

Minutes of the Annual Meeting of the  
Board of Trustees held in the Board Room of  
the Community Building, 318 Lakeville Road,  
Monday, July 14, 2025, at 7:00 P.M.

PRESENT: Mayor Adam Hoffman  
Deputy Mayor Gene Kaplan  
Trustee Marian Lee  
Trustee Robert Gal  
Trustee Lawrence Farkas  
Trustee Spyro Dimitratos

ALSO PRESENT: Patrick E. Farrell, Village Administrator  
Christopher Tyrkko, Village Treasurer  
Mary Kate Waldron, Court Reporter  
Joseph Gardella, Chief of LSPD  
Mark Staniszewski, LSPD Lieutenant  
Nicholas Faro, LSPD Sergeant  
Patrick Sheridan, LSPD Sergeant  
Patricia Santomauro, Deputy Village Clerk  
Adrea Curto, Village Attorney  
Dina Burachio, Resident  
Mark Gopen, Resident  
David Milner, Resident  
Michael Cohen, Resident

ABSENT: Trustee Fred Handsman

Mayor Hoffman called the Annual Meeting of the Board of Trustees to order at 6:57 p.m. and led in the Pledge of Allegiance.

Mayor Hoffman, seconded by Deputy Mayor Kaplan, moved to open the Public Hearing at 6:58 p.m. (Verbatim transcript annexed hereto)

Mayor Hoffman stated the purpose of the Public Hearing is to adopt Local Law No. 3 of 2025, a Local Law to amend Lake Success Code Chapter 47 entitled "Commercial Filming", adopt Local Law No. 4 of 2025, a Local Law to amend Lake Success Code Chapter 105 entitled "Zoning", adopt Local Law No. 5 of 2025, a Local Law to amend Lake Success Code Chapter 85 entitled "Siting of Wireless Telecommunications Facilities", and adopt Local Law No. 6 of 2025, a Local Law to amend Lake Success Code Chapter 42 entitled "Building and Fire Prevention Code Administration".

Mayor Hoffman, seconded by Deputy Mayor Kaplan, moved to close the Public Hearing at 7:05 p.m.

Mayor Hoffman, seconded by Trustee Dimitratos, moved to approve the following appointments for the 2025-26 fiscal year.

**BOARD OF ZONING AND APPEALS (5 YR TERM)**

ANDREW ACKERMAN JULY 2030

**ALTERNATE BOARD OF ZONING AND APPEALS (1 YR TERM)**

DAVID FALLICK JULY 2026  
JOHN JAHNG JULY 2026

**BOARD OF APPEALS LIAISON**

LAWRENCE FARKAS JULY 2026

**MAYOR'S ADVISORY COMMITTEE**

DAVID N. MILNER JULY 2026

**BOARD OF ASSESSMENT REVIEW**

LAWRENCE FARKAS (CHAIR) JULY 2026  
DAVID FALLICK JULY 2026  
JOHN JAHNG JULY 2026  
YAIR KERSTEIN JULY 2026

**BUILDING DEPARTMENT**

STEFANE DEALBUQUERQUE – SUPERINTENDENT JULY 2026  
ROBERT S. BONNIE – BUILDING INSPECTOR JULY 2026  
LAWRENCE FARKAS – BLDG. DEPT. LIAISON JULY 2026  
PATRICK E. FARRELL – CODE ENFORCEMENT OFFICIAL JULY 2026

**ALTERNATE BUILDING INSPECTOR**

DON ALBERTO – ALTERNATE BLDG. INSPECTOR JULY 2026  
MICHAEL MALATINO- ALTERNATE BLDG. INSPECTOR JULY 2026

**CABLE COMMISSION REPRESENTATIVE**

MARIAN LEE JULY 2026

**ENVIRONMENTAL COMMISSION**

MARIAN LEE – CHAIRPERSON JULY 2026  
MICHELE RAPHAEL JULY 2026  
ADAM SCNEIDER JULY 2026  
PRIYA MACKHANDRILALL JULY 2026  
JONATHAN WITT JULY 2026  
DR. LAURA GAL JULY 2026

**PLANNING BOARD (5-Year Term)**

ELLIOT BROWAR JULY 2030

**PLANNING BOARD LIAISON**

LAWRENCE FARKAS JULY 2026

**VILLAGE ASSESSOR**

THOMAS DONATO JULY 2026

**VILLAGE DEPUTY CLERK**

PATRICIA SANTOMAURO JULY 2026

**VILLAGE ATTORNEY**

ANDREA CURTO JULY 2026

**VILLAGE AUTHORIZED SIGNATORS**

ADAM HOFFMAN JULY 2026  
SPYRO DIMITRATOS JULY 2026  
EUGENE KAPLAN JULY 2026

**EMERGENCY MANAGEMENT LIASION**

ADAM HOFFMAN JULY 2026

**PUBLIC SAFETY COORDINATOR**

ADAM HOFFMAN JULY 2026

**VILLAGE FINANCE COMMITTEE**

ADAM HOFFMAN JULY 2026  
SPYRO DIMITRATOS JULY 2026  
LAWRENCE FARKAS JULY 2026  
MARIAN LEE JULY 2026  
ROBERT GAL JULY 2026

**VILLAGE GRIEVANCE BOARD**

ADAM HOFFMAN JULY 2025  
LAWRENCE FARKAS JULY 2025  
MARIAN LEE JULY 2025

**VILLAGE HOUSE COMMITTEE**

FRED HANDSMAN – CHAIRPERSON JULY 2026  
LAWRENCE FARKAS - DEPUTY JULY 2026  
MARIAN LEE - DEPUTY JULY 2026  
TRACY BERLINSKY JULY 2026  
ELISE GAD JULY 2026  
MINDY PLUTZER JULY 2026  
LINDA HANDSMAN JULY 2026

SUSAN MERMEL	JULY 2026
DINA BURACHIO	JULY 2026
<b><u>VILLAGE ARBORIST</u></b>	
ANN FRANKEL	JULY 2026
<b><u>VILLAGE ASSOCIATE JUSTICE</u></b>	
ROBERT RAPHAEL	JULY 2026
<b><u>VILLAGE JUSTICE LIAISON</u></b>	
SPYRO DIMITRATOS	JULY 2026
<b><u>VILLAGE OFFICE LIAISON</u></b>	
EUGENE KAPLAN	JULY 2026
SPYRO DIMITRATOS – DEPUTY LIAISON	JULY 2026
<b><u>VILLAGE POLICE LIAISON</u></b>	
LAWRENCE FARKAS	JULY 2026
SPYRO DIMITRATOS	JULY 2026
<b><u>VILLAGE PHYSICIAN</u></b>	
VACANT	
<b><u>VILLAGE PROSECUTOR</u></b>	
JOHN TURANO	JULY 2026
<b><u>DEPT. OF PUBLIC WORKS LIAISON</u></b>	
FRED HANDSMAN – Co-Chair	JULY 2026
SPYRO DIMISTRATOS – Co-Chair	JULY 2026
<b><u>VILLAGE TECHNOLOGY COMMITTEE</u></b>	
ADAM HOFFMAN - LIAISON	JULY 2026
SUE GOLDMAN	JULY 2026
RUSSELL KERN	JULY 2026
CHABI DEOCHAND	JULY 2026
<b><u>VILLAGE TREASURER</u></b>	
CHRISTOPHER TYRKKO	JULY 2026
<b><u>VILLAGE DEPUTY TREASURER</u></b>	
ALEXANDRA KARAS	JULY 2026

The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve the minutes of June 9, 2025, and June 17, 2025.  
The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, Deputy Mayor Kaplan, Administrator Farrell, and Attorney Curto had no reports at this time.

Mayor Hoffman, seconded by Deputy Mayor Kaplan, moved to approve the Abstract of Claims as presented for \$1,261,781.15, the Detailed Invoice as presented for \$62,842.36, and the Pre-Paid Abstract of Claims as presented for \$151,205.24 (annexed hereto). The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Treasurer’s Report is for informational purposes only.

Monthly Budget Reports are for informational purposes only.

Mayor Hoffman, seconded by Deputy Mayor Kaplan, moved to approve the Budget Adjustments as presented. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve the following **RESOLUTION**:

**BE IT RESOLVED,**

The Village of Lake Success approves the band, “The Collective” for the 2025 Annual BBQ & Music Fest on 8/9/25.

On the call of the roll: Mayor Hoffman voting aye; Deputy Mayor Kaplan voting aye, Trustee Lee voting aye; Trustee Dimitratos voting aye; Trustee Farkas voting aye, and Trustee Gal voting aye. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve the following Annual Resolutions as presented:

### **RESOLUTION - OFFICIAL NEWSPAPER**

WHEREAS, the Village Law of the State of New York authorizes the Board of Trustees to designate an Official Newspaper, and the Board of Trustees desires to designate an official newspaper,

NOW THEREFORE, BE IT RESOLVED, that the Long Island Press, located at PO Box 1578 Mineola, NY 11501, and Newsday, located in Melville, NY 11747, are designated as the Official Newspapers of the Village of Lake Success. Publication in any of these newspapers shall be deemed sufficient publication.

### **RESOLUTION - OFFICIAL YEAR**

RESOLVED, that regular meetings of the Board of Trustees shall be held on the 2nd Monday of each month at 7:30 p.m. with the exception of October due to Columbus Day, which will be held on Tuesday, October 14, 2025; prevailing time, as aforesaid, in the Board Room of the Village Hall/Community Building, 318 Lakeville Road, Great Neck, N.Y. 11020. The next annual meeting will be held on July 13, 2026 at 7:00 p.m.

### **RESOLUTION - OVERTIME**

WHEREAS, from time to time it is necessary for employees i.e. non-bargaining, non-management, full-time permanent, to work beyond or in excess of their normal working hours, and,

WHEREAS, the Board of Trustees has determined to pay additional or overtime compensation to such non-bargaining, non-management employees,

NOW, THEREFORE BE IT RESOLVED, that:

1. For each additional hour of overtime work the designated employees shall be compensated at the same overtime premium percentage as set forth in the current CSEA contract and all future CSEA contracts in effect at that time.
2. At the request of the employee, with the approval of the department head, said employee may be allowed compensatory time off from his/her normal work time, in lieu of money compensation, again at the same rate and under the same conditions as are set forth in the CSEA contract in effect at that time.

### **RESOLUTION - AUTHORIZATION TO SIGN CHECKS**

RESOLVED THAT Webster Bank (formerly Sterling Bank), First National Bank of Long Island and N.Y.C.L.A.S.S. be and hereby are designated a depository of the funds of this corporation, and

Designate Authorized Signing Officer(s) by Title Only: Mayor, Deputy Mayor, Trustees, Clerk, and Treasurer,  
Designate Authorized Signing Non-Officer(s) by Name

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Number of Signatures required two (2)

Special Instructions: 1 Signature Mayor Adam Hoffman, Deputy Mayor Eugene Kaplan, Trustee Spyro Dimitratos, plus 1 Signature Clerk or Treasurer is/are hereby authorized (i) to sign, for and on behalf of this corporation, any and all checks, drafts or other orders with respect to any funds at any time(s) to the credit of this Corporation with the Bank and/or against any account(s) of this Corporation maintained at any time(s) with the Bank, inclusive of any such checks, drafts or others in favor of any of the above-designated officer(s) and/or other person(s), and/or (ii) to make withdrawals at any time(s) of any such funds or from any such account(s) by any other means authorized by the Bank, including (without limitation) a debit card, a credit card, a terminal or other device or facility providing access to any such funds or account(s), and that the Bank be and hereby is authorized (a) to pay such checks, drafts or orders, and/or to honor such withdrawals, by debiting any account(s) of this Corporation then maintained with it; (b) to receive for deposit to the credit of this Corporation, and/or for collection for the account of this Corporation, any and all checks, drafts, notes or other instruments for the payment of money, whether or not endorsed by this Corporation, which may be submitted to it for such deposit and/or collection, it being understood that each such item shall be deemed to have been unqualifiedly endorsed by this Corporation; and (c) to receive, as the act of this Corporation, any and all stop-payment instructions (inclusive of any relative agreement) with respect to any such checks, drafts, other orders as

aforesaid and reconciliation(s) of account when signed by any one or more of the officer(s) and/or other person(s) as hereinbefore designated.

Facsimile Authorization: RESOLVED THAT the Bank is further authorized to pay to the debit of any account(s) of this Corporation, any and all checks, drafts, and other instruments for the payment of money drawn in the name of the Corporation bearing or purporting to bear the facsimile signature(s) of:

Designate Authorized Signing Officer(s) by Title Only: Mayor, Deputy Mayor, Trustee, Clerk and Treasurer.

Designate Authorized Signing Non-Officer(s) by Name: \_\_\_\_\_

Number of Signatures Required: \_\_\_\_\_

Special Instructions: \_\_\_\_\_

inclusive of any in favor of any person(s) whose facsimile signature(s) appear(s) thereon, if the facsimile signature(s) thereon, regardless of by whom or what means affixed, resembles(s) the specimen(s) thereof filed with the Bank.

### **RESOLUTION - AUTHORIZATION TO SIGN CHECKS FOR VILLAGE JUSTICE COURT**

RESOLVED, First National Bank of Long Island be and hereby is designated a depository of the funds of this corporation, and Designate Authorized Signing Officer(s) by Title Only Village Justice and/or Acting Village Justice.

Number of Signatures required two (1)

Special Instructions: 1 Signature Village Justice Mark Mermel and/or Acting Village Justice Robert Raphael is/are hereby authorized (i) to sign, for and on behalf of this corporation, any and all checks, drafts or other orders with respect to any funds at any time(s) to the credit of this Corporation with the Bank and/or against any account(s) of this Corporation maintained at any time(s) with the Bank, inclusive of any such checks, drafts or others in favor of any of the above-designated officer(s) and/or other person(s), and/or (ii) to make withdrawals at any time(s) of any such funds or from any such account(s) by any other means authorized by the Bank, including (without limitation) a debit card, a credit card, a terminal or other device or facility providing access to any such funds or account(s), and that the Bank be and hereby is authorized (a) to pay such checks, drafts or orders, and/or to honor such withdrawals, by debiting any account(s) of this Corporation then maintained with it; (b) to receive for deposit to the credit of this Corporation, and/or for collection for the account of this Corporation, any and all checks, drafts, notes or other instruments for the payment of money, whether or not endorsed by this Corporation, which may be submitted to it for such deposit and/or collection, it being understood that each such item shall be deemed to have been unqualifiedly endorsed by this Corporation; and (c) to receive, as the act of this Corporation, any and all stop-payment instructions (inclusive of any relative agreement) with respect to any such checks, drafts, other orders as aforesaid and reconciliation(s) of account when signed by any one or more of the officer(s) and/or other person(s) as hereinbefore designated.

Facsimile Authorization:

RESOLVED THAT the Bank is further authorized to pay to the debit of any account(s) of this Corporation, any and all checks, drafts, and other instruments for the payment of money drawn in the name of the Corporation bearing or purporting to bear the facsimile signature(s) of:  
signature(s) thereon, regardless of by whom or what means affixed, resemble (s) the specimen(s) thereof filed with the Bank.

Designate Authorized Signing Officer(s) by Title Only: Signature Village Justice Mark Mermel and/or Acting Village Justice Robert Raphael.

Designate Authorized Signing Non-Officer(s) by Name: \_\_\_\_\_

Number of Signatures Required: \_\_\_\_\_

Special Instructions: \_\_\_\_\_

inclusive of any in favor of any person(s) whose facsimile signature(s) appear(s) thereon, if the facsimile signature(s) thereon, regardless of by whom or what means affixed, resemble (s) the specimen(s) thereof filed with the Bank.

### **RESOLUTION - PAYMENT OF CLAIMS**

WHEREAS, the Village Law provides that the Board of Trustees may authorize payment in advance of audited claims for certain recurring charges, and

WHEREAS, penalties may be involved if these charges are not timely paid.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the Treasurer to pay without prior audit the following claims:

1. Public utility services
2. Postage
3. Freight
4. Insurance
5. Social Security charges
6. Tax liabilities
7. Debt service
8. Vendor Payments to avoid late charges, such as Charge Cards
9. Expenditures specifically authorized at a Board meeting
10. Properly documented expenses at the discretion of the Clerk and Treasurer.

### **RESOLUTION - VILLAGE FUNDS**

RESOLVED, that the Treasurer is authorized and directed to invest and reinvest Village funds belonging to the various accounts via., General Fund, Golf Fund, Capital Fund, Sewer Fund, Trust and Agency Funds, and such other funds as may from time to time be established, which have not been appropriated for any specific purpose and/or which are not immediately required to be expended for the purpose for which they have been appropriated, in Certificates of Deposit, or day of Deposit-Date of withdrawal accounts, or other interest bearing accounts, at the best interest rates available in the following institutions:

First National Bank of Long Island, Sterling National Bank and N.Y.C.L.A.S.S

The Village of Lake Success requires that funds held by any financial institution, as aforesaid, to the extent that they exceed the FDIC Insurance amount (presently \$100,000) be collateralized by deposits with third party financial institutions pursuant to written agreement and that the evidence thereof, be in a form acceptable to the Village Attorney and the State Comptroller, and that the status of the account with the third party be monitored by the Treasurer, who shall have the authority to approve and release said collateral as necessary.

BE IT FURTHER RESOLVED that the foregoing instruments and evidence of debt, as well as the securities deposited with the third party shall be in accordance with the applicable laws, rules and regulations of the United States Government, the State of New York and the Office of the State Comptroller.

### **VILLAGE OF LAKE SUCCESS INVESTMENT POLICY**

The objectives of the Investment Policy of the Village of Lake Success are to minimize risk; to insure that investment

mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this policy, the chief fiscal officer is hereby authorized to invest all funds including proceeds of obligations and reserve funds in:

Certificates of Deposit issued by a bank or trust company authorized to do business in New York State;  
Time Deposit Accounts in a bank or trust company authorized to do business in New York State; Obligations of New York State;

Obligations of the United States Government; In Repurchase Agreements involving the purchase and sale of direct obligations of

the United States. All funds except Reserve Funds may be invested in: approval of the State Comptroller, in Revenue Anticipation

Notes or Tax Anticipation Notes of other local governments.

Only reserve funds may be in:

Obligations of the Village of Lake Success.

All other Village of Lake Success officials receiving money in their official capacity must deposit such funds in negotiable order of withdrawal accounts, when available.

All investments made pursuant to this investment policy shall comply with the following conditions:

1. COLLATERAL.

- a. Certificates of deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be delivered to the Local Government or a Custodial Bank with which the Village of Lake Success had entered into a Custodial Agreement. The market value of collateral shall at all times equal or exceed 105% of the principal amount of the certificate of deposit. Collateral shall be monitored no less frequently than weekly, and market value shall mean the bid or closing price as quoted in the Wall Street Journal or as quoted by another recognized pricing service.
- b. Securities purchased through a repurchase agreement shall be valued to market at least weekly.
- c. Collateral shall not be required with respect to the direct purchase of obligations of New York states, obligations of the United States, and obligations of federal agencies the principal and interest of which are guaranteed by the United States Government.

2. DELIVERY OF SECURITIES.

- a. Repurchase Agreements. Every Repurchase Agreement shall provide for payment to the seller only upon the seller's delivery of obligations of the United States to the Custodial Bank designated by the Local Government, or in the case of a book-entry transaction, when the obligations of the United States are credited to the Custodian's Federal Reserve Bank account. The seller shall not be entitled to the substitute securities. Repurchase agreements shall be for periods of 30 days or less. The Custodial Bank shall confirm all transactions in writing to insure that the Village of Lake Success' ownership of the securities is properly reflected on the records of the Custodial Bank.
- b. Payment shall be made by or on behalf of the Village of Lake Success for obligations of New York State, obligations the principal and interest of which are guaranteed by the United States, United State Obligations, certificates of deposit, and other purchased securities upon delivery thereof to the custodial bank, or in case of a book-entry transaction, when the purchased securities are credited to the Custodial Bank's Federal Reserve System account. All transactions shall be confirmed in writing.

3. WRITTEN CONTRACTS.

Written contracts are required for Repurchase Agreements, certificates of deposit, and custodial undertakings. With respect to the purchase of obligations of U.S., New York State, or other governmental entities, etc. in which monies may be invested, the interests of the Village of Lake Success will be adequately protected by conditioning payment on the physical delivery of purchased securities to the Village of Lake Success or Custodian, or in the case of book-entry transactions, on the crediting of purchased securities to the Custodian's Federal Reserve System account. All purchases will be confirmed in writing to the Village of Lake Success.

It is therefore, the policy of the Village of Lake Success, to require written contracts as follows.

- a. Written contracts shall be required for all Repurchase Agreements. Only credit worthy banks and primary reporting dealers shall be qualified to enter into a Repurchase Agreement with the Village of Lake Success. The written contract shall provide that only obligations of the United States may be purchased, and the Local Government shall make payment upon delivery of the securities or appropriate book-entry of the purchased securities. No specific repurchase agreement shall be entered into unless a master repurchase agreement has been executed between the Village of Lake Success and the trading partners. While the term of the master repurchase agreement may be for a reasonable length of time, a specific repurchase agreement shall not exceed thirty (30) days.
- b. Written contracts shall be required for the purchase of all certificates of deposit.

c. A written contract shall be required with the Custodial Bank.

#### 4. DESIGNATION OF CUSTODIAL BANK.

a. Custodial Bank. Commercial Bank or Trust Companies approved for deposit of Village funds at the annual meeting which are chartered by the State of New York are designated as eligible to act as Custodial Banks of the Village of Lake Success investments. However, securities may not be purchased through a Repurchase Agreement with a Custodial Bank.

#### 5. FINANCIAL STRENGTH OF INSTITUTIONS.

All trading partners must be credit worthy. Their financial statements must be reviewed at least annually by the Chief Fiscal Officer to determine satisfactory financial strength or the Chief Fiscal Officer may use credit rating agencies to determine credit worthiness of trading partners. Concentration of investments in financial institutions should be avoided. The general rule is not to place more than \$100,000 in overnight investments with any one institution.

Investment in time deposits and certificates of deposit are to be made with banks or trust companies. Their annual reports must be reviewed by the Chief Fiscal Officer to determine satisfactory financial strength.

When purchasing eligible securities, the seller shall be required to deliver the securities to a Custodial Bank.

Repurchase agreements shall be entered into only with banks or trust companies or registered and primary reporting dealers in government securities. Sound credit judgments must be made with respect to trading partners in repurchase agreements it is not assumed that inclusion on a list of the Federal Reserve is automatically adequate evidence of credit worthiness.

Repurchase agreements should not be entered into with undercapitalized trading firms.

#### 6. OPERATIONS, AUDIT, AND REPORTING.

The chief fiscal officer or the deputy chief fiscal officer shall authorize the purchase and sale of all securities and execute contracts for Repurchase Agreements and certificates of deposit on behalf of the Village of Lake Success. Oral directions concerning the purchase or sale of securities shall be confirmed in writing. The Village of Lake Success shall pay for purchased securities upon the delivery or book-entry thereof.

The Village of Lake Success will encourage the purchase and sale of securities and certificates of deposit through a competitive or negotiated process involving telephone solicitation of at least three bids for each transaction.

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the Village of Lake Success, the independent auditors shall audit the investments of the Village of Lake Success for compliance with the provisions of the investment Guidelines.

Within sixty (60) days of the end of each of the first three quarters of the fiscal year, the chief fiscal officer shall prepare and submit to the Audit and Finance Committee of the Village of Lake Success a quarterly investment report which indicate new investments, the inventory of existing investments, and such other matters as the chief fiscal officer deems appropriate.

Within 120 days of the end of the fiscal year, the chief fiscal officer shall prepare and submit to the Audit and Finance Committee an annual investment report; recommendations for change in these Investment Guidelines; the result of the annual independent audit; the investment income record; a list of total fees, commissions or other charges, if any paid to the Custodial Bank' and such other matters as the chief fiscal officer deems appropriate.

The Board of Trustees of the Village of Lake Success shall review and approve the annual investment report, if practicable, at its Annual Meeting.

At least annually, and if practicable, at the Annual meeting of the Board of Trustees, the Members shall review and amend, if necessary, these Investment Guidelines.

The provisions of these Investment Guidelines and any amendments hereto shall take effect prospectively, and

shall not invalidate the prior selection of any Custodial Bank or prior investment.

Adopted on February 21, 1989 by unanimous consent of the Board of Trustees of the Village of Lake Success.

**RESOLUTION - BOARD OF ASSESSMENT REVIEW TO BE APPOINTED FROM MEMBERS OF THE BOARD OF TRUSTEES**

BE IT RESOLVED, that pursuant to Village Law Section 3-301(b), the Board of Assessment Review shall be appointed from the members of the Board of Trustees.

**RESOLUTION - BENEFITS FOR NON-UNION EMPLOYEES**

In order to clarify and ratify a long-standing policy of the Village of Lake Success regarding benefits for non-union employees, it is hereby resolved that all non-union employees of the Village shall receive the same benefits that union employees receive under the CSEA contract regarding health, dental and vision insurance, holidays, accumulation of sick time, and vacation leave, and payout of accrued leave.

BE IT FURTHER RESOLVED: That the Village Administrator/Treasurer cannot accrue sick leave, but will record and accrue vacation leave in the same manner as union employees pursuant to the CSEA contract.

**RESOLUTION - REIMBURSEMENT OF PERSONAL CAR USE**

WHEREAS, the Board of Trustees of the Village has determined to pay a fixed rate for mileage as a reimbursement to officers and employees where authorized, who use their personal automobiles while performing their official duties on behalf of the Village.

WHEREAS, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to all full-time paid employees, and for others authorized by the Mayor or Deputy Mayor, who use their personal automobiles while performing their official duties on behalf of the Village.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Lake Success shall approve reimbursement to officers and employees at the current IRS rate per mile at the time mileage was used, in addition to the actual expenditure for road tolls.

**The 2025 rate is .70 cents per mile.**

**RESOLUTION – VILLAGE HOUSING**

To clarify and ratify a long-standing policy of the Village of Lake Success regarding the Golf Course Manager and Caretaker, it is hereby resolved that the employee hired for each of these titles must live on premises in the housing provided by the Village to provide security, to be available in case of emergency, and late-night meetings.

**COMPUTER POLICY**

**FOR THE INCORPORATED VILLAGE OF LAKE SUCCESS**

**I. PURPOSE**

Any employee (“users”) using the Incorporated Village of Lake Success’ (the “Village”) computer systems, Internet technologies and/or e-mail system must adhere to the rules contained in this policy. By utilizing such computer systems, internet technologies and/or e-mail system, users agree to abide by the terms of this policy.

**II. USE OF VILLAGE PROPERTY OUTSIDE THE VILLAGE**

All data and programs on the Village’s computers, network stations and file servers are the property of the Village. Such Village property shall not be copied, except for Village purposes, and shall not be moved or used outside of the Village, except for Village-related purposes, without prior notification to and approval by the Village Clerk and the employee’s department head.

**III. COMPUTER SYSTEM USAGE**

All electronic and telephonic communications systems and all communications and information transmitted by, received from or stored in the Village's computer systems are to be used solely for job-related purposes. No employee shall prevent in any way the Village Clerk or employee's department head from accessing said employee's computer and/or computer system. Use of Village Internet technologies to access any Web site for the purpose of accessing materials of a sexually explicit nature or materials which are otherwise inappropriate in a professional environment or for any illegal purpose is strictly prohibited.

#### **IV. E-MAIL COMMUNICATIONS**

The Village's e-mail system is to be used for business purposes only. The e-mail system should not be used to send and/or receive messages of a personal nature or materials which are otherwise inappropriate in a professional environment. Use of the Village's e-mail systems to transmit, receive, harass, intimidate, annoy or make available to others information containing sexually explicit, profane, obscene, harassing, offensive or otherwise discriminatory material is strictly prohibited. The Village's e-mail systems are not to be used for personal financial gain or profit.

#### **V. PRIVACY**

User cannot and should not attempt to use the Village's e-mail and/or other computer systems to send, receive or store any messages or data they wish to keep private. By using the Village's e-mail and/or computer systems, all users waive any right to privacy in e-mail messages or other data transmitted. The Village reserves the right to access, review, copy, and/or delete any message, file, data or document on its e-mail or computer systems, including matter stored on individual computers and related media.

#### **VI. CONFIDENTIAL INFORMATION**

Confidential information of or concerning the Village shall never be forwarded to others who are not authorized to receive such information and shall not be transmitted to anyone who does not need to know such information. In order to further guard against dissemination of confidential Village information, employees shall not disclose their passwords and information in the computer system to any person except to the employee's department head or to officers of the Village. No employee shall enter the e-mail files of another employee without the prior consent of the other employee unless authorized by the department head or his/her designee.

#### **VII. COPYRIGHT INFRINGEMENT PROHIBITED**

Use of the Village's computer systems to copy and/or transmit any documents, software or other matter that is otherwise protected by the copyright laws is strictly prohibited.

#### **VIII. AUTHORIZATION REQUIRED FOR DOWNLOAD OR INSTALLATION OF SOFTWARE**

Personal copies of software (not Village-owned) shall not be loaded/installed or run on Village computers without prior written authorization from the department head or his/her designee. Village-owned software shall not be copied or downloaded from a Village computer to a floppy disk or other electronic media for personal use or purpose without prior written authorization from the employee's department head or his/her designee.

#### **IX. SECURITY; INTEGRITY OF VILLAGE'S COMPUTER SYSTEMS**

Users must not attempt to circumvent or subvert computer system security measures or to access unauthorized resources or entities. Users must not do anything to harm the Village's computer systems or the information stored on them. This includes, but is not limited to, creating or spreading viruses, degrading system performance, disrupting services, damaging files, or vandalizing or otherwise compromising the data of another user.

#### **X. ENFORCEMENT; PENALTIES FOR OFFENSES**

Any violation of this policy may result in access privileges being revoked and/or appropriate legal or disciplinary action being pursued against the user.

#### **XI. WAIVER OF RESPONSIBILITY**

Users of the Village's computer systems for personal use do so at their own risk, even if the employee has received prior authorization for such use by the user's department head or his/her designee. The Village makes no warranties with respect to network or computer service, and it specifically assumes no responsibility for:

- A. The content of any information received by a user, whether for personal or Village business purposes from a source outside of the Village, or any costs or charges incurred as a result of receiving or accepting such information.
- B. Any costs, liabilities or damages caused by the way the user chooses to use his/her Village computer system access for personal purposes, even if done with prior authorization of such personal use by the user's department head or his/her designee; and
- C. Any consequences of service interruption or changes, even if these disruptions arise from circumstances under the control of the Village.

**Cyber Security Citizens' Notification Policy  
For the Incorporated Village of Lake Success**

- A. This policy is consistent with the State Technology Law §208 as added by Chapters 442 and 491 of the Laws of 2005. This policy requires notification to affected New York residents and non-residents. New York State values the protection of *private information* of individuals. The Incorporated Village of Lake Success (the "Village") is required to notify an individual when there has been or is reasonably believed to have been a compromise of the individual's *private information* in compliance with the Information Security Breach and Notification Act and this policy.
- B. The Village, after consulting with the State's Office of Cyber Security and Critical Infrastructure Coordination ("CSCIC") to determine the scope of the breach and restoration measures, must notify an individual when it has been determined that there has been, or is reasonably believed to have been, a compromise of the individual's *private information* through unauthorized disclosure.
- C. A compromise of *private information* means the unauthorized acquisition of unencrypted computerized *data* with *private information*.
- D. If encrypted *data* is compromised along with the corresponding encryption key, the *data* is considered unencrypted and thus falls under the notification requirements.
- E. Notification may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. In such case, notification will be delayed only as long as needed to determine that notification no longer compromises any investigation.
- F. The Village will notify the affected individual directly by one of the following methods:
  - 1. Written notice;
  - 2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving notice in electronic form and a log of each notification is kept by the Village that notifies affected persons in such form;
  - 3. Telephone notification, provided that a log of each notification is kept by the Village that notifies affected persons; or
  - 4. In the event that the Village demonstrates to the State Attorney General that the cost of providing notice would exceed \$250,000, or that the affected class of persons to be notified exceeds 500,000, or that the

Village does not have sufficient contact information, the following shall constitute sufficient substitute notice:

- a. E-mail notice when the Village has an e-mail address for the subject persons;
  - b. Conspicuous posting of the notice on the Village's web site page; and
  - c. Notification to major statewide media.
- G. The Village must notify the CSCIC as to the timing, content and distribution of the notices and approximate number of affected persons.
- H. The Village must notify the Attorney General and the Consumer Protection Board whenever notification to a New York resident is necessary, as to the timing, content and distribution of the notices and approximate number of affected persons.
- I. Regardless of the method by which notice is provided, the notice must include contact information for the Village making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.
- J. This Policy also applies to *information* maintained on behalf of the Village by a *third party*.
- K. When more than 5,000 New York residents must be notified at one time, then the Village must notify the *consumer reporting agencies* as to the timing, content and distribution of the notices and the approximate number of affected individuals. This notice, however, will be made without delaying notice to the individuals.

### Definitions

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

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

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

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

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

1. Social Security number; or
2. driver's license number or non-driver identification card number; or
3. account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account

“Private information” does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

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

## **FAMILY AND MEDICAL LEAVE POLICY**

### **INCORPORATED VILLAGE OF LAKE SUCCESS**

**Purpose:** The “Family and Medical Leave Act of 1993” (“FMLA”), as amended, requires employers with 50 or more employees to provide eligible employees with unpaid leave. The Incorporated Village of Lake Success (the “Village”) provides two types of leave, including the basic 12-week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this Policy. These leaves are consistent with the requirements of federal law.

**Employee Eligibility:** Employees are eligible for FMLA leave if they: (1) have been employed by the Village for at least 12 months; and (2) have worked at least 1,250 hours during the 12-month period immediately preceding the commencement of leave (time spent on paid or unpaid leave does not count toward the 1,250 hours requirement).

#### **Covered Family and Medical Reasons:**

##### ***Basic FMLA Leave:***

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons:

1. Due to the birth of a son or daughter of the employee and/or to care for such son or daughter. (*Entitlement to leave for this purpose expires twelve (12) months following the date of birth.*)
2. Due to the placement of a son or daughter with the employee for adoption or foster care. (*Entitlement to leave for this purpose expires twelve (12) months following the date of placement.*)
3. In order to care for the spouse, son, daughter, or parent of the employee if such spouse, son, daughter, or parent has a serious health condition.
4. Due to a serious health condition that causes the employee to be unable to perform the functions of his/her position.

**\*\*Note:** If an employee has a question about whether a specific illness is covered under this Policy or under the Village’s sick leave policy, the employee is encouraged to meet with the Village Administrator.

The relevant 12-month period used to determine eligibility for Basic FMLA Leave will be calculated on a rolling basis, measured backward from the date the employee first uses any leave under this Policy.

Spouses who are both employed by the Village are entitled to a total of twelve (12) weeks of leave (rather than twelve weeks each) for the birth, adoption or placement of a child and for the care of a parent with a serious health condition.

The terms “serious health condition,” “son,” “daughter,” and “parent,” are defined (for purposes of Basic FMLA leave) in accordance with the FMLA. Any employee who has a specific question about any of these definitions is encouraged to contact the Village Administrator. **Military Family Leave:** There are two types of Military Family Leave available: (1) Qualifying Exigency Leave; and (2) Military Caregiver Leave.

**Qualifying Exigency Leave:** Employees meeting the eligibility requirements may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies.

Leave may be used if the employee’s spouse, son, daughter, or parent (the “covered military member”) is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. With respect to a member of a *regular* component of the Armed Forces, “covered active duty” is defined as duty during deployment to a foreign country. With respect to a member of a *reserve* component of the Armed Forces, “covered active duty” is

defined as duty during deployment to a foreign country under a call or order to active duty pursuant to certain statutory provisions. Qualifying exigencies may include:

- ❖ Short-notice deployment (up to 7 days of leave);
- ❖ Attending certain military events & related activities;
- ❖ Arranging for alternative childcare & attending certain school activities;
- ❖ Addressing certain financial & legal arrangements.
- ❖ Spending time with a covered military member who is on short-term rest & recuperation leave during deployment (up to 5 days of leave);
- ❖ Attending certain counseling sessions for oneself, the covered military member or a child of the military member.
- ❖ Attending post-deployment activities that occur up to 90 days after the termination of the covered military member's (covered) active-duty status, or to address issues that arise from the death of a covered military member while on (covered) active-duty status; and
- ❖ Other activities arising out of the covered military member's (covered) active duty or call to (covered) active-duty status which are agreed upon by the Village & the employee.

The relevant 12-month period used to determine eligibility for Qualifying Exigency Leave will be calculated on a rolling basis, measured backward from the date the employee uses any such leave.

*Military Caregiver Leave*: There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of unpaid leave during a single 12-month period to care for an immediate family member (spouse, child, parent) or next of kin (nearest blood relative) who is a covered service member.

For purposes of this leave provision, a "covered service member" is defined as: (1) a member of the Armed Forces, National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a Veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, National Guard or Reserves at any time in the five years preceding the date the Veteran undergoes such medical treatment, recuperation or therapy.

- ❖ With respect to members of the Armed Forces, National Guard or Reserves, a "serious injury or illness" is defined as an injury or illness that was either incurred in the line of duty or aggravated by service in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of his or her office, grade, rank or rating.
- ❖ With respect to Veterans, a "serious injury or illness" is defined as a "qualifying injury or illness" that was incurred in the line of duty or aggravated by service in the line of duty while on active duty in the Armed Forces and that manifested itself before or after the member became a Veteran.

The 12-month period for Military Caregiver Leave is defined as the 12-month period measured forward from the date an employee's first FMLA leave to care for the covered service member begins. During this 12-month period, an eligible employee's FMLA leave entitlement is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason.

In cases where a husband and wife are both employed by the Village, the combined total of leave taken to care for a covered service member may not exceed 26 weeks in a single 12-month period.

**Reduced Work Schedule Or Intermittent Leave**: In the case of a serious health condition involving an employee or an employee's spouse, child or parent, or either type of Military Family Leave, an employee may be able to take FMLA leave on an intermittent basis (in separate blocks of time due to a single health condition) rather than all at once, or the employee may be able to work on a reduced-schedule (reducing the usual number of hours worked per workweek or workday) where medically necessary. However, leave may not be taken on an intermittent basis or on a reduced-schedule when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless the employee has obtained prior approval from his/her Department Head and the Village Administrator.

When planning medical treatment, employees must consult with the Village and make reasonable efforts to schedule leave so as not to unduly disrupt the Village's operations. If an employee needs intermittent or reduced-schedule leave that is foreseeable based on planned medical treatment for the employee, a family member, or a covered service member, or if the Village has agreed to permit an employee to take intermittent or reduced-schedule leave for the birth, adoption or placement of a child, the Village may temporarily transfer the employee to an available alternative position that better accommodates the recurring leave and which has equivalent pay and benefits.

**Procedure For Requesting FMLA Leave:** All employees requesting leave under this Policy must complete the Family/Medical Leave Form available from the Village Office. When the need to use FMLA leave is foreseeable, the employee is required to provide the Village with at least 30 days' advance written notice before the requested leave is scheduled to begin. When 30 days' notice is not possible due to lack of knowledge of when leave will begin, a change in circumstances or a medical emergency, the employee must give notice as soon as practicable after the need for leave becomes known, as defined under the FMLA. Failure to provide timely notice may result in delay or denial of the requested leave. In all cases, the employee will be required to complete an FMLA Leave Request Form and the appropriate medical certification form, which may be obtained from the Personnel Office. The employee may also be required to complete a HIPAA Authorization Form consenting to the disclosure of protected health information.

The Village will provide employees requesting leave with notice of their eligibility and rights and responsibilities. When the Village has sufficient information to determine whether an employee's absence is due to FMLA-qualifying reasons (*i.e.*, after receiving a medical certification), the Village will inform the employee, in writing, whether the leave will be designated as FMLA-protected. The Village will also provide information on the amount of leave that will be counted against the employee's entitlement, where possible.

An eligible employee shall make every reasonable effort to schedule planned medical treatment(s) so as not to unduly disrupt the operations of the Village, subject to the approval of the health care provider.

While on leave, employees may be required to report every 30 days to their Department Manager and/or the appropriate person in the Personnel Office regarding the status of the serious health condition in issue, and their intent to return to work. Employees are also required to give notice as soon as practicable (within 2 business days) if the dates of leave change, are extended, or were unknown initially. Finally, an employee on FMLA leave shall provide notice, in writing, to the Personnel Office of his/her intention to return to work. The notice shall be provided in writing at least 30 days before the date the leave is scheduled to terminate.

**Medical Certification:** As noted above, the Village will require that an employee's request for leave to care for the employee's family member or due to the employee's own serious health condition, be supported by medical certification issued by the health care provider (as defined in the FMLA) providing the medical treatment. Additionally, if an employee is requesting Military Family Leave, the employee must also provide certification.

When an employee requests leave, the Village will notify the employee of the requirement for medical certification and when it is due. The employee shall submit the requested medical certification within 15 calendar days of the Village's request for medical information, unless it is not practicable to do so. Failure to submit medical certification, where applicable, may result in delay or denial of leave.

The employee certification must be complete and sufficient. Where the certification is deficient, the Village will advise the employee what additional information is necessary to make the certification complete. If the deficiencies are not cured in the resubmitted certification, the Village may deny the employee's request for FMLA leave.

The Village may, at its expense, require 2<sup>nd</sup> or 3<sup>rd</sup> medical opinions from health care providers to confirm or challenge the certification from the employee's health care provider when leave is taken to care for an immediate family member with a serious health condition, or for the employee's own serious health condition. The employee will be provisionally entitled to leave and benefits under the FMLA, pending the 2<sup>nd</sup> (or 3<sup>rd</sup>) medical opinion. Where applicable, the 3<sup>rd</sup> health care provider will be jointly selected by the employee and the Village, and the third medical opinion will be final and binding.

The Village may require subsequent medical recertification no more often than every 30 days, unless circumstances exist (in which recertification may occur in less than 30 days). Failure to provide requested certification within 15 calendar days may result in the delay of further leave until it is provided. Additionally, when an employee's need for leave due to his/her own serious health condition, or the serious health condition of his/her parent, spouse or child, lasts beyond a single leave year, the Village may require the employee to provide a new medical certification annually. The Village also reserves its rights under Section 72 of the Civil Service Law with respect to the termination of an employee after a full year of absence due to a non-occupational illness or injury.

An employee whose leave of absence is necessitated by his/her own serious health condition may be required to furnish medical certification of his/her fitness to return to work at the conclusion of the leave. This certification must specifically address the employee's ability to perform the essential functions of the job. Failure to provide a sufficient medical certification, where applicable, may result in the denial of leave or the right to return to work.

**Use of Paid and Unpaid Leave:** When FMLA leave is taken for any reason, the employee will be required to substitute all accrued paid leave before any portion of FMLA leave is taken without pay. Employees on leave covered by payments such as disability or Workers' Compensation benefits, will not be required to substitute their accrued paid leave (excluding the one-week waiting period prior to receiving these benefits, if applicable). However, the Village and the employee may agree to have accrued paid leave supplement the disability or Workers' Compensation benefits, to the extent permitted by state law. Any leave of absence taken pursuant to an applicable disability law or Workers' Compensation law will be run concurrently with FMLA leave.

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

Generally, if an employee fails to return to work after a period of family or medical leave, for reasons other than the continuation of a serious health condition or death of employee, the employee will be required to pay to the Village an amount equal to any group health and dental insurance paid by the Village on behalf of the employee during the leave period.

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

**Reinstatement Rights:** Prior to the exhaustion of FMLA leave, the employee will be responsible for notifying his/her Department Head and the Personnel Office, in writing, of his/her intention to return to work. An employee who has been on leave due to the employee's own serious health condition and who would like to return to work must provide the Village with a certification from the treating health care provider certifying that the employee is able to resume work. Return to employment will be denied if this certification is not provided.

An eligible employee – with the exception of those employees designated as “key employees” – will be restored to his/her former position or to a position with equivalent pay, benefits, and other terms and conditions of employment, upon return to work. A key employee may be denied reinstatement rights if such reinstatement would cause substantial and grievous economic injury to the Village. Employees will be notified of their key employee status when they begin their leave.

**Fraud:** An employee who fraudulently obtains FMLA leave is subject to disciplinary action, up to and including termination.

**Interpretations and Guidance:** The Village reserves the right to modify, revoke, suspend, terminate or change any procedures and terms set forth in this Policy, in whole or in part, at any time, with or without notice, provided such actions do not conflict with the FMLA and/or applicable federal regulations.

The Village shall post a notice pertaining to employee rights and responsibilities under FMLA, including enforcement of the statute, in accordance with federal law.

RESOLVED, that the Board of Trustees of the Incorporated Village of Lake Success hereby adopts the following **revised** family or medical leave policy.

This policy is effective July 12, 2010

The foregoing resolution was duly put to a vote which resulted as follows: Mayor Adam Hoffman voting aye; Deputy Mayor Kaplan voting not present for the vote; Trustee Lee voting aye; Trustee Gal voting aye; Trustee Handsman voting aye; Trustee Farkas voting aye; Trustee Dimitratos voting aye.

The resolution was thereupon declared duly adopted.

### **VILLAGE OF LAKE SUCCESS WIRE TRANSFER AND ONLINE BANKING POLICY**

- A wire transfer of funds in payment of an obligation of the Village of Lake Success will only be used for domestic payments. All wire transfer activity shall be the responsibility of the Village Clerk or Village Treasurer.
- The Village Treasurer shall be responsible for the review of wire requests in order to assure compliance, completeness, and proper general ledger recording.
- Dual custody and preparation of all wire transfer obligations shall be between the Village Clerk and Village Treasurer.
- Full access to any of the Village's online bank accounts will be managed by the Clerk and Treasurer.
- The Research Secretary to the Board of Trustees will hold restricted access as necessary for banking functions of retrieving monthly bank statements for reconciliation purposes.
- The Clerk, Treasurer and Research Secretary to the Board of Trustees will be responsible for the safe keeping of their individual Token/Key fob devices for accessing the Village's authorized on-line banking systems. Village token/Keyfob devices will be kept on the responsible individual's person.  
All banking transactions for the Village's Finance Department shall be on a secure computer used only for online banking purposes.
- The Treasurer is responsible for implementing adequate internal controls for each of the electronic banking methods utilized. An effective internal control system includes, but is not limited to, segregation of duties, proper authorization, and adequate documentation for all electronic transactions.

### **VILLAGE OF LAKE SUCCESS PROCUREMENT POLICY**

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

NOW, THEREFORE BE IT RESOLVED, that the Village of Lake Success does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

#### **DEFINITIONS:**

**Bid Limits** - this includes all goods under \$20,000 and public works contracts under \$35,000.

**Public Works** - if the contract involves substantial services or specialized skills, it will be considered a public works contract. Public works contracts involve services, labor or construction.

**Purchase Contract** - If service or labor is only a minimal or incidental part of the contract, it is considered a purchase contract. Purchase contracts involve the purchase of goods, supplies or equipment.

**Board** - shall refer to the Mayor and the Board of Trustees.

**Purchasing Officer** - shall refer to that person to whom the duties, responsibilities and authority for the issuance of purchase orders and bids have been designated.

**Department Head** - shall refer to the supervisor, foreman, deputy, superintendent, chief or other such title of the head of any and all departments of the Village.

#### **RESPONSIBILITIES**

**The Board** - The Board shall appoint a Purchasing officer for the Village. This person may have other duties as well as that of purchasing. The Board shall advise each and every department of the establishment of the position of Purchasing Officer and its areas of responsibility and authority. The Board shall review this procurement policy on a yearly basis. The Purchasing Officer may request review and updates as necessary.

**Purchasing Officer** - The Purchasing Officer shall, at the direction of the Board, prepare or oversee the preparation and issuance of all bids through the Administration Office.

The Purchasing Officer shall oversee that 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 bought at the lowest price and that favoritism will be avoided. The Purchasing Officer shall compile and review all purchasing data submitted by Department Heads to determine bidding requirements as indicated. The Purchasing Officer shall prepare a list of like items, as per State guidelines, which must be grouped for purchasing (i.e. office supplies, light bulbs, etc.). The Purchasing Officer shall establish a system of requisitions, purchase orders, requests for price quotes and other forms

as required for the operation of the position. This system shall be issued to all Department Heads for their use. Said system shall include the purchase of all goods that are priced under the State approved Bid Limits.

The Purchasing Officer shall, whenever possible, review the use of alternatives to competitive bidding, such as: purchases through NYS Office of General Services; purchases through County contracts; emergency purchases; standardized purchases; surplus and second-hand goods purchased from the federal government, New York State or from any other political subdivision; professional services; sole source situations; leases; concessions; and use of municipal employees/municipal cooperation. The Purchasing Officer shall require documentation of actions taken in connection with each such procurement. This essentially means forming a paper trail of the method used to obtain the goods or services. The Purchasing Officer shall maintain a file of all non-bid items and perform a periodic review to determine if changes in purchasing have resulted in the need for a bid.

Department Head - The Department Head shall receive a monthly report of expenditures for the department. The Department Head shall review these expenditures to determine if there is a change in the purchasing of items. The Department Head shall notify the Clerk-Treasurer if the budgeted amount for a particular item appears inadequate and shall request the Board to transfer funds to cover the needed increase. At no time can a budgeted amount be overspent.

The Department Head shall provide the Budget Officer with a written report, in January of each year, of projected needs for the department for the coming budget year in order for the Budget Officer to determine if there is a bid requirement due to the combining of purchases for more than one department.

The Department Head shall make every attempt, based on past purchasing history and anticipated needs, to accurately project purchases for the budget year.

The Department Head shall submit requisitions and/or requests for price forms to the Purchasing Officer.

This Purchasing Policy shall go into effect on January 1, 1992 and will be reviewed annually.

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 purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another governmental entity.

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: 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 General Municipal Law; purchases under county contracts 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:

<b>Purchase Estimated Amount of Purchase</b>	<b>Method</b>
\$1 - \$3,000	Direct Purchase at the Direction of the Purchasing Officer
\$3,001 - \$4,999.99	2 Verbal Quotations
\$5,000 - \$19,999	3 Written/fax quotations or written request for proposals
\$20,000 and up 103	Advertised formal sealed bids in conformance with General Municipal Law, Section

<b>Public Works Estimate Amount of Purchase</b>	<b>Method</b>
\$1 – 3,000	Direct Purchase at the direction of the Purchasing Officer
\$3,001 - 7,499.99	2 Verbal Quotations

\$7,500 - \$11,999.99	2 Written / Fax quotes from at least 2 vendors.
\$12,000 -34,999.99	Written/fax quotes or written Requests for Proposals from at least 3 vendors and written prevailing wage certification as required under Article 8 and 9 of the Labor Law.
\$35,000 and up	Advertised, formal sealed bids in conformance with Section 103 of the General Municipal Law.

- a. 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.
- b. The limit for a Trustee Liaison or Commissioner to purchase equipment for his department / commission without first obtaining Board of Trustees approval is \$2,500, provided this money is in their budget and subject to prior consultation with the Village Administrator and Village Treasurer. If in any fiscal year the aggregate reaches \$5,000, future purchases over \$1,000 will require full Board of Trustees approval.

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.

6. Pursuant to General Municipal Law Section 104-b (2) (f), the procurement policy may contain circumstances when, or types of procurement 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 interests of the Village of Lake Success 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 Village of Lake Success shall take into consideration the following: (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; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103 (4) of the General Municipal Law. Do 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. If alternate proposals are required, the Village of Lake Success is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such minimum contracts would be awarded based on favoritism. Such goods or services under \$250.00 may therefore be obtained under the direction of the department head without a purchase order.

7. This policy shall go into effect January 1, 1992, and will be reviewed annually.

## **Inc. Village of Lake Success**

### **Policy against Unlawful Harassment and Discrimination**

It is the Policy of the Village of Lake Success ("the Village") that all employees, elected and appointed officials, and applicants, as well as everyone with whom the Village does business (*e.g.*, outside vendors, consultants, members of the public, contractors), should be able to enjoy a work environment free from discrimination and harassment based on race, color, creed, sex, age, sexual orientation, disability, religion, national origin, marital status, military or veteran status, or any other basis protected by federal, state or local law.

#### **I. Sexual Harassment**

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting such individuals; or
- Such conduct has the purpose or effect of interfering unreasonably with the individual's work performance or creating an intimidating, hostile or offensive work environment that is, or would be, offensive to a person of reasonable sensitivity and sensibilities.

This definition includes many forms of offensive behavior. It makes no difference if the harassment is "just joking" or "teasing" or "playful." The following is a partial, non-exhaustive list of examples of sexually harassing conduct:

- Unwanted sexual advances.
- Offering employment benefits in exchange for sexual favors.
- Making or threatening reprisals after a negative response to sexual advances.
- Visual conduct such as leering; making sexual gestures; or displaying sexually suggestive or degrading objects, pictures, cartoons, posters, or computer or television broadcasts.
- Verbal conduct such as making or using derogatory comments; sexual propositions, sexually explicit jokes or jokes concerning gender-specific traits; sexually explicit comments about an individual's body or clothing; comments about an individual's sexual desirability; sexually degrading words to describe an individual; suggestive or obscene letters, notes or invitations; or playing radio or television broadcasts in the workplace that contain sexually suggestive or degrading conversation.
- Physical conduct such as touching, petting, pinching, impeding or blocking movements, or assault.
- Retaliation for reporting harassment or threatening to report harassment.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful, whether it involves co-worker harassment, harassment by a supervisor or member of management, or harassment by persons doing business with or for the Village.

#### **I. Other Forms of Harassment**

Harassment on the basis of an employee's race, color, creed, sex, age, sexual orientation, disability, religion, national origin, marital status, military or veteran status or any other characteristic protected by Federal, State, or Local law is strictly prohibited. As is the case with sexual harassment, it makes

no difference if the harassment is "just joking" or "teasing" or "playful." The following is a partial, non-exhaustive list of examples of prohibited harassing conduct:

- Visual conduct such as derogatory posters, photographs, cartoons, drawings, gestures, or computer or television broadcasts.
- Verbal conduct such as racist, ethnic or religious jokes, or derogatory comments, slurs, innuendoes, epithets or threats (including those uttered over a telephone, cell phone or radio), as well as such verbal conduct related to age, creed, color, marital status, military or veteran status, sexual orientation or disability.
- Physical conduct such as touching, blocking movements or assault.
- Retaliation for reporting harassment or threatening to report harassment.

## **II. Discrimination Other Than Harassment**

Discrimination in discipline, job assignments, promotions and/or any other terms and conditions of employment based upon an employee's race, color, creed, sex, age, sexual orientation, disability, religion, national origin, marital status, military or veteran status or any other characteristic protected by Federal, State or Local law is also prohibited. Conduct that violates this policy will not be tolerated.

Any employee, who believes that he or she has been discriminated against on any of these bases, or believes he or she has been discriminated against for making a complaint of discrimination, should report such alleged discrimination or retaliation pursuant to the Complaint Procedure below.

## **III. Complaint Procedure**

The Village's complaint procedure provides for a prompt, thorough and objective investigation of any claim of harassment or discrimination. Appropriate disciplinary action or other appropriate action will be taken against the employee, elected or appointed official, anyone who does business with the Village, and members of the public found to have engaged in prohibited harassment or discrimination, and appropriate remedies for any victim of harassment or discrimination.

Every employee, supervisor, Department Head, and Elected and Appointed Official is responsible for maintaining a workplace free from harassment and discrimination. Accordingly, any employee who believes the actions or words of a co-worker, supervisor, Department Head, and/or Elected or Appointed Official, or any individual with whom the Village is doing business or member of the public has harassed or discriminated against him/her should take the following actions:

- Promptly report the incident to his/her Department Head, the Village Clerk and/or the Mayor. This may be done either verbally or in writing. The individual reporting the harassment or discrimination may report such conduct to any of the above individuals he/she chooses. The report may be made to any of these individuals that you select.
- It is strongly encouraged, but not required, that an employee file a written complaint (Form A). The complaint should be as detailed as possible and include the names of the individuals involved, witnesses, direct quotes and/or other evidence (*i.e.*, notes, e-mails, etc.).

All incidents of harassment or discrimination will be promptly investigated and handled as discreetly as possible. The Village is legally responsible for investigating any case of alleged or suspected harassment or discrimination, even if the victim makes no complaint but the Village learns of it through another source or the harassed employee does not want the matter pursued. The accused shall be afforded an opportunity to present his or her version of events in the presence of a union representative or attorney where required by law. All individuals are required to cooperate with the Village in fulfilling its investigative function. All complaints of harassment and/or discrimination and the investigation of such complaint(s) are confidential to the maximum extent consistent with law and the Village's obligations to conduct a thorough investigation.

If the investigation concludes that the accused is guilty of harassment or discrimination, corrective action will be taken in a timely manner and appropriate measures will be taken to deter any future harassment. Appropriate disciplinary action will be taken in accordance with applicable law, which may include termination. Once a determination has been made, it will be communicated to the employee who complained, as well as to the accused harasser.

Retaliation of any kind against an employee who makes a good faith report of harassment and/or discrimination or who participates in an investigation into harassment and/or discrimination complaint is strictly prohibited. Follow-up interview(s) with the complainant will be conducted for an appropriate period of time to ensure that the harassment or discrimination has not resumed and that no retaliatory action has been taken.

**FORM A**

**Complaint of Harassment and/or Discrimination**

Date of Complaint: \_\_\_\_\_

Date (s) of Incident(s): \_\_\_\_\_

Complainant: \_\_\_\_\_

Charged Person(s): \_\_\_\_\_

Description of Incident(s): (Attach additional sheets if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name(s) of witness (es), if any: \_\_\_\_\_

Has the incident(s) been reported before: [ ] YES [ ] NO

If yes, when, to whom, and what was the resolution: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complainant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Complaint Received by: \_\_\_\_\_

Date Complaint Received: \_\_\_\_\_

**INC. VILLAGE OF LAKE SUCCESS COMMUNICATION SYSTEMS  
AND EQUIPMENT SECURITY  
ELECTRONIC RECORDS POLICY**

**ELECTRONIC RESOURCES**

INC. VILLAGE OF LAKE SUCCESS Communication Systems and Equipment Security Electronic Records Policy. Electronic Resources of the INC. VILLAGE OF LAKE SUCCESS maintains various electronic resources, including but not limited to, computer systems and files, telephones, email, and internet services. These systems are provided to assist employees in completing their job duties and are intended for business use only.

**All data stored in these electronic resources are and remain at all times, the property of Inc. Village of Lake Success including all electronic mail messages composed, sent, and received. Employees do not have an expectation of privacy in their use of electronic resources. The Inc. Village of Lake Success reserves the right to monitor email, voice mail, and telephone conversations, as well as access computer files at its discretion for legitimate business purposes. All messages created, sent, or received over the village's e-mail/internet system are the property of the Village and should be considered as being public domain.**

Legitimate business purposes may include periodic systems checks, review of employee productivity, inappropriate or excessive personal use of Village equipment, investigations into claims of wrongdoing, locating information stored in files required for the conduct of business, quality control, Freedom of Information Requests and other similar business reasons at the discretion of management. Some examples of unacceptable, misuse and/or inappropriate use of electronic resources include, but are not limited to, the following activities:

- Personal Affairs
- Shopping online
- Inappropriate or offensive messages
- Breaking into confidential files
- Unauthorized surfing
- Harassment by e-mail or voicemail
- Using the Village's electronic resources to threaten, insult, or harass others or to create an intimidating, hostile, or offensive working environment
- Installing software on any Village computer system or network, which has not been approved
- Downloading files or software for installation on any Village computer system or network
- Deliberately wasting electronic resources, including sending excessive messages,

- sending electronic chain letters, and printing excessive copies of documents
- Violating the terms of applicable software licensing agreements or copyright laws, including copying or redistributing copyrighted computer software, data, or reports without proper authorization.

### *INC. VILLAGE OF LAKE SUCCESS*

#### Communication Systems and Equipment Security-Electronic Records Policy

- Failing to use or circumvent the systematic use of "virus scan" programs for diskettes or imported files from outside the Village, running or installing on any Village computer system or network, or installing a program that is intended to reproduce itself and/or result in the eventual damage to a file, computer system or network.
- Using Village electronic resources for solicitations, personal commercial or profit-making purposes, for political purposes, or personal benefit.
- Storing personal files on the Village's Hard Drive
- Other abuses of e-mail, voice mail, and Internet use
- Harassment of any kind is prohibited, and this applies to the Village's computer and telephone systems with its Internet, e-mail, and voice mail access. These communications systems may not be discriminatory, harassing, or offensive in nature, Such as:
  - Materials that are obscene, pornographic, profane, sexually explicit or X-rated
  - Messages with derogatory, inflammatory, or offensive remarks about an individual's race, age, disability, religion, national origin, physical attributes, or sexual preferences
  - Abusive, profane, or offensive language

Each employee authorized to use the Village's computer system has their own username and password for their specific system. You are responsible for any and all activity on your system while you are signed on.

Use of, or possession of electronic digital photography equipment while at work is prohibited, unless specifically authorized by your supervisor.

Upon your termination of employment, any and all access to the Village's electronic resources shall cease.

Only employees specifically authorized to access and use Village electronic resources may utilize such equipment. Employees who have access to Village electronic resources must take reasonable steps to maintain the security of all equipment, software, and information for which they are responsible, including the use of passwords to restrict unauthorized access.

**VIOLATIONS**

Misuse of Village electronic resources or violations of this policy may result in disciplinary action, up to and including termination of employment.

**ACKNOWLEDGEMENT**

Employees are required to sign the following statement that they understand and will follow the terms of the Villages Communication Systems and Equipment Security-Electronic Records Policy.

\_\_\_\_\_ acknowledge that I understand and will follow the terms of the Villages Communication Systems and Equipment Security-Electronic Records Policy.

---

Signature

Date

**THE BOARD OF TRUSTEES  
OF THE VILLAGE OF LAKE SUCCESS  
RESOLUTION ADOPTING CREDIT CARD POLICY**

WHEREAS the Board of Trustees deems it prudent to establish a credit card policy for the use of Village credit cards by Village officers and employees.

NOW THEREFORE, IT IS HEREBY RESOLVED, that the Village of Lake Success does hereby adopt the following policy, which is intended to apply to the procurement of goods and services by use of an authorized credit card in the name of the Village of Lake Success as provided herein.

**PURPOSE:**

To establish a convenient, efficient, and cost-effective method of purchasing goods and services when vendors will not accept purchase orders, when there is no other method of procuring the good/service, and/or when cost savings may be achieved by purchasing goods or services online or at an authorized, NYS Office of General Services/National Cooperative, (OMNIA), retail establishment, such as Home Depot.

**POLICY:**

The Village of Lake Success will provide a credit card issued for use by the Village Administrator for purchases of goods and services online, to pay Village expenses when attending conferences, workshops, and courses, when purchase orders are not accepted by the vendor, when there is no other method of procuring the good/service, and/or when cost savings may be achieved by purchasing goods or services online. Maximum Monthly Credit Line of \$24,000.

The Village of Lake Success will provide a credit card issued for use by the Village Caretaker as directed by the Village Treasurer, for purchases of goods and services online, to pay Village expenses when attending conferences, workshops, and courses, when purchase orders are not accepted by the vendor when there is no other method of procuring the good/service and/or when cost savings may be achieved by purchasing goods or services online.

Maximum Monthly Credit Line of 1,000.

The Village of Lake Success will provide Commercial Home Depot, Lowes, and ACE-issued retail credit cards to be used for purchases of goods and services at this NYS OGS/National Cooperative, (OMNIA), approved retail establishment. The cards will be issued to the Village of Lake Success with further distribution as follows:

Superintendent of the Department of Public Works, Maximum Credit Line of \$8,000,  
Superintendent of Parks & Recreation, Maximum Credit Line of \$4,000  
Chief of Police,  
Hempstead Police Department, Maximum Credit Line of \$4,000

In addition to this policy, the use of the aforementioned cards are subject to all requirements of the Village Procurement Policy, which is incorporated in this document by reference.

**PROCEDURE:**

Employees will be required to sign the Credit Cardholder Agreement attached to and made a part of this policy below. Use of the Village credit cards will be blocked for cash advances. Each employee and board member using a Village credit card shall be responsible for the security of his or her purchases.

If the officer, employee, or board member using a Village credit card cannot produce a receipt, he or she shall be responsible for reimbursement to the Village. All receipts must indicate the reason and nature of the purchase. All receipts and expenditures shall be reconciled with the monthly statements and audited by the Village Board of Trustees.

**No personal purchases or non-village-related purchases may be made with any card.**

Any loss or theft of a credit card must be reported within 24 hours of discovery of such loss or theft to the card's vendor & Village Treasurer. In the event of willful or negligent default of the obligations and responsibilities of the cardholder, the Village shall take any recovery action(s) as deemed appropriate by law.

All authorized card users shall return issued cards upon the request of the Board of Trustees or upon termination of their term of office.

Adopted: July 8, 2024

## Village of Lake Success

### Credit Cardholder Agreement

Requirements for use of a Municipal Credit Card:

- 1. The credit card is to be used only to make purchases at the request of and for the legitimate business benefit of the Village of Lake Success.
- 2. The credit card must be used in accordance with the provisions of the Credit Card Policy established by the Village of Lake Success, as attached hereto.

Violations of these requirements may result in revocation of use privileges. Employees found to have inappropriately used the credit card will be required to reimburse the Village of Lake Success for all costs associated with such improper use through direct payment or payroll deduction. Disciplinary action(s) may be taken per the Village's Personnel Policies, up to and including termination. The Village of Lake Success will investigate and commence, in appropriate cases, criminal prosecution against any employee found to have misused the credit card or who violates the provisions of the cardholder agreement.

Credit Card Account Number: \_\_\_\_\_

Received by: \_\_\_\_\_

Name (Please Print)

I acknowledge receipt of the attached Credit Card Policy and agree to abide by said Policy.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*(Below, for village Treasurer Office Use Only)*

Credit Card Returned

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# VILLAGE OF LAKE SUCCESS FIXED

## ASSET POLICY AND PROCEDURES

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### A. Purpose

The purpose of this policy is to provide guidelines for maintaining capital asset records that comply with governmental financial reporting standards, provide for adequate stewardship over Village resources and provide centralized documentation for insurance and asset management purposes.

Maintaining a complete and accurate accounting for capital assets is essential for effective property management and control and is of the utmost importance to sound financial administration.

### B. Definitions

**1. Accumulated Depreciation** - the total reduction in value over time of an asset since its acquisition which is recorded for financial statement purposes.

**2. Acquisition costs** - assets should be recorded and reported at historical costs which include the vendor's invoice, initial installation cost, modifications, attachments, accessories, or apparatus necessary to make the asset usable and render it into service and ancillary charges such as site preparation costs and professional fees.

**3. Capital Assets** - capital assets are tangible and intangible assets acquired for use in operations that will benefit the Village for more than a single fiscal period.

**4. Capital Improvement Plan (CIP)**- a plan that describes the capital projects and associated funding sources the Village intends to undertake in the current year plus four additional future years including the acquisition or construction of capital facilities and assets and the maintenance thereof.

**5. Construction in Progress** - an asset that is comprised of the substantially incomplete construction costs of typically a road, water system, or building. Depreciation is not applied to construction in progress.

**6. Depreciation** - a method for allocating the acquisition cost of capital assets over time. Generally Accepted Accounting Principles (GAAP) require that the value of capital assets must be written off as an expense over the useful life of the asset.

**7. Disposition-** the final status of an asset when it is removed from the capital asset account and is no longer physically located on the Village's property. This can be upon sale, scrap or donation.

**8. General Capital Asset Group** - general fixed assets are those capital assets which are acquired or constructed through governmental fund resources and used to provide general government services. As a result of GASB 34 pronouncement, these assets which meet the minimum capitalization threshold are capitalized and depreciated over the estimated useful lives.

**9. Infrastructure** - infrastructure shall include roads (including curbs and gutters), bridges, water and sewer mains, pumping stations, lift stations, streetlights, stormwater, right of ways, easements, etc.

**10. Leased Equipment** - leased equipment should be capitalized if the lease agreement meets any one of the following criteria:

- a. The lease transfers ownership of the property to the Village by the end of the lease.
- b. The lease contains a bargain purchase option.
- c. The lease term is 75 percent or more of the estimated economic life of the leased property.
- d. The present value of the minimum lease payments at the inception of the lease, excluding executor costs, equals at least 90 percent of the fair value of the leased property.

**11. Net Book Value** - the difference between the acquisition cost and accumulated depreciation.

**12. Proprietary Capital Assets-** assets acquired or constructed by proprietary funds and meet the minimum capitalization threshold are capitalized and depreciated over their estimated useful lives. Depreciation is computed using the straight-line method.

**13. Surplus Equipment** - an item or items that are no longer needed or required.

**14. Useful Life-** the period over which a capital asset has utility to the Village in performing the function for which it was purchased.

**C. Capitalization Threshold** - The capitalization threshold of an asset at the time of acquisition is established at \$1,000.00 and is applied on an individual basis. All tangible and intangible capital assets that exceed the threshold will be capitalized and depreciated over the asset's useful life. All items with an original value less than the threshold will be recorded as an operating expenditure.

**D. Depreciation Method** - All capital assets are depreciated using the straight-line method. Depreciation expense is based on the actual date of acquisition. If an asset is not fully depreciated upon disposal, the depreciation is calculated to the date of disposal.

Land and construction in progress will not be depreciated.

**E. Useful Lives**

The Village depreciates capital assets over the following useful lives:

<u>Asset Category</u>	<u>Years</u>
Buildings Improvements	75-100
Infrastructure - Bridges	5-50
Infrastructure - Roads	20-50
Infrastructure- Water and Sewer	20-50
Vehicles and equipment	50- 100
	5-15

**F. Intangibles**

The Village is in possession of assets that may be considered intangibles, including computer software and easements. The Village will account for intangibles in accordance with GASB Statement No. 51, Accounting and Financial Reporting for Intangible Assets. Computer software will be capitalized if the acquisition cost meets the capitalization threshold.

**Easements will be made as follows:**

1. A temporary easement will not be recognized as a capital asset.
2. A permanent easement will be recognized as a capital asset subject to all the following conditions:
  - a. The easement is evidenced by a final plat of subdivision and acceptance of related improvements, if appropriate. Any final plat of subdivision should include the total acreage of easements accepted by the Village.
  - b. A permanent easement will be valued at 10% of the current land-cash fee rate for improved land of equivalent acreage.

c. A permanent easement will be capitalized if it has a value of of\$10,000 or more. Easements will be aggregated within a general area (e.g., a subdivision) for the purposes of determining whether the \$10,000 threshold is met.

d. A permanent easement associated with a proprietary fund activity will be recorded in the appropriate proprietary fund. Other permanent easements will be recorded in the general fixed asset account group for inclusion in the Village's government- wide financial statements.

e. The value of a permanent easement will not be amortized.

### **G. Improvement, Repair and Maintenance Expenses**

Routine repair and maintenance costs will be expensed as incurred and will not be capitalized. Street patching, crack sealing and street resurfacing only (type 1) involving hot asphalt mix of two inches or less are considered maintenance and will not be capitalized. Repairs of water and sewer assets will not be capitalized unless the repairs materially extend the life of the original asset.

### **H. Department Responsibilities**

Departments are responsible for protecting and controlling the use of Village assets assigned to their department. The Deputy Clerk assigns asset identification numbers to each asset and maintains a complete listing of assets. Department Heads will also be responsible for submitting requests for the capital improvement plan and evaluating overall asset needs as part of the annual budget process.

### **I. Capital Improvement Plan (CIP)**

The purpose of the Capital Improvement Plan is to identify, plan, schedule, finance, track, and monitor capital projects to ensure cost-effectiveness as well as conformance to established policies. The Budget Officer (Village Manager), working with the Department Heads, will submit a five-year CIP as part of the annual budget process. The CIP shall provide the following:

1. A statement of objectives of the CIP and the relationship to the Village funds.
2. An estimate of each project's cost anticipated sources of revenue for financing the project and an estimate of the impact of each project on Village revenues and operating budgets.
3. Projects should not be considered in isolation. One project's impact on others should be recognized and costs shared between projects where appropriate.

### **J. Capital Asset Additions**

The Village may acquire assets through purchase, lease, or donation. When an asset is purchased or leased, the department will forward a copy of the invoice to the Treasurer's Department for payment. The Treasurer's Department will identify assets that meet the capitalization

requirements. The Treasurer's Department will obtain the asset identification number and update the financial records accordingly.

The Village may also acquire assets through donations. Prior to acceptance, the Village must obtain documentation of the value of the asset being donated. When a donation is accepted through the Village ordinance or resolution process, the Treasurer's Department will obtain the supporting documentation and update the financial records.

#### **K. Disposal of Assets**

Disposal, sale, or retirement of an asset may only occur after the asset is declared surplus and approved by the Village Board. When a capital asset is disposed of, its cost and accumulated depreciation are removed from the Village's books and a gain or loss, if any, is recognized. The Deputy Clerk will remove the item from the capital asset supporting schedules and record the disposal in the general ledger.

#### **L. Physical Inventory**

The Village will conduct a physical inventory at least once every two years. ( we review assets with Salemo with when our policy is up for renewal) The Deputy Clerk will provide each department with an inventory work sheet identifying all capital assets under their control. Each department will be responsible for completing the physical inventory of the items, verifying the existence and condition of each item on the worksheet and making note of any additions, deletions or leases of property that are not reflected on the list. The final list will be reviewed by the Department Head, who will sign as acknowledgement of their approval, and then return to the Finance Department. The inventory should be performed by a team including at least one representative from the department and one individual from an independent department not responsible for the safeguarding of assets.

#### **M. Year-End Accounting**

At the year end, the auditing firm will prepare the necessary journal entries to record changes in capital assets and depreciation. In addition, the auditing firm will prepare all journal entries necessary to present the general fixed asset account group in the government-wide financial statements in accordance with GASB Statement No. 34.

**WHISTLEBLOWER POLICY**

**FOR THE**

**INC. VILLAGE OF LAKE SUCCESS**

## **Introduction**

Inc. Village of Lake Success requires its elected officials and employees (each, a "Protected Person"), to observe high standards of business and personal ethics in the performance of their duties on the behalf of the Inc. Village of Lake Success. As employees and representatives of the Inc. Village of Lake Success, Protected Persons are expected to practice honesty and integrity in fulfilling their responsibilities and are required to comply with all applicable laws and regulations.

The objectives of this policy are to encourage and enable Protected Persons, without fear of retaliation, to raise concerns regarding suspected unethical and/or illegal conduct or practices on a confidential and, if desired, anonymous basis so that the Inc. Village of Lake Success can address and correct inappropriate conduct and actions.

This policy is not intended as a vehicle for reporting violations of the Inc. Village of Lake Success's applicable human resources policies, problems with co-workers or managers, or for reporting issues related to alleged employment discrimination or sexual or any other form of unlawful harassment, all of which should be dealt with in accordance with the Inc. Village of Lake Success's personnel policies and procedures.

## **Reporting Responsibility**

It is the responsibility of all Protected Persons to report in good faith any concerns they may have regarding actual or suspected activities which may be illegal or in violation of the Inc. Village of Lake Success's policies with respect to, without limitation, fraud, theft, embezzlement, accounting or auditing irregularities, bribery, kickbacks, and misuse of the Inc. Village of Lake Success's assets, as well as any violations or suspected violations of high business and personal ethical standards, as such standards relate to the Inc. Village of Lake Success (each, a "Concern"), in accordance with this policy.

## **No Retaliation**

No Protected Person who in good faith reports a Concern shall suffer intimidation, harassment, retaliation, discrimination or adverse employment consequence because of such report. Any director, officer or employee of the Inc. Village of Lake Success who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including removal from the Inc. Village of Lake Success's Board of Trustees and/or termination of employment. Notwithstanding anything contained herein to the contrary, this policy is not an employment contract and does not modify the employment relationship between the Inc. Village of Lake Success and its employees, nor does it change the fact that employees of the Inc. Village of Lake Success are employees at will. Nothing contained herein is intended to provide any Protected Person with any additional rights or causes of action, other than those provided by law.

## **Reporting Concerns**

Any Concerns should be reported as soon as shall be practicable to the Administrator/Clerk, Mayor, or Department Head of the Inc. Village of Lake Success's Board of Trustees. Any questions with regard to the scope, interpretation, or operation of this policy should also be directed to the Village Administrator/Clerk.

## **Compliance Officer / Village Administrator**

The Compliance Officer is responsible for investigating and resolving all reported Concerns and shall advise the Village Administrator/Clerk and Board of Trustees, of all reported Concerns. The Compliance Officer shall report to the full Board of Trustees regularly regarding compliance activity.

## **Accounting and Auditing Matters**

The Board of Trustees shall address all reported Concerns regarding Village accounting practices, internal controls or auditing ("Accounting Concerns"). The Compliance Officer/Village Administrator shall immediately notify the Board of Trustees of any Accounting Concern and shall work with them until its resolution. Promptly upon receipt, the Board of Trustees shall evaluate whether a Concern constitutes an Accounting Concern and, if so, shall promptly determine what professional assistance, if any, it needs to conduct an investigation. The Board of Trustees will be free in its sole discretion to engage outside auditors, counsel or other experts to assist in the investigation and in the analysis of results.

## **Investigations**

The Compliance Officer/Village Administrator may delegate the responsibility to investigate a reported Concern, whether an Accounting Concern or otherwise, to one or more employees of the Inc. Village of Lake Success or any other individual, including persons not employed by the Inc. Village of Lake Success, selected by the Compliance Officer/Village Administrator: provided that the Compliance Officer/Village Administrator may not delegate such responsibility to an employee or other individual who is the

subject of the reported Concern or in a manner that would compromise either the identity of an employee who reported the Concern anonymously or the confidentiality of the complaint or resulting investigation. Notwithstanding anything herein to the contrary, the scope, manner and parameters of any investigation of a reported Concern shall be determined by Board of Trustees in its sole discretion and the Inc. Village of Lake Success and its employees shall cooperate as necessary in connection with any such investigation.

### **Acting in Good Faith**

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing that the information disclosed may indicate a violation of law and/or ethical standards. Any allegations that prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### **Confidentiality**

The Inc. Village of Lake Success takes seriously its responsibility to enforce this policy and therefore encourages any person reporting a Concern to identify him or herself so as to facilitate any resulting investigation. Notwithstanding the foregoing, in reporting a Concern, a Protected Person may request that such report be treated in a confidential manner (including that the Inc. Village of Lake Success take reasonable steps to ensure that the identity of the reporting person remains anonymous). Concerns may also be reported on an anonymous basis. Reports of Concerns will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **Handling of Reported Concerns**

The Compliance Officer Village Administrator will acknowledge receipt of each reported Concern within five business days, but only to the extent the reporting person's identity is disclosed or a return address is provided. All reports will be promptly investigated; the scope of any such investigation being within the sole discretion of the Board of Trustees, and appropriate corrective action will be taken if warranted by the investigation.

### **Records**

The Board of Trustees will retain on a strictly confidential basis for a period of seven years (or otherwise as required under the Inc. Village of Lake Success's record retention policies in effect from time to time) all records relating to any reported Concern and to the investigation and resolution thereof. All such records are confidential to the Inc. Village of Lake Success, and such records will be considered privileged and confidential.

### **Distribution**

The Inc. Village of Lake Success shall distribute a copy of this policy to all Protected Persons.

### **Compliance Officer/Village Administrator Contact Information**

Patrick Farrell  
318 Lakeville Road, Lake Success, NY  
(516) 482-4411 Ext. 109

The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Dimitratos, moved to ratify the email vote to approve the DirecTV Fitness Center upgrade. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Deputy Mayor Kaplan, moved to ratify the email vote to approve opening up the Grill Room to North Shore Towers residents for lunch Tuesday through Sunday. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Deputy Mayor Kaplan, moved to ratify the email vote to authorize a raise for seasonal employee, Benjamin Rosales, from \$21.42 to \$23.00 per hour. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Lee, moved to approve the following **RESOLUTION**:

**BE IT RESOLVED**

The Village of Lake Success authorizes Patrick Farrell and Patty Santomauro to attend NYCOM Fall Training School September 15-19, 2025, in an amount not to exceed \$2000 each.

On the call of the roll: Mayor Hoffman voting aye; Deputy Mayor Kaplan voting aye; Trustee Farkas voting aye; Trustee Lee voting aye; Trustee Gal voting aye, and Trustee Dimitratos voting aye. Trustee Handsman was absent for the vote.

The **RESOLUTION** was declared duly adopted.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve the following **RESOLUTION**:

The Village of Lake Success authorizes auctioning off the following items: five (5) spin bikes, one (1) Spirit elliptical, and 3 boxing bags.

On the call of the roll: Mayor Hoffman voting aye; Deputy Mayor Kaplan voting aye; Trustee Farkas voting aye; Trustee Lee voting aye; Trustee Gal voting aye, and Trustee Dimitratos voting aye. Trustee Handsman was absent for the vote.

The **RESOLUTION** was declared duly adopted.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve final payment for Andy's Italian Ices of \$1,750.00 for the Music Fest. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve final payment for Mr. Softee of \$1,237.50 for the Music Fest. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve final payment for Silly Cheeks of \$400.00 for the Music Fest. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve final payment for Jump & Jam Long Island of \$ 625.00 for the Music Fest. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman, seconded by Trustee Farkas, moved to approve final payment for the band 'The Collective' for \$1,800.00 for the Music Fest. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Mayor Hoffman administered the "Swearing in" of Sergeant Nicholas Faro and Sergeant Patrick Sheridan, reciting their Oath of Office.

Mayor Hoffman administered the Oath of Office to Trustee Eugene Kaplan, Trustee Lawrence Farkas, and Trustee Marian Lee.

Deputy Mayor Kaplan, seconded by Mayor Hoffman, moved to approve the following **RESOLUTION**:

The Village of Lake Success approves the 2026 Golf Membership dues as presented. The \$200 assessment fee and \$200 Bag Storage Fee are additional fees.

On the call of the roll: Mayor Hoffman voting aye; Deputy Mayor Kaplan voting aye; Trustee Farkas voting aye; Trustee Lee voting aye; Trustee Gal voting aye, and Trustee Dimitratos voting aye. Trustee Handsman was absent for the vote.

The **RESOLUTION** was declared duly adopted.

Mayor Hoffman, seconded by Trustee Lee, moved to approve guitarist Tom Donovan for Food Truck Night on July 31<sup>st</sup> in the amount of \$425. The motion was unanimously approved by those present. Trustee Handsman was absent for the vote.

Motion made by Mayor Hoffman, seconded by Deputy Mayor Kaplan, the Board went into Executive Session at 8:11 pm.

Motion made by Mayor Hoffman, seconded by Trustee Farkas, the Board came out of Executive Session at 8:30 pm.

**RESOLUTION** made by Trustee Gal, seconded by Deputy Mayor Kaplan, to authorize Administrator Farrell to send Pool Suspension warning letters to Zvi Ben Zvi and Cheryl Rosenthal. All approved. Trustee Handsman was absent.

Motion made by Mayor Hoffman, seconded by Trustee Dimitratos meeting was closed at 9:35 PM

Respectfully submitted,

Patricia Santomauro  
Deputy Village Clerk