telephone Number	Email Address

SECTION 12: EFFECTIVE DATE AND POLICY DISSEMINATION

The adopted and effective date of this Policy shall be August 1, 2022. The Village of Warwick shall ensure that this Policy is adequately disseminated and made available to all employees of the Municipality. This Policy shall be distributed at the beginning of each year with or as part of the **Village of Warwick Annual Safety Training** and the **Village of Warwick Employee Handbook**. In addition, copies of this Policy and Complaint Form shall be maintained in the office of each Compliance Officer as well as the Municipality's Policy Book that is available in the Clerk's Office.

Upon the effective date of this Policy, the provisions of this Policy shall supersede and replace the following prior Municipality policies and regulations regarding employee discrimination and harassment:

- Village of Warwick Sexual Harassment Policy adopted & effective October 15, 2018
- Village of Warwick Employee Handbook Section 9.6 entitled 'Sexual Harassment'
- Village of Warwick Sexual Harassment Policy adopted & effective December 6, 2019

Sexual Harassment Prevention Policy Notice



Combating
Sexual Harassment

Sexual harassment is against the law.

All employees have a legal right to a workplace free from sexual harassment, and The Village of Warwick is committed to maintaining a workplace free from sexual harassment.

Per New York State Law, The Village of Warwick has a sexual harassment prevention policy in place that protects you. This policy applies to all employees, paid or unpaid interns and non-employees in our workplace, regardless of immigration status.

If you believe you have been subjected to or witnessed sexual harassment, you are encouraged to report the harassment to a supervisor, manager or the mayor so we can take action.

Our complete policy may be found: Village of Warwick Employee Handbook

Our Complaint Form may be found: Village of Warwick Employee Handbook & Clerk's Office

If you have questions and to make a complaint, please contact:

Mayor, Michael J. Newhard
77 Main Street, Warwick, NY 10990
mayor@villageofwarwick.org
(845) 986-2031 ext. 101

Village Clerk, Raina Abramson
77 Main Street, Warwick, NY 10990
clerk@villageofwarwick.org
(845) 986-2031 ext. 102

New York employees may now call 1-800-427-2773 to receive free legal counseling regarding any complaint of workplace sexual harassment or to submit a complaint regarding such harassment. The hotline will operate during regular business hours and will be staffed by a team of *pro bono* attorneys for the New York State Division of Human Rights ("Division").

For more information and additional resources, please visit:

www.ny.gov/programs/combating-sexual-harassment-workplace

VILLAGE OF WARWICK COMPLAINT FORM

In order to assist **The Village of Warwick** in investigating your allegations of harassment, discrimination or retaliation in a prompt and thorough fashion, please complete this form to the best of your abilities and with as much detail as you are able. Once completed, please submit this form to the Municipal Compliance Officer identified in Section 11 of the Municipal Policy Against Discrimination and Harassment. If additional space is needed in order to respond to any question below, please attach additional pages as necessary and identify which question corresponds to the information set forth in the additional pages. Any questions regarding this form may be directed to a Municipal Compliance Officer. No individual will be retaliated against for filing a complaint.

Name of Complainant: _____ Date Submitted: _____

Job Title: _____

Address: _____

Home phone: _____ Cell: _____ Work: _____
(Please circle the number you'd prefer us to call)

Email: _____

Name of Victim (if different than Complainant): _____

Basis of this complaint (check all that apply):

- | | |
|---------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Race/color | <input type="checkbox"/> Gender expression |
| <input type="checkbox"/> Age | <input type="checkbox"/> Gender identity |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Transgender status |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Genetic predisposition |
| <input type="checkbox"/> Sex/gender | <input type="checkbox"/> Military/veteran status |
| <input type="checkbox"/> Sexual harassment | <input type="checkbox"/> Citizenship |
| <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Religion/Religious creed |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Domestic violence victim status |
| <input type="checkbox"/> Familial Status | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> Other/Not Sure |

If checked "Other/Not Sure," please briefly explain:

Time(s) and date(s) the incident(s) took place:

Name(s) and office address of the individual who allegedly engaged in the harassment, discrimination or retaliation. If more than one, list all.

Name: _____

Location: _____

Describe the incident(s) which occurred with as much detail as you are able, including why you believe the incident(s) constitutes harassment, discrimination or retaliation (please attach any documentation or evidence you believe is relevant to the incident):

Describe briefly what you would consider to be appropriate resolution of the conduct described above: (Please note that the Village of Warwick retains the sole discretion and authority to determine the appropriate disciplinary and/or corrective action to be taken with regard to meritorious complaints. This question should not be construed in any way to constitute a forfeiture of that discretion or authority.)

Identify all persons who witnessed the incident(s) described above:

<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Please identify any other persons you believe have knowledge important to the incident(s) in question, including his/her contact information and a brief description of the knowledge held by each person:

Have you filed a complaint or charge with a Federal, State, or Local Government agency related to the incident(s) identified above?

Yes _____

No _____

Has this incident or occurrence been previously reported to the Village of Warwick?
[] Y [] N. If yes, when and to whom?

If the incident or occurrence has been previously reported, please describe the remedy, outcome or resolution:

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

Complainant's Signature

Date

Print Name: _____

Received by:

Signature

Date

Print Name: _____

For Employer Use Only – To be Completed Upon Receipt

Recipient of Complaint (print): _____

Date, Time and Manner (e.g. personal delivery, mailbox, etc.) of Receipt: _____

Notes: _____

**ACKNOWLEDGEMENT OF RECEIPT OF VILLAGE OF WARWICK'S POLICY
AGAINST DISCRIMINATION AND HARASSMENT**

From: Village of Warwick, Clerk's Office
To: All Village of Warwick Employees and Volunteers

The Village of Warwick is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subjected to harassment or discrimination in the workplace. It is the Village of Warwick's policy to provide a workplace environment free from harassment and discriminatory practices.

The Village of Warwick has adopted and disseminated a revised Policy Against Discrimination and Harassment effective December 6, 2019. Please sign the attached acknowledgement that you have received a copy of the revised Policy, have reviewed it, and have been afforded an opportunity to ask a Municipality Compliance Officer any questions you may have regarding the Policy. **Return the signed acknowledgement to the Village Clerk's Office.**

Thank you for your assistance in this matter. If you have any further questions regarding this Policy feel free to contact Mayor, Michael J. Newhard or Village Clerk, Raina Abramson.

**ACKNOWLEDGEMENT OF RECEIPT OF VILLAGE OF WARWICK'S POLICY
AGAINST DISCRIMINATION AND HARASSMENT**

I, _____, (print name) have received the Village of Warwick's Policy Against Discrimination and Harassment adopted effective August 1, 2022. I have reviewed this Policy, and I have had the opportunity to ask questions regarding the Policy.

Signature of Employee

Date

**VILLAGE OF WARWICK
LIBERTY GREEN III - PILOT REIMBURSEMENT
PER CONTRACT: 83 UNITS X \$275
ANNUAL PILOT: \$22,825
SBL: 230-1-1.13**

Fiscal Year	Amount Due	Amount Paid	Check #
FY 2018-19	\$22,825	\$23,825	9103824861
FY 2019-20	\$22,825	\$23,825	9104398782
FY 2020-21	\$22,825	\$23,825	9104707226
FY 2021-22	\$22,825	\$23,825	9105018116
FY 2022-23	\$22,825	\$23,825	9105966415

**Overpayment Due to be
Reimbursed:**

\$5,000

Received Date

Standard Work Day and
Reporting Resolution for
Elected and Appointed Officials

Employer Location Code

40261

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

RS 2417-A

(Rev.11/19)

BE IT RESOLVED, that the Village of Warwick / 40261 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
Appointed Officials:									
Jesse Gallo	XXXX	XXXXXXXXXX	Planning Board Member	4/6/20 - 4/7/25	6	.89	<input type="checkbox"/>	Monthly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

I, **Raina Abramson**, secretary/clerk of the governing board of the **Village of Warwick**, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the **1** day of **August**, 20**22** on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the **Village of Warwick** on this ___ day of ___, 20___

(Signature of Secretary or Clerk) _____
Affidavit of Posting: I, _____ being duly sworn, deposes and says that the posting of the Resolution began on _____ and continued for at least 30 days. That the Resolution was available to the public on the: _____
(Date)
☐ Employer's website at: _____
☐ Official sign board at: _____
☐ Main entrance, Secretariat or Clerk's office at: _____

Record of Activities

Name Jesse Gallo
Title Planning Board Chairman
Employer Village of Warwick

Activity Log

- Use a new row for each activity. You must include the start and end times for each activity.
- Enter the date, activity, start and end times, and the number of hours. In the Hours column, only enter numbers (i.e. 2.75).
- To add a new row, click the "Add New Row" button.
- To total the number of hours, click the "Update Total" button.

Date	Activity	Start Time	End Time	Hours
April 6, 2022	Review Applications for April Planning Board meeting	10:00 AM	10:30 AM	.5
April 11, 2022	Review Applications for April Planning Board meeting	3:00 PM	4:00 PM	1
April 12, 2022	April Planning Board prep and meeting	7:00 PM	9:00 PM	2
April 14, 2022	Review/sign Settlement Agreement for Village View	9:30 AM	10:00 AM	.5
April 14, 2022	Review/sign letter to establish lead agency for VV Application	11:15 AM	11:30 AM	.25
April 19, 2022	Review PII for 13 Forester Application	3:00 PM	3:30 PM	.5
April 25, 2022	Review Application for 92 Maple Ave	4:00 PM	4:30 PM	.5
April 27, 2022	Review Application for 63 Wheeler Ave	8:00 AM	8:30 AM	.5
April 29, 2022	Application site visits (63 Wheeler and 13 Forester) with PB engineer	12:00 PM	1:00 PM	1
May 2, 2022	Review Engineers comments regarding 92 Maple Ave Application	9:45 AM	10:00 AM	.25

May 2, 2022	Review Engineers comments regarding 92 Maple Ave Application	9:45 AM	10:00 AM	.25
May 2, 2022	Review legal comments regarding 92 Maple Ave Application	4:00 PM	4:15 PM	.25
May 5, 2022	Review draft April meeting minutes	12:15 PM	12:30 PM	.25
May 9, 2022	Prep for May PB meeting; review Applications	1:00 PM	1:30 PM	.5
May 10, 2022	May Planning Board meeting	7:15 PM	9:15 PM	2
May 12, 2022	OCMPF Training class	6:00 PM	8:00 PM	2
May 20, 2022	Planning Board discussion with T. McKnight	10:00 AM	10:30 AM	.5
May 31, 2022	Review draft May meeting minutes	2:00 PM	2:15 PM	.25
May 31, 2022	Review June agenda items	2:15 PM	2:30 PM	.25
June 9, 2022	Review comments for June agenda items	9:00 AM	9:15 AM	.25
June 14, 2022	Review June agenda items	10:00 AM	10:30 AM	.5
June 14, 2022	May Planning Board meeting	7:15 PM	8:15 PM	1.25
June 24, 2022	Review/sign Resolution for 13 Forester; review July PB meeting material	9:00 AM	9:30 AM	.5
June 30, 2022	Review Roam application	10:00 AM	10:15 AM	.25
July 5, 2022	Review July B meeting packet materials	10:15 AM	10:30 AM	.25

Add New Row

Update Total

16

With my signature, I attest to the accuracy of the record provided above.

Signature

A handwritten signature in black ink, consisting of a stylized 'A' with a horizontal line extending to the right.

Date

7/19/22

**BOARD OF TRUSTEES
VILLAGE OF WARWICK
AUGUST 1, 2022
ADDENDUM NO. 1**

8. **Motion** to authorize payment to TAM Enterprises, Inc. in the amount of \$14,088.50 for the Wastewater Robert Drive Valve Vault per Payment Application #1 as certified by Village Engineer David Getz of Engineering Properties. Funds are appropriated in budget code F.8340.4 in the 2022-23 budget.

The vote on the foregoing **motion** was as follows:

Trustee Cheney ____ Trustee Foster ____ Trustee Bachman ____

Trustee McKnight ____ Mayor Newhard ____



Montgomery Office:
71 Clinton Street
Montgomery, NY 12549
phone: (845) 457-7727
fax: (845) 457-1899

Warwick Office:
17 River Street
Warwick, NY 10990
phone: (845) 986-7737
fax: (845) 986-0245

www.EngineeringPropertiesPC.com

August 1, 2022

**VILLAGE OF WARWICK BOARD OF TRUSTEES
77 MAIN STREET
WARWICK, NY 10990**

ATT: MAYOR MICHAEL NEWHARD

Re: Robert Drive Valve Vault
Application for Payment #001
W.O. #1800.99

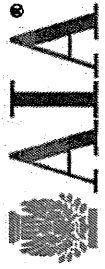
Dear Mayor Newhard and Trustees:

We have reviewed Application for Payment #001, dated 7/27/22, from TAM Enterprises, Inc. for the proposed improvements to the Robert Drive valve vault. We recommend approval of the requested payment of \$14,088.50. The work included mobilization and preparation for electrical work and replacement of the vault's cover. The balance amount to finish the project, including retainage, is \$59,911.50.

We have enclosed a signed copy of the payment application form.

Sincerely,
Engineering & Surveying Properties, P.C.

David A. Getz, P.E.



Document G732 - 2019

Application and Certificate for Payment, Construction Manager as Adviser Edition

TO OWNER:	Village of Warwick	PROJECT:	Warwick - Robert Drive Valve Vault	APPLICATION NO: 001-	Distribution to:
FROM CONTRACTOR:	TAM enterprises Inc. 114 Hartley Rd. Goshen, NY 10924	VIA CONSTRUCTION MANAGER:	Robert Drive - Warwick NY Chad Young	PERIOD TO: July 29, 2022	OWNER: <input type="checkbox"/>
CONTRACT FOR:	General Construction	VIA ARCHITECT:	David Getz	CONTRACT DATE: April 07, 2022	CONSTRUCTION MANAGER: <input type="checkbox"/>
					ARCHITECT: <input checked="" type="checkbox"/>
					CONTRACTOR: <input type="checkbox"/>
					FIELD: <input type="checkbox"/>
					OTHER: <input type="checkbox"/>

CONTRACTOR'S APPLICATION FOR PAYMENT
Application is made for payment, as shown below, in connection with the Contract AIA Document G703™, Continuation Sheet, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and \$74,000.00 payments received from the Owner, and that current payment shown herein is now due.

1. ORIGINAL CONTRACT SUM	\$0.00	CONTRACTOR:	
2. NET CHANGES IN THE WORK	\$0.00	By:	
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$74,000.00	Date:	7/27/22
4. TOTAL COMPLETED AND STORED TO DATE (Column G on G703)	\$14,830.00	State of:	NJ
5. RETAINAGE:		County of:	Orange
a. 5.00 % of Completed Work	\$741.50	Subscribed and sworn to before	
(Column D + E on G703)		me this	27 day of July, 2022
b. 0 % of Stored Material	\$0.00	Notary Public:	5.1-1-16
(Column F on G703)		My Commission expires:	6-30-26
		My Commission Expires	June 30, 2026

Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$741.50
6. TOTAL EARNED LESS RETAINAGE	\$14,088.50
(Line 4 minus Line 5 Total)	
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$0.00
(Line 6 from prior Certificate)	
8. CURRENT PAYMENT DUE	\$14,088.50
9. BALANCE TO FINISH, INCLUDING RETAINAGE	\$59,911.50
(Line 3 minus Line 6)	

AMOUNT CERTIFIED	\$14,088.50
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)	
CONSTRUCTION MANAGER:	

By:		Date:	
ARCHITECT: (NOTE: If multiple Contractors are responsible for performing portions of the Project, the Architect's Certification is not required.)		Date:	8/1/22
By:		Date:	
This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.			

SUMMARY OF CHANGES IN THE WORK	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this month including Construction Change Directives	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES IN THE WORK		\$0.00



Continuation Sheet

AIA Document G702®, Application and Certification for Payment, or G732™, Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.

Use Column I on Contracts where variable retainage for line items may apply.

[illegible]

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User Notes:

(3B9ADAB8)

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G÷C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	GRAND TOTAL	\$74,000.00	\$0.00	\$14,830.00	\$0.00	\$14,830.00	20.04%	\$59,170.00	\$0.00

VOUCHER

TAM Enterprises, Inc.
114 Hartley Rd.
Goshen, NY 10924

TERMS

**Purchase
Order No.**

DO NOT WRITE IN THIS BOX

Date Voucher Received		
FUND - APPROPRIATION	AMOUNT	
TOTAL		
Voucher No.	Check No.	

Date	Quantity	Description of Materials or Services	Unit Price	Amount
7/25/22	<p>See Attached</p> <p>WARWICK-ROBERT DRIVE VALVE VAULT</p> <p>REQ # 1</p>			14,088.50
		TOTAL	14088	50

(See Instructions on Reverse Side)

CLAIMANT'S CERTIFICATION

1. Olivia Shurtis, certify that the above account in the amount of \$ 14,088.50 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

7/25/22
DATE


SIGNATURE

Administrative Assistant

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

DATE

AUTHORIZED OFFICIAL

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

DATE _____

AUDITING BOARD