

5:15 PM Saranac Lake Development Corporation Meeting of Members

VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES

MEETING AGENDA 5:30PM

Tuesday October 13, 2020

Roberts Rules of Order will be in Effect for this Meeting

**THIS MEETING WILL BE HELD IN THE HARRIETSTOWN TOWN HALL AUDITORIUM
39 MAIN STREET, SARANAC LAKE**

<https://franklincounty-ny.webex.com/franklincounty-ny/j.php?MTID=m1bb3b1feffc5c78aa2fe58a56d3748>

Meeting number (access code): 160 971 3509 Meeting password: fAfWdgcS438

A. CALL TO ORDER PLEDGE OF ALLEGIANCE

B. ROLL CALL

**C. PUBLIC HEARING - Development Code Amendment for Changes to the Development Code
Zoning Map Districts A-2 and B-4**

D. ANNUAL MEETING – Outline Enclosed with attachments

E. AUDITING:

a. Pay Vouchers

b. Approve Minutes 9-28-2020

F. PUBLIC COMMENT

G. CORRESPONDENCE:

H. DAVID LEWIS Water/Waste Water Treatment Plant Operator

GREG SWART P.E. AES Northeast

I. ITEMS FOR BOARD ACTION

BILL	92	2020	LWRP Determination on Development Code Amendment
BILL	93	2020	SEQR Determination on Development Code Amendment
BILL	94	2020	Adopt Amendment to the Development Code
BILL	95	2020	DRI Project Advisory Committee
BILL	96	2020	Call for a Public Hearing November 9, 2020 at 5:30 PM for Development Code Amendment - Ambulance Service
BILL	97	2020	Hire DRI Consultants – Environmental Design & Research

J. OLD BUSINESS:

K. NEW BUSINESS:

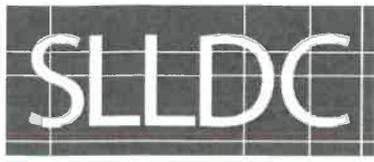
L. EXECUTIVE SESSION: Proposed, Pending or Current Litigation

M. MOTION TO ADJOURN:

**RULES FOR PUBLIC HEARING COMMENTS AND
PUBLIC COMMENT
PERIOD OF MEETINGS**

- 1. Anyone may speak to the Village Board of Trustees during the public comment period of a public hearing or the public comment period of the meeting.**
- 2. As a courtesy we ask each speaker to give their name and village resident or not.**
- 3. Each speaker must be recognized by the chairperson before speaking.**
- 4. Individual public comment is limited to 3.5 minutes and may be shortened by the meeting chairperson.**
- 5. When a meeting is attended by a group of people who share the same or opposing views on a public comment topic, the chair may require that the group(s) designate not more than two spokespersons and limit the total time public comment to 2.5 minutes for each point of view or side of an issue.**
- 6. Individual time may not be assigned/given to another.**
- 7. A public hearing is meant to encourage resident comment and the expression of opinion, not a direct debate, nor should a commenter be intimidated by a village board rebuttal, therefore public hearings are limited to public comment and should a village response be asked by individuals the response shall be generally given after the public hearing during the village board regular meeting, or subsequently, by telephone or letter, unless factual in nature where the facts are fully known by staff, in which case a village official may respond.**
- 8. All remarks shall be addressed to the board as a body and not to any individual member thereof.**
- 9. Interested parties or their representatives may address the board at any time by written or electronic communications.**
- 10. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.**

Please note- During the course of regular business, discussion and commentary is limited to board members and village staff only. We ask for this courtesy, for the board and staff to conduct their business and discussion without interruption. All village board members and staff are available after the conclusion of a meeting for one on one discussion.



**SARANAC LAKE
LOCAL DEVELOPMENT
CORPORATION**

39 Main Street Suite 9
Saranac Lake, NY 12983
Tel.: 518-891-4150
e-mail: slldc@outlook.com

Our Adirondack Community, Our Adirondack Future

**Meeting of the Members
Saranac Lake Local Development Corporation
October, 13th 2020 @ 5:15pm
Harriestown Town Hall Auditorium**

Chair Rabideau Calls Meeting to Order

Consider Village Board Member Representative to the LDC Board of Directors

Consider Reappointment of Patrick Murphy to LDC Board of Directors

Adjourn

PUBLIC HEARING

Development Code Zoning Map,

Districts A-2 and B-4

REFERRAL CALLING FOR A PUBLIC HEARING

WHEREAS, in 2016 the Village Board adopted the Village of Saranac Lake Unified Development Code; and

WHEREAS, amendments to the Code are allowed for purposes of public necessity, convenience and the general welfare, and

WHEREAS, the Board has received a written request for amendment; and

WHEREAS, the Board has received a recommendation from the Development Board supporting the request for amendment; and

WHEREAS, in consideration of the circumstances as described above the Board seeks to call a public hearing and to consider adoption of the draft amendment.

NOW, THEREFORE, BE IT RESOLVED THAT,

- (1) The Village of Saranac Lake Board of Trustees hereby sets a public hearing for Tuesday October 13, 2020 at 5:30PM in the Harrietstown Town Hall Auditorium at 39 Main Street, for purpose of gathering public input about the proposed Local Law amending the Village of Saranac Lake Unified Development Code.

EXHIBIT A:

STRAB VENTURES, INC.

50 Cedar Ridge Drive, Saranac Lake, NY 12983

8-14-20

Development Board
Village of Saranac Lake
39 Main Street, Suite 9
Saranac Lake, NY 12983

Re: 21 Duprey Street

This company recently purchased the above parcel which contains a single-family residence which we wish to raise and replace. However, current zoning does not allow for this use as it was somehow conflated with the commercial district which straddles Lake Flower Avenue, three lots away. We can build a rooming house on the property and we can build a short-term rental on the property and we can build a single-story cottage on the property, but we cannot build a single-family residence. Also, on either side of this lot are residential structures. Given that the lot is now zoned commercial, we could put a brew pub between them. This does not make sense.

We believe that the inclusion of this lot in the B4 commercial district was an error and we ask for a zoning district line adjustment to correct it.

Per the attached map, we reference that the subject property represents an aberration of the smooth boundary line between the B4 commercial zone and the A2 residential zone, where just the lots adjoining Lake Flower Avenue are part of the commercial district, excepting for the marina area.

We respectfully request that the 21 Duprey Street parcel be made part of the adjoining A2 district.

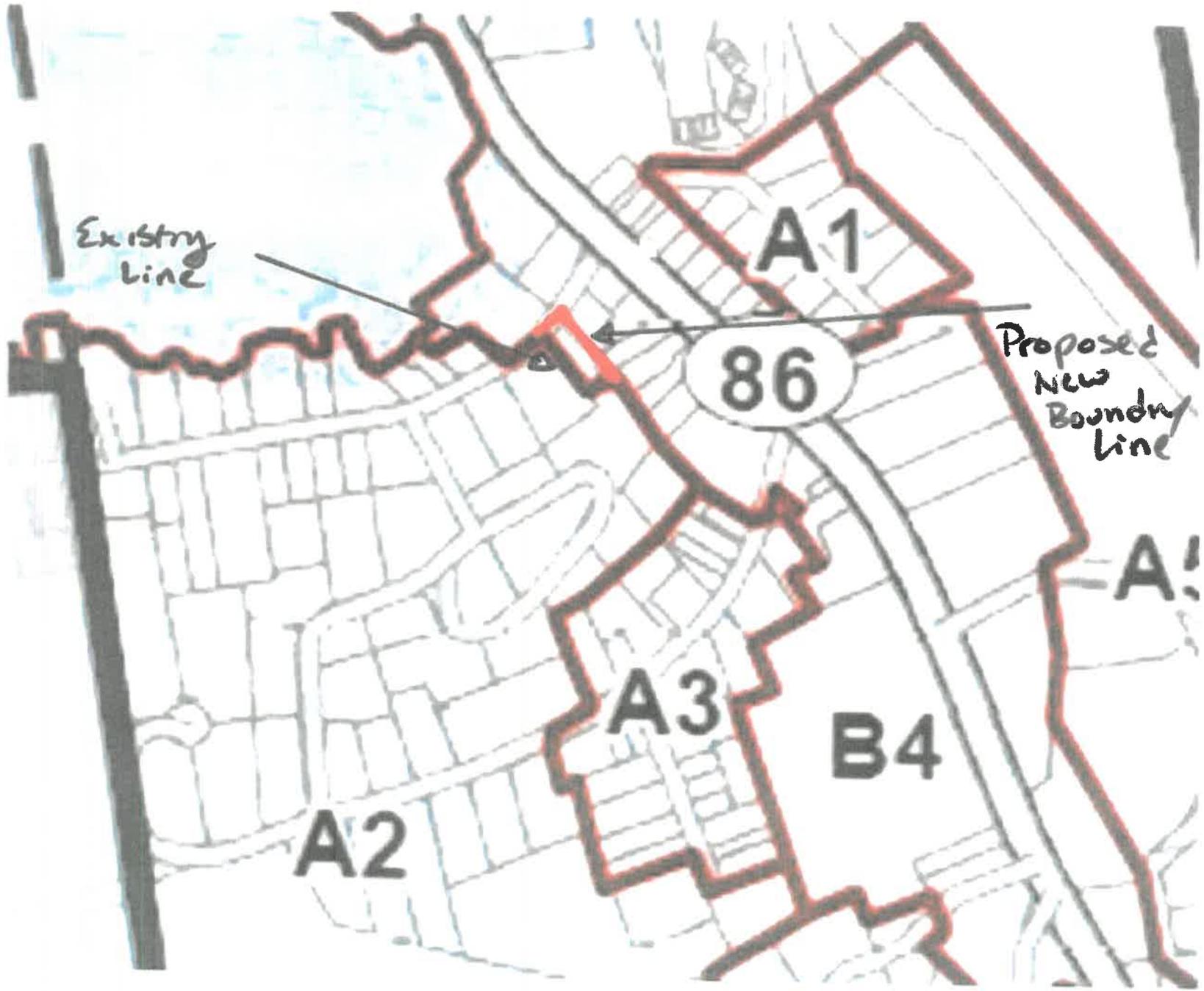
Disclosure Statement: Clyde Rabideau is a partial owner of this company.

Keith Braun shall be our representative to the board and village.

Thank you,


Joel Stretch
President

Attachment



Existing line

A1

86

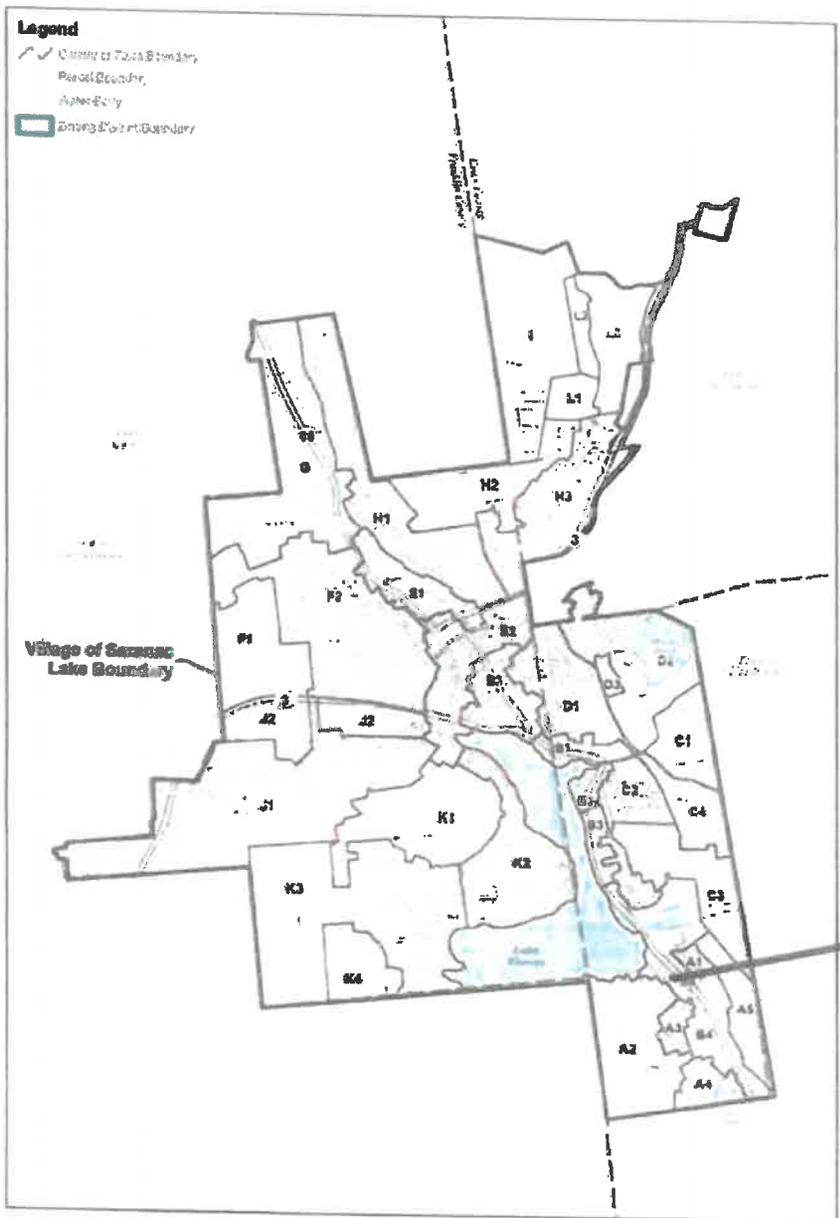
Proposed New Boundn Line

A4

A3

B4

A2



 Village of Saranac Lake
Zoning Map

EXHIBIT B:

**SARANAC LAKE VILLAGE DEVELOPMENT BOARD
RESOLUTION NO. 1 - September 1, 2020**

**RECOMMENDING CHANGES TO THE DEVELOPMENT CODE ZONING MAP,
DISTRICTS A-2 AND B-4**

WHEREAS, in 2016 the Village Board adopted the Village of Saranac Lake Unified Development Code; and

WHEREAS, amendments to the Code are allowed for purposes of public necessity, convenience and the general welfare, and

WHEREAS, the Board has received a written request for amendment; and

WHEREAS, the Village Board referred the request to the Development Board for review and comment;

NOW, THEREFORE, BE IT RESOLVED, that the Village Development Board offers to the Village Board of Trustees the following recommendation:

1. The Board recommends redrawing districts A-2 and B-4 to include the property at 21 Duprey street in the A-2 district.

VILLAGE OF SARANAC LAKE
October 15, 2020
ANNUAL MEETING, BOARD OF TRUSTEES, VILLAGE OF SARANAC LAKE, NY

An Organizational Meeting of the Board of Trustees of the Village of Saranac Lake, New York was held in the Harrietstown Auditorium 39 Main Street, Saranac Lake New York beginning at 5:30 pm. Meeting also stream through WEBEX.

Roll Call: Mayor Clyde Rabideau, Trustees: Thomas Catillaz, Melinda Little, Zelda Newman, and Richard Shapiro.

- 1.. Resolved, the **ADIRONDACK DAILY ENTERPRISE** as the **OFFICIAL NEWSPAPER** for the Village.
- 2.. Resolved, the **REGULAR MEETINGS** of the Board be held on the second and fourth Mondays of the month, except holidays, when the Meeting will be held the next business day as per the attached schedule, also approval of voucher review schedule.
3. Resolved, **ROBERTS RULES OF ORDER** shall be the official format and procedure for the conduct of all village meetings.
4. Resolved, each bill submitted to the Board of Trustees for consideration shall have its **SPONSOR'S NAME** affixed thereto. Said Sponsor(s) may be the Mayor, Trustees or Village Manager.
5. Resolved, The **SUBMISSION OF BILLS FOR CONSIDERATION** at regular meetings shall be made no later than noon on the Thursday before each regular Monday Meeting and that the regular Monday Meeting agenda be completed before the close of business on the Friday before each regular Monday meeting and be available for review by each member of the Board of Trustees. Further, the Village Clerk shall make reasonable effort to transmit the agenda to each board member via e-mail or drop box before the close of business on the Friday before each regular Monday meeting. In the case the regular Monday meeting is changed due to holidays or board resolution, then the aforementioned submission and publication dates shall be adjusted accordingly.
6. Resolved, **SPECIAL MEETINGS** shall be defined as those village board meetings that are not regularly scheduled in the organizational meeting and at which bills and actions are considered and/or voted upon by the board. These meetings shall only be called and held under the following conditions:
 - 6.1 Emergency-Mayor. The Mayor, or in the Mayor's absence, the Deputy Mayor, may call a Special Meeting where the health, welfare or financial security of any part of the village is threatened by harm or loss. A 24-Hour notice is required for this type of Special Meeting.
 - 6.2 Non-Emergency-Mayor. The Mayor, or in the Mayor's absence, the Deputy Mayor, may call a Special Meeting for the consideration and/or vote upon a bill or bills deemed worthy with a three day notice to all other Trustees.
 - 6.3 Non-Emergency-Trustees. Two or more Trustees may call a Special Meeting for the consideration and/or vote upon on a bill or bills deemed worthy with a three day notice to all other Trustees and Mayor. The Trustees must physically sign their notice at the Village Offices or in such a manner agreeable by the majority of the board.

Further: A vote for any monetary expenditure at a Special Meeting shall require a minimum of three affirmative votes.

All meeting rules adopted in the Organizational Meeting shall apply to Special Meetings.

And, the Mayor, or in the Mayor's absence, the Deputy Mayor, must be in attendance at a Special Meeting before it can be called to order and business conducted. In the absence of both the Mayor and the Deputy Mayor the Special Meeting shall be cancelled.

7. Resolved, Resolutions **Advance Approval of Claims, Electronic Signatures, Mileage Allowance, Approval for Returned Check Charges, and Official Banking Facilities** be adopted, said resolutions are attached and made a permanent part of these minutes.

8. Resolved, Resolution **PURCHASING POLICY, INVESTMENT POLICY, WORK PLACE VIOLENCE POLICY, THE EMPLOYEE HANDBOOK, ANTI DISCRIMINATION AND HARRASSMENT POLICY, DRUG POLICY, RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS, BYLAWS FOR ADVISORY BOARDS and SECTION 3 COMPLIANCE PLAN** be adopted, said policies are on file at the village office.

9. Resolved, **APPOINTMENTS ARE SUBJECT TO AND CONSISTENT WITH BUDGETARY APPROPRIATIONS.**

10. Resolved, Resolution **ACKNOWLEDGEMENT OF A CONFLICT OF INTEREST**, be adopted, said resolution is attached and made permanent part of these minutes

**NOTICE OF REGULAR MEETINGS
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES
2020-2021**

Please be advised that at the October 13 Annual Meeting of the Board of Trustees of the Village of Saranac Lake, it was determined by such Board that the Regular Meetings of the Board of Trustees will be held on the 2nd second and 4th fourth Mondays of each month, unless such a date is a legal holiday, in which event, the Meeting will be held on the next business day. The dates of these Meetings are listed below:

2020

October 26, 2020

November 9, 2020

November 23, 2020

December 14, 2020

December 28, 2020

2021

January 11, 2021

January 25, 2021

February 8, 2021

February 22, 2021

March 8, 2021

March 22, 2021

During the COVID 19 reopening phase, meetings will be limited to 50 people in the **Harrietstown Auditorium, 39 Main Street, Saranac Lake, New York** whenever possible they will also be broadcast through ZOOM or as a webex meeting. Social distancing rules and the wearing of a mask is mandatory. Details will be posted on the agenda on the website www.saranaclakeny.gov. All open sessions of the meetings will begin at **5:30 pm**. Executive Sessions will be scheduled, either before a regular meeting or at the end of a regular meeting.

In advising you of this schedule, we are complying with Article 7 of the General Municipal Law relating to open meetings. If you wish to receive notice of Special meetings please advise and furnish us with the name, address, email address and phone number of the person to be notified. Notice of the meetings will, in accordance with Section 94 of the Public Officers Law, be given to the extent practicable at a reasonable time prior thereto.

Kareen Tyler, Village Clerk 518-891-4150 ext 202 clerk@saranaclakeny.gov

Voucher Schedule

2020-2021 MONTHLY SCHEDULE FOR AUDITING VOUCHERS:

April 2020	Mayor Rabideau
May 2020	Trustee Catillaz
June 2020	Trustee Shapiro
July 2020	Trustee Little
August 2020	Mayor Rabideau
September 2020	Trustee Catillaz
October 2020	Trustee Shapiro
November 2020	Trustee Little
December 2020	Trustee Catillaz
January 2021	Mayor Rabideau
February 2021	Trustee Newman
March 2021	Trustee Little

ADVANCE APPROVAL OF CLAIMS

WHEREAS, the Board of Trustees of Saranac Lake has determined to authorize payment in advance of audit claims for public utility services, postage, freight and express charges; and

WHEREAS, all such claims shall be presented at the next regular meeting for audit; and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1: That the Board of Trustees authorizes payment in advance of audit claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2: That this resolution shall take effect immediately.

ELECTRONIC SIGNATURES

Whereas, the Treasurer of the Village of Saranac Lake, being the Chief Fiscal Officer has requested the approval of the signing of Village issued checks with AcuPrint ezSigner software for signatures of those officers authorized to sign checks, as reproduced by a machine or device such as a laser printer; and

Whereas, those officers authorized to sign checks are the Village Treasurer, the Village Clerk, the Village Manager and the Mayor; and

Whereas, Village Law §4-408c authorizes the Village Board of Trustees to approve such procedures by resolution;

Now Therefore Be It Resolved, that the Board of Trustees authorizes the use of the ezSinger program for all Village issued checks,

Be It Further Resolved, that this resolution shall take effect immediately.

MILEAGE ALLOWANCE

WHEREAS, the Board of Trustees of Saranac Lake will use the standard mileage rate set by the Internal Revenue Service for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

Section 1: That the Board of Trustees shall approve reimbursement to such officers at the rate determined to pay by the Prevailing Internal Revenue Rate.

Section 2: That this resolution shall take effect immediately.

APPROVAL FOR RETURNED CHECK CHARGES

Whereas, Pursuant to §85 of the General Municipal Law, The Village of Saranac Lake will impose a service charge of twenty dollars (\$20.00) on all checks which are rendered for the payment of municipal taxes or other charges that are subsequently returned by a bank for insufficient funds or other reasons. The Village or its agents may collect the service charge in the same manner prescribed for the collection of the account for which the check was tendered. The village or its agents may also require future payments to be tendered in cash, certified check or cashier's check.

Now Therefore Be It Resolved, that the Board of Trustees authorizes the Village to levy a charge of \$20.00 for any check that is return to the Village for any reason.

Be It Further Resolved, that this resolution shall take effect immediately.

**DESIGNATION OF OFFICIAL BANKING FACILITIES FOR
THE VILLAGE OF SARANAC LAKE, NEW YORK**

The following resolution was adopted by the Board of Trustees, Village of Saranac Lake, New York, at the Annual Meeting held on October 13, 2020, at 5:30 pm in the Village Office, 39 Main Street, said Village, by motion of _____ and seconded by Trustee _____ and upon vote taken, the resolution was unanimously carried and so ordered.

WHEREAS, it is provided that the Trustees of the Village of Saranac Lake, New York, shall designate by written resolution, the bank(s) or trust companies in which the collector and treasurer shall deposit monies coming into his/her hands by virtue of his/her office.

NOW THEREFORE BE IT RESOLVED, that the following banks are hereby designated as depositories, in which the collector and treasurer shall deposit monies coming into his or her hands, by virtue of his or her office.

- COMMUNITY BANK**, Saranac Lake Branch
- NBT BANK**, Saranac Lake Branch
- KEY BANK**, Saranac Lake Branch
- ADIRONDACK BANK**, Saranac Lake Branch
- MBIA CLASS INVESTMENT PROGRAM**, Armonk Branch
- TD BANK**, Plattsburgh Branch
- JP MORGAN CHASE BANK**, Albany Branch
- CITIZENS BANK**, Albany Branch
- UNITED STATES TREASURY DEPT**, Washington, DC

BE IT FURTHER RESOLVED, this resolution shall take effect immediately.

_____, Mayor Rabideau
_____, Trustee Catillaz
_____, Trustee Little
_____, Trustee Newman
_____, Trustee Shapiro



Village of Saranac Lake
Capital of the Adirondacks™

VILLAGE OF SARANAC LAKE PURCHASING POLICY

ADOPTED OCTOBER 13, 2020

The question of the adoption of the foregoing resolution was duly put to a vote on October 13, 2020 roll call which resulted as follows:

Mayor Rabideau

Trustee Catillaz Aye Trustee Little Aye

Trustee Newman Aye Trustee Shapiro Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 13th day of October 2020.

Kareen Tyler
Village Clerk

Table of Contents

I. Policy Statement3

II. The Purchasing Process3

III. Methods of Purchase.....3

IV. County Contract.....4

V. State Contracts.....5

VI. Piggyback Contracts5

VII. Purchasing Policies and Control6

VIII. Sole Source6

IX. Professional Services6

X. Purchase Orders7

XI. Formal Sealed BIDS for commodities over \$20,000 and Public Works
Projects/Contracts over \$35,0007

XII. Request for Proposals (RFP)8

XIII. BID Prices Submitted.....8

XIV. Prevailing Wages9

XV. Insurance9

XVI. Security.....9

XVII. Award of Contract9

XVIII. Award to Other than the Lowest Responsible Dollar Offeror..... 10

XIX. Deliveries 11

XX. Invoicing and Payment 11

XXI. Gifts and Gratuities 11

XXII. Conclusion 11

VILLAGE OF SARANAC LAKE PURCHASING POLICY

I. POLICY STATEMENT

In accordance with the Village of Saranac Lake adopted procedures, the Purchasing Official is authorized to administer all purchasing activities with regard to materials, supplies, services and equipment. The primary function of the Purchasing Official is to ensure that the Village of Saranac Lake receives the best possible products and services that meet the needs of the requesting department at the lowest possible cost. In this document, unless otherwise noted, the term “political subdivision” applies to the Village of Saranac Lake in its entirety. The term Purchasing Official may also apply to an appropriate designee for whom the Purchasing Official oversees.

Rules governing purchasing and contract procedures were established under the concept of open competitive bidding as set forth by General Municipal Law (GML 103 and 104-b). Under this system, purchase awards are made to the lowest responsible vendor who meets the Village’s specifications and is capable of delivering the service or product. These specifications and conditions are outlined in bid packages that are available to all interested vendors.

The Village of Saranac Lake encourages all segments of the business community to participate in its purchasing program.

The Purchasing Official coordinates vendor contracts and supervises the procurement process to ensure compliance with purchasing policies and procedures.

II. THE PURCHASING PROCESS

The Purchasing Official maintains a list of qualified vendors for solicitation of quotes and bids. If a vendor would like to apply to be on a vendor list, they can contact the Purchasing Official to have the company’s name added to the Village of Saranac Lake Vendor Bid List.

III. METHODS OF PURCHASE

The following purchasing methods are used by the Village to acquire products, services and equipment:

PROCEDURE FOR THE PURCHASE OF COMMODITIES, EQUIPMENT OR GOODS

Dollar Limit		Procedure
\$1	\$2,499	At the discretion of the Purchasing Official
\$2,500	\$4,999	Documented telephone quotes from at least 3 separate vendors (if available)
\$5,000	\$20,000	Written quotes from at least 3 separate vendors (if available)
\$20,001 and up		Sealed bids in conformance with Municipal Law, Section 103

PROCEDURE FOR THE PURCHASE OF PUBLIC WORKS PROJECTS/CONTRACTS

Dollar Limit		Procedure
\$1	\$2,499	At the discretion of the Purchasing Official
\$2,500	\$4,999	Documented telephone quotes from at least 3 separate vendors (if available)
\$5,000	\$35,000	Written quotes from at least 3 separate vendors (if available)
\$35,001 and up		Sealed bids in conformance with Municipal Law, Section 103

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 including the vendors contacted and the reason no quote or proposal could be secured. In no event shall the failure to obtain the proposals be a bar to the procurement.

In the course of normal business, departments are authorized to secure quotes from vendors in accordance with the aforementioned fixed limits and purchasing policy. All quotes secured by individual departments are subject to review and the approval of the Purchasing Official. Vendors should take particular care when quoting prices to assure accuracy for quantities, units of measure, pricing and delivery terms. Telephone quotes should be provided the same day as requested if possible. A written, faxed or electronic quote for purchases is solicited by issuance of a "Request for Quote" form; the vendor should return this completed form within the designated time period. The Purchasing Official reviews quotes and selects the lowest quote meeting the Village requirements and specifications. The Village of Saranac Lake will accept quote responses via US Mail or similar delivery service, scanned quotes sent via email or by fax.

IV. COUNTY CONTRACT

County governing boards within New York State may make provision in county purchase contracts for political subdivisions and districts to piggy back off their contracts. That is to purchase materials, equipment and supplies under such contracts. These purchases must be in accordance with rules, adopted by the county board, that prescribe the conditions under which the purchases may be made (County Law, Section 408-a).

Pursuant to GML Section 103(3), purchases through the county are exempted from the competitive bidding requirements of GML Section 103.

V. STATE CONTRACTS

Pursuant to GML 104, political subdivisions are authorized to make purchases of materials, equipment and supplies (except printed material) through the NYS Office of General Services (OGS), subject to rules established by OGS (see State Finance Law, Section 163). GML Section 104 provides that purchases by political subdivisions are exempt from competitive bidding requirements. Note: No official may make a purchase through the OGS when bids have already been received unless the purchase may be made upon the same terms, conditions and specifications, but at a lower price, through OGS.

VI. PIGGYBACK CONTRACTS

The definition of a "Piggyback Contract" is a contract let by the United States or any agency thereof, any state or any other county, political subdivision or district therein. In order for the "Piggyback Contract" exclusion to apply, the contract must be let in a manner consistent with GML section 103 and made available for use by other governmental entities.

GML section 103 stipulates that three (3) prerequisites that *must* be met in order for a procurement to take place under this exception.

1. Contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.
2. Contract must have been "*made available for use by other governmental entities.*" This means the contract must have included language extending the terms and conditions of the contract to other governmental entities.
3. Contract must have been "let to the lowest responsible bidder or on the basis of best value in a manner consistent with GML 103."

Due to the requirements of GML 103, each contract presented under this section of the Purchasing Policy must be individually evaluated on a case by case basis. Any proposed agency or political subdivision must have a due diligence assessment performed to ensure it is in compliance with GML. If the due diligence demonstrates compliance with GML 103, then a resolution must be presented to the Village Board that approves the purchase.

The "piggybacking" references contained in this policy are subject to sunset provisions, which are currently set for July 31, 2021.

VII. PURCHASING POLICIES AND CONTROL

PLANNING

- A. **ANTICIPATE YOUR NEEDS:** Once you have established what you need, within the limitation of your budget, requisition these needs as far in advance as possible. The time element affords the Purchasing Official the opportunity to solicit competitive bids or quotes and get the best possible value.
- B. **EMERGENCIES:** An exception to the competitive bidding requirements exists for emergency situations. There are **three basic statutory criteria to be met** in order to fall within this exception.
1. The situation arises out of an accident or other unforeseen occurrence or condition.
 2. The circumstances affect public buildings, public property or the life, health, safety or property of the political subdivision's residents; and
 3. The situation requires immediate action, which cannot await competitive bidding.

In short, if you can foresee the need in the future, you should be able to follow the bid process.

VIII. SOLE SOURCE

Competitive bidding is not required under GML, Section 103 in those limited situations when a political subdivision, in the public interest, requires particular goods or services that uniquely serve the public interest, for which there is no substantial equivalent and, which are, in fact, available only from one source. In making these determinations the political subdivision should document, among other things, the unique benefits of the item as compared to the items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item is reasonable, when compared to other products or services in the marketplace. In addition, the political subdivision should document that there is no possibility of competition for the procurement.

IX. PROFESSIONAL SERVICES

The courts have held that "professional services" are not contracts for public work, that phrase is used in the bidding statutes, and therefore not subject to competitive bidding procedures. Generally, professional services involve specialized expertise, use of professional judgment and/or a high degree of creativity. Among the services, which have been held to be exempt from competitive bidding under this exception are those of engineers, architects, land surveyors, attorneys, physicians and insurance brokers. To assist the Purchasing Official in selecting a vendor for professional services, in particular

where market rates for services may fluctuate, the use of a Request for Proposal or RFP, specifying the services requested is encouraged but not required.

X. PURCHASE ORDERS

- A. **REQUISITIONS:** In “ALL” instances and without exception, the requisition is to be entered and purchase orders are to be completed before a purchase is made. If the Chief Fiscal Officer receives any claims for materials, supplies or services for which no purchase order was issued, the Purchasing Official in conjunction with the Treasurer will have the authority to nullify the payment of such claim. Direct payment claim vouchers should be avoided.
- B. **CONFIRMING PURCHASE ORDERS:** Confirming Purchase Orders should be kept to a minimum and will only be approved provided they meet the Purchasing Guidelines and the amount available in the appropriate budget line. The Purchasing Official will not approve a confirming order, when the purchase is not justified, where the purchase is being made to circumvent established procedures.
- C. **BLANKET PURCHASE ORDERS:** Issued as requested to various vendors for purchase of those items considered to be of an immediate need or for the purpose of consolidating purchases. Such examples would be electric or telephone bills, etc. which involve on-going purchases. Blanket Purchase Orders must issued on a monthly basis.

XI. FORMAL SEALED BIDS FOR COMMODITIES OVER \$20,000 AND PUBLIC WORKS PROJECTS/CONTRACTS OVER \$35,000

All purchases of “like” commodities exceeding \$20,000, and public works projects/contracts of “similar scope” exceeding \$ 35,000 in the **aggregate** for all departments combined annually are acquired through this process.

Legal notices are published in local newspapers informing the public of the products or services being bid.

Bid packages are prepared with detailed specifications and conditions including items bid, units and total quantity desired, instructions for bidding, delivery information, bid opening dates and any special requirements for bidding.

Bid notices are faxed or scanned and mailed to Bid Services (companies in the business of informing prospective vendors of bids in their field of work). The bid packages are available for pickup at the Village of Saranac Lake Offices, and can be shipped by US Mail. Vendors can request shipping by a package service such as Fed Ex or UPS and will be shipped this way only at the vendors' expense.

The Vendor Bid Lists (those vendors who have picked up bid packages) shall not be released prior to a bid opening as this may adversely affect the bids received and/or encourage collusion, any requests received by a Village Department for this information will be directed to the Purchasing Official. No exceptions are made to this policy.

Any bids not arriving prior to the bid-opening deadline will be rejected and returned to the bidder unopened. Sealed bids are publicly opened and read at the time and place designated in the bid documents and legal notices. All information regarding the opening of a bid will be detailed within the bid specifications. All bid tabulations showing bid results are available for public inspection during regular business hours at the Village of Saranac Lake Offices.

Purchase orders and/or contracts are awarded to the lowest responsive and responsible bidder(s) meeting Village specifications.

The Village reserves the right to reject any and all bids or parts of bids when such rejection is in the best interest of the Village. The Village reserves the right to award all bids on an item-by-item or aggregate basis, whichever is deemed in the best interest of the Village.

XII. REQUEST FOR PROPOSAL (RFP)

Requests for proposals are traditionally used as a means of obtaining all types of professional services. A request for proposals and evaluation of proposals can consider price plus other factors such as experience, staffing, service areas, level of service, quality of service and professional reputation. The RFP involves making a request from various firms and then evaluating the proposals received.

XIII. BID PRICES SUBMITTED

The bid price submitted shall be exclusive of Federal and State taxes and must not include any tax for which the bidder may claim exemption because of doing business with the Village. All prices submitted must include all delivery charges to Village of Saranac Lake.

XIV. PREVAILING WAGES

Prevailing wages shall be paid for each contract to which the municipality may involve the employment of laborers, workmen or mechanics, as outlined in Article 8 of the New York State Labor Law.

XV. INSURANCE

The Village may require that insurance shall be procured with the specified coverage amounts required and an insurance declaration page and/or copy of the policy provided prior to a purchase order or payment. The declaration page or policy certificate provided must name "The Village of Saranac Lake" as an Additional Named Insured. In addition, if the service being provided is considered a "Professional Service" the Village may require that a "Certificate of Professional Liability" must be provided naming the Village of Saranac Lake as an Additional Named Insured.

XVI. SECURITY

If security is required, the bid invitation will indicate the kind and amount of security needed. Submitted bid packages will not be considered by the Village if the specified security is not enclosed.

The Village uses two types of security:

- A. **BID DEPOSIT: (Certified Check or Bid Bond):** The deposit must be for the amount specified in the bid invitation. The Deposit will be forfeited to the Village should the successful bidder fail to enter into a contract or to accept a purchase order. Bid Deposits are returned to the unsuccessful bidders by mail.
- B. **PERFORMANCE, LABOR AND MATERIAL BONDS:** These bonds may be required from a successful bidder on certain bids. The Village holds these bonds until all contract obligations are satisfactorily met. The bonds may be forfeited to the Village should the successful bidder fail to comply with the terms and conditions set forth in the specifications and the award. Bonds are to be made payable to the "The Village of Saranac Lake."

XVII. AWARD OF CONTRACT

Award of contract will be made to the lowest responsible qualified bidder whose proposal shall comply with all of the provisions required in the bid package. The Village reserves the right to waive any informality or to reject any or all proposals and may advertise for

new proposals, if in its opinion the best interest of the Village will be served. The Village may require any or all bidders to present evidence of experience, ability and financial standing as well as a statement as to the equipment, which they will have available for the execution of the contract. The Village, at its discretion, reserves the right to award a contract either on an item-by-item basis or as a total award of all items in combination.

XVIII. AWARD TO OTHER THAN THE LOWEST RESPONSIBLE DOLLAR OFFEROR

Whenever any contract is awarded to other than the lowest responsible dollar offeror, the reasons that such an award furthers the purpose of General Municipal Law § 104-b, as set forth herein above, shall be documented as follows:

Best Value. Notwithstanding anything else contained in this chapter to the contract, the Village of Saranac may award purchase contracts and service contracts that have been procured pursuant to competitive bidding or otherwise under General Municipal Law § 103(1) or this chapter by either the lowest responsible bidder standard or the best value standard.

- i. Definition.** “Best value” is defined in State Finance Law § 163 as, “the basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors.” For the purposes of this section, the Board of Trustees adopts the above definition of “best value” as may be modified from time to time by the State Legislature.
- ii. Applicability.** The best value standard may only be used for purchase contracts, which includes contracts for service work, but excludes any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law. When awarding contracts under the best value standard, the Village of Saranac Lake must consider the overall combination of quality, price, and other elements of the required commodity or service that in total are optimal relative to the needs of the Village of Saranac Lake. Use of the best value standard must rely, wherever possible, on objective and quantifiable analysis. The best value standard may identify as a quantitative factor whether offerors are small businesses or certified minority- or women-owned business enterprises as defined in New York Executive Law § 310.
- iii. Approval.** Use of the best value standard for the procurement of goods and services requires approval from the board. The board must also approve the factors to be considered when awarding contracts under this standard.

XIX. DELIVERIES

Deliveries to departments are to be completed between the hours of 8:00 AM and 4:00 PM unless otherwise specified on the purchase order.

All Bills of Lading are to include a complete "Ship To" address and purchase order numbers, as they appear on the purchase order received.

XX. INVOICING AND PAYMENT

To ensure prompt payment of a purchase order, invoices containing the proper information must be submitted to the "Ship To" address indicated on the purchase order.

Invoices must contain the Purchase Order number, quantities, and unit of measure and total prices as stated on the purchase order. Authorized Village representatives will issue no payments prior to receipt and acceptance of products and services.

The Village of Saranac Lake is exempt from paying all Sales Tax and Compensating Use Tax imposed by the State pursuant to N.Y.S. Tax Law 1116(A)(1). Upon request, a letter attesting to this fact will be executed and signed by the Village Treasurer as the Chief Fiscal Officer.

XXI. GIFTS AND GRATUITIES

Village policy prohibits acceptance of gifts at any time, other than advertising novelties. Employees must not become obligated to any supplier and shall not participate in any Village transaction from which they will benefit directly or indirectly.

XXII. IN CONCLUSION

The intent of the Purchasing Policy of the Village of Saranac Lake is to provide guidance. It is not intended to be all inclusive since no single publication can be all encompassing or answer every question. Any question that cannot be answered by these guidelines should be directed to the Purchasing Official in writing. In the case of any matter not specifically addressed here, New York State General Municipal Law, section 103 and 104-B, will guide the Purchasing Official in making a determination.

This Purchasing Policy was adopted on this 8th day of April, 2019

Mayor Rabideau

Trustee Little

Trustee Newman

Trustee Shapiro

Trustee Catillaz



**Village of Saranac Lake
Capital of the Adirondacks™**

VILLAGE OF SARANAC LAKE INVESTMENT POLICY

ADOPTED OCTOBER 13, 2020

The question of the adoption of the foregoing resolution was duly put to a vote on October 13, 2020 roll call which resulted as follows:

Mayor Rabideau

Trustee Catillaz Aye

Trustee Little Aye

Trustee Newman Aye

Trustee Shapiro Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 13th day of October 2020.

Kareen Tyler
Village Clerk

Village of Saranac Lake Investment Policy

Contents

Section I	Scope
Section II	Objectives
Section III	Delegation of Authority
Section IV	Prudence
Section V	Diversification
Section VI	Internal Controls
Section VII	Designation of Depositories
Section VIII	Securing Deposits and Investments
Section IX	Collateralization and Safekeeping
Section X	Permitted Investments
Section XI	Authorized Institutions and Dealers
Section XII	Purchase of Investments
Section XIII	Operations, Audit and Reporting
Appendix A	Designation and Limits of Depositories
Appendix B	Schedule of Eligible Securities

Village of Saranac Lake

Investment Policy

I. SCOPE

This Investment Policy applies to all moneys and other financial resources available for deposit and investment by the Village of Saranac Lake on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

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

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

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Saranac Lake Village Treasurer as the Chief Fiscal Officer, or other officer so designated having custody of money, who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence for the Village of Saranac Lake to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

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

The Chief Fiscal Officer will recommend appropriate investment limits which can be made with each financial institution or dealer, annually to Village of Saranac Lake Board of Trustees. This recommendation will be provided as part of the "*Designation of Depositories.*"

VI. INTERNAL CONTROLS

It is the policy of the Village of Saranac Lake for all moneys collected by any officer or employee of the government to transfer those funds to the Chief Fiscal Officer, or other officer so designated having custody of money, within 5 days of deposit or within the time period specified in law, whichever is shorter.

The Chief Fiscal Officer, or other officer so designated having custody of money, is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies that are authorized for the deposit of moneys and the maximum amount which may be kept on deposit at any time will be updated annually and presented as *Appendix A* of this Investment Policy.

VIII. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officials of the Village of Saranac Lake that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

A pledge of "eligible securities" with an aggregate "market value" (as provided by GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Appendix B of this policy for a listing of "eligible securities." This will be the only standing and acceptable form of collateralization not requiring further action by the Village of Saranac Lake Board of Trustees beyond the annual adoption of this Investment Policy.

An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The Chief Fiscal Officer will make recommendations to the Village of Saranac Lake Board of Trustees to approve the terms and conditions of any surety bond related to collateralization of public funds.

An eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable Federal minimum risk-based capital requirements. This option may only be used upon recommendation of the Chief Fiscal Officer to the Village of Saranac Lake Board of Trustees and requires the approval of the Village of Saranac Lake Board of Trustees at that time.

IX. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits shall be held by a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the Village of Saranac Lake's deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Village of Saranac Lake, such securities shall be delivered in a form suitable for transfer to the Village of Saranac Lake or its custodial bank.

The custodial agreement shall provide that pledged securities held by the bank or trust company as agent of, and custodian for, the Village of Saranac Lake, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposits or other bank liabilities. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of eligible securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of eligible securities when a change in the rating of a security causes it to be ineligible. Such agreement shall include all provisions necessary to provide the Village of Saranac Lake a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law Section 11, the Village of Saranac Lake Board of Trustees authorizes the Village Treasurer as the Chief Fiscal Officer, or other officer so designated having custody of money, to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Time deposit accounts held by a bank or trust authorized to do business in New York State;
- NOW Accounts held by a bank or trust authorized to do business in New York State;
- Certificates of Deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (with approval of the State Comptroller by any municipality, school district or district corporation in the State of New York other than the Village of Saranac Lake);
- Obligations of the Village of Saranac Lake, but only with moneys in a reserve fund established pursuant to General Municipal Law Section 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

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

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the Village of Saranac Lake transacts business shall be credit worthy. Banks shall provide their most recent Consolidated Report of Condition and Income (Call Report) at the request of the Village of Saranac Lake. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Financial Officer, or other officers so designated having custody of money, is responsible for evaluating the financial position and maintaining a listing of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each Financial institution or dealer.

XII. PURCHASE OF INVESTMENTS

The Chief Fiscal Officer, or other officers so designated having custody of money, is authorized to contract for the purchase of investments:

- Directly, including through a Repurchase Agreement, from an authorized trading partner
- By participation in a cooperative investment program with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Saranac Lake Board of Trustees by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in GML Section 10.

The Custodial Agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the Village of Saranac Lake, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities of the bank or trust company.

XIII. OPERATIONS, AUDIT AND REPORTING

The Chief Fiscal Officer, or other officers so designated having custody of money, shall authorize the purchase and sale of all securities and execute contracts on behalf of the Village of Saranac Lake. Oral directions concerning the purchase, transaction, or sale of the securities shall be confirmed in writing. The Village of Saranac Lake shall pay for purchased securities upon delivery.

The Village of Saranac Lake will encourage the purchase and sale of securities through a competitive or negotiated process involving telephone solicitations, electronic solicitations or through a fiscal agent acting on behalf of the Village of Saranac Lake.

The Village of Saranac Lake will encourage the protection and safeguarding of moneys by supporting the maintenance of the Village's computer network to prevent unlawful access of the network, prevent wire fraud and to prevent theft of information including, but not limited to, identity theft.

During the annual audit, the Village of Saranac Lake hereby directs the Independent Auditor to test for compliance with the Investment Policy.

Within ninety (90) days of the end of the fiscal year, the Chief Fiscal Officer, or other officer so designated having custody of money, shall prepare and submit to the Village of Saranac Lake Board of Trustees a year end investment report which indicates new investments, the inventory of existing investments and other matters as the Chief Fiscal Officer deems necessary and appropriate.

Prior to the end of the fiscal year, the Chief Fiscal Officer will provide recommended changes to the Investment Policy based on any findings of the independent audit, changes directed by the New York State Comptroller's Office or changes as a result of a new law or amendment to an existing law enacted by New York State Legislature. Chief Fiscal Officer will provide other recommendations deemed appropriate in protecting the moneys of the Village of Saranac Lake.

The Village of Saranac Lake Board of Trustees shall review and amend if necessary the Investment Policy.

The Village of Saranac Lake shall adopt the Investment Policy at its Annual Organizational Meeting.

The provisions of this Investment Policy and any amendments hereto, shall take effect prospectively and shall not invalidate the prior selection of any custodial bank or prior investment.

Mayor

Trustee Catillaz

Trustee Little

Trustee Newman

Trustee Shapiro

Adopted this _____ day of _____, 20_____

Appendix A
Designation and Limits
of Depositories

<u>Depository Name</u>	<u>Maximum Limit *</u>
Community Bank, NA (Custodial Bank)	90%
Adirondack Bank	50%
Citizens Bank	50%
Key Bank	50%
JP Morgan Chase Bank	50%
MBIA Class Investment Program	50%
NBT Bank	50%
TD Bank	50%
United State Treasury Department	90%

* The maximum amount of moneys that can be placed on deposit with each banking institution.

Appendix B

Schedule of Eligible Securities

This listing of eligible securities is provided by the New York State Comptroller's Office and may be modified by further limitation of the local government. **The Village of Saranac Lake limits the eligible securities to those items noted below with a check mark and in bold.**

- ✓ **Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.**
 - Obligations issued or fully guaranteed by the International Bank for reconstruction & Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- ✓ **Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.**
- ✓ **Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.**
- ✓ **Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.**
 - Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
 - Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
 - Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
 - Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
 - Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
 - Zero coupon obligations of the United States government marketed as "Treasury Strips"



**Village of Saranac Lake
Capital of the Adirondacks™**

VILLAGE OF SARANAC LAKE WORKPLACE VIOLENCE POLICY

ADOPTED OCTOBER 13, 2020

The question of the adoption of the foregoing resolution was duly put to a vote on October 13, 2020 roll call which resulted as follows:

Mayor Rabideau

Trustee Catillaz Aye

Trustee Little Aye

Trustee Newman Aye

Trustee Shapiro Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 13th day of October 13 2020.

Kareen Tyler
Village Clerk

Table of Contents

I. Policy Statement.....2

II. Definitions.....4

III. Initial Evaluation and Determination of Workplace Violence Risks4

IV. Methods Village of Saranac Lake will use to Prevent Incidents of Workplace
Violence.....4

V. Reporting of Incidents5

VI. Responsibilities5

VII. The Workplace Violence Advisory Team.....6

VIII. Confidentiality.....6

IX. Retaliation6

X. Appendix A- “Workplace Violence Incident Report”7

XI. Acknowledgement.....10

VILLAGE OF SARANAC LAKE WORKPLACE VIOLENCE PREVENTION PROGRAM

I. POLICY STATEMENT

The Village of Saranac Lake is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Village of Saranac Lake property will be thoroughly investigated and appropriate action will be taken. Individuals who engage in this behavior may be removed from Village of Saranac Lake's property and are subject to disciplinary and/or personnel action up to and including termination, consistent with Village of Saranac Lake policies, rules and collective bargaining agreements, Civil Service Law, and/or referral to law enforcement authorities for criminal prosecution. The Village Board of Trustees, officials, department heads, staff, volunteers, vendors, contractors, consultants, and others, who do business with the Village are expected to maintain a working environment free from violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property and to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Village of Saranac Lake has identified response personnel that include a member of management and an employee representative. If appropriate, the Village of Saranac Lake will provide counseling services or referrals for employees.

All Village of Saranac Lake personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Additionally, personnel are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. The Village of Saranac Lake

Designated Contact Person:

Village Manager: John Sweeney

(518) 891-4150

II. DEFINITIONS:

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

III. INITIAL EVALUATION AND DETERMINATION OF WORKPLACE VIOLENCE RISKS:

The Village of Saranac Lake determines that the following are some of the factors or situations in the Village workplaces that might place employees at risk:

1. Duties that involve the handling or exchange of monies
2. Duties that involve mobile workplace assignments
3. Working with unstable or volatile persons in criminal justice settings.
4. Working in community-based settings.
5. Working in rural or sparsely populated areas.
6. Working in a poorly lit environment.
7. Working alone.

IV. METHODS VILLAGE OF SARANAC LAKE WILL USE TO PREVENT INCIDENTS OF WORKPLACE VIOLENCE

1. All Village employees shall possess Village-issued identification.
2. Several Village departments are locked and secured preventing the general public from access unless they are authorized or accompanied by a Village of Saranac Lake employee.
3. The hierarchy of controls to which the program shall adhere is as follows: engineering controls, work practice controls and finally personal protective equipment
4. All employees will attend annual work place violence training.

TRAINING At a minimum will include:

1. The requirements of the 12 NYCRR Part 800.6 regulation and the risk factors that were identified in the risk evaluation and determination;
2. Measures that the employees can take to protect themselves from the identified risks including specific procedures that the employer has implemented to protect employees, such as incident alert and notification procedures, appropriate work practices, emergency procedures and use of security alarms and other devices;

3. The location of the written workplace violence prevention program and how to obtain a copy.

V. REPORTING OF INCIDENTS

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any Village employee. Workplace violence should be promptly reported to the supervisor or one in authority as well as completing and filing the Incident Report Form (Appendix A) with the Village Manager. The Village Manager will contact the Workplace Violence Advisory Team. Additionally, Village employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. It is important that all employees take this responsibility seriously to effectively maintain a safe working environment.

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

VI. RESPONSIBILITIES

A. Elected Officials and Department Heads

Elected officials and department heads shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administration and supervisors are aware of their responsibilities under this policy through internal communication and training.

B. Supervisory Staff

Each employee designated with supervisory responsibility (hereinafter "Supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report, to the Village Manager, any complaint of workplace violence made to him/her and any other incidents of workplace violence which he/she becomes aware or reasonably believes to exist.

C. Village Manager

The Village Manager is responsible for ensuring new employees have a copy of the Workplace Violence Prevention Program and appropriate training. The Village Manager will also be responsible for annually disseminating this policy to Village personnel, as well as posting the policy appropriately throughout County buildings and locations.

The Village Manager will assist Department Heads and the Workplace Violence Advisory Team in responding to workplace violence; and consulting with, as necessary, counseling services to secure professional intervention.

The Village Manager (or designated department heads) will offer periodic (annual) opportunities for training in the prevention and awareness of workplace violence.

The Program will be reviewed in its entirety at least annually (tentatively April of each year).

VII. The Workplace Violence Advisory Team

The Workplace Violence Advisory Team will consist of the Village Manager, the Department Head (where the incident arose), and a Union Representative (as applicable).

This team will assist in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the Village's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention intervention and interviewing techniques in responding to workplace violence.

VIII. CONFIDENTIALITY

The Village shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. The Village will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that safety and well-being of Village employees would be served by such action.

IX. RETALIATION

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline up to and including termination, and referral to law enforcement in aggravated circumstances.

**APPENDIX A
VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE INCIDENT REPORT**

Workplace violence is that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights or expression, or disrupts the workplace, or Village's ability to provide services to the public.

A reportable violent incident is defined as any physical assault, threatening behavior or verbal abuse in any location where an employee performs a work-related duty whether directly involved or observed. Complete this form and forward the original to:

Village Manager
39 Main Street Suite 9
Saranac Lake, NY 12983

Victim's Name or individual Reporting Incident: _____

Job Title: _____

Address: _____

Home (or contact) Telephone: _____

Incident Date: _____

Incident Time: _____

Incident Location: _____

Work Location (if different): _____

Type of Incident: Verbal Physical Other

Specifics: _____

Were injuries sustained: Yes No

If yes, please specify your injuries and the location of any treatment:

Was Law Enforcement contacted? Yes No

Did the police respond to the incident: Yes No

What Police Department: _____

Was a police report filed: Yes No Report Number: _____

Was your supervisor notified: Yes No

Supervisor's Name and Title: _____

Was any action taken by Employer: (specify) _____

Aggressor/Assailant's Name/Address/Age (if known): _____

(If employee, include Job Title) _____

Briefly describe the incident: _____

Did the incident involve a weapon: Yes No Specify: _____

Were you alone when the incident occurred: Yes No

Did anyone witness the incident: Yes No

If yes, please list witness (es) name, address (if known):

Did you have reason to believe an incident might occur: Yes No

Why: _____

Has this type or similar type incident (s) happened to you or your co-workers previously?

€ Yes € No Specify: _____

Have you had any counseling or support since the incident: € Yes € No

Specify: _____

Was the aggressor involve in previous incidents that you are aware of:

€ Yes € No Specify: _____

Has corrective action been taken: € Yes € No

Specify: _____

Additional Comments: _____

Date of Report

Signature of Individual Filing Report

**VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE PREVENTION PROGRAM**

ACKNOWLEDGEMENT

(To be placed in the Employee's personnel file)

I hereby acknowledge that I have received, read and understand the Village of Saranac Lake's Workplace Violence Prevention Program and agree to review any changes or modifications to this policy.

Signature: _____ Date: _____

This Workplace Violence Policy was adopted on this 13th day of October, 2020

Mayor Rabideau

Trustee Catillaz

Trustee Little

Trustee Newman

Trustee Shapiro



**Village of Saranac Lake
Capital of the Adirondacks™**

VILLAGE OF SARANAC LAKE DRUG-FREE POLICY

ADOPTED OCTOBER 13, 2020

The question of the adoption of the foregoing resolution was duly put to a vote on April 2, 2018 roll call which resulted as follows:

Mayor Rabideau			
Trustee Catillaz	Aye	Trustee Little	Aye
Trustee Newman	Aye	Trustee Shapiro	Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 13TH day of October, 2020.

Kareen Tyler
Village Clerk

Table of Contents

I. Statement..... 2

II. Employee Responsibilities..... 3

III. Supervisory Responsibilities 4

IV. Management Responsibilities 6

V. Summary 7

**VILLAGE OF SARANAC LAKE
DRUG-FREE WORKPLACE POLICY**

I. STATEMENT

This Bulletin outlines the Village of Saranac Lake's standards on the prohibition of alcohol and drugs in the workplace. It will assist employees in the guidance of their conduct, thereby promoting productivity and protecting the Village from criticism and liability. It will also provide instruction to Supervisors when an employee appears impaired at work. All of these efforts will contribute to a safer work environment for all.

This policy is based upon the Village of Saranac Lake's long standing practice and policy prohibiting the use of alcohol and drugs on the job, the Federal Drug-Free Workplace Act of 1989, the State of New York's Policy on Alcohol and Controlled Substances in the Workplace and the Omnibus Transportation Employee Testing Act (OTETA). The OTETA is scheduled to take effect for the Village of Saranac Lake during 1996 and the Village of Saranac Lake will comply with USDOT rules which mandate pre-employment, reasonable suspicion, post-accident, random, follow-up and return to duty drug and alcohol testing of employees in various positions requiring the possession of a Commercial Driver's License (CDL) and others who operate Village vehicles and equipment. Employees determined to be in this category will be notified of their status and responsibilities prior to the implementation of any drug and alcohol testing program.

The Village of Saranac Lake will assist employees who have a drug or alcohol dependency problem to recover from such addictions provided the employees seek or accept assistance. However, the Village of Saranac Lake may take appropriate formal disciplinary action which can include penalties up to, and including, termination of employment to resolve drug or alcohol related job performance and/or misconduct problems. It is important to emphasize that employees with drug and/or alcohol problems who wish to avail themselves of rehabilitative services or any rehabilitation program should pursue help before they are determined to be in violation of the Village of Saranac Lake's Drug-Free Workplace Policy.

II. EMPLOYEE RESPONSIBILITIES

It is the policy of the Village of Saranac Lake that:

1. No employee shall use, sell, distribute, dispense, possess, or manufacture any alcoholic beverage or illegal drug or any other intoxicating substance on the job site, or Village property while on duty; or while in a Village vehicle, or a privately owned vehicle being used for Village business during the employee's work hours.
2. No employee shall report for work unfit for duty at the beginning of a shift or upon returning from any break, lunch or rest period, as a result of consuming alcohol, illegal drugs or other intoxicant. Further, no employee notified of being in a safety sensitive position as defined by the Omnibus Transportation Act of 1991 shall report to work in a condition that violates that Act and the corresponding rules.
3. An employee that operates any village owned motorized vehicle or equipment is further prohibited from the use of alcohol for (4) hours prior to operating that vehicle or equipment. No Supervisor having knowledge that an employee in such a position has used alcohol within four (4) hours shall permit that employee to operate Village owned vehicles or equipment.
4. While prescription drugs are not prohibited, they should not render an employee unfit for duty. Situations of this nature should be brought to the supervisor's attention by the employee, especially if the employee's job responsibilities have an impact on the health and safety of others and/or has been identified as an employee who normally operates vehicles or equipment. These situations should be addressed confidentially on a case-by-case basis, and it may be necessary for the employee's physician to certify that the substance does not adversely affect the employee's fitness for duty.
5. Any work-related accident or injury involving Village of Saranac Lake vehicles, equipment and/or property where it can be demonstrated that the use of alcohol, drugs, or other intoxicants may have been a contributing factor, will result in formal discipline which can include penalties up to and including termination of employment. Further, effective January 1, 1996 an employee operating village owned vehicle or equipment shall be required to take post-accident alcohol and drug

tests in accordance with the OTETA. Such an employee shall not use alcohol for eight (8) hours following an accident or until he/she undergoes a post- accident alcohol test, whichever occurs first.

6. An employee shall notify his/her supervisor of any criminal drug statute conviction no later than five days after the date of such conviction. A supervisor notified of such a conviction shall relay that information to the Village Manager.
7. An employee may be directed to undergo a medical examination under Section 72 of the New York State Civil Service Law if a Supervisor has a reasonable suspicion that the employee is not able to perform his or her duties as a result of a disability which may be caused by alcohol or a controlled substance. Furthermore, effective January 1, 1996, an employee who operates a Village owned vehicle or equipment must be directed to undergo alcohol and/or drug testing when the Supervisor has "reasonable suspicion" to believe the employee violated the alcohol or drug prohibitions of the Act. A reasonable suspicion must be based on specific reliable observations about the employee's appearance, behavior, speech, or body odors. Some examples would be unsteady gait, odor of alcohol on the breath, thick or slurring speech, aggressive or abusive language or behavior, disorientation or lethargy. Other factors to consider include employee's time and attendance patterns, on-the-job accidents, difficulty remembering instructions or conversations, poor relationships with co-workers and Supervisor, and other variations in productivity. Usually reasonable suspicion will be based upon a combination of these factors.
8. Such designated employees shall be subject to random testing for drug and/or alcohol use.
9. Violation of these rules may result in a disciplinary action up to and including termination of employment.

III. SUPERVISORY RESPONSIBILITIES

It is the policy of the Village of Saranac Lake that:

1. Supervisors are responsible for determining through direct observation, whether an employee is capable of performing his/her assigned duties. Symptoms of being under the influence of alcohol and drugs include incoherent or belligerent speech, smell of alcohol, difficulty working, or erratic or unusual behavior uncommon to the employee. (See #7 of

Employee Responsibility Section).

2. Supervisors who suspect that an employee is under the influence of alcohol or drugs must follow steps 4 & 5 below or face disciplinary action.
3. Employees who are suspected of being unfit for duty may not remain at the workplace. Such incidents and situations as described in #1 above should be witnessed and documented in writing immediately, and the department head or Village Manager consulted. Clearly, an employee who is impaired should not be allowed to drive home from the workplace. (See #5 below for further direction.)
4. Employees who are suspected of being unfit for duty as a result of alcohol or drug use should be directed for reasonable suspicion based drug and/or alcohol testing in accordance with Section 72 of the Civil Service Law. Supervisors should immediately bring their observations to the attention of their department head so that through consultation with the Village Manager examination and/or testing arrangements can be made as soon as practical.
5. After reasonable suspicion testing issues have been resolved, the Supervisor should arrange to send the unfit employee home with a member of the employee's family, friend of the employee, or in a taxi at the employee's expense. If all other alternatives are exhausted, a Supervisor may allow an employee who is unfit for duty to be driven home in a village vehicle.
6. The fact that an unfit employee under the influence of alcohol or drugs was not allowed to remain at work is not considered a disciplinary suspension. After a removal is achieved, Supervisors and department heads should discuss the specifics of the situation with the Village Manager to review whether disciplinary charges and suspension or other administrative actions are appropriate. Each situation will be evaluated on a case-by-case basis.
7. When an employee displays dangerous, aggressive or abusive behavior which constitutes a danger to that employee or others and the employee resists voluntarily leaving the workplace, clearance to suspend under the disciplinary procedure should be immediately sought through appropriate channels from the Village Manager. In cases where the employee does not comply with disciplinary

suspension or due to the time of day disciplinary suspension approval could not be obtained *and* the employee continues to display aggressive and/or abusive behavior which constitutes a danger in the workplace, the Supervisor may have to contact Village Police to remove the employee from the work place. Law enforcement intervention should only be taken if it is believed an immediate danger to persons or property exists and the other measures described above were unsuccessful in controlling the situation.

8. An employee who reports to work unfit for duty and is sent home may use sick leave or leave with no pay to cover the absence, and may be subject to medical examination by a physician at the Village of Saranac Lake's expense as a condition of returning to work. In such cases, the Village Manager, in conjunction with the Union representative should be consulted for advice. (See #7 of the Employee Responsibilities Section.)

IV. MANAGEMENT RESPONSIBILITIES

It is the policy of the Village of Saranac Lake that:

1. A drug and alcohol free workplace be maintained through the efforts and personal example of management.
2. Appropriate corrective actions be taken with Managers and Supervisors who fail to perform their duties and responsibilities as outlined in this policy.
3. Managers and Supervisors discuss with subordinate employees any behavior or job performance factors that may indicate the use of drugs, alcohol or other violations of this policy and when appropriate suggest that employees seek appropriate assistance.
4. Managers will direct employees who operate village owned vehicles and equipment to mandatory pre-employment, pre-duty, reasonable suspicion, random, post-accident, return- to-duty and follow-up testing in accordance with this policy. Managers should also direct other employees believed to be unfit for duty for medical examination and possible alcohol and/or drug testing in accordance with Section 72 of the New York State Civil Service Law.
5. All employees and supervisors understand its Drug-Free Workplace policies and Drug Testing Procedures. The Village of Saranac Lake

will also train Supervisors how to recognize behaviors that indicate reasonable suspicion for requesting medical examinations, including drug and/or alcohol tests.

V. SUMMARY

In summary, it is the policy of the Village of Saranac Lake that all employees remain free of any drug and/or alcohol induced impairments while on duty, refrain from the use of illegal drugs and/or alcohol while on duty, and while operating any village vehicles or equipment, and undergo any drug and/or alcohol testing that is required.

This Drug Policy was adopted on this 13th day of October, 2020.

Mayor Rabideau

Trustee Catillaz

Trustee Little

Trustee Newman

Trustee Shapiro



Village of Saranac Lake
Capital of the Adirondacks™

VILLAGE OF SARANAC LAKE ANTI-DISCRIMINATION AND HARASSMENT POLICY

ADOPTED OCTOBER 13, 2020

The question of the adoption of the foregoing resolution was duly put to a vote on October 13, 2020 roll call which resulted as follows:

Mayor Rabideau

Trustee Catillaz Aye

Trustee Newman Aye

Trustee Little Aye

Trustee Shapiro Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 13th day of October 2020.

Kareen Tyler
Village Clerk

Table of Contents

I.	Policy Statement.....	2
II.	Applicability of Policy	2
III.	Supervisory Responsibility.....	2
IV.	Prohibited Activity	3
V.	Definition of Sexual Harassment.....	3
VI.	Forms of Sexual Harassment	3
VII.	Reporting of Harassment (Including Sexual Harassment).....	4
VIII.	Workplace Harassment (Including Sexual Harassment) Complaint Form.....	4
IX.	Confidentiality	5
X.	Investigation of Complaint.....	5
XI.	Employee or Elected Official Defense	5
XII.	Employee Rights	5
XIII.	Disciplinary Action	5
XIV.	Prohibition Against Retaliation	6

Village of Saranac Lake
Anti-Discrimination and
Harassment (Including Sexual Harassment) in the Workplace

I. POLICY STATEMENT

It is the policy of the Village of Saranac Lake to promote a productive work environment and to prohibit conduct by any employee that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Village of Saranac Lake is committed to educate employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such harassment from the workplace. Any conduct that discriminates against, denigrates or shows hostility or aversion towards a person on the basis of gender, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, genetic predisposition, sexual orientation, or any other protected status is strictly prohibited.

In short, the Village will not tolerate any form of harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such harassment the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of harassment, including sexual harassment, without any risk of repercussion to an employee who, in good faith, files such complaint.

II. APPLICABILITY OF POLICY

This policy applies to all Elected Officials, employees, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, whether elected or appointed and regardless of compensation level, and all personnel in a contractual relationship with the Village. Depending on the extent of the Village's exercise of control, this policy may be applied to the conduct of non-Village employees with respect to harassment of Village employees in the workplace.

III. SUPERVISORY RESPONSIBILITY

Department Heads and supervisory personnel are responsible for ensuring a work environment that is free from harassment including sexual harassment. Supervisors must take immediate and appropriate corrective action when instances of harassment come to their attention in order to assure compliance with this policy.

IV. PROHIBITED ACTIVITY

No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any person. Employees shall not make offensive or derogatory comments based on race, color, sex, religion, national origin, or any other protected status either directly or indirectly to another person. Employees shall not produce offensive or inappropriate written materials (e.g. letters, email message, or graffiti.) These are examples of harassment that are a prohibited form of discrimination under State and Federal employment law and also considered misconduct subject to disciplinary action by the Village; it is not intended to be a comprehensive list and does not limit the Village's ability to take disciplinary action in other appropriate instances.

V. DEFINITION OF SEXUAL HARASSMENT

This policy places special attention on the prohibition of sexual harassment in the workplace. Sexual advances that are not welcome, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a) Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment; OR
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual; OR
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment refers to behavior that is not welcome, that is personally and objectively offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with an employee's work performance and/or effectiveness or creates an intimidating, hostile or offensive working environment. Exposure to such conduct that serves to alter the terms and conditions of employment is prohibited by this policy and state and federal law.

VI. FORMS OF SEXUAL HARASSMENT

Specific forms of behavior that the Village of Saranac Lake considers sexual harassment and which are prohibited include, but are not limited to the following:

- a) Quid pro quo threats or promises by a supervisor (loss of job or promise of job, promotion, or other employment benefit).
- b) Verbal harassment of a sexual nature related to an employee's gender, including sexual innuendoes, slurs, sexual slurs, suggestive, derogatory,

insulting or lewd comments or sounds, whistling, jokes of a sexual nature, sexual propositions and/or threats.

- c) Sexually oriented comments about an employee's body that are unwelcome and/or unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment.
- d) Any sexual advance that is unwelcome or any demand for sexual favors.
- e) Sexually suggestive written, recorded or electronically transmitted material, showing or displaying pornographic or sexually explicit objects or picture, graphic commentaries leering or obscene gestures in the workplace such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.
- f) Physical contact of any kind which is not welcome, including touching, grabbing, hugging, fondling, jostling, petting, pinching, coerced sexual intercourse or sexual relations, assault or intentional brushing up against a person's body.

VII. REPORTING OF HARASSMENT (including Sexual Harassment)

Employees are encouraged to report incidents of harassment (including sexual harassment) to their Department Head and/or Village Manager as soon as possible after their occurrence. If the employee's Department Head is believed to be involved in the incident, the report should be made directly to the Village Manager. If the Village Manager is the source of the alleged harassment, the employee should report the problem to the Mayor or any Village Board member. Employees who believe they have been harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board at home if these individuals do not work during the employee's shift.

VIII. WORKPLACE HARASSMENT (including Sexual Harassment) COMPLAINT FORM

To ensure that all harassment complaints are managed appropriately, effectively and in accordance with the Village's policy, harassment complaints, including sexual harassment complaints, will be recorded in writing by using the Village sanctioned Workplace Harassment Complaint Form. These forms can be obtained from the Village Manager's Office. If needed, additional guidance can be obtained from the Village Manager's Office.

IX. CONFIDENTIALITY

Complaints of harassment will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Village to third parties or to anyone within the Village employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

X. INVESTIGATION OF COMPLAINT

The Village Manager will determine the appropriate individual (s) to conduct the investigation. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. The particular facts of the allegation will be examined individually, with a review of the nature of the behavior and the context in which the incident(s) occurred. Any complaints received will be investigated promptly, thoroughly, and in as impartial a manner as possible. All employees are required to cooperate in an investigation, if so directed.

XI. EMPLOYEE OR ELECTED OFFICIAL DEFENSE

Any employee or Elected Official charged with sexual harassment will be afforded a full and fair opportunity to offer and present information in their defense. Such information will be confidential to the extent possible.

XII. EMPLOYEE RIGHTS

Nothing in this policy should be construed as in any way limiting employees' rights to use the Dispute Resolution Procedure as described in the Village of Saranac Lake Employee Handbook or any grievance procedure contained in a collective bargaining agreement. Employees also have the right to file a formal complaint with appropriate state or federal agencies responsible for administering anti-discrimination laws.

XIII. DISCIPLINARY ACTION

Any employee or official who is found to have committed an act of workplace harassment including sexual harassment will be subject to disciplinary action, up to and including termination of employment, as provided by Village operating procedures including Civil Service Law Section 75 or the disciplinary procedures contained in a collective bargaining agreement, whichever is applicable. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the Village is empowered to take such action.

XIV. PROHIBITION AGAINST RETALIATION

Intimidation, coercion, threats, reprisal or discrimination against any employee who in good faith brings a written or verbal complaint or who assists or aids in the investigation of such a complaint is prohibited. Any employee who participates in the procedure may do so without fear of retaliation. Retaliation against any employee who has filed a discrimination or harassment complaint is prohibited and may result in disciplinary action up to and including termination of employment.

XV. TRAININGS

Training regarding Diversity and Harassment will be completed annually.

This Work Place Violence Policy was adopted on this 2nd day of April, 2018

Mayor Rabideau

Trustee Little

Trustee Murphy

Trustee Shapiro

Trustee Van Cott

VILLAGE OF SARANAC LAKE



Village of Saranac Lake
Capital of the Adirondacks™

EMPLOYEE HANDBOOK

Adopted By Resolution of the Village Board on February 8, 2010
Amended By Resolution of the Village Board on July 6, 2010, April 25, 2011
Amended by Resolution of the Village Board on June 13, 2011, June 27, 2011
Amended by Resolution of the Village Board on October 15, 2013
Adopted Annual Meeting April 13, 2015
Amended by Resolution of the Village Board October 24, 2016
Adopted Annual Meeting April 3, 2017
Adopted Annual Meeting April 2, 2018
Adopted Annual Meeting April 8, 2019
Adopted Annual Meeting October 13, 2020

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Village of Saranac Lake Employee Handbook

Table of Contents

100 INTRODUCTION

101	Welcome Message _____	100-1
102	Definitions _____	100-2
103	The Purpose of this Employee Handbook _____	100-3
104	Changes or Modifications _____	100-4

200 EMPLOYEE CLASSIFICATIONS

201	Full-Time Employees _____	200-1
202	Part-Time Employees _____	200-1
203	Temporary Employees _____	200-1
204	Seasonal Employees _____	200-1
205	FLSA Exempt Employees _____	200-1
206	FLSA Non-Exempt Employees _____	200-1

300 THE CIVIL SERVICE SYSTEM

301	The Unclassified and Classified Services _____	300-1
302	Civil Service Appointments _____	300-1
303	Examinations and Promotions _____	300-2
304	Veterans Credits _____	300-2

400 EMPLOYMENT MATTERS

401	Oath of Office _____	400-1
402	Procedure for Filling Vacancies _____	400-1
403	Employment of Relatives _____	400-2
404	Probationary Period _____	400-3
405	New Employee Orientation _____	400-4
406	Performance Appraisal _____	400-4
407	Corrective Action and Discipline _____	400-5
408	Civil Service Law Section 75 _____	400-8
409	Code of Ethics _____	400-11
410	Personnel Records _____	400-13
411	Separation from Employment _____	400-14

412 Ban on Weapons in the Workplace _____ 400-15

500 OPERATIONAL POLICIES

501	Departmental Hours _____	500-1
502	Meal and Rest Breaks and Breaks for Nursing Mothers _____	500-2
503	Emergency Situations _____	500-3
504	Time Records _____	500-4
505	Bonding _____	500-4
506	Expense Reimbursement _____	500-5
507	Vehicle Usage _____	500-7
508	Driver's License / Insurance Requirements _____	500-8
509	Supplies, Tools and Equipment, and Fuel Usage _____	500-8
510	Telephone / Cell Phone Usage _____	500-9
511	Computer Systems and Internet / E-mail Service _____	500-10
512	Social Media _____	500-12
513	Personal Appearance _____	500-13
514	Solicitations/Distributions _____	500-13
515	Disclosure of Information _____	500-14
516	Visitors _____	500-14
517	Purchasing _____	500-14
518	Maintenance of Work Area _____	500-15
519	Personal Property _____	500-16
520	Village Property _____	500-16
521	Unauthorized Work _____	500-16
522	Outside Employment _____	500-17

600 ABSENCE POLICIES

601	Attendance _____	600-1
602	Jury Duty Leave _____	600-2
603	Military Leave and Military Leave of Absence _____	600-3
604	Leave for Cancer Screening _____	600-4
605	Leave for Blood Donation or Bone Marrow _____	600-4
606	Time Off To Vote _____	600-5
607	Bereavement Leave _____	600-5
608	Volunteer Firefighters / Emergency Responders _____	600-6
609	Family and Medical Leave Policy _____	600-7

610	Unpaid Leave of Absence _____	600-12
611	Victims of Crime Leave _____	600-12

700 COMPENSATION

701	Wage and Salary _____	700-1
702	Overtime _____	700-1
703	Pay Period and Check Distribution _____	700-2
704	Payroll Deductions _____	700-2
705	Deferred Compensation Plan _____	700-2

800 EMPLOYEE BENEFITS

801	Holidays _____	800-1
802	Vacation Leave _____	800-2
803	Sick Leave _____	800-4
804	Personal Leave _____	800-6
805	Disclosure of Insurance Benefits _____	800-7
806	Medical Insurance _____	800-8
807	Medical Insurance Buy-out _____	800-9
808	Dental Plan _____	800-10
809	Continuation of Health Insurance Benefits (COBRA/NYS Continuation Coverage) _____	800-11
810	Optional Insurance _____	800-12
811	Life Insurance _____	800-12
812	Section 125 Plan _____	800-12
813	Short-Term Disability Benefits _____	800-13
814	Workers' Compensation Benefits _____	800-14
815	Unemployment Benefits _____	800-14
816	Social Security _____	800-14
817	The New York State Employees' Retirement System _____	800-15
818	Police and Fire Retirement System _____	800-15
819	Education Assistance _____	800-16

900 COMPLIANCE POLICIES

901	Equal Employment Opportunity _____	900-1
902	The Americans with Disabilities Act and Pregnancy-Related Conditions _____	900-2
903	Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace _____	900-3
904	Violence in the Workplace _____	900-8
905	Drug-Free Workplace / Drug Free Awareness Program _____	900-12

906 Controlled Substance and Alcohol Testing _____ 900-16

907 Smoking _____ 900-17

1000 SAFETY

1001 Workplace Safety _____ 1000-1

1002 Hazard Communication Program _____ 1000-2

1100 COMMUNICATION PROCEDURES

1101 Organizational Communications _____ 1100-1

1102 Adverse Communications _____ 1100-1

1103 Suggestions _____ 1100-1

1104 Public Relations _____ 1100-1

1200 DISPUTE RESOLUTION

1201 Dispute Resolution Procedure _____ 1200-1

1300 APPENDICES _____ 1300-1

100 INTRODUCTION

101 *Welcome Message*

We welcome you and congratulate you on your appointment to a position with the Village of Saranac Lake. As a part of our team, you take on an extremely important role, that of serving the members of our community. Together, our mission is to provide cost-effective services that conform to the highest standards of quality.

This Employee Handbook is designed to familiarize you with your employment and to help ensure government compliance, foster positive employee relationships, and contribute to the overall success of the Village in delivering services to the public effectively and efficiently.

Please keep in mind that this is only an overview of the Village's policies and procedures, employee benefits, and the Civil Service System. Specific questions concerning employment matters should be addressed to your Department Head.

We trust that you will find service with the Village of Saranac Lake rewarding both personally and professionally.

102 **Definitions**

Village of Saranac Lake – For purposes of this Employee Handbook, the Village of Saranac Lake may be referred to as the “Village”.

Village Board – For purposes of this Employee Handbook, “Village Board” will mean the Board of Trustees of the Village of Saranac Lake.

Elected Official – For the purposes of this Employee Handbook, “Elected Official” will mean and refer to any of the following elected officials of the Village of Saranac Lake:

- Mayor
- Trustees of the Village Board

Department Head – For purposes of this Employee Handbook, “Department Head” will mean the person in charge of any department, agency, bureau, unit, or subdivision of the Village of Saranac Lake. This definition will be applicable in the event such person is serving in an acting, temporary, or provisional status in the position of Department Head. This term shall also include the Village Manager or the Mayor, where an individual otherwise designated as Department Head or any other individual must report to the Village Manager or the Mayor.

Supervisor – For purposes of this Employee Handbook, “supervisor” will mean the individual so designated by the Department Head to direct and inspect the performance of employees.

Employee – For the purposes of this Employee Handbook, “employee” will mean a person employed by the Village, including, but not limited to, an appointed official, an appointed member of a board or commission, Department Head, managerial employee, confidential employee, supervisory employee, provisional employee, probationary employee, temporary employee, seasonal employee, trainee, or student intern, but not an independent contractor.

Civil Service Law – For purposes of this Employee Handbook, “Civil Service Law” shall mean the New York State Civil Service Law and shall include the *Rules for the Classified Civil Service of Franklin County*.

103 The Purpose of this Employee Handbook

Statement of Purpose – The purpose of this Employee Handbook is to communicate the Village’s personnel policies and practices to all employees and Elected Officials. It is extremely important that each employee understand the policies that relate to rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits. **This Employee Handbook is not a contract of employment, express or implied, and should not be construed as such.** That is, employment can be terminated at any time at the will of either the employer or the employee, subject only to such procedural requirements as may be specified pursuant to New York State Civil Service Law, Village Law, collective bargaining agreement, or any other applicable law, rule, or regulation. The provisions and policies contained in this Employee Handbook are intended to supersede any and all prior manuals, guidelines or related policies issued by the Village of Saranac Lake.

Unless otherwise required by law, the provisions of this Employee Handbook are for Village use only and do not apply in any criminal or civil proceeding. The Employee Handbook provisions shall not be construed as a creation of higher legal standard of safety or care. Notwithstanding the above, a violation of a Handbook provision may form the basis for administrative action by the Village and any subsequent judicial or administrative proceeding.

Previous Personnel Policies – Unless otherwise specified, this Employee Handbook supersedes and replaces any previous personnel policies issued by the Village concerning all policies contained herein.

Superseding Agreements – In the event an expressed and explicit provision set forth in a separate written agreement between the Village and an employee should conflict with any employee benefit, personnel policy, personnel procedure, or other provision set forth in this Employee Handbook, the expressed and explicit provision of that agreement will control. Otherwise, unless expressly excluded herein, this Employee Handbook will be applicable to all employees.

Collective Bargaining Agreements – In the event an expressed and explicit provision set forth in a collective bargaining agreement between the Village of Saranac Lake and an employee organization as defined by the Public Employees’ Fair Employment Act (Taylor Law) should conflict with an employee benefit, personnel policy, personnel procedure, or other provision set forth in this Employee Handbook, the expressed and explicit provision of the collective bargaining agreement will control. Otherwise, unless expressly excluded herein, this Employee Handbook will be applicable to all employees.

Police Department – For the purposes of some of the policies stated in this Employee Handbook, the Village of Saranac Lake Police Department is a separate entity which has the authority to promulgate its own policies and procedures. If a policy stated in this Employee Handbook differs from a rule, regulation or policy established by the Police Department, the latter shall supersede.

Provisions Relevant to the Village of Saranac Lake Police Benevolent Association, – Any provision in this Employee Handbook constituting a term and condition of employment within the meaning of the Taylor Law that is not set forth in the Collectively Negotiated

Agreement between the Village and the PBA or covered in the rules and regulations for the Police shall not apply to members of the bargaining unit.

Questions – Any questions regarding any topic covered in this Employee Handbook should be directed to the appropriate Department Head.

104 Changes or Modifications

Rights of the Village Board – The Village Board reserves the right to interpret, change, modify, or eliminate any provision contained in this Employee Handbook.

Governmental Actions – This Employee Handbook is subject to alteration by resolutions of the Village Board, changes in Village and/or departmental rules, or changes in federal, state or local statutes, rules, or regulations. (This is not meant to be a comprehensive list).

Statutes, Laws and Ordinances – In the event a federal or state statute or a Village Law or ordinance should conflict with any provision contained in this Employee Handbook, then such statute, law or ordinance will prevail.

200 EMPLOYEE CLASSIFICATIONS

For purposes of this Employee Handbook, the following terms shall be defined as indicated. The definition provided for each of these terms applies only within the context of this Employee Handbook. The meaning and use of these terms or similar terms may be different in the context of Civil Service Rules or a collective bargaining agreement.

201 *Full-Time Employees*

For purposes of this Employee Handbook, the term “full-time employee” will mean an employee who is regularly scheduled to work a minimum of forty hours per week.

202 *Part-Time Employees*

For purposes of this Employee Handbook, the term “part-time employee” will mean an employee who is scheduled on a regular and on-going basis to work less than forty hours per week.

203 *Temporary Employees*

For purposes of this Employee Handbook, the term “temporary employee” will mean an employee who is employed on an interim or sporadic basis, or who is employed to work on a special, emergency, or on-call basis for a specified period, consistent with the Civil Service Law as applicable.

204 *Seasonal Employees*

For purposes of this Employee Handbook, the term “seasonal employee” will mean an employee who is employed to work for a given season.

205 *FLSA Exempt Employees*

For purposes of this Employee Handbook, “FLSA exempt employee” will mean a covered employee who qualifies for an exemption from the minimum wage and overtime provisions of the Fair Labor Standards Act.

206 *FLSA Non-Exempt Employees*

For purposes of this Employee Handbook, the term “FLSA non-exempt employee” will mean a covered employee who is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

300 THE CIVIL SERVICE SYSTEM

The following is intended as a guide. The Civil Service Law and the *Rules for the Classified Civil Service of Franklin County* shall govern regarding the jurisdictional classification of positions and the appointment and promotion of personnel.

301 *The Unclassified and Classified Services*

Unclassified Service – In accordance with Civil Service Law and for purposes of this Employee Handbook, the term “Unclassified Service” will include all individuals who are Elected Officials and/or members of boards or commissions.

Classified Service – In accordance with Civil Service Law and for purposes of this Employee Handbook, the term “Classified Service” as defined by the Civil Service Law and the *Rules for the Classified Civil Service of Franklin County* will include all Village employees who are subject to the *Rules for the Classified Civil Service of Franklin County*. The Classified Service is divided into four jurisdictional classes:

- **Exempt** – those positions, other than unskilled labor positions, for which competitive or non-competitive examinations or other qualification requirements are not practicable (Civil Service Law, Section 41);
- **Competitive** – those positions for which it is practicable to determine merit and fitness by competitive examination;
- **Non-Competitive** – those positions not in the exempt class or the labor class for which it is not practicable to determine merit and fitness by competitive examination, but rather by a review of training and experience; and,
- **Labor** – unskilled labor positions, except those positions which can be examined for competitively.

302 *Civil Service Appointments*

Competitive Class – In accordance with Civil Service Law, the following types of appointments may be made to positions in the Competitive Class:

- **Permanent** – an appointment to a vacant position in the Competitive Class from an eligible list established as a result of examination, following successful completion of a probationary term;
- **Provisional** – an appointment to a vacant position in the Competitive Class when there is not an appropriate eligible list. A provisional appointee must take an examination whenever it is scheduled. Thereafter, a permanent appointment will be made on the basis of the eligible list resulting from the examination; or

- **Temporary** – an appointment to a position in the Competitive Class for reasons including, but not limited to: emergency work projects; planned termination of the position after a limited time; to replace an employee who is on a leave of absence; to fill a position funded through a temporary grant; or to fill a position vacated by the promotion of another employee until the employee who has been promoted receives permanent status.

303 Examinations and Promotions

Examinations – In accordance with Civil Service Law, in the event there is a vacancy in a new or existing position in the Competitive Class which the Village intends to maintain, the Village will fill the vacancy by selection from the eligible list certified by the Franklin County Personnel Office of persons who have taken the appropriate Civil Service examination. The Franklin County Personnel Office will test and rank each candidate according to the individual's performance on the examination. In accordance with Civil Service Law Section 61, the Village will select one of the top three available candidates on the list to fill the position.

Promotions – The Village will offer opportunities for advancement for those employees who qualify. In the event the position is in the Competitive Class, a qualified employee must normally take a promotional examination and the above "one of three" will apply. An employee who wants to be promoted should become knowledgeable about the employee's present position and be aware of higher level positions for which the employee may be qualified.

304 Veterans Credits

Summary – An employee who is a veteran as defined by the Civil Service Law may be eligible to apply for veteran's credits on a Civil Service examination. An employee who is a veteran should contact the Franklin County Personnel Office for details concerning these credits.

400 EMPLOYMENT MATTERS

401 Oath of Office

Requirement – Each Public Officer as defined in the Public Officers Law must take the Oath of Office in accordance with Public Officers Law Section 10, which must be administered prior to commencing the duties of the office. Each official who is re-elected or re-appointed to a subsequent term must take the Oath of Office for each term.

Upon original appointment or upon a new appointment following an interruption of continuous service, each employee (other than an employee in the labor class) must take an oath or alternate affirmation as set forth in Civil Service Law Section 62.

Filing of Oath – The Oath of Office is filed in the Village Clerk's Office within thirty calendar days of the Public Officer's commencement of the term of office, or upon an employee's appointment.

402 Procedure for Filling Vacancies

Statement of Compliance – The Village of Saranac Lake complies with all applicable federal, state and local laws, rules, and regulations throughout the employee selection process, including, but not limited to, the Public Officers Law, Village Law, Civil Service Law, Title VII, Human Rights Law, and the Americans with Disabilities Act, Age Discrimination in Employment Act, Genetic Information Non-Discrimination Act, and is an Equal Opportunity employer.

Notification of Vacancies – In the event there is a vacancy in a new or existing position which the Village intends to maintain, the vacancy may be advertised and/or posted and qualified individuals interviewed. The Village reserves the right to fill a position either internally or with an external candidate.

Employment Applications – The Village relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Village's exclusion of the individual from further consideration for employment or disqualification if the conduct is discovered after employment commences.

Employment Reference and Background Checks – To ensure that individuals who join the Village are well qualified and have a strong potential to be productive and successful, it is the policy of the Village to check the employment references of final applicants. Applicants will be required to complete a hold harmless statement in order for the Village to conduct appropriate background checks.

403 Employment of Relatives

Policy Statement – A member of an employee’s immediate family may be considered for employment by the Village, with due consideration given to the applicant’s overall qualifications for employment. An immediate family member may not be hired, however, if the employment would create either a direct or indirect supervisory/subordinate relationship with the family member; or create either an actual conflict of interest or the appearance of a conflict of interest. These criteria will also be considered when assigning, transferring or promoting an employee.

Definition of Immediate Family – For purposes of this policy, “immediate family” includes the employee’s spouse, brother, sister, parents, children, step-children, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee’s household.

Elected Officials – This policy is not intended to supersede the appointing authority of Elected Officials and does not apply to such appointments.

Marriage – Employees who marry or become members of the same household may continue employment as long as there is not a direct or indirect supervisor/subordinate relationship between the employees, or an actual conflict of interest or the appearance of a conflict of interest. Should one of the above situations occur, the Village will attempt to find a suitable position with the Village to which one of the affected employees may be appointed. Such appointment must be in accordance with applicable state and local statutes, including Civil Service Law and related rules and regulations. If accommodations of this nature are not feasible, the employees will be permitted to determine which one of them will resign.

Competitive Class Positions – This policy is not intended to supersede civil service regulations pertaining to appointments made to competitive class positions. Therefore, this policy cannot be used as a basis for denying the appointment of an individual to a competitive class position even if such appointment would constitute the employment of a relative as defined by this policy.

404 Probationary Period

Except as otherwise provided in a collective bargaining agreement, the following Civil Service probationary provisions shall apply.

Purpose of Probationary Period – The probationary period is for an employee to become familiar with the specific duties and responsibilities of the employee's new position. The probationary period also provides the Department Head with an opportunity to evaluate the employee's job performance and potential for development in the position.

Length of Probationary Period (Competitive Class) – Except as otherwise provided in the *Rules for the Classified Civil Service of Franklin County*, an employee appointed from an open-competitive list must serve a probationary period of not less than eight weeks nor more than fifty-two weeks. The length of the probationary period may be extended in accordance with the *Rules for the Classified Civil Service of Franklin County*.

Length of Probationary Period (Other Classes) – Except as otherwise provided in the *Rules for the Classified Civil Service of Franklin County*, an employee's original appointment to a position in the exempt, non-competitive, or labor class shall be for a probationary period of not less than eight nor more than fifty-two weeks. The length of the probationary period may be extended in accordance with the *Rules for the Classified Civil Service of Franklin County*.

Successful Completion of Probationary Period – An employee's appointment will become permanent upon written notice that the probationary period has been successfully completed following the minimum period of service required. Or, the employee's appointment will become permanent upon the retention of the employee after completion of the maximum period of service required. **Except as otherwise provided by law or a collective bargaining agreement, completion of the probationary period does not necessarily confer rights or privileges in the position.**

Failure to Successfully Complete Probationary Period – In the event the employee's performance or conduct is not satisfactory, the Village may dismiss the employee from employment at any time after the completion of the minimum probationary period and before completion of the maximum probationary period. If the performance or conduct of an employee serving a probationary period who has been promoted or transferred from a permanent appointment (as defined by civil service regulations) is not satisfactory, the employee shall be returned to the employee's former permanent position prior to the end of the probationary period.

405 *New Employee Orientation*

Procedure – The purpose of this orientation is to welcome new employees and to familiarize them with the Village and their job. The orientation process generally consists of, but is not limited to, a tour of the employee’s assigned worksite, distribution and review of this employee handbook, and enrollment in benefit plans, if applicable. In addition, the employee’s Department Head is responsible for introducing the employee to co-workers, scheduling on-the-job training, and reviewing the job description and performance requirements of the position.

406 *Performance Appraisal*

Except as otherwise provided by a collective bargaining agreement, the following shall be the procedure for conducting employee performance appraisals.

Statement of Purpose – The purpose of a performance appraisal is to evaluate employee performance. The performance appraisal will take into consideration criteria that properly reflects the employee’s performance including, but not limited to, the employee’s work quality, job knowledge, initiative, attendance, teamwork, conduct, and communication skills. Except as otherwise governed by a collective bargaining agreement, the employee’s performance appraisal may be considered in determining a pay increase and/or as a factor in promotion or disciplinary action.

Frequency – An employee will be formally evaluated prior to completion of a probationary period and at least once each year thereafter on a date determined by the employee’s Department Head. Informal evaluations will occur on an as needed basis throughout the performance cycle.

Appraisal Meeting – The evaluator will meet with the employee to review the employee’s performance appraisal report.

Deficiencies – Should deficiencies be recorded in the performance of the employee, the employee will receive written recommendations for improvement.

Employee Comments – An employee’s written comments, if any, will be included with the performance appraisal report.

407 **Corrective Action and Discipline**

Policy Statement – It is the policy of the Village of Saranac Lake that certain rules and regulations regarding employee behavior are necessary for the benefit and safety of all employees, the efficient operation of the Village, and the delivery of services to residents of the Village. Any conduct that interferes with operations or that discredits the Village will not be tolerated. Each employee must conduct oneself in a positive manner so as to promote the best interests of the Village. Corrective action is necessary when an employee has demonstrated performance deficiencies, or has violated a policy, rule, regulation, or procedure. Corrective action may include counseling or initiating formal disciplinary action against an employee.

Communication – Open and candid communications with all employees is an important aspect of the Village of Saranac Lake's on-going employee relations. When a rule, policy, or procedure is violated, the employee's Department Head, or other designated supervisor, will review the specific nature of the violation with the employee. The employee's input is extremely important to ensure that all of the facts have been considered.

Counseling – Counseling employees, as opposed to initiating formal disciplinary action, may be the appropriate first step in addressing performance deficiencies or misconduct. The purpose of counseling is to inform the employee of such deficiencies or misconduct, discourage its recurrence, and inform the employee of the consequences if the behavior is repeated. When performance deficiencies are the issue, the performance standards of the job should be reviewed, along with specific examples of how the employee is not meeting those standards. Where appropriate, goals for improvement may be established, along with a time frame for achieving them. The counseling will be documented in writing and the employee will be required to acknowledge receipt by signing the memorandum. Any employee who fails to follow a supervisor's directive to sign the counseling memorandum will be subject to disciplinary action.

Discipline – The purpose of disciplinary action is to impose penalties for performance deficiencies or misconduct. In **normal circumstances**, the Village endorses a policy of progressive discipline which includes, but may not be limited to, documented verbal reprimand, letters of reprimand, suspension without pay, or termination of employment, depending on the circumstances. The Village retains the right to discipline employees without engaging in progressive discipline or prior counseling if the situation so warrants and retains the right to discipline employees in any manner it sees fit.

Investigations – Where appropriate, an investigation will be conducted by the proper supervisor or other designated individual(s) in order to gather all pertinent information and to ensure that all the facts are considered. The investigation may include, among other things, interviews with the employee and any witnesses or other involved parties, and review of documents and materials. Employees who are participants in an investigation are not allowed to disclose the content or particulars of the investigation unless otherwise authorized. All employees who are called upon to participate in an investigation are required to fully cooperate in the process and respond truthfully to all questions posed. Failure to do so will subject the employee to appropriate corrective action. The Village reserves the right to suspend an employee while an investigation is conducted.

During the investigation process, a union employee who appears to be a potential subject of disciplinary action may undergo questioning. Such employee will have the right to representation by the employee's certified or recognized employee organization under Civil Service Law Article 14, and will be given advanced notice of such right. In the event the employee requests representation, the employee will be allowed a reasonable period of time to obtain such representation. The presence of a union representative does not affect the employee's obligation to fully cooperate in the process and respond truthfully to all questions posed. If an employee is being questioned regarding actions that may potentially result in criminal prosecution, the employee should consult with the union representative with respect to Garrity Rights. In the event the employee is unable to obtain union representation within a reasonable period of time, the employer will have the right to then question the employee.

Procedures – Employees covered by **Civil Service Law Section 75** shall be disciplined in accordance with the procedures contained therein. (Refer to Section 408 of this Employee Handbook). An employee who is a member of a collective bargaining unit should refer to the collective bargaining agreement on the subject of the disciplinary procedure.

Prohibited Conduct – Any employee who, after investigation, is found to have committed any of the actions listed below will be subject to corrective action, up to and including termination of employment. This list is illustrative only and does not limit the Village's right to impose discipline in other appropriate cases.

- Willful violation of Village's rules, policies, and procedures.
- Harassing (including sexual harassment), intimidating, coercing, threatening, assaulting, or creating a hostile environment against another employee, Elected Official, resident of the Village, supplier, visitor, or any other person, whether on or off Village premises.
- Engaging in any action that is in violation of the Village's Workplace Violence Prevention Policy.
- Possession of any weapon or dangerous instrument (including knives with over a three inch blade, firearms, and explosives) on Village property or in Village vehicles, except for those employees who are required as a condition of employment to bear a weapon.
- Possession, use, distribution/sale, or being under the influence of alcohol or illegal controlled substances during hours of work or while on Village property or in Village vehicles.
- Willful or deliberate abuse, destruction, defacement, or misuse of Village property or the property of another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Theft or unauthorized possession, use, or removal of Village property or the property of another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.

- Making false statements about another employee, Elected Official, resident of the Village, supplier, visitor, or any other person. This includes knowingly making false accusations against another individual as to allegations of discrimination, sexual harassment or other harassment which is in violation of Village policy or applicable law. Preparation or manipulation of another employee's time record by unauthorized persons.
- Acts of sabotage, including the work of another employee.
- Making false statements about another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Insubordination or willful refusal to comply with the lawful order or instruction of a Department Head.
- Improper performance of job duties or repeated failure to perform assigned duties and responsibilities.
- Violation and/or disregard of safety rules or safety practices, including failure to wear assigned safety clothing or equipment, in such a way that jeopardizes the safety of the employee, another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Offensive or unprofessional behavior that is contrary to the Village's best interest, or any conduct that does not warrant public trust.
- Unauthorized expenditure of Village funds.
- Illegal gambling while on duty.
- Willful work slowdown, work stoppage, or interfering with or restricting the performance of another employee or in any other way interfering with Village operations.
- Careless or negligent use or operation of equipment, including vehicles and machinery.
- Unauthorized absences or repeated failure to give proper notice.
- Excessive tardiness and/or absences except those absences covered by state and/or federal statutes.
- Leaving work area without permission, as defined by the Department Head.
- Failure to adhere to the personal appearance/dress code policy.
- Sleeping on the job, unless authorized by a Department Head or supervisor.
- Personal activity during paid work time without the express permission of the Department Head.
- Disruptive, loud, and boisterous behavior or horseplay in the workplace.
- Abusive language in the workplace, including racial slurs and epithets.

- Posting, removing, or defacing of notices, signs, or other written material without prior approval.

This list is not intended to be comprehensive and does not limit the Village's right to impose discipline in other appropriate cases.

408 **Civil Service Law Section 75**

Summary – New York State Civil Service Law Section 75 establishes disciplinary procedures for covered employees. Section 75 affords a covered employee the opportunity for a hearing when charges of incompetence or misconduct have been made against the employee by the Village. This provides a summary of the provisions of Civil Service Law Section 75. In the event that the terms of Civil Service Law Section 75 vary in any way from those summarized here, the statute will prevail and be applicable.

Union Employees – An employee who is a member of a collective bargaining unit should refer to the collective bargaining agreement on the subject of the disciplinary procedure.

Covered Employees – In accordance with Civil Service Law, the following employees are generally covered under Section 75:

- A newly hired employee who has not completed the minimum probationary period as determined by civil service rules;
- An employee holding a position by permanent appointment in the **Competitive Class** of the classified Civil Service;
- An employee holding a position in the **Non-Competitive Class or Labor Class** who has been employed for at least five years of continuous uninterrupted service in the non-competitive class, other than a position designated in the Rules for the Classified Civil Service of Franklin County as confidential or requiring the performance of functions influencing policy. Even though the employee has completed the required probationary period and has received permanent appointment or employment in the non-competitive class, the employee is not covered under Section 75 until the employee has completed five years of continuous service in the non-competitive class;
- An employee holding a position by permanent appointment or employment in the Exempt, Competitive, Non-Competitive, or Labor Class who is a qualified veteran as defined by the Civil Service Law, or exempt volunteer firefighter, as defined by the General Municipal Law, except when such an employee holds the position of private secretary, cashier, or deputy of any official or department. Specifically, the employee must have been honorably discharged or released under honorable circumstances from the armed forces of the United States having served therein as such member in time of war as defined in Section 85 of the New York State Civil Service Law, or the employee must be an exempt volunteer firefighter as defined in the General Municipal Law;

Questioning Rights for Union Employees – During the investigation process, a union employee who is covered under Section 75 and who appears to be a potential subject of disciplinary action may undergo questioning. Such employee will have the right to representation by the employee's certified or recognized employee organization under Civil Service Law Article 14, and will be given advanced notice, in writing, of such right. In the event the employee requests representation, the employee will be allowed a reasonable period of time to obtain such representation. In the event the employee is unable to obtain

such representation within a reasonable period of time, the employer will have the right to then question the employee.

Disciplinary Procedure – Except as otherwise provided by a collective bargaining agreement, the following disciplinary procedure shall apply to employees covered by Civil Service Law Section 75:

- **Notice of Discipline** – An employee subject to discipline will be provided with a written Notice of Discipline (NOD) which will contain all charges and specifications.
- **Employee Answer** – The employee will have eight calendar days to respond to the charges. The employee's response must be in writing.
- **Disciplinary Hearing** – Unless there is a stipulation of settlement between the Village and the employee, the employee is afforded the right to a hearing in accordance with provisions established by Civil Service Law Section 75. The hearing upon such charges shall be held by the officer or body having the power to remove the person against whom such charges are preferred, or by a deputy or other person designated by such officer or body in writing for that purpose.

The Appointing Authority will designate a hearing officer in accordance with Civil Service Law Section 75. The designation must be in writing. The hearing officer will set the time and place for the hearing. The hearing officer will make a record of the hearing which will be submitted to the Appointing Authority, with the hearing officer's recommendations, for review and decision.

Right to Representation – The employee may have representation by counsel or by a representative of a recognized or certified employee organization at the hearing and may summon witnesses on the employee's behalf.

Suspension Without Pay Pending Determination of Charges – Pending the hearing and determination of charges, the employee may be suspended without pay for a period not to exceed thirty calendar days.

Penalties – In the event the employee is found to be guilty of the charges, the penalty may consist of one of the following:

- Written reprimand;
- Fine not to exceed one-hundred dollars which will be deducted from the employee's pay;
- Suspension without pay not to exceed two months;
- Demotion in grade and title; or
- Termination from Village employment.

Finding of Not-Guilty – In the event the employee is found to be not guilty, the employee will be restored to the employee's position with full pay for the period of suspension less the amount of any unemployment insurance benefits that the employee may have received during such period.

Limitations – Notwithstanding any other provision of law, no removal or disciplinary proceeding will be commenced more than eighteen months after the occurrence of the alleged incompetence or misconduct complained of and described in the charges. Such limitation will not apply where the incompetence or misconduct complained of and described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

Filing Requirements – In the event the employee is found to be guilty, a copy of the charges, the employee's written answer, a transcript of the hearing, and the determination will be filed in the office of the department in which the employee is employed. A copy will also be filed with the Franklin County Personnel Office.

409 Code of Ethics

A Code of Ethics was adopted by the Village Board on October 26, 1970. This Code is being made part of this Employee Handbook to ensure that all employees of the Village are made aware of its existence. In the event that the terms of current Code of Ethics as adopted by the Village Board vary in any way from those summarized here, the Code of Ethics will prevail and be applicable.

Policy Statement – Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Trustees of the Village of Saranac Lake recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this Code to promulgate these rules of ethical conduct for officers and employees of the Village of Saranac Lake. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Saranac Lake. The rules of ethical conduct shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law and any other law pertaining to ethical conduct and interest in contracts of municipal officers and employees.

Definitions – For the purpose of the Village of Saranac Lake's Code of Ethics, the following terms shall have the meanings indicated:

- **Municipal Officer or Employee** - will mean and refer to an officer or employee of the Village of Saranac Lake, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person will be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer.
- **Interest** - a direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For purposes of this section a municipal officer shall be deemed to have an interest in the contract of (a) his spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves, (b) a firm, partnership or association of which such officer or employee is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.

Standards of Conduct – An officer or employee of the Village of Saranac Lake shall be subject to and abide by the following standards of conduct:

- **Gifts** – An officer or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that such gift was intended to influence the officer or employee, or could reasonably be expected to influence the officer or employee, in the performance of official duties or was intended as a reward for any official action on the officer's or employee's part.

- **Confidential information** – An officer or employee shall not disclose confidential information acquired in the course of official duties or use such information to further personal interest.
- **Representation before one's own agency** – An officer or employee may not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before an municipal agency over which the officer or employee has jurisdiction or to which the officer or employee has the power to appoint any member, officer or employee.
- **Representation before any agency for a contingent fee** – An officer or employee may not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of the Village, whereby the officer's or employee's compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this provision will not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- **Disclosure of interest in legislation** – To the extent that an officer or employee knows thereof, the officer or employee, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Trustees on any legislation before the Board of Trustees shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest the officer or employee has in such legislation.
- **Investments which conflict with official duties** – An officer or employee shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction which creates a conflict with official duties.
- **Private employment** – An officer or employee shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests, when such employment or service creates a conflict with or impairs the proper discharge of official duties.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Village of Saranac Lake, or any agency thereof on behalf of himself or herself or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Distribution of Code of Ethics – Each officer and employee upon election or appointment shall be furnished a copy of this Code of Ethics before entering upon the duties of the officer's or employee's office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code nor the enforcement of the provisions thereof.

Penalties for Offenses – In addition to any penalty contained in any other provision of law, any person who shall knowingly violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

410 **Personnel Records**

Policy Statement – It is the policy of the Village to balance its need to obtain, use, and retain employment information with a concern for each employee's privacy. To this end, the Village will endeavor to maintain only that personnel information necessary for the conduct of the Village's business or required by federal, state, or local law. Personnel records will be maintained for current and past employees in order to document employment related decisions and comply with government record keeping and reporting requirements.

Content – The personnel records maintained by the Village include, but are not limited to, Employment Applications, Report of Personnel Change Forms; copies of job-required licenses and certificates, Federal and State Withholding Tax Forms, Retirement Enrollment/Waiver Forms, Health Insurance Enrollment/Waiver Forms, performance appraisals, grievance or dispute resolution notices, counseling memoranda, notices of discipline, and probationary reports.

Location of Files – All original personnel records for current employees will be kept in the Village Clerk's office and will be maintained and controlled by the Village Clerk or the Village Clerk's designee.

Immigration (I-9) Forms – All Immigration (I-9) Forms will be kept in a separate file apart from the employee's personnel file.

Medical Records – All employee medical records will be kept in a separate file apart from the employee's personnel file in the Village Clerk's office and will be maintained and controlled by the Village Clerk or the Village Clerk's designee. ***For security purposes, these files will be locked at all times.***

Substance Testing Records – All employee substance testing records will be kept in a separate file apart from the employee's personnel file in the Village Clerk's office and will be maintained and controlled by the Village Treasurer and/or Village Clerk or the Village Clerk's designee. ***For security purposes, these files will be locked at all times.***

Change in Status – An employee must immediately notify the Village Clerk of a change of name, address, telephone number, marital status, number and age of dependents, beneficiary designations, and individuals to notify in case of emergency.

Review of Personnel Files – Access to personnel files is limited. A current employee may review the contents of the employee's own personnel file by submitting a written request to the Village Clerk to be scheduled at a mutually convenient time. An authorized official must be present when the employee inspects the file. An employee may not copy, remove, or place any material in the employee's personnel file without the approval of the Village Clerk.

411 Separation from Employment

Notice of Resignation (Employees) – An employee who intends to resign from employment must submit a written resignation to the employee's Department Head at least two weeks before the date of resignation is to be effective. All resignations shall be filed in the Village Clerk's Office.

Notice of Resignation (Village Officers) – A Village Officer (as defined by Public Officers Law) must resign by delivering a written notice to the Village Clerk. If no effective date is specified, the office becomes vacant immediately upon delivery of the notice to the Village Clerk. If a Village Officer wishes to resign at some future date, the Village Officer may specify a resignation date. However, if the resignation date is more than thirty days after delivery of the notice to the Village Clerk (ninety days for Justices), the resignation will become effective thirty days after such delivery (ninety days for Justices).

Notice of Resignation (Village Clerk) – The Village Clerk who intends to resign must submit a written resignation to the Secretary of State at least thirty calendar days before the date of resignation is to be effective.

Exit Interviews – Exit interviews are normally conducted by the Village Manager. The exit interview provides an opportunity to discuss a number of items including employee benefits, COBRA eligibility, changing of computer passwords, and return of Village property. During the exit interview, employees are encouraged to give suggestions, concerns and constructive recommendations.

Final Paycheck – Employees receive their final paycheck on the next regularly scheduled payday. The final paycheck includes payment for accumulated vacation benefits, if applicable. Employees are responsible for providing an accurate address for receipt of the final paycheck or must pick it up from the Village payroll department.

412 BAN ON WEAPONS IN THE WORKPLACE

The Village is committed to providing its employees with a work environment that is safe, secure, and free of violence or threat thereof. We also consider the safety of our residents, vendors, contractors, clients and the general public we serve to be a paramount importance. We wish to provide everyone, employees and citizens alike, with as much safety and security as possible.

Therefore, it is the policy of the Village that employees shall not carry weapons into the workplace or while conducting operations on behalf of the municipality, even if the employee is licensed to carry that weapon. These prohibited weapons include handguns, rifles, dangerous knives, etc. Further, no member of the public is permitted to carry a weapon when on or in municipal property or facility.

The only staffs allowed to carry weapons are law enforcement officers as defined by the NYS Criminal Procedure Law when acting within the scope of their employment or in furtherance of their duties and responsibilities under the laws of New York State and this municipality. Any employees authorized to carry a weapon shall be subject to DCJS regulations for initial and annual use of force and firearms requalification.

Any employee having knowledge of any one carrying a weapon who is not authorized to do so should immediately report this to their Department Head or Supervisor.

The workplace is defined as any location away from an employee's home, either permanent or temporary, where the employee performs any work related duty in the course of their employment for the Village. This includes, but may not be limited to, municipals owned or leased buildings and perimeters, parking lots, work sites, client's homes, as well as when traveling to and from work assignments.

The only exception to the above, for the purpose of this policy, is that any staff having proper firearms permit and have vehicle parked in the municipal parking lot shall not be deemed to be in violation if they have properly secured and stored the weapon in their vehicle. This exception includes hunters if weapons are properly stored and secured.

500 OPERATIONAL POLICIES

501 Departmental Hours

Normal Hours of Operation – The normal hours of operation are established by the Village Board at the annual organizational meeting. An employee's Department Head will establish the employee's work schedule, which may differ from the normal hours of operation depending upon the particular needs and requirements of the department. The Village Board reserves the right to approve all employee work schedules, except where otherwise prohibited by applicable State or Village Law.

Flex-Time – An employee may begin and/or end a given workday at a time requested by the employee and approved by the Department Head. Such "flex-time" must normally be during the time the department is open and available to the public. The employee's use of "flex-time" will be governed by the mutual needs and consent of the Department Head and the employee. The Village Manager and the Village Board reserve the right to approve all "flex-time" schedules.

Off-Site Work – Upon prior approval from the Village Manager, an FLSA exempt employee may occasionally be permitted to fulfill work assignments at a location other than the normal worksite (e.g. working from home). Such off-site work shall not exceed standard work schedule hours unless approved in advance by the Village Manager.

Department Head Absences – Department Heads have duties that may require them to be absent from their offices at certain times during the day. In the event that a Department Head is absent from the office, basic departmental forms should be readily available for distribution and/or collection. It is the Department Head's responsibility to determine what services are to be provided and to schedule coverage of these basic services during scheduled business hours.

Overtime – A Department Head may require an employee to work additional hours beyond the employee's normal workday and workweek. An employee must receive prior approval from the employee's Department Head before working additional hours.

Refusal to Work Additional Hours – An employee who, after investigation, is found to have refused to work additional hours as directed will be subject to appropriate disciplinary action.

Union Employees – The work schedules of employees covered by a collective bargaining agreement shall be governed by the applicable collective bargaining agreement.

502 Meal and Rest Breaks and Breaks for Nursing Mothers

Meal Breaks – An employee who works more than six hours in a given day will receive an unpaid, duty-free meal break not to exceed sixty minutes.

Scheduling of Meal Breaks – Scheduling of meal breaks must be approved by the Department Head in accordance with the needs and requirements of the department. Meal breaks must normally be taken in the middle of the employee's workday. Unless otherwise directed by the Department Head, an employee may leave the work-site during the meal break.

Observance of Meal Periods – In accordance with New York State regulations, an employee who works more than six hours in a given day is required to take the scheduled meal period of at least thirty minutes. An employee is not allowed to work through the meal period to make up lost work time or to leave work early. In addition, the meal period may not be taken at the end of an employee's workday in order to leave work before the normal quitting time.

Rest Breaks – A full-time employee will normally receive a paid, duty-free rest break of up to fifteen minutes to be taken approximately in the middle of the first half of the employee's workday and again during the middle of the second half of the workday. An employee who chooses not to take a rest break will not be entitled to leave before the normal quitting time and will not receive extra pay for the time worked.

Approval of Rest Breaks – Rest breaks must be approved by the employee's Department Head in accordance with the needs and requirements of the department.

Breaks for Nursing Mothers to Express Breast Milk – Employees who are nursing mothers shall be allowed to use a reasonable break (generally between twenty to thirty minutes) in addition to the employee's meal and rest breaks to express milk for a nursing child. The Village will provide this break at least once every three hours if requested by the employee. This provision applies to nursing mothers for up to three years following childbirth. Employees who require breaks other than their normal break times to express breast milk may work before or after their normal shifts to make up for the break time they take to express breast milk as long as that time falls within the department's normal work hours. The Village will make a reasonable effort to provide a room or location other than the restroom or toilet stall, within walking distance to the employee's work space, or other location in close proximity to work so that nursing mothers can express in private. An employee wishing to avail herself of this break is required to give the Village advance notice, preferably prior to the employee's return to work following the birth of her child, to allow the Village an opportunity to establish a location and to schedule leave time for multiple employees, if needed.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Meal and Rest Breaks provisions set forth above and should refer to the applicable collective bargaining agreement.

503 **Emergency Situations**

Closing Procedures – In the event that extraordinary weather conditions or other emergencies develop prior to the beginning of the workday, the Village Manager may authorize the closing of non-emergency operations, or, if extraordinary weather conditions or other emergencies develop during a workday, the Village Manager may direct that certain employees who perform non-essential services leave work.

Payment of Wages – Pay for FLSA exempt employees will not be affected by an emergency closing. Pay for FLSA non-exempt employees will be in accordance with the provisions below:

- **During Work** – A full-time employee who is directed by the Village Manager to leave work due to an emergency closing will be paid for the remainder of the employee's normal workday at the employee's regular rate of pay. Such time will not be included as time worked for the purpose of computing overtime. A part-time employee who is directed to leave work due to an emergency closing will not be paid for the remainder of the employee's normal workday. Such employee may choose to make up the time at a later date if agreed to by the Department Head. An employee who has previously scheduled a paid leave day must still charge the absence for the day to the appropriate paid leave.
- **Prior to Reporting to Work** – If a determination is made to close operations prior to the start of a workday, the Village Manager will initiate notification to all affected employees. A full-time employee who is directed not to report to work due to an emergency closing will be paid for the employee's normal workday at the employee's regular rate of pay. Such time will not be included as time worked for FLSA overtime purposes. A part-time employee who is directed not to report to work will not be paid for the workday. Such employee may choose to make up the time at a later date if agreed to by the Department Head. An employee who has previously scheduled a paid leave day must still charge the absence for the day to the appropriate paid leave.

Inclement Weather – Employees are expected to report to work and remain at work during inclement weather conditions unless otherwise notified by the Village. Employees should use their own discretion in determining whether they can commute safely to work due to inclement weather. When the Village Manager has not officially shut down operations, an employee who does not report to work or requests to arrive at work late or leave work early due to inclement weather must obtain prior authorization from his or her Department Head prior to doing so. The employee must use paid vacation or personal leave, if available, or take the time off without pay. If an FLSA exempt employee has no paid leave benefits available, the employee will only be docked if a full workday is taken.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Emergency Situations provision set forth above and should refer to the applicable collective bargaining agreement.

504 Time Records

Policy Statement – Time records provide a means of accurately accounting for time worked and authorized leave taken by employees. All employees are required to complete an individual time record showing leave time taken.

Procedures – An employee required to complete a time record must comply with the following procedures:

- All paid and unpaid leaves of absence must be recorded;
- Employees must complete their own time record;
- The time record must be submitted to the Department Head at the time specified;
- The time record must be verified and signed by the Department Head;
- Department Heads will submit the signed and verified time records to the Village Clerk's Office.

Correction of Errors – An employee must immediately bring errors in time records to the attention of the employee's Department Head who will investigate the matter and make and initial the correction once the error has been verified.

Unauthorized "Flex-Time" – Unless prior approval has been obtained from the Department Head, arriving early or leaving late for the employee's own convenience is not to be included in working time, provided that the employee performed no pre-approved authorized duties for the Village during such intervals.

Falsification of Time Records – An employee who, after investigation, is found to have falsified their own time record, or the time record of another employee, or an unauthorized employee who alters or completes a time record for another employee, will be subject to disciplinary action. In extenuating circumstances where an employee is not able to complete the employee's own time record, the Department Head may complete the time record on behalf of the employee.

505 Bonding

Insurance – The Village will provide bonding insurance for all employees in the amount of \$5,000 with excess bond coverage of \$200,000 for the Village Manager, Village Clerk, and Village Treasurer. These amounts are subject to change by the Village Board.

506 *Expense Reimbursement*

Policy Statement – Upon proper authorization of the Village Manager or Village Board, an employee or Elected Official will be reimbursed for expenses associated with carrying out Village business, including, but not limited to, meals, lodging, mileage, parking, highway tolls, and training and membership fees. A voucher with all required documentation and corresponding receipts must be submitted to the Village Treasurer's Office in order for the reimbursement to be processed.

Travel Where Overnight Accommodations Are Required – Prior approval shall be obtained from the Village Board for all educational seminars, conferences, and for all out-of-town meetings where overnight accommodations are required. A copy of the informational packet or brochure should be submitted with the application when applicable.

Travel Where Overnight Accommodations Are Not Required – Prior approval shall be obtained from the Village Manger for all educational seminars, conferences, and for all out-of-town meetings where overnight accommodations are not required. A copy of the informational packet or brochure should be submitted with the application when applicable.

Transportation – The following guidelines apply to business related travel:

- A Village vehicle may be used for out-of-town travel when available, at the discretion of the Village Manager and the Department Head.
- Employees must obtain Village Manager approval for private vehicle usage in order to receive mileage reimbursement.
- Use of personal vehicles for Village business shall be reimbursed at the rate set by the Village Board at its annual organizational meeting. A record of the use of the personal vehicle (on forms provided by the Village) showing destinations and mileage per trip shall be maintained and submitted with the request for reimbursement.
- Prior approval from the Village Board shall be obtained for the use of public transportation (air, train or bus). Reimbursement will be made for the most direct route at second-class or budget rate where applicable. Receipts must be submitted for reimbursement.
- In the event that two or more elected officials or employees attend the same activity and ride together, mileage shall be reimbursed to the driver only. Village officials and employees are encouraged to pool transportation where practical and convenient. To receive reimbursement, a statement of automobile use must be kept.
- The mileage policy that has been adopted by the Village Board and that is currently in effect shall constitute and become a part of these guidelines.

Meals – Meal allowances will be given for actual mealtimes occurring while out-of-town on approved Village business when not included in accommodations, provisions or registration fee. In order for the breakfast allowance to be granted, departure must be before 7:00 a.m. in order to reach the destination at the required time. In order for the dinner allowance to be granted, return to the Village must occur after 7:00 p.m. given

reasonable travel time from the departure location. Approval of the meal allowances will be at the discretion of the Village Manager at the following rates:

Breakfast	\$6.00
Lunch	\$10.00
Dinner	\$25.00

At the discretion of the Village Manager and/or Village Board, these reimbursement rates may be combined or increased under certain circumstances.

The Village will not reimburse the employee for the cost of meals that are included or provided with paid registration.

Miscellaneous Expenses – Reimbursement requests for miscellaneous expenses such as tolls, parking fees, taxi, etc., require submission of receipts, and approval shall be at the discretion of the Village Board. Personal charges such as telephone calls, room service, etc., on hotel or motel bills will not be reimbursed. The employee should make arrangements to pay for non-reimbursable items prior to check-out. Fines for parking or traffic infractions, and all types of alcoholic beverages are also non-reimbursable.

Sales Tax – The Village of Saranac Lake is a tax-exempt organization and does not pay New York State sales tax. Reimbursement will not be made for any sales tax paid by the employee. Tax-exempt certificates are available from the Village Office, and it shall be the employee's responsibility to present them at necessary locations.

Advances – The Village Treasurer is authorized to issue an advance of the estimated expenses for a trip, when the advance has been requested with the authorization to travel, and approved by either the Village Board or Village Manager. Advances of \$100 or less may be made from the Treasurer's Petty Cash fund on the day prior to the travel required. Advances of more than \$100 will be made by check payable to the employee, and charged to the departmental account for which travel is authorized. The check may be issued within three working days prior to the departure date.

Documentation – Proper documentation and/or receipts shall be the responsibility of the employee. Requests for reimbursement of allowable expenses will be denied if not accompanied by the proper documentation. When travel is completed, an employee should submit completed travel expense reports within three days. Reports should be accompanied by receipts for all individual expenses.

Accidents – Any employee who is involved in an accident while traveling on business must promptly report the incident to the employee's supervisor and the Village Manager. Vehicles owned, leased, or rented by the Village may not be used for personal use.

Procedures – An employee should contact the employee's supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Disciplinary Action – Abuse of this policy, including falsifying expense reports to reflect costs not incurred by the employee, will subject the employee to disciplinary action, in accordance with the collective bargaining agreement or Civil Service Law (Section 75), whichever is applicable.

507 **Vehicle Usage**

Policy Statement – All vehicles and related equipment of the Village of Saranac Lake are owned and maintained for the purpose of conducting official business of the Village. Said vehicles and equipment may not be used for the personal use or private gain of any official or employee, nor for any other purpose which is not in the general public interest.

Standards – For the purpose of compliance with this policy, the following standards must be met at all times:

- Village vehicles and related equipment must remain under the general administrative jurisdiction and direction of the Department Head to which it is assigned.
- No Village vehicles are to be taken to an employee's home during non-working hours without permission of the Village Manager.
- Village vehicles must be assigned to specific Village officials and employees for specific purposes and tasks. Said vehicles may not be used for any unauthorized purpose nor to conduct personal, private, or non-Village related business.
- Village vehicles must always be operated in a safe and responsible manner and in compliance with all applicable motor vehicle and traffic laws in effect. Employees are responsible for any driving infractions or fines that result from their operation of Village vehicles, and must report them to their Department Head. The Village is responsible and will pay for any fines which would typically be levied against the owner of the vehicle.
- Any accident involving a Village vehicle, regardless of severity, must be reported immediately to the appropriate Department Head. The Department Head must immediately notify the Village Manager. The Village Manager may, at his/her discretion, require that an official accident report be obtained from the NYS Police for any accident which involves a Village emergency (i.e. police or fire) vehicle, regardless of severity.
- The use of a cell phone when driving on Village business must be compliant with all applicable laws and/or regulations.
- No Village vehicles, including Police cars, are to be taken out of the Village limits, except in the line of duty or on official Village business.
- Village vehicles may not be used to transport persons who are not officials or employees of the Village of Saranac Lake, nor material not related to the conduct of official Village business, without direct authorization by the appropriate Department Head or the Village Board.
- Village vehicles must always be maintained in a safe and secure condition when not in use, including being locked and/or under direct observation; and all keys maintained under controlled and authorized jurisdiction of the appropriate Department Head.

- No advertisements, signs, bumper stickers or other markings of a political or commercial nature may be displayed on Village vehicles at any time, except those of a limited community service nature which have been authorized by the Village Board.
- The use of tobacco products is prohibited in all Village vehicles.

508 *Driver's License / Insurance Requirements*

Requirement – An employee who is required to drive either a Village-owned vehicle or the employee's own personal vehicle to conduct business on behalf of the Village, must possess at the time of appointment, and must maintain throughout employment, a valid New York State driver's license. Proof of such license must be on file with the Village. If a personal vehicle is used to conduct business on behalf of the Village, the employee is responsible for ensuring liability insurance coverage meeting NYS requirements is appropriately maintained.

Commercial Drivers – An employee who operates a vehicle which requires a Commercial Driver's License (CDL), must maintain such license throughout employment. Proof of such license must be on file with the Village. In accordance with the federal Commercial Motor Vehicle Safety Act of 1986, a commercial driver must notify the Village within thirty days of a conviction of any traffic violation (except parking), no matter where or what type of vehicle the employee was driving.

Loss of Driver's License – An employee who is required to possess a driver's license or CDL license in order to perform certain job duties and responsibilities must immediately notify their Department Head in the event the license is suspended or revoked. The loss or suspension of the driver's license or CDL license may affect the employee's employment with the Village. The Village will utilize the NYS Department of Motor Vehicles' "License Event Notification Service" (LENS) to monitor activity that may negatively impact an employee's ability to maintain a required license.

509 *Supplies, Tools and Equipment, and Fuel Usage*

Supplies – All Village owned supplies must be used efficiently and not wasted. An employee may not use any Village supplies including, but not limited to, postage, paper, or office supplies for personal use.

Tools and Equipment – The employee must repair or replace any Village-owned tool or piece of equipment lost or damaged by the employee as a result of negligence or intentional misuse. An employee may not use any Village-owned tool or piece of equipment, including, but not limited to, fax machines, copiers and computer equipment for personal use. An employee may not use Village facilities, Village-owned tools or equipment to work on vehicles or trailers not owned by the Village.

Fuel – An employee may not use gasoline, fuel oil, or motor oil purchased by the Village for personal use.

510 Telephone / Cell Phone Usage

Guidelines – Telephone and cell phone usage must adhere to the following guidelines:

- An employee must answer promptly and speak in a clear, friendly and courteous tone.
- An employee must give the name of the department or office and one's own name. If the call is not for the employee who answers, the employee must transfer the caller to the correct party or take a message recording all pertinent information.
- If the call must be placed on hold, the employee who answered the call must return to the line frequently to confirm that the call is being transferred.
- During office hours, each employee is responsible for there being at least one employee in the department or office to answer telephones. If the department or office has a limited staff, arrangements must be made with another department or office for telephone coverage or an answering device must be in operation.
- An employee may make personal telephone / cell phone calls / text messages, however, such calls or messages should be limited in duration and frequency and must not interfere with the performance of the employee's job duties.
- An employee may not make or receive personal calls on a Village provided telephone or cell phone that will result in additional charges to the Village, except in an emergency and/or with prior approval from the Department Head. The employee must reimburse the Village for the cost of the call.
- The use of Village issued cell phones is monitored to ensure no excessive or inappropriate use occurs.
- The use of a cell phone while driving on Village business must be in compliance with all applicable laws.

511 Computer Systems and Internet / E-mail Service

Policy Statement – The purpose of this policy is to provide the following requirements for the use of Village-owned computer systems and Internet / E-mail service.

Computer Systems

Property – All computer systems, hardware, software, Village-issued cell phones and files are the property of the Village of Saranac Lake. This includes the messages created, transmitted, and stored on such systems and equipment.

Usage – All computer systems, hardware, and software provided to an employee are provided for the purpose of aiding that employee in the performance of the employee's job functions. All hardware and software used is to be supplied by the Village of Saranac Lake. No unauthorized or unlicensed hardware or software may be used or installed on any Village-owned computer. Any hardware or software necessary to perform job duties should be requested of the employee's Department Head.

Village's Right to Monitor Computer Systems and Equipment - There is no guarantee of privacy when using Village-owned computer systems, cell phones and equipment. The Village reserves the right to enter, search, and monitor employee communications equipment and files, with or without advance notice, at any time in the normal course of business. Department Heads have the authority to inspect the contents of any computer equipment, data/files, or electronic mail ("E-mail") of their subordinates in the normal course of their supervisory responsibilities. In addition, the data/files of Department Heads and supervisors may be inspected by the Village Manager in the normal course of duty. This applies to all information, messages, and files that are created, transmitted, downloaded, received, stored, or deleted on such systems, including items that are password protected. Additionally, the Village has the authority to monitor and record each web site, chat room, and newsgroup visited on the Internet, and every e-mail message and file transfer into and out of the Village's network. The Village may also monitor each employee's Internet activity and usage patterns to ensure that the Village's resources are being utilized for appropriate business purposes. Any employee who is required to have a password must submit that password to the employee's Department Head.

Prohibited Uses – In addition to the requirements set forth above, the following uses of Village-owned computers and equipment are prohibited. This list is meant to be illustrative, and not exhaustive.

- Any illegal activity;
- Threats or harassment;
- Slander or defamation;
- Transferring, viewing, or storage of obscene or suggestive messages or graphic images;
- Any unauthorized commercial activity;
- Accessing or attempting to access the data/files of another person, unless otherwise authorized as necessary in the course of performing Village business;
- Using or aiding in the unauthorized use of another person's password;
- Harming or destroying data/files (other than editing or deleting information in the normal course of one's job duties);

- Use of non-business software;
- Gambling;
- Use of entertainment software, such as games and puzzles;
- Installation or use of any hardware or software, not authorized by the Village;
- Installation or use of Village-owned hardware or software for any use that is not Village related business;
- Installation or use of any unauthorized or unlicensed hardware or software;
- Installation of any software containing viruses.

Internet / Electronic Mail Requirements

Eligibility – Internet / E-mail service may be provided to employees who can demonstrate a work-related reason to have access. Approval must be given by the employee's Department Head or supervisor.

Proper Usage – In addition to the prohibitions set forth in the above paragraphs, any activities prohibited for any other general computer user are also prohibited with respect to Internet / E-mail service usage. Employees are expected to communicate in a manner that will reflect positively on both themselves and the Village of Saranac Lake. Additionally, it is the responsibility of the employee to adhere to the following requirements:

- E-mail must be used in a professional manner.
- Messages must not be threatening, insulting, obscene, abusive, or derogatory.
- Messages must not include content that constitutes sexual harassment.
- Chain letters are illegal and must not be transmitted through E-Mail.
- Employees are responsible for saving any E-mail that they want to keep permanently.
- Messages must not involve personal sales or solicitation or be associated with any for-profit outside business activity.
- Messages must not involve personal not-for-profit solicitations.
- Messages must not potentially embarrass the Village of Saranac Lake.
- Files must be housecleaned at least once a month, deleting any old E-mail and/or downloaded information that has been saved.
- Passwords should not be given to anyone other than the employee's Department Head or supervisor, or to the Village Manager.
- Internet must not be used for the propagation of computer viruses.
- Internet must not be used for personal recreational activities (e.g. online games).
- Participation in non-business Internet chat groups or instant messaging is prohibited.
- As a security precaution, a workstation must not be left signed onto E-mail or the Internet and unattended for a long period of time (or overnight). Each employee must log off the network when not in use and power down at the end of the day.
- Employee Internet / E-mail usage may be subject to filtering and may be monitored.
- Employees should be aware that deletion of any E-mail message or file does not truly eliminate that message or file from the system. All E-mail messages are stored on a central back-up system in the normal course of data management.

Reliability – Users should be aware that because the internet is a collection of computer networks with no single central authority over information consistency, data is subject to inaccuracies. The Village is not responsible for loss or damage to a user's data or for the reliability of information that is obtained via the Internet service. Also, this information must be used in accordance with applicable copyright laws.

Reporting of Violations – Anyone with information as to a violation of this policy is to report said information to the employee’s Department Head. Once the employee’s Department Head is informed of the violation, a formal process, consistent with this Employee Handbook and/or applicable law, will begin.

512 Social Media

Use of social media presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, the following guidelines have been established for acceptable use of social media. This policy applies to all employees of the Village of Saranac Lake, ("Village")

Guidelines- In the rapidly expanding world of electronic communications, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's blog, journal or diary, personal website, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Village, as well as any other form of electronic communication. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of the Village of Saranac Lake or Village's legitimate business interests may result in disciplinary action up to and including termination.

Know and follow the rules- Carefully read these guidelines, the Code of Ethics Policy, the Computer Systems and Internet /E-mail Service Policy and the Anti-Discrimination and Harassment Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be respectful- Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of the Village. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Village policy.

Be honest and accurate- Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Village of Saranac

Lake, fellow employees, members, customers, suppliers, individuals working on behalf of the Village of Saranac Lake.

Using Social Media at Work-Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your Department Head or Supervisor. Do not Use Village e-mail addresses to register on social networks, blogs or other online tools utilized for personal use.

513 Personal Appearance

Policy Statement – It is the policy of the Village that each employee’s dress, grooming and personal hygiene should be appropriate to the work situation.

Standards – An employee must maintain a personal appearance in a manner that reflects a good image to the public. Acceptable personal appearance is an ongoing requirement of employment with the Village. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted. Employees should not wear suggestive attire, athletic clothing, shorts, tank tops, novelty buttons, and similar items of casual attire since this clothing does not present a businesslike appearance.

Safety Clothing and Equipment – An employee may be required to wear safety clothing and personal protective equipment as directed by the Department Head. If such is the case, the employee must comply with all safety requirements.

Uniforms – An employee may be required to wear a uniform as directed by the Department Head and/or as provided in a collective bargaining agreement. If such is the case, the employee must comply with all requirements.

514 Solicitations/Distributions

Policy Statement – It is the policy of the Village to prohibit solicitation and distribution on its premises by non-employees and to permit solicitation and distribution by employees only as outlined below.

During Working Hours – An employee may not distribute literature or solicit other employees during working hours without approval from the appropriate Department Head.

During Meal and Rest Breaks – With permission from the Department Head, an employee may distribute literature and solicit other employees during meal and rest breaks provided it does not interfere with the normal operations of the department, reduce employee efficiency, annoy fellow employees, or pose a threat to the Village’s security.

515 Disclosure of Information

Policy Statement – The Village of Saranac Lake promotes open government and complies with all requirements regarding public access to information. However, the Village recognizes that certain documents, records, and other information pertaining to Village operations and activities contain sensitive and confidential information about Village residents and others who do business with or on behalf of the Village and/or its residents. All FOIL requests received should be forwarded to the Village Clerk immediately. There are strict time frames within which FOIL requests must be responded to, so employees must forward any such requests received as soon as they are received. The Village Clerk or their designee will be responsible for responding to all FOIL requests, and no other employee should do so. Such information cannot be photocopied, duplicated, discussed, or otherwise disclosed to any outside party except in accordance with the Freedom of Information Law or any other applicable laws and regulations. An employee is also prohibited from sharing or otherwise disclosing such information with other Village employees, family members or friends who do not have a Village business reason to have such information.

Responsibility for Security of Confidential Information – Elected Officials, Department Heads and employees are responsible for maintaining the security of documents, records and other information that fall within their department operations. Any request from outside parties for disclosure of information under the Freedom of Information Law or any other applicable laws or regulations must be submitted to the Village Clerk.

Employee Personal Information – An employee should never provide a caller or visitor with confidential information regarding employees, including home addresses and personal telephone numbers. An employee should take the person's name and telephone number and inform the caller/visitor that a message will be forwarded to the employee.

516 Visitors

Policy Statement – It is the policy of the Village not to allow personal visitors during working hours, except for emergency situations. Visitors are allowed for brief visits during an employee's meal break as long as such visit does not interfere with Village operations or interrupt other employees who are still working.

517 Purchasing

Policy Statement – The Village has established an official procurement policy that must be followed without exception. No employee shall make purchases for the Village, or use the Village's name to make purchases, unless so authorized by the Village Board and in adherence to the procedures set forth in the procurement policy.

518 Maintenance of Work Area

Policy Statement – It is the policy of the Village that work areas must be kept safe, clean and orderly at all times.

Employee Responsibility – Employees are responsible for maintaining their work area in a safe and orderly fashion. As such, each employee should, at a minimum, do the following:

- Place coats, boots, umbrellas and other items of clothing in designated areas so that work areas are not unnecessarily cluttered;
- Consume food or beverages only in designated areas so that work areas are kept free of food and related litter;
- Report any existing or potential workplace hazards and safety violations to the Department Head;
- Abide by the smoking policy as specified in this Employee Handbook;
- Clean and store all tools and equipment and properly store any items, papers or confidential information in a manner prescribed by the Department Head.

Supervisory Responsibility – Supervisors are responsible for having their employees maintain their work areas according to the requirements of this policy. Each supervisor should:

- Make sure that aisles, floors and walls are free from debris and other unnecessary items;
- Monitor the facilities and equipment and issue maintenance requests where appropriate;
- Arrange for the removal of any items from the workplace that are not needed for the flow of business or the enhancement of employee comfort;
- Abide by and enforce the Village's smoking policy;
- Ensure the proper disposal of all trash and waste.

519 Personal Property

Policy Statement – It is the policy of the Village to ask each employee to refrain from bringing unnecessary or inappropriate personal property to work. The Village recognizes that an employee may need to bring certain items to work. However, employees should take care to ensure that personal property brought to the workplace does not disrupt work or pose a safety risk to other employees.

Personal Liability – An employee is expected to exercise reasonable care to safeguard personal items brought to work. Except as otherwise provided by a collective bargaining agreement, the Village will not repair, replace, or reimburse an employee for the damage or loss of the employee's personal property. An employee bringing personal property to the workplace does so at one's own risk.

Security Inspections – Desks, lockers and other storage devices may be provided for the convenience of employees but remain the sole property of the Village. Accordingly, such storage devices, as well as any articles found within them, can be inspected by any agent or representative of the Village at any time, with or without notice. The inspection may be made in the presence of the employee. The Village is not responsible for loss or damage to personal property placed in such storage devices.

520 Village Property

Employee Responsibility – An employee will be responsible for any item issued by the Village which is in the employee's possession and/or control, such as, but not limited to the following:

- Equipment, including Protective Equipment
- Identification Badges
- Keys
- Uniforms
- Books or other Reference Materials, including this Employee Handbook
- Cell phone

Return of Property – Except as otherwise provided by a collective bargaining agreement, all Village property must be returned to the Village before the employee's last day of work.

521 Unauthorized Work

Policy Statement – An employee may not perform work for any entity other than the Village during the employee's authorized work hours, or claim that Village work was done when such is not the case.

522 Outside Employment

Policy Statement – It is the policy of the Village that an employee may engage in outside work as long as such outside work does not interfere with the employee's performance standards, pose an actual or potential conflict of interest, or compromise the interests of the Village.

Guidelines – The following guidelines have been established for an employee who engages in outside work.

- An employee will be judged by the same performance standards and will be subject to the Village's scheduling demands, regardless of any existing outside work requirements.
- If the Village determines that an employee's outside work interferes with the performance or the ability to meet the requirements of the Village as they are modified from time to time, the employee may be required to terminate the outside employment if the employee wishes to remain employed by the Village.
- No Village equipment, supplies, or other material may be used by an employee on other than Village work for monetary gain.
- Outside employment that does or may constitute a conflict of interest is prohibited. An employee may not receive any income or material gain from individuals outside of the Village for materials produced or services rendered while performing the employee's Village job.
- An employee may not work on outside employment during any period which the employee is regularly scheduled to work for and is paid by the Village.
- A Village employee who engages in outside work must notify the person for whom the work is being performed that such work is being done on the employee's own time and that the employee is not representing the Village while performing such work.

Employee Responsibility – A Village employee who wishes to engage in outside work is responsible for ensuring that the above guidelines are maintained. Questions should be directed to the Department Head.

Union Employees – In addition to the above guidelines, an employee who is a member of a collective bargaining unit may be subject to rules and/or guidelines regarding outside employment as set forth in the collective bargaining agreement or rules of the department to which the employee is assigned.

600 ABSENCE POLICIES

601 Attendance

Except as otherwise provided by a collective bargaining agreement, the following procedure shall apply regarding absence from work:

Tardiness – An employee must be ready and able to work at the time the employee is scheduled to begin work. In the event an employee is unable to report to work at the scheduled time, the employee must notify the employee's Department Head within thirty minutes of the employee's scheduled starting time. The reason for tardiness and the expected time of arrival must be indicated to the Department Head.

Daily Notification – In the event an employee is unable to report to work, the employee must notify the employee's Department Head each day of the absence and state the reason for the absence. In the event the absence was pre-authorized, this requirement will be waived.

Scheduled Absences – Requests for scheduled time off, such as the use of vacation leave and personal leave, must be approved by the Department Head in advance. All requests for time off are subject to approval by the employee's Department Head on a case-by-case basis. Refer to Section 802, Vacation Leave, and Section 804, Personal Leave, for further details.

Unscheduled Absences – An employee who is unable to report to work must personally contact the employee's Department Head within thirty minutes of the employee's scheduled starting time. The employee must speak directly with the Department Head, indicating the reason for the absence and when the employee expects to return to work. Asking another person to call in on the employee's behalf is not permitted. Leaving a message on an answering device or with a co-worker is not permitted. Notification requirements may be waived in cases of emergency.

Unexcused Absences – Notification of an absence to an employee's Department Head does not automatically mean the absence is authorized. Any time off from work that is without approval of an employee's Department Head is considered an unexcused absence. An unexcused absence is without pay and may result in disciplinary action, up to and including termination.

Early Departure – In the event an employee must leave work during the workday, the employee must seek permission from the employee's Department Head prior to leaving.

Leaving the Premises – An employee must obtain prior approval from the employee's Department Head to leave an assigned worksite during working hours due to a non-work related reason. An employee who leaves an assigned worksite during the workday due to business reasons must notify the employee's supervisor in accordance with department policy.

Documentation of Absences – An employee may be required to provide appropriate documentation in justification of any absence. Documentation may include medical verification.

602 Jury Duty Leave

Jury Leave - In the event a full-time or part-time employee is required to perform jury duty on a day the employee is scheduled to work, the employee will receive paid jury duty leave. Such leave will not be subtracted from any of the employee's leave credits. An employee is obligated to notify the Commissioner of Jurors that the Village is paying the employee's full pay during jury duty. If the employee receives a jury stipend from the courts, such amount must be reimbursed to the Village. An employee can collect and keep any mileage or parking expense reimbursement that may be issued by the court system for performing jury duty.

The Village shall pay a temporary or seasonal employee up to \$40 of the employee's wages for the first three days the employee serves jury duty if on those days the employee is scheduled to work for the Village. After the first three days, the employee may be eligible for a stipend issued by the court system if the employee continues to serve on jury duty.

Notification of Jury Duty – When an employee receives notice to report for jury duty, the employee must immediately submit a copy of the notice to the employee's Department Head.

Return to Duty – In the event the employee is released from jury duty on a given day and there are two or more hours remaining in the employee's scheduled workday, the employee must report to work. The employee will be allotted time to return home and prepare for work.

Accrual of Benefits – The Village will continue to provide health insurance benefits for an eligible employee during the jury leave. Vacation leave, sick leave and holiday benefits will continue to accrue during jury duty leave.

603 Military Leave and Military Leave of Absence

Military Leave (New York State Law) – This section refers only to a paid leave for military service under New York State Law and does not affect an employee's entitlement to leave needed for military service under federal statute. The Village of Saranac Lake recognizes the importance of the Military Reserve and National Guard, and will permit any employee the use of military leave to perform ordered military duty or required training. The Village will grant such leave with pay for up to twenty-two workdays or thirty calendar days in a calendar year, whichever is greater. Such military leave beyond the twenty-two workdays or thirty calendar days in a calendar year will be unpaid, however accumulated vacation leave may, at the employee's option, be used at any time during the leave. In accordance with applicable New York State law, the employee may keep all pay received for military service.

Military Leave of Absence (Federal Law) – An unpaid leave of absence for a period of up to the federal statutory limits will be granted to an employee to serve in any of the Armed Forces of the United States in accordance with the Uniformed Services Employment and Reemployment Act. The employee's accumulated vacation leave may, at the employee's option, be used at any time during such leave of absence.

Leave For Military Spouses (New York State Law) – In accordance with NYS Labor Law §202-i, the Village will grant an unpaid leave of absence of up to ten days to an employee (who works an average of twenty hours per week) whose spouse is a member of the armed forces of the United States, National Guard, or reserves who has been deployed during a period of military conflict, to a combat theater or combat zone of operations. This leave shall only be used when the employee's spouse is on leave from such deployment. This does not preclude the employee's option to use available paid leave upon approval of the employee's Department Head.

Employees who believe they may be entitled to military leave should contact Village payroll department for more information.

604 Leave for Cancer Screening

Policy – The Village of Saranac Lake complies with New York State Civil Service Law which entitles all Village employees to paid leave to undertake screening for cancer (under §159). This leave will not be charged against any available sick, vacation, personal, compensatory or other leave accruals. This does not preclude an employee's option to use other available paid leave for this same purpose.

Allowance – An employee will be allowed four hours of paid leave per year for the purpose of undergoing a screening procedure for cancer. Such paid leave will be accrued as of January 1 each year. If the employee does not exercise his/her rights to the leave, those hours are not carried forward to the next year. The allowed leave time may include the travel time to and from the appointment and any subsequent follow up consultation visits. In addition, the allowed leave may be staggered throughout the year until the maximum allowance has been reached.

Scheduling – An employee must receive prior approval from the employee's Department Head to take leave for this purpose. The request for leave should be submitted to the Department Head in writing a minimum of two days in advance. The Department Head will have total discretion in the approval of this leave, but will not unreasonably deny such request.

Documentation Requirements – If an employee applies for paid leave for a cancer screening procedure under this policy, documentation must be provided to the Department Head from the health care provider verifying that the absence from the workplace was for cancer screening. If an employee uses any other available leave for a cancer screening procedure, the provisions of the applicable leave policy (e.g. sick, personal, vacation, compensatory) will apply; there is no requirement in such a case to provide specific documentation regarding cancer screening.

605 Leave for Blood Donation or Bone Marrow

Policy –The Village of Saranac Lake complies with New York State Labor Law Section §202-j which entitles Village employees who work an average of twenty hours or more per week to a leave of absence for the purpose of making a blood donation. This leave of absence will not be charged against any available sick, vacation, personal, compensatory or other leave accruals. The leave allowed under this policy is unpaid, however, this does not preclude an employee's option to use available paid leave for this same purpose.

Allowance – An employee will be allowed a leave of absence of up to three hours per year under this policy. Such leave will be accrued as of January 1 each year. If the employee does not exercise his/her rights to this leave, those hours are not carried forward to the next year. The allowed leave may include the travel time to and from the appointment.

An employee will be allowed up to 24 hours leave for the donation of bone marrow. An employee may be required to submit a verification of the purpose and length of the bone marrow donation from a health care provider for use of this leave.

Scheduling – An employee must receive prior approval from the employee's Department Head to take leave for this purpose. The request for leave should be submitted to the

Department Head in writing a minimum of two days in advance. The Department Head will have total discretion in the approval of this leave, but will not unreasonably deny such request.

606 **Time Off To Vote**

The Village supports employee's civic duty to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide them sufficient time outside of their scheduled working hours to vote on any day at which they may vote in an election will be granted time off which when added to their voting time outside of their working hours will enable them to vote. Up to two hours of such time will be paid.

If an employee has four consecutive hours either between the opening of the polls and the beginning of their shift or between the end of their shift and the closing of the polls, they have sufficient time outside of working hours to vote and are not entitled to such leave.

The Village reserves the right to select the hours available to vote.

Employees must submit their voting leave request to the Village at least two working days before the day of the election that they require time off to vote, but not more than 10 days prior to such Election Day.

607 **Bereavement Leave**

Eligibility – In the event of a death of a full-time employee's immediate family member, the employee may take a paid leave for up to five consecutive days from the employee's regularly scheduled work. Such leave will be subtracted from the employee's sick leave credits. If sick leave credits are not available, the bereavement leave may be taken as time-off without pay. A part-time, temporary, or seasonal employee is not eligible for paid bereavement leave but may be allowed to take time-off without pay provided the employee has prior approval from the Department Head.

Definition of Immediate Family – For purpose of bereavement leave, "immediate family member" will mean the following:

• Spouse	• Child / Step-Child
• Parent (include foster and step)	• Sibling (includes in-laws)
• Mother/Father-in-law	• Father-in-law
• Daughter/Son-in-law	• Son-in-law
• Grandparent	• Grandchild
• A member of the employee's immediate household	

Extended Bereavement Leave – With authorization from the Village Manager, an employee may use vacation leave, sick leave, and/or personal leave credits to extend a bereavement leave. The Department Head will have total discretion in the approval of an employee's extended bereavement leave, based upon the needs of the department.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Bereavement Leave provisions set forth above and should refer to the applicable collective bargaining agreement.

608 Volunteer Firefighters / Emergency Responders

Except as otherwise provided by a collective bargaining agreement, the following policy shall apply regarding those employees who are volunteer firefighters or emergency responders:

Policy – In the event an employee is called upon to perform volunteer duties as a firefighter or emergency responder on a day the employee is scheduled to work, the employee will receive paid leave to perform such duties. The paid leave is limited to the extent of the employee's regular work schedule. Such leave will not be subtracted from any of the employee's leave credits. Time spent by the employee performing such duties, including driving to and from the scene, will not be included as time worked for purposes of computing overtime.

Documentation Requirements – The employee must account for all time spent responding to emergency calls on the employee's time sheet, including the time the employee left and returned to the worksite. The employee is required to return to the worksite upon completion of the emergency call, unless such call ends after the end of the employee's scheduled work shift.

Responding to Calls During Paid Leave – If the employee is on a paid leave from the Village (i.e. vacation, holiday, sick, personal, etc.) and the employee responds to a call, the employee will not receive additional compensation from the Village and the employee's appropriate leave time will still be charged.

ADDED BY RESOLUTION OF THE Village Board 6-13-11

Authorization:

A Volunteer Firefighter/Emergency Responder must first request permission from their immediate supervisor, if not available the DPW Superintendent or Assistant Superintendent and if prior is not available the Village Manager, prior to engage in these duties.

Prioritization:

The supervisor must consider the request based upon location and nature of the emergency prior to allowing the individual requesting to be released from their prescribed duties for the village.

609 **Family and Medical Leave Policy**

Statement of Compliance – The Village of Saranac Lake complies with the provisions of the Family and Medical Leave Act (FMLA) and Civil Service Law when administering leaves under this policy.

Summary – FMLA entitles an eligible employee to a maximum of twelve workweeks (defined by the employee's normal workweek) of job-protected, unpaid leave in any twelve month period for certain family and medical reasons. The twelve-month period is a rolling period measured backward from the date an employee uses any FMLA leave. The FMLA also provides an eligible employee with up to twenty-six weeks of *Service Member Family Leave* to care for a covered service member (limited to a single twelve-month period). At the conclusion of a leave of absence under the FMLA, the employee will be restored to the position the employee held when the leave began or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided the employee returns to work immediately following such leave.

Eligibility – To be eligible for an unpaid leave under FMLA, an employee must meet the following requirements:

- The employee must have worked for the Village for at least twelve months before the leave request (these need not be consecutive);
- The employee must have worked for the Village for at least 1,250 hours during the previous twelve months prior to the date the leave commences; and
- The employee must work at or report to a worksite which has fifty or more employees or is within seventy-five miles of worksites that taken together have a total of fifty or more employees.
- Spouses who both work for the Village of Saranac Lake are allowed a combined maximum of twelve workweeks of leave for the birth or care of a newborn child, adoption or foster care of a child and to care for such newly placed child, or the serious health condition of a parent, during any twelve month period.

Types of FMLA Leave - Eligible employees will be afforded up to twelve workweeks of unpaid leave under **FMLA** under the following circumstances:

- Upon the birth of the employee's child and to care for the newborn child;
- Upon the placement of a child with the employee for adoption or foster care and to care for the newly placed child;
- To care for the employee's spouse, son, daughter or parent who has a serious health condition;
- Because of the employee's own serious health condition which makes the employee unable to perform one or more of the essential functions of his or her job; and
- Because of any qualifying exigency (as the Secretary of Labor shall, by regulation, determine) arising out of the fact that the employee's spouse, son, daughter or parent

is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.

Service Member Family Leave - Eligible employees will be afforded up to twenty-six weeks of leave to care for the employee's spouse, son, daughter, parent, or nearest blood relative who is a recovering service member. A recovering service member is defined as a member of the Armed Forces who suffered an injury or illness while on active-duty that may render the person unable to perform the duties of the member's office, grade, rank or rating. This leave shall only be available during a single twelve-month period. During this single twelve-month period, the employee shall be entitled to a combined total of twenty-six workweeks of caregiver leave described in this section and the **Types of FMLA Leave** section described above. Nothing in this paragraph shall be construed to limit the availability of FMLA leave provided under the **Types of FMLA Leave** section above.

Definitions – The following terms are fully defined in the Federal Regulations on the Family and Medical Leave Act, 29 CFR Part 825. For the purpose of this policy, the following definitions will apply:

- **Serious Health Condition** will mean an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility including any period of incapacity (as contained in the Federal Regulations), or any subsequent treatment in connection with such inpatient care; or continuing treatment by a health care provider, including, but not limited to:
 - * A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity that also involves continuing treatment by a health care provider;
 - * A period of incapacity due to pregnancy or prenatal care;
 - * A period of incapacity or treatment for such incapacity due to a chronic serious health condition;
 - * A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
 - * A period of absence to receive multiple treatments, including any period of recovery, by a health care provider, or by a provider of health care services under orders of or on referral by a health care provider, for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.
- **Health Care Provider** will mean and refer to a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices; or any other person defined in the FMLA regulations capable of providing health care services.
- **Family Member** will mean and refer to:

- * **Spouse** – husband or wife as defined or recognized under State law for purpose of marriage;
- * **Parent** – biological parent or an individual who stands or stood in *loco parentis* to an employee when the employee was a son or daughter as defined in directly below. This term does not include an employee's parents "in law";
- * **Child** – biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is either under age eighteen, or age eighteen or older and "incapable of self-care (as defined in the Federal Regulations) because of a mental or physical disability". Persons who are "*in loco parentis*" include those with day-to-day responsibilities to care for and financially support a child or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

Notification Requirements – If the need for leave is foreseeable, the employee must give notice, in writing, to the Department Head at least thirty calendar days prior to the commencement date of the unpaid leave. The employee and Department Head must complete the Family And Medical Leave Act Request Form and forward the completed form to the Village Manager for review. The failure of an employee to give thirty days' notice of foreseeable leave with no reasonable excuse for the delay may result in the delay of the employee taking the FMLA leave until thirty days from the date of notice. When the need for leave is unforeseeable, verbal notice to the employer will be sufficient.

Extension of Original Leave Request – In the event the employee needs to extend the duration of the leave beyond the time frame originally approved, the employee must submit a new Family and Medical Leave Request Form seeking approval for the extension.

Status Reports – The employee must periodically update the appropriate Department Head as to the employee's status and intent to return to work.

Medical Certification – The employee must produce a medical certification issued by a health care provider which supports the need for a leave under this policy. When required, the employee must provide a copy before the leave begins, or if the leave was unforeseeable, fifteen calendar days from the date the certification was requested. Failure to submit medical certification may jeopardize the employee's eligibility for an unpaid leave of absence and/or the ability to return to work. Medical certification forms are available from the Village Manager. The medical certification must include:

- The date the medical condition began;
- The probable duration of the medical condition;
- Pertinent medical facts; and,
- An assertion that the employee is unable to perform the employee's essential job functions or that the employee is needed to care for a family member for a specified period of time.

The Village of Saranac Lake reserves the right to request a second opinion by another health care provider. The Village will pay for the second opinion. In the event a conflict occurs between the first and second opinion, the Village may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the Village and the employee. This third opinion will be final and binding.

Leave for the Birth, Adoption or Foster Care Placement of a Child – Leave for the birth of a child or the placement of a child for adoption or foster care must conclude within twelve months from the date of the birth or placement.

Certification for Adoption/Foster Care – An employee must produce proper certification from the appropriate agency for an unpaid leave for the adoption or foster care of a child.

Employment Restrictions During Leave of Absence – While on an approved unpaid leave, the employee may not be employed by another employer during the same hours that the employee was normally scheduled to work for the Village of Saranac Lake.

Benefits During a Leave of Absence – For the purpose of this policy, the following will apply:

- **Use of Accrued Paid Leave Credits** – An employee taking leave for the **birth, adoption or foster placement of a child, to care for a spouse, child or parent with a serious health condition or service member family leave** must first use all available vacation leave credits during the authorized FMLA leave. Use of these leave credits does not extend the maximum allowable period specified by FMLA regulations.

For leaves taken due to the **employee's own serious health condition**, the employee must first use all vacation and sick leave credits, which will be included in the maximum twelve-week period. However, in the event that the paid leave credits are greater than the maximum twelve-week period, an employee may use paid leave credits to **extend** the leave of absence beyond the twelve-week period, **up to a maximum of one year**. If, after the completion of the one-year leave of absence, the employee is medically unable to return to work (as determined by a health care provider) and the employee has leave credits remaining, the Village Board may authorize an extension of the employee's leave of absence until such benefits are exhausted. However, job reinstatement beyond the one-year leave of absence is not automatic and will be dependent upon job availability, in accordance with Civil Service Law Sections 71, 72 and 73, as applicable, and the *Rules for the Classified Civil Service of Franklin County*.

- **Accrual of Paid Leave Credits** – An employee will continue to accrue vacation and sick leave and receive holiday pay during the portion of the leave that is paid. **Paid leave is defined as leave during which the employee continues to use accumulated paid vacation and sick leave.** After all such paid leave is exhausted, the remaining leave of absence is unpaid. An employee will not earn paid vacation or sick leave or receive holiday pay for any holidays that may occur during an unpaid leave of absence.
- **Medical Insurance** – During the period of authorized FMLA designated leave, up to a maximum of twelve weeks, an employee's eligibility status for medical insurance coverage will not change. (In the event the employee has accumulated paid leave

credits that extend beyond the twelve week period, the employee should refer to Sections 813 – Short Term Disability and 814 – Workers Compensation regarding additional medical insurance coverage provisions.) All employee contributions (if any) must be paid on a timely basis in order to maintain the continuous coverage of benefits. Contributions will be at the same level as if the employee was working. Coverage will cease if payments are not made within a thirty-calendar day grace period of the due date. Premium payments or policy coverage are subject to change. In the event the employee fails to return to work after the authorized leave of absence period has expired, provisions of COBRA (see Section 809) will apply. In addition, the Village may recover the premium that it paid for maintaining the coverage during any period of the unpaid leave except for the following circumstances:

- * The continuation, recurrence, or onset of a serious health condition of the employee or the employee's eligible family member with proper medical certification; or,
- * Circumstances beyond the employee's control, such as: parent chooses to stay home with a newborn child who has a serious health condition; employee's spouse is unexpectedly transferred to a job location more than 75 miles from the employee's work-site; the employee is laid off while on leave.

Workers' Compensation and Short-Term Disability Benefits – Leaves taken under the Workers' Compensation Law or the Village's Short-Term Disability Policy may invoke the FMLA if the employee meets the eligibility criteria outlined in the eligibility section and the Village designates such leave as FMLA leave and properly notifies the employee of such designation. In accordance with the FMLA, if an employee has elected to receive workers' compensation benefits or short-term disability benefits, the Village cannot require the employee to substitute paid leave credits during this period of leave. If the workers' compensation leave or short-term disability leave has been properly designated as FMLA leave by the Village, it can be counted against the employee's FMLA leave.

In addition to leave provided under the Family and Medical Leave Act, employees may be eligible for a leave of absence pursuant to Civil Service Law Section 71. Section 71 provides that **covered** employees shall be entitled to a leave of absence for at least one cumulative year (unless found to be permanently disabled) when disabled due to an occupational injury or disease as defined in the Workers' Compensation Law. This leave runs concurrently with the designated Family and Medical Leave. Employees should consult with their Department Head for further details regarding this provision.

Return to Work – The following conditions for returning to work will apply:

- **Job Restoration** – At the conclusion of the leave of absence, (except for leaves beyond a one-year period) the employee, provided that the employee returns to work immediately following such leave, will be restored to the position the employee held when the leave began, or an equivalent position with equivalent benefits, pay and working conditions. For authorized leave of absences beyond the one-year period, job restoration will be dependent upon job availability, in accordance with Civil Service Law Sections 71, 72 and 73, as applicable, and the *Rules for the Classified Civil Service of Franklin County*.

- **Medical Statement** – Before resuming employment, an employee must submit a statement from the employee’s health care provider indicating that the employee is able to return to work either with or without restrictions. The Village reserves the right to have the employee examined by a physician selected and paid for by the Village to determine the employee’s fitness to return to work either with or without restrictions. Failure to return to work when required may be considered a voluntary termination.
- **Early Return** – An employee who intends to return to work earlier than anticipated must notify the Department Head at least five business days prior to the date the employee is able to return. The Department Head shall in turn notify the Village Manager.

610 Unpaid Leave of Absence

Policy Statement – Subject to the approval of the Village Board, unpaid leaves of absence other than under the Family and Medical Leave Policy may be available to an employee for personal reasons including, but not limited to, family responsibilities and education.

Request for Unpaid Leave – The employee must submit a request and the reasons for the leave, in writing, to the Village Manager at least thirty calendar days prior to planned commencement of the requested leave. Shorter notification may be permitted in cases of emergency. The Village Board has sole discretion in approving such leave.

Conditions of Leave – The Village Manager will specify the duration of an unpaid leave of absence and may impose such other terms, conditions and restrictions on the employee as deemed appropriate. The maximum duration of an unpaid leave of absence may not exceed six months.

Continuation of Benefits – An employee on an approved unpaid leave of absence may continue to be eligible for medical insurance coverage in accordance with COBRA.

Disability benefits and accruals for leave benefits shall be suspended.

Return to Work – An employee who fails to return from an unpaid leave of absence at the scheduled expiration date without giving proper notice or receiving proper authorization shall be conclusively presumed to have voluntarily resigned from employment.

Change in Status – If the reason for the unpaid leave of absence changes, the employee must return to work.

611 Victims of Crime Leave

The Village will grant reasonable and necessary leave from work, without pay, to employees who are victims of a crime or subpoenaed as witnesses in criminal proceedings to attend or participate in legal proceedings pertaining to the crime or consult with the District Attorney in accordance with New York Penal Law 215.14. Affected employees must give reasonable notice to the Village of their request for leave, and such notice must be received at least one day before the leave is required. The Village may require the party who required the employee's attendance or testimony to provide verification of the employee's attendance or testimony.

700 COMPENSATION

701 *Wage and Salary*

Rate of Pay – An employee’s rate of pay will be established by the Village Board.

Merit Increases – An employee may receive a pay increase based upon the employee’s past performance. The merit increase will be granted at the discretion of the Village Board.

Longevity Recognition – A non-union employee will receive a longevity pay increment in accordance with the longevity provision set forth in the Teamsters collective bargaining agreement.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Wage and Salary provisions set forth above and should refer to the applicable collective bargaining agreement.

702 *Overtime*

Authorization – A Department Head may require an employee to work additional hours beyond the employee’s normal workday and workweek. An employee must receive prior approval from the employee’s Department Head or supervisor before working additional hours. Incurring overtime without prior authorization may be grounds for disciplinary action.

FLSA Exempt Employees – In accordance with the Fair Labor Standards Act, FLSA exempt employees will not be paid for overtime. However these employees will be entitled to accrue up to 80 hours of “compensatory time”; this time will be earned on an hour-for-hour basis, and will not exceed a total of 80 hours. Under no circumstances will the compensatory time be paid in cash.

FLSA Non-Exempt Employees – In accordance with the Fair Labor Standards Act, an FLSA non-exempt employee will be paid one and one-half times the employee’s regular hourly rate of pay for all authorized time worked over forty hours in a given workweek.

Union Employees – An employee who is a member of a collective bargaining unit shall receive overtime compensation in accordance with the overtime provision of the applicable collective bargaining agreement and is also subject to the provisions of the FLSA.

703 Pay Period and Check Distribution

Payroll Period – Normally, employees are paid on a bi-weekly basis. An employee's paycheck will be based on the amount earned during the preceding payroll period.

Payday – Under normal circumstances, paychecks will be issued on a Friday.

Direct Deposit – The Village provides a direct deposit option for employees. If elected, the paycheck will be deposited directly into the employee's account at the designated financial institution. The employee must submit a signed, written authorization for direct deposit to the Village Treasurer. There is no guarantee that the funds from the direct deposit will be available in the employee's bank account at the same time as the distribution of paychecks to other employees not choosing the direct deposit option. The Village will not be responsible for any lag time necessary for the implementation and processing by a bank to the employee's individual account for direct deposit. The employee is responsible for checking with the bank as to the availability of direct deposit funds.

Authorized Check Release – The Village will not release a paycheck to anyone other than the employee unless the employee has submitted a signed, written authorization with the Village Treasurer.

Administrative Pay Corrections – The Village takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Village so that corrections can be made as quickly as possible.

If an underpayment is identified, it will be corrected in the next regular paycheck. Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the Village will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

704 Payroll Deductions

Statutory Deductions – The required portion of an employee's pay for federal and state taxes, and any other deduction required by law, will be deducted from the employee's paycheck. Such deductions will be noted on the paycheck.

Voluntary Deductions – Any other payroll deductions provided through the Village's payroll system will be made from an employee's paycheck only when authorized by the employee. Such deductions will be noted on the paycheck.

705 Deferred Compensation Plan

Summary – The Village of Saranac Lake has established a Deferred Compensation Plan whereby a portion of an employee's salary may be voluntarily withheld and invested. The money saved is paid out to the employee at a later date, generally during retirement years. Neither the deferred amount nor earnings on investments are subject to current Federal and State Income Taxes. Taxes become payable when the deferred income plus earnings are

distributed to the employee, presumably at retirement when the tax bracket may be lower. A description of the plan may be obtained from the Village Office.

800 EMPLOYEE BENEFITS

801 *Holidays*

Designated Holidays – The Village of Saranac Lake will observe the following holidays:

1. New Year's Day	7. Columbus Day
2. Martin Luther King Day	8. Thanksgiving Day
3. Good Friday (½ day)	9. Day after Thanksgiving
4. Memorial Day	10. Christmas Day
5. Independence Day	11. The day before or the day after Christmas
6. Labor Day	

Eligibility – A full-time or part-time employee is eligible for holiday pay at the employee's regular rate of pay. A temporary or seasonal employee is not eligible for holiday pay. Holiday pay will be based upon the employee's scheduled hours on the day the holiday occurs.

Holiday Observance – In the event a designated holiday occurs on a Saturday, the holiday will be observed on the preceding Friday. In the event a designated holiday occurs on a Sunday, the holiday will be observed on the following Monday. If a holiday occurs on an unscheduled day during Highway Department summer hours, the Highway Superintendent will designate an alternate day off for department employees.

Holiday Pay Requirement – Unless otherwise authorized, an FLSA non-exempt employee must work the employee's scheduled workday before and the employee's scheduled workday after a designated holiday in order to receive holiday pay.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Holidays provisions set forth above and should refer to the applicable collective bargaining agreement.

802 **Vacation Leave**

Eligibility – A full-time or part-time employee is eligible for paid vacation leave in accordance with this policy. A temporary or seasonal employee is not eligible for paid vacation leave but may be allowed to take time-off without pay provided the employee has prior approval from the Department Head.

Scheduling – An employee must submit a written request at least 48 hours in advance and receive prior approval from the employee's Department Head to take vacation leave. Vacation leave credits may not be used in increments of less than one hour. The Department Head will have total discretion in the approval of vacation leave. Each employee with at least one year of service must take a minimum of five days of vacation leave each year providing the employee has the accrued time available.

Allowance – An eligible employee will be credited vacation time on an accrual basis beginning at the time of hire, in accordance with the vacation schedule below:

After Completion Of:	Vacation Leave
One year of continuous service	80 hours
Five years of continuous service	120 hours
Ten years of continuous service	160 hours

Note: This suggestion is based upon the ability for the village to negotiate with mid and higher level administration and keep them competitive in negotiations.

Continuous Service – Continuous Service shall mean uninterrupted service. An authorized leave of absence without pay, or a resignation followed by reinstatement within six months following such resignation, shall not constitute an interruption of continuous service. However, the duration of the absence from work without pay will be excluded from the computation of length of continuous service. Vacation is earned only for monthly pay periods during which an employee is in full pay status for at least fifteen working days during such monthly pay period.

Accumulation – An employee hired prior to 6/1/85 may accumulate vacation leave credits to a maximum of 1,040 hours. An employee hired on or after 6/1/85 may accumulate vacation leave credits to a maximum of 320 hours.

In-Lieu of Vacation Payment – An eligible employee may receive cash payment for up to twenty days of unused vacation leave credits to which the employee is properly entitled at the employee's then current rate of pay. To be eligible for the "in-lieu of" payment, the employee must have used, or be scheduled to use, at least 40 hours of vacation during the employee's anniversary year. The employee must submit the request by March 1 on the proper form. Payment will be made in the first pay period of October.

Holiday During Scheduled Vacation – In the event a designated holiday occurs on an employee's normal workday and the employee is on paid vacation, the employee will receive holiday pay for the day and the employee's vacation leave credits will not be charged for that day.

Donations of Leave Time to Others – An employee may donate up to forty hours of vacation, personal, or sick leave to another employee who has an emergency situation. Such donations require approval from each employee's Department Head and the Village Manager. The amount of leave time donated shall not exceed 50% of that available in the leave balance(s), and/or reduce sick leave balance below 40 hours, of the donating employee.

Separation of Employment – An employee who resigns, retires or is laid off will receive cash payment for unused vacation leave to which the employee is properly entitled at the employee's then current rate of pay. To be eligible to receive this payment, an employee who is to resign or retire must give written notice at least two weeks in advance of the last day of employment. In cases of the death of an employee, the Village will pay an employee's designated beneficiary for any unused vacation leave.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Vacation Leave provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

803 Sick Leave

Eligibility – A full-time employee is eligible for paid sick leave in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid sick leave.

Allowance – A full-time employee will be credited with eight (8) hours of paid sick leave each month. The employee will be credited on the first day of the month after the sick leave has been earned. Sick leave is based on the average number of hours an employee is normally scheduled to work each week.

New Employee – All new employees must complete three consecutive months of service before becoming eligible for sick leave.

Accrual During Leaves of Absence – An employee will be credited with sick leave credits while on a paid leave of absence, but not while on an unpaid leave of absence.

Notification of Sick Leave – In the event an employee must take sick leave, the employee must notify the Department Head prior to the employee's scheduled reporting time. The notification must be made personally to the Department Head, unless the Department Head authorizes the use of an answering device for this purpose. Unless an extended sick leave absence has been authorized, the employee must notify the employee's Department Head each day of the absence. These procedures must be followed to receive paid sick leave.

Proper Use of Sick Leave – Sick leave is provided to protect an employee against financial hardship during an illness, injury, or medical procedure. An employee may use sick leave credits for a personal illness, injury, or medical procedure that inhibits the employee's work, or to attend medical and dental appointments. Sick leave credits may not be used in increments of less than one-half (½) hour. An employee may take sick leave only after it has been credited.

Family Sick Leave – An employee may use up to three days of sick leave credits annually for family illness or injury if the employee must provide direct care to an immediate family member. Such leave will be subtracted from the employee's accumulated sick leave credits. For purpose of family sick leave, "immediate family member" will mean the employee's parent, spouse or child, including step-child and foster child.

Accumulation – An employee may accumulate sick leave credits to a maximum of 1,320 hours.

Medical Verification – The Village may require medical verification of an employee's absence if the Village perceives the employee is abusing sick leave, or has used an excess amount of sick leave, or when an employee is absent for more than three consecutive workdays due to an illness or injury. If an employee is on an authorized leave of absence, the provisions of the Family and Medical Leave Policy in this Employee Handbook shall apply.

Abuse of Sick Leave – An employee who, after investigation, is found to have abused the use of sick leave or falsifies supporting documentation, will be subject to disciplinary action.

Sick Leave Incentive – In the event an eligible employee does not take any sick leave during a four-month period (specifically April 1 through July 31, August 1 through November 30, and December 1 through March 31), the employee will be granted one day for each four months without sick days. This day or days can be taken as pay in December or it can be taken vacation time. The sick leave incentive check shall be issued no later than December 13.

Sick Leave Credits Upon Retirement – The Village Board has elected to provide §41(j) of the NYS Retirement and Social Security Law and allows credit for up to one hundred sixty-five (165) days of accumulated sick leave at the time of retirement. To be eligible, an employee must retire directly from covered employment or within one year of leaving covered employment. The additional service credit is determined by dividing the total unused, unpaid sick leave days (not to exceed 165 days) by 260. For example: 130 unpaid sick leave days ÷ 260 = .50 or 6 months additional service credit.

A retiring employee may request cash payment for up to 25% of unused sick leave credits. If the employee is paid for a portion of the total accumulated sick leave credits, only the remaining unpaid portion will be used to increase the employee's service credit at retirement under §41(j).

Separation of Employment – An employee whose employment with the Village is terminated or resigns for any reason other than retirement will not receive cash payment for unused sick leave.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Sick Leave provisions set forth immediately above, **except** for Proper Use of Sick Leave, Medical Verification, and Abuse of Sick Leave, and should refer to the applicable collective bargaining agreement.

804 Personal Leave

Eligibility – A full-time employee is eligible for paid personal leave in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid personal leave.

Allowance – An eligible employee will be credited with the equivalent of twenty-four (24) hours of paid personal leave per year. The leave will be credited on June 1 of each year. A newly hired employee will be credited with a prorated amount of personal leave upon hire, based upon the amount of time remaining in the fiscal year. An employee may take personal leave only after it has been credited.

Proper Use of Personal Leave – An employee may use personal leave credits to conduct personal business which cannot be conducted outside of normal working hours, non-emergency medical and dental appointments, and for personal emergencies. In no event may personal leave credits be used on the scheduled workday immediately prior to or following a holiday or vacation; in lieu of sick leave or other leaves of absences, except to extend bereavement leave. Personal leave credits may not be used in increments of less than one-quarter ($\frac{1}{4}$) hour.

Scheduling – An employee must provide at least twenty-four (24) hours advance notice and receive prior approval from the employee's Department Head to take personal leave. The Department Head will have total discretion in the approval of personal leave.

Accumulation – Personal leave can be accumulated to a maximum of forty-eight (48) hours.

Separation of Employment – An employee who resigns, retires or is laid off will receive cash payment for unused personal leave to which the employee is properly entitled at the employee's then current rate of pay. To be eligible to receive this payment, an employee who is to resign or retire must give written notice at least two weeks in advance of the last day of employment.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Personal Leave provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

805 Disclosure of Insurance Benefits

Summary – The following is a brief description of the insurance benefits currently offered by the Village to eligible employees. Eligibility for benefits is dependent upon a variety of factors, including employment classification and length of service. The description of the benefits provided is only an overview. The plan documents or specific government regulation provide a full description of the specific benefit.

Plan Administrator – The Village Clerk serves as the Administrator of the Village's benefits plans. The Administrator is responsible for all communications and disclosures concerning Village benefits and is available to answer questions concerning the benefit plans. A description of each of the plans may be obtained from the Administrative Assistant.

Plan Documents – Benefits are administered according to applicable government regulation, benefit plan documents, insurance carrier master policy, or Village policy. Should there be a discrepancy between the information presented in this Employee Handbook and the benefit plan document, the Village Board has the discretionary authority to determine eligibility for benefits and to interpret the plan's terms. The Village Board is responsible for compliance with all applicable laws and regulations. The Village Board may, at its discretion, change carriers and/or offer alternative insurance plans for non-union employees. Changes in carriers and/or plans for union employees shall be in accordance with collective bargaining negotiations and/or procedures.

Changes in Benefits – Any benefit offered by the Village to non-union employees or Elected Officials is subject to change or discontinuance by resolution of the Village Board. Changes in benefits for union employees shall be in accordance with collective bargaining negotiations and/or procedures.

Waiver of Benefits – An employee who is eligible to participate in any of the available insurance plans but who elects not to participate must sign an appropriate waiver of enrollment form.

Enrollment Information – The Village Clerk will provide the employee with the enrollment forms and assist with the administrative and operational aspects of the various insurance plans. Enrollment in a benefit plan is not automatic. Employees must complete the appropriate enrollment forms and applicable payroll deduction authorizations in order to receive benefits.

Changes in Status – Employees whose status changes from full-time to part-time are notified of the changes to their Village benefits, if any. This notification contains all legally mandated information regarding applicable benefits, including COBRA health insurance continuation. An employee must immediately notify the Village Clerk in the event that the employee has a change in marital or family status that may affect coverage, such as marriage, divorce, legal separation, death of a spouse or dependent, acquiring or losing a dependent, changes in address.

Beneficiary – Under some of the Village’s benefit plans, each employee must designate a beneficiary for the employee’s death benefits. This designation must be made in writing and on the form provided by the plan Administrator.

806 Medical Insurance

Eligibility – The Village currently offers medical insurance coverage to employees regularly scheduled to work 30 hours a week or more, and their eligible family members. Temporary, seasonal, or part-time (less than 30 hours a week) employees are not eligible for medical insurance coverage. When more than one family member works as an employee for the Village, each employee will be covered only once under the Village's medical insurance plan.

When Coverage Begins – Coverage will begin on the first day of the month following 60 days of service, provided all eligibility requirements of the insurance plan are met.

When Coverage Ends – Coverage ends on the last day of the month in which the employee separates from employment. Coverage may continue for such eligible employees in accordance with COBRA regulations.

Premium Payment – The Village will pay 80% of the premium for individual or family medical insurance coverage, as the case may be, for each eligible employee. The remaining 20% of the premium must be paid by the employee through payroll deductions.

Section 125 – Any medical insurance contribution premiums paid by an employee may be deducted on a pre-tax basis in accordance with IRS Section 125. Deductions are taken from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net take-home pay.

Changes in Premium Contributions – The amount of the insurance premium an employee or Elected Official is required to contribute is subject to change by resolution of the Village Board. The Village Board will provide a two-month written notice of such change.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Medical Insurance provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

807 Medical Insurance Buy-out

Eligibility – A full-time employee who is eligible for medical insurance coverage made available through the Village may receive a cash buy-out in lieu of receiving medical insurance benefits. To be eligible for the medical insurance buy-out, the employee must provide documentation of comparable medical insurance coverage in a manner and form to be determined by the Village and sign an appropriate waiver of medical insurance coverage and waiver of liability to the Village. The medical insurance buyout is not applicable in a situation in which two employees are married or in a family relationship that makes both eligible for coverage under the same medical insurance plan.

Payment –The cash benefit is in addition to the compensation and/or salary to which the employee is otherwise entitled; as such it will be treated as part of the employee's gross income and will be subject to the appropriate withholding for income and payroll tax purposes. One-half (½) of the cash benefit will be payable in the second payroll of November and one-half (½) will payable in the second payroll of May for the period of time the employee has declined and waived medical insurance provided by the Village. Both payments are calculated pro-rated based on the number of months of eligibility for the proceeding six (6) months (starting with the month in which the payment is made).

**Payment for Medical Insurance Buyout: Single Person Coverage:\$1,000,
Two Person Coverage: \$2,000, Family Coverage:\$3,000.**

Reinstatement – In the event the employee loses coverage under the alternate insurance plan, the employee may resume coverage under a medical insurance plan made available through the Village. Coverage will become effective in accordance with the provisions specified in the plan documents, provided that the employee meets all eligibility requirements of the insurance plan.

Changes – This policy may be changed or eliminated at any time by resolution of the Village Board.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Medical Insurance Buy-out provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

808 Dental Plan

Eligibility – The Village currently offers a dental plan to each full-time employee. A part-time, temporary or seasonal employee is not eligible for this plan.

When Coverage Begins – Coverage will begin on the first day of the month following the completion of three months of employment, provided the employee meets all eligibility requirements of the dental plan.

Employee Premium Contribution – The Village will pay the full premium for an individual dental plan. If an employee elects a family dental plan, the difference in the cost between the two plans will be deducted from the employee's regular paycheck.

Changes in Premium Contributions – The amount of the insurance premium an employee is required to contribute is subject to change by resolution of the Village Board. The Village Board will provide a two-month written notice of such change.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Dental Plan provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

809 Continuation of Health Insurance Benefits (COBRA/NYS Continuation Coverage)

Summary – The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) offers “qualified beneficiaries” the right to continue existing health insurance coverage, completely at their own expense, under certain qualifying conditions. **All required premiums and administrative fees must be paid in a timely manner in order for coverage to continue.**

NYS Continuation Coverage – For purposes of this policy, references to COBRA will be considered to incorporate the requirements for “Continuation Coverage” set forth in NYS Insurance Law, which provides enhancements over and above the provisions of COBRA.

Eligibility – An individual is a “qualified beneficiary” if the individual is covered under a group health plan on the day before a qualifying event as either a covered employee, the spouse of a covered employee, or a dependent child of a covered employee. A child who is either born to or who is placed for adoption with the covered employee during a period of COBRA coverage is also a “qualified beneficiary” entitled to COBRA coverage.

Period of Coverage – COBRA coverage is in effect for a period of **up to thirty-six months** (depending on the nature of the qualifying event), following a qualifying event. The COBRA requirements do not put any limit on the number of times a qualified beneficiary may be entitled to COBRA continuation coverage.

Qualifying Events – If a qualified beneficiary loses coverage under a group health plan as a result of a “qualifying event,” the qualified beneficiary is entitled by COBRA to the continuation of group health insurance coverage at the qualified beneficiary’s own expense. Any of the following circumstances are considered to be qualifying events:

- Termination of the covered employee’s employment for any reason except gross misconduct, or the covered employee’s loss of eligibility to participate due to reduced work hours.
- When a covered employee is on a leave of absence due to military service obligations.
- Death of a covered employee.
- Divorce or legal separation from a covered employee.
- A covered dependent ceases to be a “dependent child” under the health insurance plan.
- A covered dependent child’s loss of eligibility to participate in the insurance plan due to the covered employee becoming covered by Medicare as a result of total disability or choosing Medicare in place of the insurance plan at age sixty-five.

Change in Beneficiary Status – An employee must notify the Village within sixty calendar days of a legal separation or divorce or when a dependent is no longer eligible for insurance due to the age limitations or educational status requirements established by the insurance plan. The Village will not be responsible for any loss of coverage resulting from failure by the employee to give notification of such an event.

Enrollment Information – The Administrative Assistant will provide the employee with the enrollment forms and assist with the administrative and operational aspects of COBRA.

Enrollment is not automatic. The employee must complete the necessary enrollment forms and return all COBRA forms to the Administrative Assistant within the time indicated. If the required forms or premium payments are not received at the time specified, medical insurance coverage will cease.

810 Optional Insurance

Summary – The Village may make available optional life, dental, disability, cancer, accidental, or other forms of insurance. The full cost of such insurance shall be borne by the employee, the premiums of which may be voluntarily withheld from the employee's paycheck. Please contact the payroll department for further information on optional insurance plans.

811 Life insurance

Summary- Basic life insurance is provided at no cost to the employee and includes accidental death and dismemberment coverage.

812 Section 125 Plan

Summary – The Village of Saranac Lake offers eligible employees the opportunity to participate in a Village-sponsored Section 125 plan. The benefit of participating in the Section 125 plan is that an employee's contributions to the plan are deducted from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net take-home pay. The options offered under this plan are shown below.

Eligibility – A full-time employee is eligible to participate in this plan. A part-time, temporary or seasonal employee may not participate in this plan.

Flexible Spending Accounts – An employee may elect to have a pre-determined amount deducted from the employee's paycheck on a pre-tax basis each payroll period to be placed in a medical and/or dependent care flexible spending account (FSA). Money set aside in an employee's medical savings account may be used to cover certain health, dental, and vision care expenses that are not reimbursable through the employee's insurance plan(s). Money set aside in an employee's dependent care savings account may be used to cover eligible day care and nursery school expenses for covered dependents. Further details regarding this plan may be obtained from the Administrative Assistant.

Pre-Tax Insurance Premiums – An employee may elect to pay the employee portion of the medical insurance premiums with pre-tax dollars.

813 Short-Term Disability Benefits

Eligibility – A full-time employee is currently provided with short-term disability coverage in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid short-term disability coverage. This benefit is to supplement loss of time from work due to a qualified non-job related illness or injury.

Summary - The Village currently offers a short-term disability plan for non-job-related injuries or illnesses that meets the minimum requirements of New York State Disability Insurance. The insurance company makes the determination of whether an employee is eligible for short-term disability benefits. Disability payments will be in accordance with the terms of the policy. The duration of disability benefits is dependent upon a physician's certification and consistent with the terms of the policy. Benefits generally start with the eighth day of the disability and may continue up to a maximum of twenty-six weeks. An employee generally receives 50% of the employee's average weekly wages based on the previous eight weeks of employment, up to a maximum of \$170 per week. There is no coverage for medical care.

When Coverage Begins – Coverage will begin on the employee's first day of employment, provided the employee meets all eligibility requirements.

Premium Payment – Employees contribute a small amount, as specified by the Village Board, towards short-term disability coverage. The remaining portion is paid by the Village.

Reporting of Illness or Injury – The employee must submit a written report of the illness or injury on the proper application form to the employee's Department Head and the Administrative Assistant within twenty-four hours of the occurrence. The Administrative Assistant will provide the employee with the necessary forms. Proper medical certification will be required and must be submitted with the application form.

Use of Sick Leave Credits – An employee may draw from the employee's sick leave credits in conjunction with disability payments to equal, but not exceed, the employee's regular daily rate of pay.

Medical Insurance Coverage – The Village will continue medical insurance coverage for the employee in accordance with the provisions of the Family and Medical Leave Policy in this Employee Handbook.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Short-Term Disability Benefits provision set forth immediately above, and should refer to the applicable collective bargaining agreement.

814 Workers' Compensation Benefits

Coverage – The Village will make available Workers' Compensation benefits, including payment of medical costs and replacement of lost wages up to the regulated maximum, to each eligible employee who suffers an accidental injury arising out of and in the course of employment, as determined by the Workers' Compensation Board. Eligibility for coverage is determined by applicable Workers' Compensation regulations.

When Coverage Begins – Coverage will begin on the employee's first day of employment, provided the employee meets all eligibility requirements.

Premium Payment – The Village will pay the full premium for Workers' Compensation coverage for each eligible employee.

Reporting of Injury – The employee must report any accidental injury arising out of and in the course of employment to the Department Head immediately after the occurrence of the injury. The Department Head will notify the Administrative Assistant who will complete and submit the required forms.

Use of Sick Leave Credits – An employee may draw from the employee's sick leave credits in conjunction with Workers' Compensation payments to equal, but not exceed, the employee's regular daily rate of pay.

Medical Insurance Coverage – The Village will continue medical insurance coverage for the employee in accordance with the provisions of the Family and Medical Leave Policy in this Employee Handbook.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Use of Sick Leave Credits provision set forth immediately above, and should refer to the applicable collective bargaining agreement.

815 Unemployment Benefits

Coverage – The Village will make available unemployment benefits to each employee ruled eligible for benefits under New York State labor law.

816 Social Security

Summary – Social Security benefits are available for retirement, survivor's benefits, and medical costs under qualifying conditions, as determined by the Federal Social Security Administration Office. Employee contributions to Social Security (FICA) are matched by the Village.

817 The New York State Employees' Retirement System

Summary – The Village will make available the New York State Employees' Retirement System pension plan to each eligible employee and Elected Official. An employee or Elected Official is eligible for service retirement benefits based on their membership tier. In the event an employee or Elected Official leaves prior to retirement age, such employee or Elected Official may receive a benefit at retirement age related to those years as a public sector employee or Elected Official and their membership tier.

Mandatory Membership – A full-time employee who began employment with the State of New York or with a participating employer, on or after July 27, 1976, must join the Retirement System. An employee who is appointed to a permanent, full-time position on a probationary basis must join the Retirement System on the effective date of the probationary appointment. Employment is considered full-time unless:

- The employee works less than thirty hours per week, or less than the standard number of hours for full-time employment as established by the employer for this position; or
- The annual compensation for the position is less than the State's minimum wage multiplied by 2,000 hours; or
- Duration of employment is for less than one year or employment is on a less than a 12 month per year basis; or
- The position is either provisional or temporary under Civil Service Law.

Optional Membership – An employee or Elected Official who is not mandated to join may join the Retirement System. Such employee or Elected Official will be informed, in writing, that the employee or Elected Official may join the Retirement System and will acknowledge receipt of such notice by signing a copy thereof and returning it to the Administrative Assistant. If the employee or Elected Official elects to join the Retirement System, the employee or Elected Official must complete the application form and return it to the Administrative Assistant.

Waiver of Enrollment – An employee who is not mandated to join the Retirement System, and who chooses not to join, must complete a waiver of enrollment form.

818 Police and Fire Retirement System

Summary – The Police and Fire Retirement System covers all sworn personnel in the Police Department. All full-time and part-time police officers must become members of the Police and Fire Retirement System effective on the first day of employment, unless otherwise excepted in accordance with the provisions of that plan.

819 Education Assistance

Eligible Expenses – Upon proper authorization of the Village Board, a full-time employee may be reimbursed for the cost of job related schooling or training. The criteria for obtaining payment is as follows:

- A request which specifies the type and purpose of the schooling or training must be made in writing to the employee's Department Head.
- Village Board approval must be obtained before enrolling.
- Schooling/training must be job related.
- Payment for the course will be processed upon successful completion (either grade or signed statement from instructor or company representative).
- Instruction manuals will be paid for if they cannot be obtained otherwise.
- Schooling/training must be taken on the employee's own time, not to be paid for by the Village, or if during working hours, the time must be made up unless permission is specifically granted to use Village time.

Civil Service tests are to be taken on the employee's own time. If the test is given on a regular work day, a request for time off should be made to the employee's supervisor well in advance. Vacation or personal time may be used for this purpose.

Employment Commitment – Any employee receiving schooling/training paid for by the Village must agree to remain in Village employment for a specified period of time related to the nature of the course taken or to reimburse the Village for training expenses on a prorated basis.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Education Assistance provision set forth above, and should refer to the applicable collective bargaining agreement.

900 COMPLIANCE POLICIES

901 *Equal Employment Opportunity*

Policy Statement – The Village of Saranac Lake is an Equal Opportunity Employer. The Village does not unlawfully discriminate on the basis of race, religion, color, sex, gender identity, gender expression or transgender status, age, national origin, citizenship, disability, marital status, familial status, pregnancy, application to or present membership in the uniformed services, veteran status, arrest or conviction record, genetic predisposition or carrier status, sexual orientation, or any other protected class or status. Likewise, the Village prohibits employees, Elected Officials, vendors, suppliers, visitors, customers, and any other non-employee from discriminating against Village employees based on these protected groups. Discrimination based on any of the above is strictly prohibited. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, compensation, promotion, transfer, training, leave of absence, and termination.

Notification of Policy Violations – An employee or applicant should immediately report any perceived violation of this policy in accordance with the discrimination and harassment policy herein.

Application of Policy – This policy is for Village use only and does not apply in any criminal or civil proceeding. This policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Village administrative action. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

902 *The Americans with Disabilities Act and Pregnancy-Related Conditions*

Policy Statement – It is the policy of the Village of Saranac Lake to comply fully with the provisions and spirit of the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities. All employment practices, such as recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, employer-sponsored activities, including recreational or social programs, will be conducted so as not to discriminate unlawfully against persons with disabilities. This also extends to prohibit unlawful discrimination based on a person's relationship or association with a disabled individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) along with work assignments, classifications, seniority, leave, and all other forms of employment compensation or advantage.

Reasonable Accommodation – Reasonable accommodation is available to all qualified employees and applicants with disabilities, as well as employees with pregnancy-related conditions, unless it imposes an undue hardship on the Village and/or operations of a program. The Village may require medical documentation or other information necessary to verify the existence of the disability or pregnancy-related condition and the need for accommodation. Following receipt of an accommodation request, the Village will meet with the requestor to discuss and identify the precise limitations resulting from the disability and the potential accommodation(s) that the Village might make to help overcome those limitations.

The Village will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodations(s), and the accommodation's impact on Village operations.

Pre-Employment Inquiries – Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position and not any disabling condition. Pre-employment physical exams will only be requested when in compliance with the law. The Village of Saranac Lake intends to base employment decisions on principles of equal employment opportunity and nondiscrimination, as defined by law.

Notification of Policy Violations – An employee should immediately report any perceived violation of this policy to the employee's Department Head. In the event the employee is unable to discuss this matter with the Department Head, the complaint should be reported in writing to the Village Manager, the Mayor, or any member of the Village Board. All complaints of possible violations will be investigated discreetly and promptly. An employee who reports a possible violation will not suffer adverse employment consequences as a result of making the complaint. This procedure is not intended to restrict an individual's rights to make a complaint to a federal or state agency.

Application of Policy – This policy is for Village use only and does not apply in any criminal or civil proceeding. This policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Village administrative action. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

903 Anti-Discrimination and Harassment (Including Sexual Harassment) in the Workplace- Village Board Adopted Change April 2, 2018

Policy Statement – It is the policy of the Village of Saranac Lake to promote a productive work environment and to prohibit conduct by any employee that disrupts or interferes with another’s work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Village of Saranac Lake is committed to educate employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such harassment from the workplace. Any conduct that discriminates against, denigrates or shows hostility or aversion towards a person on the basis of gender (including gender identity, gender expression or transgender status), race, color, national origin, religion, disability, pregnancy, age, marital status, familial status, veteran status, military status, genetic predisposition, sexual orientation, or any other class protected by law is strictly prohibited. In short, the Village will not tolerate any form of harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such harassment the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of harassment, including sexual harassment, without any risk of repercussion to an employee who, in good faith, files such complaint.

Applicability of Policy – This policy applies to all Elected Officials, employees, interns, volunteers, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, whether elected or appointed and regardless of compensation level, customers, and all personnel in a contractual relationship with the Village. This policy also applies to “non-employees” as that term is defined pursuant to State law to include contractors, vendors or consultants or other persons providing service to the Village pursuant to a contract or those who are employees of the contractor, vendor or consultant. Harassment by or against any covered individual is prohibited

Supervisory Responsibility – All managerial and supervisory personnel of the Village shall be responsible for enforcing this Policy and shall have particular responsibility for ensuring that the work environment under their supervision is free from sexual harassment and retaliation. In addition to being subject to discipline or other remedial action if they engaged in sexually harassing conduct themselves, **all supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report same to Department Head and/or Village Manager.** Supervisors and managers will be subject to discipline (or other remedial and appropriate action) for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Prohibited Conduct

Harassment on the basis of a protected class or characteristic is prohibited by federal and state law as well as Village policy. Harassment is defined as verbal, written or physical conduct that demonstrates hostility, intimidation, ridicule, or insult towards an individual,

and has the purpose or effect of creating an abusive working environment as set forth below.

Harassing conduct includes the use of nicknames/labels, slurs or negative stereotyping; threatening, intimidating or hostile acts; demeaning jokes; and/or written or graphic material that belittles or shows hostility toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means. This policy includes, but is not limited to, the effect that harassment, discrimination and retaliation via the use of social media (on or off company time) have on an individual's ability to perform their job.

Harassment on the basis of any other protected characteristic is also strictly prohibited, including hostility towards an individual because of his/her race, color, religion, sex, sexual orientation, gender identity or expression, transgender status, national origin, age, disability, marital status, familial status, citizenship, genetic information or any other characteristic protected by law that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Sexual Harassment – This policy places special attention on the prohibition of sexual harassment in the workplace. Sexual harassment is also prohibited by federal and state law as well and is prohibited by the Village. Sexual harassment includes harassment on the basis of sex, self-identified or perceived sex or gender, sexual orientation, gender identity, gender expression or transgender status. Sexual advances that are not welcome, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment; OR
- Submission to such conduct is made either explicitly or implicitly a term or condition of work for the Village as a consultant, vendor or contractor or an employee of the consultant, vendor or contractor; OR
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual; OR
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment refers to behavior that is not welcome, that is personally and objectively offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with an employee's work performance and/or effectiveness or creates an intimidating, hostile or offensive working environment. Exposure to such conduct that serves to subject the recipient to inferior working conditions is prohibited by this policy and state and federal law.

Forms of Sexual Harassment – Specific forms of behavior that the Village of Saranac Lake considers sexual harassment and which are prohibited include, but are not limited to, the following:

- Quid pro quo threats or promises by a supervisor (loss of job or promise of job, promotion, or other employment benefit).
- Verbal harassment of a sexual nature related to an employee's gender, including sexual innuendoes, slurs, sexual slurs, suggestive, derogatory, insulting or lewd comments or sounds, whistling, jokes of a sexual nature, sexual propositions and/or threats.
- Sexually oriented comments about an employee's body that are unwelcome and/or unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment.
- Any sexual advance that is unwelcome or any demand for sexual favors.
- Sexually suggestive written, recorded or electronically transmitted material, showing or displaying pornographic or sexually explicit objects or pictures, graphic commentaries, leering or obscene gestures in the workplace such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.
- Physical contact of any kind which is not welcome, including touching, grabbing, hugging, fondling, jostling, petting, pinching, coerced sexual intercourse or sexual relations, assault or intentional brushing up against a person's body.

Sexual harassment is not limited to the physical workplace itself. It can occur while employees, interns and/or volunteers are traveling for business or at Village-sponsored events or parties. Calls, texts, emails, and social media usage can constitute or contribute to unlawful workplace harassment, even if occurring away from the workplace premises or not during work hours.

Reporting of Harassment (including Sexual Harassment) – Employees, interns and non-employees are encouraged to report incidents of harassment (including sexual harassment) to their Department Head and/or Village Manager as soon as possible after their occurrence. If the Department Head is believed to be involved in the incident, the report should be made directly to the Village Manager. If the Village Manager is the source of the alleged harassment, the individual should report the problem to the Mayor or any Village Board member. An individual who believe they have been harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board at home if these individuals do not work during the employee's shift.

Although encouraged, note that neither this Policy nor state or federal law requires that an individual tell an alleged harasser to stop his/her actions. Failure to do so does not preclude the individual from filing a complaint of sexual harassment. Individuals should feel free to keep written records of any actions which may constitute sexual harassment,

including time, date, location, names of others involved, witnesses (if any), and who said or did what to whom.

Workplace Harassment (including Sexual Harassment) Complaint Form – To ensure that all harassment complaints are managed appropriately, effectively and in accordance with the Village's policy, harassment complaints, including sexual harassment complaints, will be recorded in writing by using the Village sanctioned *Workplace Harassment Complaint Form*. These forms can be obtained from the Village Manager's Office. If needed, additional guidance can be obtained from the Village Manager's Office.

Confidentiality and Disclosure– Complaints of harassment will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Village to third parties or to anyone within the Village employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law. Under State law, the terms of any settlement or other resolution are subject to disclosure UNLESS the complaining party seeks confidentiality. Note that this request for confidentiality may be revoked within a certain time frame as may be established by law.

Investigation of Complaint – The Village Manager will determine the appropriate individual(s) to conduct the investigation. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. The particular facts of the allegation will be examined individually, with a review of the nature of the behavior and the context in which the incident(s) occurred. Any complaints received will be investigated promptly, thoroughly, and in as impartial a manner as possible. All employees, interns, volunteers, non-employees and others covered by this policy are required to cooperate in an investigation, if so directed. All persons involved, including complainants, witnesses and alleged harassers will be accorded appropriate due process to protect their rights to a fair and impartial investigation.

Employee or Elected Official Defense – Any employee or Elected Official charged with sexual harassment will be afforded a full and fair opportunity to offer and present information in their defense. Such information will be confidential to the extent possible.

Employee Rights – Nothing in this policy should be construed as in any way limiting employees' rights to use the Dispute Resolution Procedure as described in the Village of Saranac Lake Employee Handbook or any grievance procedure contained in a collective bargaining agreement. Employees also have the right to file a formal complaint with appropriate state or federal agencies responsible for administering anti-discrimination laws.

Disciplinary or Remedial Action – Any employee or official who is found to have committed an act of workplace harassment including sexual harassment will be subject to disciplinary action, up to and including termination of employment, as provided by Village operating procedures including Civil Service Law Section 75 or the disciplinary procedures contained in a collective bargaining agreement, whichever is applicable. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the Village is empowered to take such action.

Prohibition Against Retaliation – Intimidation, coercion, threats, reprisal or discrimination against any employee who in good faith brings a written or verbal complaint or who assists or aids in the investigation of such a complaint is prohibited. Any employee who participates in the procedure may do so without fear of retaliation. Retaliation against any employee who has filed a discrimination or harassment complaint is prohibited and may result in disciplinary action up to and including termination of employment.

Reimbursement – Any employee who has been subject to a judgement of personal liability for intentional wrongdoing in connection with a claim for sexual harassment shall reimburse the Village for any monies it paid to a complainant for what was found to be the employee's proportionate share of said judgement.

These reimbursements must be made within ninety (90) days from payment by the Village to the Complainant. A failure to reimburse will result in the sum being withheld directly from employee's compensation or through enforcement of a money judgement.

Outside Enforcement Agencies – Aside from filing a complaint with the Village under this Policy, any individual may also choose to pursue legal remedies through the New York State Division of Human Rights and/or the federal Equal Employment Opportunities Commission. Further, local protections may be in place as well. Filing a complaint with the Village in no way precludes an employee from filing a complaint with any outside legal agency or in court.

904 Violence in the Workplace- Village Board Adopted Change April 2, 2018

Policy Statement – The Village of Saranac Lake is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Village of Saranac Lake property will be thoroughly investigated and appropriate action will be taken. Individuals who engage in this behavior may be removed from Village of Saranac Lake's property and are subject to disciplinary and/or personnel action up to and including termination, consistent with Village of Saranac Lake policies, rules and collective bargaining agreements, Civil Service Law, and/or referral to law enforcement authorities for criminal prosecution. The Village Board of Trustees, officials, department heads, staff, volunteers, vendors, contractors, consultants, and others, who do business with the Village are expected to maintain a working environment free from violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property and to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Village of Saranac Lake has identified response personnel that include a member of management and an employee representative. If appropriate, the Village of Saranac Lake will provide counseling services or referrals for employees.

All Village of Saranac Lake personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Additionally, personnel are encouraged to report behavior that they reasonably believe poses a potential for workplace violence.

Definitions- Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, or the Village's ability to provide services to the public.

Initial Evaluation and Determination of Workplace Violence Risks - The Village of Saranac Lake determines that the following are some of the factors or situations in the Village workplaces that might place employees at risk:

1. Duties that involve the handling or exchange of monies
2. Duties that involve mobile workplace assignments
3. Working with unstable or volatile persons in criminal justice settings.
4. Working in community-based settings.
5. Working in rural or sparsely populated areas.
6. Working in a poorly lit environment.
7. Working alone.

Methods Village of Saranac Lake will use to prevent incidents of workplace violence

1. All Village employees shall possess Village-issued identification.
2. Several Village departments are locked and secured preventing the general public from access unless they are authorized or accompanied by a Village of Saranac Lake employee.
3. The hierarchy of controls to which the program shall adhere is as follows:
engineering controls, work practice controls and finally personal protective equipment
4. All employees will attend annual work place violence training.

Training at a minimum will include:

1. The requirements of the 12 NYCRR Part 800.6 regulation and the risk factors that were identified in the risk evaluation and determination;
2. Measures that the employees can take to protect themselves from the identified risks including specific procedures that the employer has implemented to protect employees, such as incident alert and notification procedures, appropriate work practices, emergency procedures and use of security alarms and other devices;
3. The location of the written workplace violence prevention program and how to obtain a copy.

Reporting of Incidents- Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any Village employee. Workplace violence should be promptly reported to the supervisor or one in authority as well as completing and filing the Incident Report Form (Appendix A) with the Village Manager. The Village Manager will contact the Workplace Violence Advisory Team. Additionally, Village employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. It is important that all employees take this responsibility seriously to effectively maintain a safe working environment.

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

Responsibilities:

A. Elected Officials and Department Heads

Elected officials and department heads shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administration and supervisors are aware of their responsibilities under this policy through internal communication and training.

B. Supervisory Staff

Each employee designated with supervisory responsibility (hereinafter "Supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report, to the Village Manager, any complaint of workplace violence made to him/her and any other incidents of workplace violence which he/she becomes aware or reasonably believes to exist.

C. Village Manager

The Village Manager is responsible for ensuring new employees have a copy of the Workplace Violence Prevention Program and appropriate training. The Village Manager will also be responsible for annually disseminating this policy to Village personnel, as well as posting the policy appropriately throughout County buildings and locations.

The Village Manager will assist Department Heads and the Workplace Violence Advisory Team in responding to workplace violence; and consulting with, as necessary, counseling services to secure professional intervention.

The Village Manager (or designated department heads) will offer periodic (annual) opportunities for training in the prevention and awareness of workplace violence.

The Program will be reviewed in its entirety at least annually (tentatively April of each year).

The Workplace Violence Advisory Team-The Workplace Violence Advisory Team will consist of the Village Manager, the Department Head (where the incident arose), and a Union Representative (as applicable).

This team will assist in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the Village's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention intervention and interviewing techniques in responding to workplace violence.

Confidentiality-The Village shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. The Village will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that safety and well-being of Village employees would be served by such action.

Retaliation- Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline up to and including termination, and referral to law enforcement in aggravated circumstances.

905 *Drug-Free Workplace*

Policy Statement- This Bulletin outlines the Village of Saranac Lake's standards on the prohibition of alcohol and drugs in the workplace. It will assist employees in the guidance of their conduct, thereby promoting productivity and protecting the Village from criticism and liability. It will also provide instruction to Supervisors when an employee appears impaired at work. All of these efforts will contribute to a safer work environment for all.

This policy is based upon the Village of Saranac Lake's long standing practice and policy prohibiting the use of alcohol and drugs on the job, the Federal Drug-Free Workplace Act of 1989, the State of New York's Policy on Alcohol and Controlled Substances in the Workplace and the Omnibus Transportation Employee Testing Act (OTETA). The OTETA is scheduled to take effect for the Village of Saranac Lake during 1996 and the Village of Saranac Lake will comply with USDOT rules which mandate pre-employment, reasonable suspicion, post-accident, random, follow-up and return to duty drug and alcohol testing of employees in various positions requiring the possession of a Commercial Driver's License (CDL) and others who operate Village vehicles and equipment. Employees determined to be in this category will be notified of their status and responsibilities prior to the implementation of any drug and alcohol testing program.

The Village of Saranac Lake will assist employees who have a drug or alcohol dependency problem to recover from such addictions provided the employees seek or accept assistance. However, the Village of Saranac Lake may take appropriate formal disciplinary action which can include penalties up to, and including, termination of employment to resolve drug or alcohol related job performance and/or misconduct problems. It is important to emphasize that employees with drug and/or alcohol problems who wish to avail themselves of rehabilitative services or any rehabilitation program should pursue help before they are determined to be in violation of the Village of Saranac Lake's Drug-Free Workplace Policy.

Employee Responsibilities –It is the policy of the Village of Saranac Lake that:

1. No employee shall use, sell, distribute, dispense, possess, or manufacture any alcoholic beverage or illegal drugs or any other intoxicating substance on the job site, or Village property while on duty; or while in a Village vehicle, or a privately owned vehicle being used for Village business during the employee's work hours.
2. No employee shall report for work unfit for duty at the beginning of a shift or upon returning from any break, lunch or rest period, as a result of

consuming alcohol, illegal drugs or other intoxicant. Further, no employee notified of being in a safety sensitive position as defined by the Omnibus Transportation Act of 1991 shall report to work in a condition that violates that Act and the corresponding rules.

3. An employee that operates any village owned motorized vehicle or equipment is further prohibited from the use of alcohol for (4) hours prior to operating that vehicle or equipment. No Supervisor having knowledge that an employee in such a position has used alcohol within four (4) hours shall permit that employee to operate Village owned vehicles or equipment.
4. While prescription drugs are not prohibited, they should not render an employee unfit for duty. Situations of this nature should be brought to the supervisor's attention by the employee, especially if the employee's job responsibilities have an impact on the health and safety of others and/or has been identified as an employee who normally operates vehicles or equipment. These situations should be addressed confidentially on a case-by-case basis, and it may be necessary for the employee's physician to certify that the substance does not adversely affect the employee's fitness for duty.
5. Any work-related accident or injury involving Village of Saranac Lake vehicles, equipment and/or property where it can be demonstrated that the use of alcohol, drugs, or other intoxicants may have been a contributing factor, will result in formal discipline which can include penalties up to and including termination of employment. Further, effective January 1, 1996 an employee operating village owned vehicle or equipment shall be required to take post-accident alcohol and drug tests in accordance with the OTETA. Such an employee shall not use alcohol for eight (8) hours following an accident or until he/she undergoes a post- accident alcohol test, whichever occurs first.
6. An employee shall notify his/her supervisor of any criminal drug statute conviction no later than five days after the date of such conviction. A supervisor notified of such a conviction shall relay that information to the Village Manager.
7. An employee may be directed to undergo a medical examination under Section 72 of the New York State Civil Service Law if a Supervisor has a reasonable suspicion that the employee is not able to perform his or her duties as a result of a disability which may be caused by alcohol or a controlled substance. Furthermore, effective January 1, 1996, an

employee who operates a Village owned vehicle or equipment must be directed to undergo alcohol and/or drug testing when the Supervisor has "reasonable suspicion" to believe the employee violated the alcohol or drug prohibitions of the Act. A reasonable suspicion must be based on specific reliable observations about the employee's appearance, behavior, speech, or body odors. Some examples would be unsteady gait, odor of alcohol on the breath, thick or slurring speech, aggressive or abusive language or behavior, disorientation or lethargy. Other factors to consider include employee's time and attendance patterns, on-the-job accidents, difficulty remembering instructions or conversations, poor relationships with co-workers and Supervisor, and other variations in productivity. Usually reasonable suspicion will be based upon a combination of these factors.

8. Such designated employees shall be subject to random testing for drug and/or alcohol use.
9. Violation of these rules may result in a disciplinary action up to and including termination of employment.

Supervisory Responsibilities- It is the policy of the Village of Saranac Lake that:

1. Supervisors are responsible for determining through direct observation, whether an employee is capable of performing his/her assigned duties. Symptoms of being under the influence of alcohol and drugs include incoherent or belligerent speech, smell of alcohol, difficulty working, or erratic or unusual behavior uncommon to the employee. (See #7 of Employee Responsibility Section).
2. Supervisors who suspect that an employee is under the influence of alcohol or drugs must follow steps 4 & 5 below or face disciplinary action.
3. Employees who are suspected of being unfit for duty may not remain at the workplace. Such incidents and situations as described in #1 above should be witnessed and documented in writing immediately, and the department head or Village Manager consulted. Clearly, an employee who is impaired should not be allowed to drive home from the workplace. (See #5 below for further direction.)
4. Employees who are suspected of being unfit for duty as a result of alcohol or drug use should be directed for reasonable suspicion based drug and/or alcohol testing in accordance with Section 72 of the Civil Service Law. Supervisors should immediately bring their observations to

the attention of their department head so that through consultation with the Village Manager examination and/or testing arrangements can be made as soon as practical.

5. After reasonable suspicion testing issues have been resolved, the Supervisor should arrange to send the unfit employee home with a member of the employee's family, friend of the employee, or in a taxi at the employee's expense. If all other alternatives are exhausted, a Supervisor may allow an employee who is unfit for duty to be driven home in a village vehicle.
6. The fact that an unfit employee under the influence of alcohol or drugs was not allowed to remain at work is not considered a disciplinary suspension. After a removal is achieved, Supervisors and department heads should discuss the specifics of the situation with the Village Manager to review whether disciplinary charges and suspension or other administrative actions are appropriate. Each situation will be evaluated on a case-by-case basis.
7. When an employee displays dangerous, aggressive or abusive behavior which constitutes a danger to that employee or others and the employee resists voluntarily leaving the workplace, clearance to suspend under the disciplinary procedure should be immediately sought through appropriate channels from the Village Manager. In cases where the employee does not comply with disciplinary suspension or due to the time of day disciplinary suspension approval could not be obtained *and* the employee continues to display aggressive and/or abusive behavior which constitutes a danger in the workplace, the Supervisor may have to contact Village Police to remove the employee from the work place. Law enforcement intervention should only be taken if it is believed an immediate danger to persons or property exists and the other measures described above were unsuccessful in controlling the situation.
8. An employee who reports to work unfit for duty and is sent home may use sick leave or leave with no pay to cover the absence, and may be subject to medical examination by a physician at the Village of Saranac Lake's expense as a condition of returning to work. In such cases, the Village Manager, in conjunction with the Union representative should be consulted for advice. (See #7 of the Employee Responsibilities Section.)

Management Responsibilities- It is the policy of the Village of Saranac Lake that:

1. A drug and alcohol free workplace be maintained through the efforts and personal example of management.
2. Appropriate corrective actions be taken with Managers and Supervisors who fail to perform their duties and responsibilities as outlined in this policy.
3. Managers and Supervisors discuss with subordinate employees any behavior or job performance factors that may indicate the use of drugs, alcohol or other violations of this policy and when appropriate suggest that employees seek appropriate assistance.
4. Managers will direct employees who operate village owned vehicles and equipment to mandatory pre-employment, pre-duty, reasonable suspicion, random, post-accident, return- to-duty and follow-up testing in accordance with this policy. Managers should also direct other employees believed to be unfit for duty for medical examination and possible alcohol and/or drug testing in accordance with Section 72 of the New York State Civil Service Law.
5. All employees and supervisors understand its Drug-Free Workplace policies and Drug Testing Procedures. The Village of Saranac Lake will also train Supervisors how to recognize behaviors that indicate reasonable suspicion for requesting medical examinations, including drug and/or alcohol tests.

Summary- In summary, it is the policy of the Village of Saranac Lake that all employees remain free of any drug and/or alcohol induced impairments while on duty, refrain from the use of illegal drugs and/or alcohol while on duty, and while operating any village vehicles or equipment, and undergo any drug and/or alcohol testing that is required.

906 *Controlled Substance and Alcohol Testing*

Statement of Compliance – The Village Board has adopted a Controlled Substance and Alcohol Testing Policy that is in compliance with the "Omnibus Transportation Employee Testing Act of 1991" (OTETA). The purpose of this policy is to reduce accidents resulting

from an employee's use of controlled substances and alcohol, thus reducing fatalities, injuries and property damage.

Covered Employees – The Village's Controlled Substance and Alcohol Testing Policy applies to all covered drivers as defined by the federal regulations, which includes all employees who drive commercial motor vehicles (as defined in Sec. 382.107 of the OTETA) requiring a commercial driver's license to operate.

Acknowledgment Form – A covered employee will receive a written copy of the Controlled Substance and Alcohol Testing Policy and must sign an Employee Acknowledgment Form. This form will be placed in the employee's personnel file.

Access to Policy – A copy of the Village's Drug-Free Workplace Policy is available at Village payroll office.

907 Smoking

Policy Statement – It is the policy of the Village to prohibit smoking, vaping, or the use of tobacco products in the workplace, which includes all Village buildings and all Village vehicles. Smoking, vaping, or the use of tobacco products must be restricted to designated areas outside of the building.

1000 SAFETY

1001 *Workplace Safety*

Policy Statement – Prevention of injury and illness in the workplace requires the cooperation of all employees in all safety and health matters. It is the policy of the Village to reduce the number of workplace injuries and illnesses to an absolute minimum. Accidents can be prevented through use of reasonable precautions and the practice of safe working habits.

Employee Responsibility – In an effort to protect all employees and to safeguard equipment and property, before an employee begins a given task, it is the employee's responsibility to understand the correct operation and possible hazards involved, safety procedures, and necessary safety equipment required to perform the job.

Safety Program – The Village's safety program includes, but is not limited to, the following:

- Providing mechanical and physical safeguards to the maximum extent possible;
- Conducting inspections to find and eliminate unsafe working conditions and practices, control health hazards, and comply with the safety and health standards for every job;
- Training all employees in safety and health practices;
- Providing necessary personal protective equipment and instructions for its use and care;
- Developing and enforcing safety and health rules and requiring that employees cooperate with these rules as a condition of employment;
- Investigating, promptly and thoroughly, every accident to find the cause and correct the problem to prevent future occurrences;
- Providing First Aid kits and fire extinguishers throughout buildings and facilities.

Accident Plan – In the event of an accident, an employee must immediately stop work and take the following steps:

- Eliminate the immediate cause of the accident;
- Provide aid to the injured person and summon for assistance;
- Call the Department Head immediately (after emergency help has been called, if necessary);
- If the accident appears serious, call 911; and

- Take steps to prevent additional accidents.

Accident Reporting Procedures – In the event an accident occurs in the workplace or in the course of employment, the employee must immediately notify the Department Head who will in turn notify the Administrative Assistant. The Department Head must complete an *Employer's Report of Injury Form (C-2)* and submit it to the Administrative Assistant.

The Administrative Assistant will keep a log of the injury or illness for five years following the end of the calendar year to which it relates. A copy of this log, which includes totals and information for the year, must be posted in each department or areas where notices to employees are customarily posted.

1002 Hazard Communication Program

Statement of Compliance – The Village of Saranac Lake is committed to providing a safe and healthy work environment and complies with all Federal, State and local laws regarding hazard recognition, accident prevention, and working conditions. The Village considers Hazard Communication and the prevention of workplace injuries and illnesses to be of prime importance.

Guidelines – The following guidelines for the identification of chemical hazards and the preparation and proper use of containers, labels, placards, and other types of warning devices must be adhered to:

- **Chemical Inventory** – The Village must maintain an inventory of all known chemicals in use. An employee may obtain the chemical inventory from the employee's supervisor or Department Head.
- **Container Labels** – All chemicals on a work-site must be stored in the original or approved containers with the proper label attached. The Department Head must ensure that each container is labeled with the identity of the hazardous chemical contained and any appropriate hazard warnings. The Village will rely on manufacturer applied labels whenever possible. A container that is not labeled or on which the manufacturer's label has been removed, must be properly labeled. A container not properly labeled must be given to the Department Head for labeling or proper disposal.
- **Dispensing Chemicals** – An employee may dispense chemicals from original containers only in small quantities intended for immediate use. Any chemical leftover must be returned to the original container or to the Department Head for proper handling. No unmarked containers of any size are to be left in the work area unattended.

Material Safety Data Sheets (MSDS) – An employee working with a Hazardous Chemical shall obtain a copy of the Material Safety Data Sheet (MSDS) and a standard chemical reference from the employee's Department Head.

Employee Training – An employee must be trained to work safely with hazardous chemicals. This training program must cover the following areas:

- Methods used to detect the release of hazardous chemicals in the workplace;
- Physical and health hazards of chemicals and the measures used to protect employees;
- Safe work practices;
- Emergency responses to the exposure of hazardous chemicals;
- Proper use of personal protective equipment; and
- Hazard Communication Standards, including labeling and warning systems, and an explanation of the use of Material Safety Data Sheets.

Personal Protective Equipment (PPE) – Depending on job duties, an employee must routinely wear protective devices, such as gloves and safety glasses, as directed by the supervisor. An employee who is required to wear special safety equipment as directed by the supervisor must comply with the supervisor's request.

Emergency Response – Any incident of overexposure or spill of a hazardous chemical/substance must immediately be reported to the employee's supervisor. The supervisor must insure that proper emergency response actions are taken.

Hazards of Non-Routine Tasks – The Department Head must inform employees of any special tasks that may arise which would involve possible exposure to hazardous chemicals. Review of safe work procedures and use of required PPE must be conducted prior to the start of these tasks. Where necessary, areas will be posted to indicate the nature of the hazard involved.

1100 COMMUNICATION PROCEDURES

1101 Organizational Communications

Summary – The Village Board is committed to assuring effective communications between the Board and employees. The success of the organization is dependent upon a set of common interests and goals that are achieved through teamwork, sharing of ideas, and effective communications of our short-term and long-term plans. From time to time, information and updates will be distributed to employees. All employees are encouraged to discuss this information with their Department Head should there be any questions.

Methods of Communication – Information will be communicated to employees in a variety of ways, including general and departmental meetings, memos and other written correspondence, notices distributed with paychecks, and posting of information. Employees should check bulletin boards frequently to keep informed on changes in employment matters and other items of interest. Except as otherwise provided by a collective bargaining agreement, all material to be posted on bulletin boards, including memos and announcements, must have the prior approval of the appropriate Department Head.

1102 Adverse Communications

Policy Statement – An employee who receives any communication of a negative nature directed to the Village, or to any of its officers or employees in their official capacity, shall immediately notify and/or forward the communication to the appropriate Department Head. The term “communication” shall refer to both written and verbal communications, and includes, but is not limited to, memoranda, faxes, messages, letters, legal notices, e-mails, summonses and other communications.

1103 Suggestions

Policy Statement – Giving and receiving feedback is encouraged in order to promote a positive, productive, and cooperative atmosphere. Employees should notify their supervisor or Department Head of any suggestions which may be valuable to the Village’s productivity and success. All suggestions will be carefully reviewed and may be implemented if feasible.

1104 Public Relations

Policy Statement – The courteous, professional treatment of members of the public by all employees helps to build confidence among the taxpayers we serve. We ask that all employees make every effort to represent the Village in a polite and professional manner.

1200 DISPUTE RESOLUTION

1201 *Dispute Resolution Procedure*

Policy Statement – The Village Board has established a set of procedures to provide for the orderly resolution of differences at the earliest possible stage and to promote a harmonious and cooperative relationship between employees, Department Heads and members of the Village Board which will enhance the overall operation of the Village. The Village will attempt to resolve all work-related complaints that are appropriate for handling under this policy.

Definition of Dispute – For the purpose of this Employee Handbook, a “dispute” will mean a claimed violation, misinterpretation or inequitable application of any of the provisions of this Employee Handbook. In addition, the term “dispute” shall not apply to any matter as to which the Village is without authority to act. A few examples of matters that may be considered appropriate disputes under this policy include:

- A belief that Village policies, practices, rules, regulations, or procedures have been applied in a manner detrimental to an employee;
- Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
- Alleged discrimination because of race, color, sex, age, religion, sexual orientation, national origin, marital status, disability; or any other protected class; and
- Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, salary, or seniority.

Step One – An employee who claims to have a dispute may present the dispute to the employee’s Department Head. The dispute must be submitted, in writing, within seven working days following knowledge of the event(s) which caused the dispute or when the employee should have had knowledge. The dispute will specify the date of submission, the name of the aggrieved employee, the date the dispute arose, the nature of the dispute, the provision of the Employee Handbook that was allegedly violated and a statement of facts, times, dates, and the remedy sought.

Within seven working days after receiving the dispute, the employee’s Department Head will meet with the employee to discuss and attempt to resolve the matter.

Step Two – In the event the informal dispute is not resolved at Step One, or the employee reasonably believes that the employee cannot present the dispute to the employee’s Department Head, the employee may submit the matter to the Village Manager. The dispute must be submitted, in writing, within seven working days from receiving the Step One response, or when the response should have been received or if Step One is not utilized for the above reason, within seven working days following knowledge of the event(s) which caused the dispute or when the employee should have had knowledge.

Within seven working days after receiving the dispute, the Village Manager will meet with the employee to discuss and attempt to resolve the matter. Within seven working days from the meeting, the Village Manager will issue a written response.

Step Three – In the event the employee is not satisfied with the response at Step Two, the employee may submit the matter to the full Village Board by filing a Request for Hearing with the Village Clerk. The Request for Hearing must be submitted, in writing, within seven working days from receiving the Step Two response, or when the response should have been received. The Request for Hearing will include a written statement of the dispute as outlined in Step One of this Procedure.

The Village Board will set the time and place for the hearing. All decisions rendered by the Village Board will be final and binding.

Time Limits – The employee must adhere to the time limits set forth in this dispute procedure. In the event the employee does not advance the dispute to the next step within the established time limit, the dispute will be considered withdrawn and no further appeal will be accepted. The time limits may be extended by mutual agreement provided the extension is in writing, dated and signed by the employee and the person who is to receive the dispute.

Final Decisions – Final decisions on disputes will not be precedent-setting or binding on future disputes unless they are stated as official Village policy.

Proper Use of Dispute Resolution Procedure – Employees will not be penalized for proper use of the dispute resolution procedure. However, it is not considered proper use if an employee raises a dispute in bad faith or solely for the purposes of delay or harassment, or repeatedly raises meritless disputes. Implementation of the dispute procedure by an employee does not limit the right of the Village to proceed with any disciplinary action that is not in retaliation for the use of this procedure.

Refusal to Proceed with Dispute – The Village Board may, at its discretion, refuse to proceed with any dispute it determines is improper or baseless under this policy.

Union Employees – An employee who is a member of a collective bargaining unit should refer to the applicable collective bargaining agreement to determine if the employee's dispute (grievance) may be subject to the grievance procedure contained in the employee's collective bargaining agreement.

1300 APPENDICES

- A. EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM**
- B. EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM (PBA)**
- C. MAYORAL APPOINTMENTS SUBJECT TO BOARD APPROVAL**

Detach and place in employee's personnel file.

VILLAGE OF SARANAC LAKE
EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I hereby acknowledge that I have received a copy of the *Village of Saranac Lake Employee Handbook* outlining the rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits of the Village of Saranac Lake. I further acknowledge that I have read, or will read, the contents of the Employee Handbook and will contact my Department Head or the Village Manager if I have any questions.

I understand that the Employee Handbook is not meant to create a contract of employment, nor should it be construed as creating a contract of employment and that the Village Board of the Village of Saranac Lake reserves the right to interpret, change or modify any section of the Employee Handbook at any time.

I understand that, if I am covered by a collective bargaining agreement between the Village of Saranac Lake and an employee organization as defined by the Public Employees' Fair Employment Act, in the event an expressed and explicit provision set forth in a collective bargaining agreement should conflict with an employee benefit, personnel policy, personnel procedure, or other provision set forth in the Employee Handbook, the expressed and explicit provision of the collective bargaining agreement will control. Otherwise, unless expressly excluded herein, the Employee Handbook is applicable to all employees.

I agree to abide by the personnel policies, procedures, rules and regulations outlined in the Employee Handbook.

I understand that the Employee Handbook and the changes contained herein are intended to supersede all prior manuals and guidelines issued by the Village of Saranac Lake.

Employee name (please print)

Department Head Name (please print)

Employee Signature

Department Head Signature

Date of Signature

Date of Signature

VILLAGE OF SARANAC LAKE
EMPLOYEE HANDBOOK ACKNOWLEDGMENT
For PBA members

As a member of the Village of Saranac Lake Police Benevolent Association, I understand that my signature below is solely for the purpose of acknowledging receipt of this Employee Handbook.

I understand that the Employee Handbook is not meant to create a contract of employment, nor should it be construed as creating a contract of employment and that the Village Board of the Village of Saranac Lake reserves the right to interpret, change or modify any section of the Employee Handbook at any time.

Employee name (please print)

Department Head Name (please print)

Employee Signature

Department Head Signature

Date of Signature

Date of Signature

A copy of this form is to be placed in the employee's personnel file.

MAYORAL APPOINTMENTS SUBJECT TO BOARD APPROVAL

Under Village Law §3-301(3), the Offices filled by Mayoral appointments subject to Board approval include:

- Deputy Mayor 4 Year Term
- Village Treasurer, Deputy Treasurer 4 Year Term
- Village Clerk, Deputy Clerk 4 Year Term
- Registrar of Vital Statistics 4 Year Term
- Village Attorney 4 Year Term
- Development Board Chairman / Members 1 Year/5 Year
- Public Health Officer 1 Year Term
- Any other offices that have been established locally

- Village Manager Unspecified Term
 - Pursuant to Village Law, in 1929 Saranac Lake adopted the Village Manager Plan of Government. The Village Manager is responsible for the administration of village government. They shall execute the laws of New York State and policies, ordinances, rules, and amend bylaws of the Board of Trustees. The Saranac Lake Village Manager also serves as the Budget Officer and is responsible for preparing the tentative budget.

Retention and Disposition Schedule for New York Local Government Records

Resolved, Be the Board of Trustees of the Village of Saranac Lake that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

Further Resolved, that in accordance with Article 57-A;

- (a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

**Village of Saranac Lake
PARKS AND TRAILS ADVISORY BOARD**

BY-LAWS

I – NAME

The name of the advisory board shall be the Parks and Trails Advisory Board, hereinafter referred to as the “Advisory Board.”

II – PURPOSE

The purpose of the Advisory Board is to make recommendations to the Saranac Lake Village Board on policy and implementation that support and promote healthy lifestyles through healthy infrastructure. “Healthy infrastructure” is the connection between facilities for walking, bicycling and physical fitness as an integrated part of transportation, recreation, community quality of life and economic vitality.

III – DUTIES

The Advisory Board shall have the power and be required to:

- 1) Act in advisory capacity in matters pertaining to recreation and transportation so as to promote and support healthy lifestyles.
- 2) Consider the Village budget for parks, recreation, leisure and transportation, making recommendations with respect thereto to the Village Manager.
- 3) Assist in the planning of recreation and transportation initiatives; promote and stimulate public interest therein; and seek cooperation of public and private entities.
- 4) Develop recommendations that integrate pedestrian and bicycle travel into a Complete Streets plan to enable safe access for all users.
- 5) Make recommendations regarding healthy infrastructure improvements needed in the Village.
- 6) Advocate for the implementation of adopted plans and policies related to healthy infrastructure.

IV – MEMBERSHIP

The Board of Trustees for the Village of Saranac Lake shall appoint a Parks and Trails Advisory Board of no more than nine (9) voting members each serving two-year, staggered terms; who shall not be paid officers or employees of the village; and who shall serve without compensation. Appointments shall be made in an effort to represent a variety of recreation, health, leisure and wellness activities as well as diversity with respect to age, ability, race and gender. There shall also be one (1) ex-officio member who shall be a member of the Village Board of Trustees who shall act as a liaison between the Advisory Board and the Village Board of Trustees. The ideal membership would be: 1 active pedestrian; 1 active cyclist; 1 representative of wellness; 1 representative of accessibility; 4 representatives of recreational activities or related

businesses. One non-voting member shall be the Village Manager or his/her designee. The Village Board may remove any member of the Advisory Board for misconduct or neglect of duty. Vacancies on the Advisory Board occasioned by removal, resignation or for any other cause shall be filled for the remainder of the term by the Village Board of Trustees upon recommendation of the Advisory Board.

Any voting member appointed to the Advisory Board is automatically removed from the Board upon filing with the Clerk of the Village of Saranac Lake, the official roster indicating failure to comply with the attendance policy for advisory boards.

Qualifications: Resident of the Village of Saranac Lake. Exception to this residency requirement will be made if specific expertise is desired by the Saranac Lake Village Board of Trustees.

Department/Staff Liaison: Village of Saranac Lake Community Development Director

V – OFFICERS

Officers of the Board shall consist of a Chairperson, a Vice-Chairperson and a Secretary. The term of office shall be one year beginning October 1st through September 30th.

The nomination of the Advisory Board's Chairperson, Vice-Chairperson and Secretary shall come from the floor in either a voice or paper ballot. Appointment of the nomination will be decided by a simple majority vote.

The Chairperson shall lead the meetings and is responsible for developing the Board agendas and notices. The Chairperson is also responsible for developing the Advisory Board Annual Workplan.

The Vice-chair shall assist the Chair in leading the meetings. If the Chair cannot attend a meeting, the Vice-chair shall lead the meeting.

The Secretary will be responsible for taking and developing meeting minutes. Staff/ interns to the Board shall assist in the development of the Board's Annual Workplan, meetings, agendas, minutes and notices. The Secretary shall take attendance at all meetings.

VI – MEETINGS

1) By-Laws

The Advisory Board shall conduct an organizational meeting to determine its bylaws, including, but not limited to: a regular meeting schedule; protocols for quorum or consensus; attendance policy; unscheduled absences and the appointment of officers. Meeting minutes shall be posted to the Village website following each meeting.

2) Regular Meetings

The Parks and Trails Advisory Board is an advisory committee to the Board of Trustees of the Village of Saranac Lake. Public notice of all Advisory Board meetings shall be posted at least 24 hours in advance. All Board meetings are open to the public unless written explanation for closing is provided on the Village's website, where the minutes are published. Special meetings by phone and other media are permitted. Individuals and organizations wishing to speak before the Advisory Board shall adhere to rules set forth by the Advisory Board in its bylaws.

The Advisory Board shall meet as often as necessary in order to meet its responsibilities. However, regular Board meetings shall be held once each month. There shall be in place a mandatory attendance policy. All Advisory Board members must be present at a minimum of ten (10) of the regularly scheduled monthly Board meetings. Special meetings may be called by the Chairman or a majority of the Board with seven (7) days advance written notice to members.

An Advisory Board member is considered in attendance at a regular Board meeting when said member is present for at least two-thirds of the total length of the meeting. Board members can attend by telephone/video conferencing.

At all meetings of the Advisory Board, the presence in person of one more than half of the Advisory Board shall constitute a quorum for the transaction of business. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, recess the meeting from time to time, until a quorum shall be present. At any such recessed meeting any business may be transacted which might have been transacted at the meeting as originally called.

At all meetings of the Advisory Board at which a quorum is present, all matters, except as otherwise expressly required by law or these By-laws, shall be decided by the vote of a majority of the members of the Board present.

All voting Advisory Board members, including the Chair of the Board, must vote on all official actions taken by the Board unless when there appears to be a possible conflict of interest with a member or members of the Board.

3) Conflict of Interest

Advisory Board Members will immediately disclose any known conflicts of interest prior to board discussion of the item. No Board Member will be permitted to vote on any specific issue in which he or she has a conflict of interest. The balance of the Advisory Board will vote on whether the Board Member disclosing a potential conflict of interest will be allowed to be present for discussion of the issue.

VII – STAFF/ INTERNS

The Board will rely on staff provided by the Village of Saranac Lake. Staff shall assist the Officers of the Advisory Board and Board-designated subcommittees in fulfilling their duties and responsibilities.

VIII – SUBCOMMITTEES

Subcommittees may be designated by the Chairperson as necessary to investigate and report on specific subject areas of interest to the Board.

IX – CONDUCT OF BUSINESS

The Advisory Board and committees serving the Board shall conduct business in accordance with Robert's Rules of Order, latest revised edition except when in conflict with these By-laws.

X - Public Input

Individuals/organizations wishing to address the board should contact the Community Development Department at least one week prior to the meeting to be placed on the agenda. As time permits, the board will set aside 10 minutes immediately following the chair's call to order for those individuals/organizations wishing to comment that are not on the official agenda. Written comments may be submitted at any time and will be duly noted in the minutes of the next regular meeting.

XI– ADOPTION AND AMENDMENT

These By-laws shall be adopted by a majority vote of the Board members present at a regular meeting provided they have been distributed to each member at least seven (7) days prior to the date of the meeting.

These By-laws may be amended by a majority vote of the Board members at a regular meeting provided that the proposed amendments have been distributed to each member at least seven (7) days prior to the day of the meeting.

**Village of Saranac Lake
Arts & Culture Advisory Board
BY-LAWS**

I – NAME

The name of the advisory board shall be the Arts & Culture Advisory Board, hereinafter referred to as the “Advisory Board.”

II – PURPOSE

The purpose of the Advisory Board is to make recommendations to the Saranac Lake Village Board of Trustees regarding policies and actions that facilitate implementation of the Village of Saranac Lake Arts and Culture Master Plan. The Advisory Board will undertake actions that support the following vision statement:

“The historic Village of Saranac Lake supports thriving arts, cultural, and community institutions, in an all-inclusive environment that fosters the creative economy, community pride, downtown revitalization, and a myriad of diverse year-round offerings within outstanding natural surroundings.”

The Arts Advisory Board is an avenue of communication and consultation between the arts and culture community (art, music, dance, performance, literature, film, history, craft, etc.) and the village government.

III – DUTIES

The Advisory Board shall have the power and be required to:

- A. Act in an advisory capacity in matters pertaining to the arts and culture.
- B. Advocate for the implementation of the Arts and Culture Master Plan by addressing its five goals:
 - 1. Arts and Cultural Community Engagement
 - 2. Master Plan Funding Acquisition
 - 3. Targeted Arts Marketing Campaign
 - 4. Organizational and Artist Support
 - 5. Arts and Culturally Driven Economic Development
- C. Act as a liaison between the arts and cultural community and the Board of Trustees. Or Supplement village staff as a liaison with arts and culture-related organizations
- D. Promote public and private cooperation in support of the arts and culture.

IV – MEMBERSHIP

The Board of Trustees for the Village of Saranac Lake shall appoint an Advisory Board of up to nine (9) voting members each serving a maximum of (3) consecutive, two-year, staggered terms; who shall not be paid officers or employees of the village; and who shall serve without

compensation. Appointments shall be made in an effort to represent a variety of arts and cultural offerings as well as diversity with respect to age, ability, race and gender. There shall also be one (1) ex-officio member who shall be a member of the Village Board of Trustees who shall act as a liaison between the Advisory Board and the Village Board of Trustees. The ideal membership would also include at least one member with a background in marketing and/or business. The Village Board may remove any member of the Advisory Board for misconduct or neglect of duty. Missing three consecutive meetings without sufficient excuse shall constitute a resignation from the board. Vacancies on the Advisory Board occasioned by removal, resignation or for any other cause shall be filled for the remainder of that members term by the Village Board of Trustees upon recommendation of the Advisory Board.

Voting Member Qualifications: Members should be a resident of the Village of Saranac Lake or own an arts or culture-related business or organization in the Village. Exception to the residency requirement will be made if specific expertise is desired by the Saranac Lake Village Board of Trustees.

Department/Staff Liaison: Village of Saranac Lake Community Development Director

V – OFFICERS

Officers of the Board shall consist of a Chairperson, a Vice-Chairperson and a Secretary. The term of office shall be one year beginning January 1st through December 31st.

The nomination of the Advisory Board's Chairperson, Vice-Chairperson and Secretary shall come from the floor in either a voice or paper ballot. Appointment of the nomination will be decided by a simple majority vote, where a quorum is present.

The Chairperson shall lead the meetings and is responsible for developing the Board agendas and notices. The Chairperson is also responsible for developing the Advisory Board Annual Workplan.

The Vice-chair shall assist the Chair in leading the meetings. If the Chair cannot attend a meeting, the Vice-chair shall lead the meeting.

The Secretary will be responsible for taking and developing meeting minutes. Staff/ interns to the Board shall assist in the development of the Board's Annual Workplan, meetings, agendas, minutes and notices. The Secretary shall take attendance at all meetings.

VI – MEETINGS

1) By-Laws

The Advisory Board shall conduct an organizational meeting to determine its bylaws, including, but not limited to: a regular meeting schedule; protocols for quorum or consensus; attendance

policy; unscheduled absences and the appointment of officers. Meeting minutes shall be posted to the Village website following each meeting.

2) Regular Meetings

The Arts and Culture Advisory Board is an advisory committee to the Board of Trustees of the Village of Saranac Lake. Public notice of all Advisory Board meetings shall be posted at least 24 hours in advance. All Board meetings are open to the public unless written explanation for closing is provided on the Village's website, where the minutes are published. Special meetings by phone and other media are permitted. Individuals and organizations wishing to speak before the Advisory Board shall adhere to rules set forth by the Advisory Board in its bylaws.

The Advisory Board shall meet as often as necessary in order to meet its responsibilities. However, regular Advisory Board meetings shall be held once each month. There shall be in place a mandatory attendance policy. All Advisory Board members must be present at a minimum of ten (10) of the regularly scheduled monthly Board meetings. Special meetings may be called by the Chairman or a majority of the Board with two (2) days advance written notice to members.

An Advisory Board member is considered in attendance at a regular Board meeting when said member is present for at least two-thirds of the total length of the meeting. Board members can attend by telephone/video conferencing.

At all meetings of the Advisory Board, the presence in person of more than half of the Advisory Board voting members shall constitute a quorum for the transaction of business. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, recess the meeting from time to time, until a quorum shall be present. At any such recessed meeting any business may be transacted which might have been transacted at the meeting as originally called.

At all meetings of the Advisory Board at which a quorum is present, all matters, except as otherwise expressly required by law or these By-laws, shall be decided by the vote of a majority of the members of the Board present.

All voting Advisory Board members, including the Chair of the Board, must vote on all official actions taken by the Advisory Board except when that member or members appear to have a possible conflict of interest.

3) Conflict of Interest

Advisory Board Members will immediately disclose any known conflicts of interest prior to board discussion of the item. No Board Member will be permitted to vote on any specific issue in which he or she has a conflict of interest. The balance of the Advisory Board will vote on

whether the Board Member disclosing a potential conflict of interest will be allowed to be present for discussion of the issue.

VII – STAFF/ INTERNS

The Board will rely on staff provided by the Village of Saranac Lake. Staff shall assist the Officers of the Advisory Board and Board-designated Committees in fulfilling their duties and responsibilities.

VIII – COMMITTEES

Committees may be designated by the Chairperson as necessary to investigate and report on specific subject areas of interest to the Advisory Board.

IX – CONDUCT OF BUSINESS

The Advisory Board and committees serving the Board shall conduct business in accordance with Robert's Rules of Order, latest revised edition except when in conflict with these By-laws.

X – PUBLIC INPUT

Individuals/organizations wishing to address the board should contact the Community Development Department at least one week prior to the meeting to be placed on the agenda. As time permits, the board will set aside 10 minutes immediately following the chair's call to order for those individuals/organizations wishing to comment that are not on the official agenda. Written comments may be submitted at any time and will be duly noted in the minutes of the next regular meeting.

XI– ADOPTION AND AMENDMENT

These By-laws shall be adopted by a majority vote of the Advisory Board members present at a regular meeting provided they have been distributed to each member at least seven (7) days prior to the date of the meeting.

These By-laws may be amended by a majority vote of the Board members at a regular meeting provided that the proposed amendments have been distributed to each member at least seven (7) days prior to the day of the meeting.

**Village of Saranac Lake
DOWNTOWN ADVISORY BOARD
BY-LAWS**

I - NAME

The name of the advisory board shall be the Downtown Advisory Board, hereinafter referred to as the "Advisory Board."

II - PURPOSE

The purpose of the Advisory Board is to make recommendations to the Saranac Lake Village Board of Trustees regarding policies and undertake actions that support the following mission statement:

"Improve economic vitality by enhancing the experience, image and lifestyle of Downtown Saranac Lake."

To accomplish this purpose and mission, the Advisory Board shall adopt the four points and eight guiding principles of the National Trust of Historic Preservation Main Street Four-Point Approach as listed below:

Four Points

- Organization
- Promotion
- Design
- Economic Restructuring

Eight Guiding Principles

- Comprehensive
- Incremental
- Self-help
- Partnerships
- Identifying and capitalizing on existing assets
- Quality
- Change
- Implementation

III - DUTIES

The Advisory Board shall have the power and be required to:

- 1) Act in advisory capacity in matters pertaining to issues, policies, actions that affect Downtown Saranac Lake.
- 2) Assist in the planning and implementation of downtown events, promotions, beautification, fundraising, infrastructure improvements, and stimulate public interest therein; and seek cooperation of public and private entities.
- 3) Act as a liaison between Downtown stakeholders and the Board of Trustees.

- 4) Advocate for the implementation of adopted plans and policies related to Downtown Saranac Lake.

IV - MEMBERSHIP

The Board of Trustees for the Village of Saranac Lake shall appoint an Advisory Board of no more than nine (9) voting members each serving two-year, staggered terms; who shall not be paid officers or employees of the village; and who shall serve without compensation. Appointments shall be made in an effort to represent a variety of Downtown Saranac Lake stakeholders as well as diversity with respect to age, ability, race and gender. There shall also be one (1) ex-officio member who shall be a member of the Village Board of Trustees who shall act as a liaison between the Advisory Board and the Village Board of Trustees. The Village Board may remove any member of the Advisory Board for misconduct or neglect of duty. Vacancies on the Advisory Board occasioned by removal, resignation or for any other cause shall be filled for the remainder of the term by the Village Board of Trustees upon recommendation of the Advisory Board.

Any voting member appointed to the Advisory Board is automatically removed from the Board upon filing with the Clerk of the Village of Saranac Lake, the official roster indicating failure to comply with the attendance policy for advisory boards.

Voting Member Qualifications: Members must be a downtown resident, downtown property owner, downtown business owner, or downtown event representative.

Downtown Boundaries: For the purposes of this Advisory Board, Downtown Saranac Lake is defined as the area defined in Exhibit 'A'.

Department/Staff Liaison: Village of Saranac Lake Community Development Director

V - OFFICERS

Officers of the Board shall consist of a Chairperson, a Vice-Chairperson and a Secretary. The term of office shall be one year beginning January 1st through December 31st.

The nomination of the Advisory Board's Chairperson, Vice-Chairperson and Secretary shall come from the floor in either a voice or paper ballot. Appointment of the nomination will be decided by a simple majority vote.

The Chairperson shall lead the meetings and is responsible for developing the Board agendas and notices. The Chairperson is also responsible for developing the Advisory Board Annual Workplan.

The Vice-chair shall assist the Chair in leading the meetings. If the Chair cannot attend a meeting, the Vice-chair shall lead the meeting.

The Secretary will be responsible for taking and developing meeting minutes. Staff/ interns to the Board shall assist in the development of the Board's Annual Workplan, meetings, agendas, minutes and notices. The Secretary shall take attendance at all meetings.

VI - MEETINGS

1) By-Laws

The Advisory Board shall conduct an organizational meeting to determine its bylaws, including, but not limited to: a regular meeting schedule; protocols for quorum or consensus; attendance policy; unscheduled absences and the appointment of officers. Meeting minutes shall be posted to the Village website following each meeting.

Regular Meetings

The Downtown Advisory Board is an advisory committee to the Board of Trustees of the Village of Saranac Lake. Public notice of all Advisory Board meetings shall be posted at least 24 hours in advance. All Board meetings are open to the public unless written explanation for closing is provided on the Village's website, where the minutes are published. Special meetings by phone and other media are permitted. Individuals and organizations wishing to speak before the Advisory Board shall adhere to rules set forth by the Advisory Board in its bylaws.

The Advisory Board shall meet as often as necessary in order to meet its responsibilities. However, regular Board meetings shall be held once each month. There shall be in place a mandatory attendance policy. All Advisory Board members must be present at a minimum of ten (10) of the regularly scheduled monthly Board meetings. Special meetings may be called by the Chairman or a majority of the Board with two (2) days advance written notice to members.

An Advisory Board member is considered in attendance at a regular Board meeting when said member is present for at least two-thirds of the total length of the meeting. Board members can attend by telephone/video conferencing.

At all meetings of the Advisory Board, the presence in person of one more than half of the Advisory Board voting members shall constitute a quorum for the transaction of business. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, recess the meeting from time to time, until a quorum shall be present. At any such recessed meeting any business may be transacted which might have been transacted at the meeting as originally called.

At all meetings of the Advisory Board at which a quorum is present, all matters, except as otherwise expressly required by law or these By-laws, shall be decided by the vote of a majority of the members of the Board present.

All voting Advisory Board members, including the Chair of the Board, must vote on all official actions taken by the Board unless when there appears to be a possible conflict of interest with a member or members of the Board.

2) Conflict of Interest

Advisory Board Members will immediately disclose any known conflicts of interest prior to board discussion of the item. No Board Member will be permitted to vote on any specific issue in which he or she has a conflict of interest. The balance of the Advisory Board will vote on whether the Board Member disclosing a potential conflict of interest will be allowed to be present for discussion of the issue.

VII - STAFF/ INTERNS

The Board will rely on staff provided by the Village of Saranac Lake. Staff shall assist the Officers of the Advisory Board and Board-designated Committees in fulfilling their duties and responsibilities.

VIII - COMMITTEES

Committees may be designated by the Chairperson as necessary to investigate and report on specific subject areas of interest to the Advisory Board.

IX - CONDUCT OF BUSINESS

The Advisory Board and committees serving the Board shall conduct business in accordance with Robert's Rules of Order, latest revised edition except when in conflict with these By-laws.

X - PUBLIC INPUT

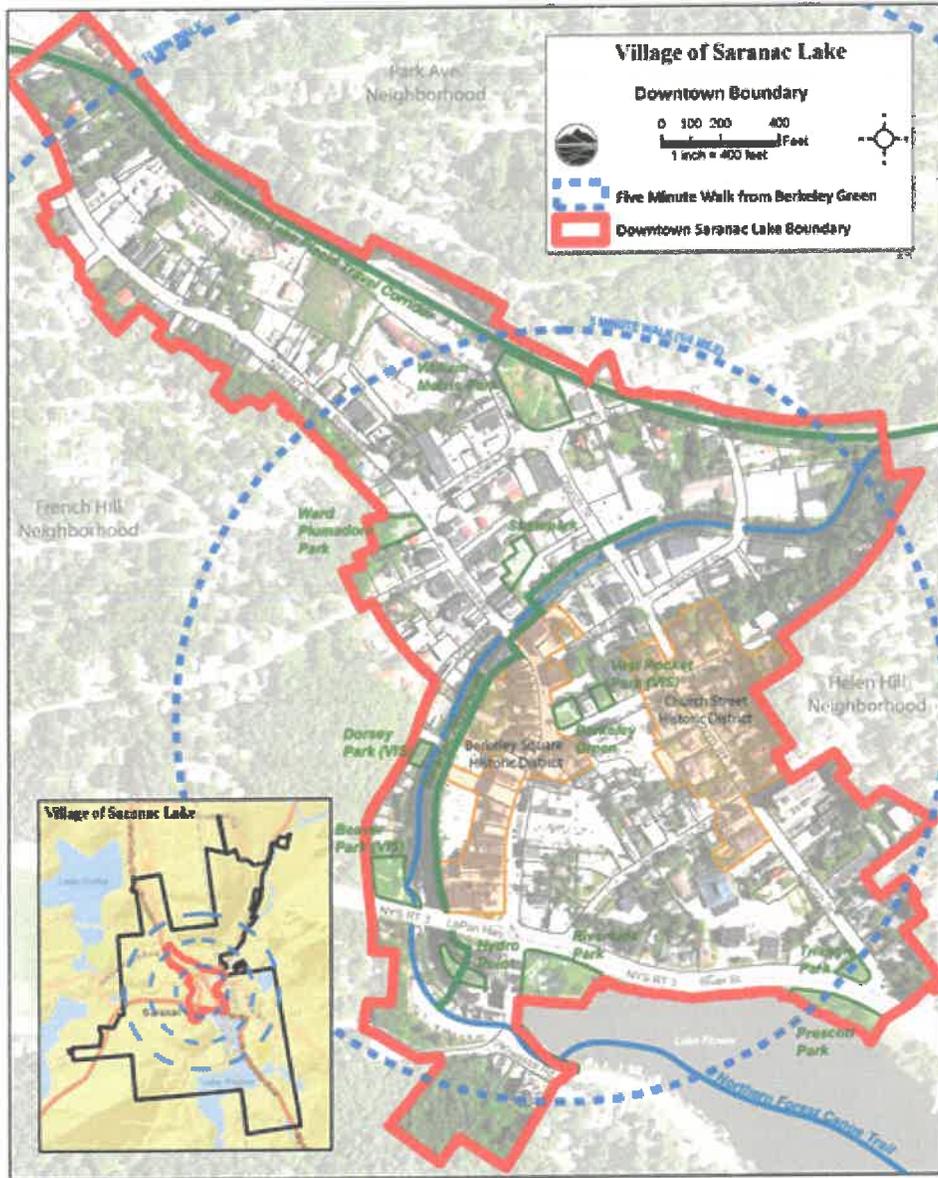
Individuals/organizations wishing to address the board should contact the Community Development Department at least one week prior to the meeting to be placed on the agenda. As time permits, the board will set aside 10 minutes immediately following the chair's call to order for those individuals/organizations wishing to comment that are not on the official agenda. Written comments may be submitted at any time and will be duly noted in the minutes of the next regular meeting.

XI- ADOPTION AND AMENDMENT

These By-laws shall be adopted by a majority vote of the Board members present at a regular meeting provided they have been distributed to each member at least seven (7) days prior to the date of the meeting.

These By-laws may be amended by a majority vote of the Board members at a regular meeting provided that the proposed amendments have been distributed to each member at least seven (7) days prior to the day of the meeting.

Exhibit 'A'



Village of Saranac Lake

Section 3 Compliance Plan

Drafted January 2019

Background

Section 3 of the Housing and Urban Development Act of 1968, as amended, ("Section 3") requires that economic opportunities generated by certain U.S. Department of Housing and Urban Development (HUD) financial assistance for housing and community development programs be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and business concerns which provide economic opportunities to low- and very low income persons¹.

Pursuant to Section 3 of the Housing and Urban Development Act of 1968, as amended and 24 CFR Part 135, the Village of Saranac Lake (Village) and any or all Subrecipient agencies administering federal funds on behalf of the Village (Subrecipient) adopts this Section 3 Compliance Plan for Section 3 Covered Contracts. The policy will provide the Village and any Subrecipients direction and guidance for implementing Section 3, when required.

Policy Statement

The Village of Saranac Lake shall provide opportunities to low- and very low-income persons residing in the State of New York (as defined in § 135.5 of 24 CFR Part 135) and to businesses meeting the definition of "Section 3 Business Concern" (as defined by 24 CFR Part 135). Accordingly, the Village shall implement policies and procedures to ensure that Section 3, when required, is followed and develop programs and procedures necessary to implement this policy covering all procurement contracts where labor and/or professional services are provided.

This policy shall not apply to contractors who only furnish materials or supplies through Section 3 covered assistance. It will apply to contractors who install materials or equipment. (See the definition of "Section 3 Covered Contracts" below.) There is nothing in this policy that should be construed to require the employment or contracting of a Section 3 resident or contractor who does not meet the qualifications of the position to be filled or who cannot fulfill the contract requirements.

¹ 124 CFR 135.1

Definitions

The Village of Saranac Lake hereby incorporates into this policy the definitions contained in §35.5 of 24 CFR Part 135.

Defined Terms of Policy

Section 3 – Section 3 is a provision of the Housing and Urban Development Act of 1968, which recognizes that HUD funds are typically one of the largest sources of federal funding expended in communities through the form of grants, loans, entitlement allocations and other forms of financial assistance. Section 3 is intended to ensure that when employment or contracting opportunities are generated because a covered project or activity necessitates the employment of additional persons or the awarding of contracts for work, preference must be given to low-and very low-income persons or business concerns in the community where the project is located.

Section 3 Recipient – means any entity which receives Section 3 covered assistance, directly from HUD or from another recipient and includes, but is not limited to, any State, unit of local government, PHA, IHA, Indian tribe, or other public body, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferees of any such entity, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies, and it does not include contractors.

Section 3 Resident – A Section 3 Resident is:

- A public housing resident; or
- A low- or very low-income person residing in the metropolitan area or non- metropolitan county in which the Section 3 covered assistance is expended.

Section 3 Business Concern(s) – Section 3 Business Concerns are businesses that can provide evidence that they meet one of the following:

- 51% or more owned by Section 3 residents; or
- At least 30% of its full-time employees include persons that are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents; or
- Provides evidence, as required, of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications in the above two paragraphs.

Section 3 Covered Assistance - Public and Indian housing development, operating or capital funds; or other housing assistance and community development assistance expended for housing rehabilitation, housing construction or other public construction projects, such as: HUD-CDBG, HOME Investment Partnerships Program, Section 202/811, Lead-Based Paint Abatement, etc.

The following definition for Section 3 Covered Assistance comes from 24 CFR 135.5: Public and Indian housing development assistance provided pursuant to section 5 of the 1937 Act;

- 1) Public and Indian housing operating assistance provided pursuant to Section 9 of the 1937 Act;
- 2) Public and Indian housing modernization assistance provided pursuant to Section 14 of the 1937 Act;
- 3) Assistance provided under any HUD housing or community development program that is expended for work arising in connection with:
 - i. Housing rehabilitation (including reduction and abatement of lead-based paint hazards, but excluding routine maintenance, repair and replacement);
 - ii. Housing construction; or
 - iii. Other public construction project which includes other buildings or improvements, regardless of ownership.

Section 3 Covered Contract - means a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 Covered Assistance, or for work arising in connection with a Section 3 Covered Project. "Section 3 Covered Contracts" do not include contracts awarded under HUD procurement program, which are governed by the Federal Acquisition Regulation System (see 48 CFR, Chapter 1). "Section 3 Covered Contracts" do not include contracts for the purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 Covered Contract.

For example, a contract for the purchase and installation of a furnace would be a Section 3 Covered Contract because the contract is for work (i.e., the installation of the furnace) and thus is covered by Section 3.

Section 3 Covered Project - A section 3 covered project involves the construction or rehabilitation of housing (including reduction of lead-based paint hazards), or other public construction such as street repair, sewage line repair or installation, updates to

building facades, or other public construction, etc.

Section 3 Covered Community Planning and Development Funding - Community Development Block Grants (CDBG), HOME Investment Partnerships Program Assistance (HOME), Emergency Shelter Grants (ESG), Neighborhood Stabilization Programs (NSP), and certain grants awarded under HUD Notices of Funding Availability (NOFA). The requirements for Section 3 only apply to the portion(s) of covered funding used for projects or activities involving housing construction, rehabilitation, demolition, or other public construction.

Section 3 Thresholds - The requirements of Section 3 are applicable to HUD's direct "recipients" - for Section 3 covered project(s) for which the amount of assistance is more than \$200,000.²

Contractors and Subcontractors are also subject to Section 3 requirements when performing *any* type of activity or Section 3 covered activity for which the amount of the assistance is in excess of \$200,000 and the contract or subcontract exceeds \$100,000.³

If a recipient receives Section 3 covered housing construction or public infrastructure or community development assistance in excess of \$200,000, but no individual contract exceeds \$100,000, Section 3 requirements will only apply to the recipient.

Finally, it should be noted that there are no thresholds for Section 3 covered Public and Indian Housing assistance.⁴ that is, all activities related to Public and Indian Housing assistance are covered by Section 3 regardless of the total funding amount.

Responsibilities

1. The Village of Saranac Lake, which may periodically receive federal community development or housing assistance covered by Section 3, has the responsibility to comply with Section 3 in its own operations. This responsibility includes:
 - Notifying Section 3 residents and businesses about job opportunities and contracts generated by Section 3 covered assistance so that residents may seek jobs and businesses may submit bids/proposals for available contracts;
 - Notifying potential contractors of the objectives of Section 3 and ways in which each contractor can assist the Subrecipient to meet its goal;

² See 24 CFR 135.3 (a) (3) (ii).

³ 24 CFR 135.3 at 135 (3) (ii) (B).

⁴ *Id.* at 135.3 (a) (3) (i).

- Facilitating the training and employment of Section 3 residents and the award of contracts to Section 3 business concerns; and
 - Documenting the action that the Subrecipient takes to comply with the Section 3 requirements, the results of the actions, and impediments, if any.
2. The Village of Saranac Lake has a responsibility to “ensure compliance” of their contractors and subcontractors. This means that the Village, or its Subrecipient, if applicable, must:
- Notify contractors of their responsibilities under Section 3 including, but not limited to, incorporating the Section 3 Clause in contract documents.
 - Refrain from entering into contracts with contractors that are in violation of the regulations in 24 CFR Part 135.
 - Respond to complaints made to the recipient by Section 3 residents or
 - Business concerns that the Subrecipient, a contractor or subcontractor, is not in compliance with 24 CFR Part 135.
 - Cooperate with HUD in obtaining the compliance of contractors and subcontractors when allegations are made that the Subrecipient’s contractors and subcontractors are not in compliance with the regulation of 24 CFR Part 135.

Goals

All contractors undertaking Section 3 covered projects and activities are expected to meet the Section 3 requirements. To demonstrate compliance with the "greatest extent feasible" requirement of Section 3, contractors must meet the goals set forth below for providing training, employment and contracting opportunities to Section 3 residents and Section 3 business concerns. To meet the goals, contractors must select Section 3 residents based on the following priorities pursuant to § 135.34, 24 CFR Part 135:

- *First Priority* - Residents of the development where the work is to be performed.
- *Second Priority* - Other residents of the neighborhood or community where the work is to be performed.

- *Third Priority* - Other residents of the neighborhood who are participants in “HUD-Youthbuild” or other federal, state, and local job programs being carried out in the Village or Washington County area.
- *Fourth Priority* - Other persons from the project metropolitan area who meet the definition of Section 3 resident contained in § 135.5 of 24 CFR Part 135.

Employment

All contractors will seek low- or very low-income persons residing in the property metropolitan area for 30% of all new hires. When applicable, the contractor must show evidence of seeking project residents for 15% of the new hires.

Eligibility for employment or contracting - nothing in this policy shall be construed to require the employment or contracting of a Section 3 resident or contractor who does not meet the qualifications of the position to be filled or who cannot perform the contract.

Preference for Section 3 Business Concerns

Preference shall be awarded to Section 3 Business Concerns according to the following system:

1. Where the Section 3 Covered Contract is to be awarded based upon the lowest price, the contract shall be awarded to the qualified Section 3 Business Concern with the lowest responsive quotation, if it is reasonable and no more than 10 percent higher than the quotation of the lowest responsive quotation from any qualified source. If no responsive quotation by a qualified Section 3 Business Concern is within 10 percent of the lowest responsive quotation from any qualified source, the award shall be made to the source with the lowest quotation. If it is reasonable and no more than 10 percent higher than the quotation of the lowest responsive quotation from any qualified source. If no responsive quotation by a qualified Section 3 Business Concern is within 10 percent of the lowest responsive quotation from any qualified source, the award shall be made to the source with the lowest quotation.
2. Where the Section 3 Covered Contract is to be awarded based on factors other than price, a request for quotations shall be issued by developing the particulars of the solicitation, including a rating system for the assignment of points to evaluate the merits of each quotation. The solicitation shall identify all factors to be considered, including price or cost. The rating system shall provide for a range of 15 to 25 percent of the total number of available rating points to be set

aside for the provision of preference for Section 3 Business Concerns. The purchase order shall be awarded to the responsible firm whose quotation is the most advantageous, considering price and all other factors specified in the rating system.

Competitive Bids - Procurement by Sealed Bids (i.e. Invitations for Bids)

Preference in the award of Section 3 Covered Contracts that are awarded under a sealed bid process may be provided as follows:

1. Bids shall be solicited from all businesses (i.e. Section 3 Business Concerns and non- Section 3 Business Concerns). An award shall be made to the qualified Section 3 Business Concern with the highest priority ranking (as defined in 24 CFR Part 135) and with the lowest responsive bid if that bid:
 - A) Is within the maximum total contract price established in the Village of Saranac Lake Budget for the specific project for which bids are being taken; and
 - B) Is not more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

X = the lesser of:

When the lowest responsive bid is less than \$100,000 = 10% of that bid or \$9,000

When the lowest responsive bid is at least \$100,000, but less than \$200,000 = 9% of that bid or \$16,000

At least \$200,000, but less than \$300,000 = 8% of that bid or \$21,000

At least \$300,000, but less than \$400,000 = 7% of that bid or \$24,000

At least \$400,000, but less than \$500,000 = 6% of that bid or \$25,000

At least \$500,000, but less than \$1 million = 5% of that bid or \$40,000

At least \$1 million, but less than \$2 million = 4% of that bid or \$60,000

At least \$2 million, but less than \$4 million = 3% of that bid or \$80,000

At least \$4 million, but less than \$7 million = 2% of that bid or \$105,000

\$7 million or more = 1.5% of the lowest responsive bid, with no dollar limit.

2. If no responsive bid by a Section 3 Business Concern meets the requirements of paragraph 1 of this section, the contract shall be awarded to a responsible bidder with the lowest responsive bid.
3. In both paragraphs 1 and 2 above, a bidder, to be considered as responsible, must demonstrate compliance with the "greatest extent feasible" requirement of Section 3.

Compliance

HUD holds NYS-HCR accountable for overall compliance with Section 3 requirements. In contracts entered into with HCR, funding recipients agree to comply with Section 3. When a housing partner is unable to meet Section 3 goals, HCR will place the burden of proving compliance with Section 3 on the recipient and/or Subrecipient.

The minimum numerical goal for employment is 30 percent of the aggregate number of new hires shall be Section 3 residents annually – i.e., 1 out of 3 new employees needed to complete a Section 3 covered project/activity shall be a Section 3 resident.

The minimum goals for contracting are:

- Ten percent (10%) of the total dollar amount of all Section 3 covered contracts for building trades work for maintenance, repair, modernization or development of public or Indian housing or building trades work arising in connection with housing rehabilitation, housing construction and other public construction, shall be awarded to Section 3 businesses; and
- Three percent (3%) of the total dollar amount of all non-construction Section 3 covered contracts shall be awarded to Section 3 businesses.

Safe harbor and compliance determinations:

In the absence of evidence to the contrary (i.e., evidence that efforts to the "greatest extent feasible" were not expended), if the Village of Saranac Lake or contractor meets the minimum numerical goals shown above, the recipient or contractor is considered to have complied with Section 3 preference requirements.

The Village of Saranac Lake will be expected to demonstrate why it was not feasible to meet the goals. At a minimum, if recipients of Section 3 Assistance are unable to meet their Section 3 training, hiring, and contracting goals, they should *sponsor or*

participate in upward mobility programs, hire eligible residents in trainee positions with regard to training and employment, or form Section 3 joint ventures with various local employment agencies.

Data Collection and Reporting

The Village of Saranac Lake will make every effort feasible to collect and submit required Section 3 data and complete routine Section 3 reporting requirements for grant or related federal contracts that require Section 3 compliance.

CERTIFICATION

I certify that to the best of my knowledge and belief all of the information in this Section 3 Compliance Plan is correct and periodically updated and provided to the NYS Homes and Community Renewal and/or HUD, upon request.

Signed by _____

Title: Mayor

Date _____

ACKNOWLEDGEMENT OF A CONFLICT OF INTEREST

I, _____, Trustee of the Village of Saranac Lake, acknowledge that I have an interest in any contract between the Village of Saranac Lake and _____ because I am an owner and or employee of and or have an interest in the company.

Signature

Date

STATE OF NEW YORK]
COUNTY OF FRANKLIN] SS.

On this 13th day of October, 2020, before me, the undersigned, a Notary Public in and for said state, personally _____ personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual acted, executed the instrument.

Kareen A. Tyler, Village Clerk

REGULAR MEETING OF THE BOARD OF TRUSTEES
September 28, 2020

Meeting was held in the Harrietstown Townhall Auditorium with seating capacity for 50 people with social distancing and the wearing of masks. The meeting was also streamed through WebEx meeting.

Everyone stood for the pledge of allegiance lead by Trustee Catillaz.

ROLL CALL FOR REGULAR MEETING: Present: Mayor Clyde Rabideau
Trustees: Thomas Catillaz, Richard Shapiro, Zelda Newman and Melinda Little.
Staff also present: Village Manager, John Sweeney, Village Clerk Kareen Tyler, Development Code Officer, Paul Blaine, Community Development Director Jamie Konkoski and Village Treasurer, Elizabeth Benson

AUDITING:

Chair Rabideau called for a motion to approve payment for the 2021 budget \$132,053.77 voucher number 11044925 to 11045007 complete detail of these vouchers is attached and made part of these minutes.

Motion: Catillaz Second: Little

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Chair Mayor Rabideau called for a motion to approve minute of 8-24-2020,9-16-2020

Motion: Little Second: Shapiro

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

PUBLIC COMMENT PERIOD:

Tim Fortune, Chair of the Downtown Advisory Board outlined the insect community enhance project, details are with Bill 88-2020.

Larry Robin, Artist for the insect community enhancement project outline the fabrication of the sculptures.

Fred Balzac, 128 Shepard Ave, spoke in favor of the rescue squad development code amendment Bill 85-2020. He thinks the village should waive all fees associated with this code change as it is the board fault this was left out of the code. He also stated that the development board does not treat all applicants the same. He also spoke regarding Bill 87-2020. He stated he was at the August 24th Village Board meeting and the Mayor prejudiced the vote on the amendment to the Development Code regarding a project he had an interest in on Duprey Street. He threatened to report this to New York State.

Lindy Ellis, 1 Dahinda Road, Franklin County Legislator, spoke regarding the department of motor vehicle office in the Harrietstown Townhall being closed. With COVID 19 the Governor's Executive Order for the protection of the clerks and the customers of DMV all transaction must be done by appointment or online. This requires more space and employees so currently the only open DMV office is in Malone. A drop box here in Saranac Lake is being discussed with Kip Cassavaw, the Franklin County Clerk.

Paul Blaine, Development Code Officer for the Village indicated that the allegation that the development board does not treat all applicants the same is not factual. All applicants are treated equally.

Julie Harjung, Saranac Lake Volunteer Rescue Squad stated that the Police Department, Fire Department and Rescue Department all were left out when the Development Code was adopted. She would like to see the rescue squad fees waived as well.

CORRESPONDENCE: Letter Shaun Kittle, Letter Fred Balzac, Letter Saranac Lake Volunteer Rescue Squad and Police report.

Chair Mayor Rabideau called for a motion to receive and place on file.

Motion: Little Second: Catillaz

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Update from David Lewis, Waste Water Treatment Plant Operator
UV system plans are out for review, bid out in October, bids in by end of December.
Bids are expected to come in 2 million over budget. State Pollutant Discharge Elimination System (SPEDS) permit is in, now testing with increasing fees is required. EFC-09 will need approval of increase. Future Project is the cleaning of the digester with an estimate of \$150,000.

Mayor Rabideau exchanged some ideas with David Lewis.

ITEMS FOR BOARD ACTION:

Bill 84-2020 Declare Equipment Surplus

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Catillaz Second: Shapiro

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Bill 85-2020 Refer Code Amendment – Ambulance Squad

A copy of the bill is attached and made part of these minutes

Chair Deputy Mayor Little called for a motion.

Motion: Little Second: Shapiro

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Bill 86-2020 Adopt Building, Planning and Public Works Fee Schedule

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Little Second: Shapiro

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Mayor Rabideau recuse himself and left the room.

Bill 87-2020 Call for a Public Hearing on Tuesday 10-13-2020 at 5:30PM for Amendment of the Development Code – Duprey Street

A copy of the bill is attached and made part of these minutes

Chair Deputy Mayor Little called for a motion.

Motion: Catillaz Second: Shapiro

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes.

Mayor Rabideau returned to the room

Bill 88-2020 Community Enhancement Project

A copy of the bill is attached and made part of these minutes

Chair Deputy Mayor Little called for a motion.

Motion: Unanimous First and Second

Roll Call: All in favor.

Bill 89- 2020 Revise Banner Program

A copy of the bill is attached and made part of these minutes

Chair Deputy Mayor Little called for a motion.

Motion: Little Second: Catillaz

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Bill 90-2020 Hire Laborer

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Catillaz Second: Little

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Bill 91-2020 Remove Bill 72-2020 from the table

A copy of the bill is attached and made part of these minutes

Chair Deputy Mayor Little called for a motion.

Motion: Little Second: Shapiro

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Bill 72-2020 Sidewalk Chalk Art for Downtown

A copy of the bill is attached and made part of these minutes

Chair Deputy Mayor Little called for a motion.

Motion: Shapiro Second: Newman

Motion to amend Little Second: Newman Amend should to shall receive permission from business owner

Roll Call to Amend: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Roll Call on Amendment: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

OLD BUSINESS:

Downtown Halloween – discussion and determination that the village will not close the street or sponsor downtown trick and treating because of COVID 19.

Trustee Shapiro – status of Riverwalk section that is closed by owner of property. Still with village attorney.

Trustee Shapiro – status of opening Mt. Pisgah. Working with Friends of Mt. Pisgah regarding opening of the lodge and ski lessons.

Mayor Rabideau- Department of Motor Vehicle should be open in Saranac Lake.

NEW BUSINESS:

Village Manager, John Sweeney indicated the \$930,000 CDBG grant has been reallocated to Lake Street project from Payeville project.

MOTION TO ADJOURN

Chair Mayor Rabideau called for a motion to adjourn

Motion: Little Second: Catillaz

Roll Call: Catillaz: yes, Newman: yes, Shapiro: yes, Little: yes

Respectfully submitted,
Kareen Tyler, Village Clerk



Architecture, Engineering, and
Land Surveying Northeast, PLLC

Village of Saranac Lake Board Meeting
Re: WWTP Digester Investigation
Gregory Swart, Director of Water Resources Division

2020-10-13

Background

The Anaerobic Digester (a key part of solids handling and comprised of a primary and a secondary digester) has not been taken offline, cleaned, and inspected since it was upgraded in 1992. This is because the work is very difficult, dangerous, and requires specialized equipment and training. The cleaning and inspections of anaerobic digesters should be performed roughly every 5-10 years. As the work is more than 20 years past due, the work has been planned to be included as a part of the current UV disinfection project if funds allow. However, in the last few weeks, the condition of the secondary digester has degraded rapidly. The long over-due cleaning is resulting in clogged pipes and failed pumps. The cleaning and inspection work needs to occur in the very near future.

Financing

The Village has secured 0% financing through NYSEFC for work at the WWTP for the UV Disinfection upgrades. While the 0% loan is updated to cover the increased cost of the UV Disinfection project, it is possible to increase the budget to allow for the costs of the cleaning and inspection, and repair of the digesters to be included as well.

The estimated budget at this point is \$1,000,000.

Unfortunately, this is a project that is very difficult to estimate: Inspections of the interior of the digesters cannot occur until after the digester has been taken offline and cleaned. This work requires a specialty contractor that has all of the tools, safety equipment, and experience to complete the job which are above and beyond a typical contractor.

Estimates per digester breakdown as follows:

- Secondary Digester
 - \$200,000 for the work of specialized contractor to clean and inspect the digester and associated soft costs.
 - \$150,000 to recoat the interior of the tanks.
 - \$75,000 for new valves, piping, etc.
- Primary Digester
 - \$200,000 for the work of specialized contractor to clean and inspect the digester and associated soft costs.
 - \$150,000 to recoat the interior of the tanks.
 - \$75,000 for new valves, piping, etc.
 - \$150,000 for gas system repairs.

At this point, these estimates are very rough. It may be possible that there are other significant issues with the digesters that will not be known until after they are cleaned and inspected. However, once they have been taken down, and if additional work is needed, a decision at that point can be made to complete the work or save it for a future phase of the project, depending on the severity of the issue. As the work will be completed one digester at a time and due to the timing of funding on the project, it will be possible to revisit the funding scenario should additional costs be incurred.

If the Village Board agrees, this additional budget can be added to the financing documents and bond resolution update that is in progress.

www.aesnortheast.com
aes_info@aesnortheast.com

P. (518) 561-1598 / (802) 655-0145 / F. (518) 561-1598

New York 10-12 City Hall Place / Plattsburgh, NY 12901

New York 4549 Route 9 / Plattsburgh, NY 12901

Vermont 147 Allen Brook Lane, Suite 103 / Williston, VT 05495

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: SEQR NEGATIVE DECLARATION

Date: 10-13-20

DEPT OF ORIGIN: Manager John Sweeney

Bill: 922020

DATE SUBMITTED: 10-5-20

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED:

AMOUNT
BUDGETED

APPROPRIATION
REQUIRED:

Resolution to issue a Negative Declaration for purposes of SEQR regarding proposed Village Code amendments

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL :

MAYOR RABIDEAU

TRUSTEE LITTLE

TRUSTEE NEWMAN

TRUSTEE SHAPIRO

TRUSTEE CATILLAZ

Date: 10/13/2020

**RESOLUTION OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES**

SUBJECT: RESOLUTION RECOGNIZING UNLISTED SEQR ACTION

WHEREAS, in 2016 the Village Board adopted the Village of Saranac Lake Unified Development Code; and

WHEREAS, amendments to the Code are allowed for purposes of public necessity, convenience and the general welfare, and

WHEREAS, the Board has received draft Village Development Code amendments; and

WHEREAS, in consideration of the circumstances as described above the Board needs to amend the Village of Saranac Lake Unified Development Code; and

WHEREAS, the Saranac Lake Village Board of Trustees held a public hearing on May 11, 2020, to consider a local law amending the Village of Saranac Lake Unified Development Code, as more fully set forth in the text of the Local Law; and

WHEREAS, the Board must evaluate all proposed actions submitted to it for its consideration that may affect the environment in light of the State Environmental Quality Review Act ("SEQR") and the regulations promulgated thereunder, and

WHEREAS, the required environmental assessment will be conducted by the Board; and

WHEREAS, the Board desires to serve and act as the lead agency for the purposes of SEQR; and

WHEREAS, this project is an Unlisted action for the purposes of SEQRA as it adopts amendments to the Development Code; and;

NOW, THEREFORE, BE IT RESOLVED, the Board makes the following findings and determinations with respect to the proposed project:

(1) That the proposed Development Code amendments have been determined not to have a significant impact on the environment and a negative declaration is issued.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Village of Saranac Lake Board of Trustees			
Name of Action or Project: Amendment of Village Development Code			
Project Location (describe, and attach a location map): Village of Saranac Lake			
Brief Description of Proposed Action: Proposed adoption of amendment to the Village of Saranac Lake Development Code			
Name of Applicant or Sponsor: Village of Saranac Lake		Telephone: 518-891-4150	
Address: 39 Main Street		E-Mail: ceo2@saranaclakeny.gov	
City/PO: Saranac Lake		State: NY	Zip Code: 12983
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Village of Saranac Lake</u>	Date: <u>10/13/2020</u>	
Signature: _____	Title: <u>Deputy Mayor of Saranac Lake</u>	

Agency Use Only [If applicable]

Project:	Code Amendment
Date:	10/13/2020

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Agency Use Only [If applicable]

Project: Code Amendment
Date: 10/13/2020

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Village of Saranac Lake Board of Trustees	10/13/2020
Name of Lead Agency	Date
Deputy Mayor Little	Deputy Mayor of Saranac Lake
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Paul Blaine

PRINT FORM

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: LWRP DETERMINATION

Date: 10-13-20

DEPT OF ORIGIN: Manager John Sweeney

Bill: 93 2020

DATE SUBMITTED: 10-5-20

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED:

AMOUNT
BUDGETED

APPROPRIATION
REQUIRED:

Resolution to find the proposed Village Code amendment consistent and in accordance with the goals and objectives of LWRP policies and standards

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU

TRUSTEE LITTLE

TRUSTEE NEWMAN

TRUSTEE SHAPIRO

TRUSTEE CATILLAZ

**RESOLUTION OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES**

SUBJECT: RESOLUTION CONSIDERING LOCAL WATERFRONT REVITALIZATION PLAN

WHEREAS, in 2016 the Village Board adopted the Village of Saranac Lake Unified Development Code; and

WHEREAS, amendments to the Code are allowed for purposes of public necessity, convenience and the general welfare, and

WHEREAS, the Board has received draft Village Development Code amendments; and

WHEREAS, in consideration of the circumstances as described above the Board needs to amend the Village of Saranac Lake Unified Development Code; and

WHEREAS, the Saranac Lake Village Board of Trustees held a public hearing on October 13, 2020, to consider a local law amending the Village of Saranac Lake Unified Development Code, as more fully set forth in the text of the Local Law; and

WHEREAS, the Board must evaluate all proposed amendments in relation to the goals and objectives of the LWRP; and

NOW, THEREFORE, BE IT RESOLVED, the Board makes the following findings and determinations with respect to the proposed project:

- (1) That the proposed Village Code amendments have been determined to be consistent and in accordance with the goals and objectives of LWRP policies and standards



Village of Saranac Lake

Community Development Department
 3 Main Street
 Saranac Lake, NY 12983
 Phone (518) 891-0490
 Fax (518) 891-5928
www.saranaclakeny.gov

VILLAGE OF SARANAC LAKE WATERFRONT ASSESSMENT FORM (WAF)

Section A. Instructions

Instructions: Applicants or, in the case of direct actions, Village agencies, shall complete this WAF for proposed actions which are subject to the LWRP consistency review law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the Village's Local Waterfront Revitalization Program.

Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Village of Saranac Lake Offices, 3 Main Street, Saranac Lake, NY 12983 or online at www.saranaclakeny.gov. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront area.

If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the actions should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

SECTION B. Description of Site and Proposed Action

1. Name of applicant: Village of Saranac Lake		3. Telephone Number: 518-891-4150	
2. Mailing address: 39 Main St		5. Tax Map # (s): N/A	
4. Location of action: N/A		7. Present land use(s): N/A	
6. Size of site: N/A		8. Present zoning classification: N/A	
10. Type of action (check appropriate response) <input checked="" type="checkbox"/> Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) <input type="checkbox"/> Financial assistance (e.g. grant, loan, subsidy) <input type="checkbox"/> Permit, approval, license, certification <input type="checkbox"/> Agency undertaking action: Village of Saranac Lake		9. Percentage of site which contains slopes of 15% or greater: N/A	
11. Streams, lakes, ponds, or wetlands existing within or continuous to the project area? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, Waterbody Name: _____ Waterbody Size(in acres): _____			
12. Describe nature and extent of action: Local Law			
13. Describe any unique or unusual land forms on the project site (i.e. bluffs, ground depressions, other geological formations):			
14. Will the action be directly undertaken, require funding, or approval by a State or Federal Agency? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, which State or Federal Agency? _____			

SECTION C. Waterfront Assessment (To be completed by reviewing agency)

	YES	NO
1. Will the proposed action have a significant effect upon:		
(a) Commercial or recreational use of fish and wildlife resources	<input type="checkbox"/>	<input type="checkbox"/>
(b) Scenic quality of the waterfront environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Development of future, or existing water dependent uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Stability of the shoreline?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Existing or potential public recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
(g) Structures, sites or districts of historic, archeological or cultural significance to the Village, State or nation?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action involve or result in any of the following:	YES	NO
(a) Physical alteration of land along the shoreline, land under water or coastal waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the waterfront area?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Energy facility not subject to Article VII or VIII of the Public Service Law?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Mining, excavation, filling or dredging?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Reduction of existing or potential public access to or along the shore?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Sale or change in use of publicly-owned lands located on the shoreline or under water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Development within designated flood hazard area?	<input type="checkbox"/>	<input type="checkbox"/>
(i) Development on a natural feature that provides protection against flooding or erosion?	<input type="checkbox"/>	<input type="checkbox"/>
(j) Diminished surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>
(k) Removal of ground cover from the site?	<input type="checkbox"/>	<input type="checkbox"/>
3. Project:	YES	NO
(a) If a project is to be located adjacent to shore:		
(1) Will water-related recreation be provided?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Will public access to the shoreline be provided?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Does the project require a waterfront site?	<input type="checkbox"/>	<input type="checkbox"/>
(4) Will it supplant a recreational or maritime use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(5) Do essential public services and facilities presently exist at or near the site?	<input type="checkbox"/>	<input type="checkbox"/>
(6) Is it located in a flood prone area	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(7) Is it located in an area of high erosion	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the project site is publicly owned:		
(1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	<input type="checkbox"/>	<input type="checkbox"/>
(2) If located in the foreshore, will access to those and adjacent lands be provided?	<input type="checkbox"/>	<input type="checkbox"/>
(3) Will it involve the siting and construction of major energy facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into a waterway	<input type="checkbox"/>	<input type="checkbox"/>
(c) Is the project site presently used by the community as an open space or recreation area?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Does the present site offer or include scenic views or vistas known to be important to the community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Will the project involve any waste discharges?	<input type="checkbox"/>	<input type="checkbox"/>
(g) Does the project involve surface or subsurface liquid waste disposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous material?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Does the project involve shipment or storage of petroleum products?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(j) Does the project involve discharge of toxics, hazardous substances or other pollutants?	<input type="checkbox"/>	<input type="checkbox"/>
(k) Will the project affect any area designated as a freshwater wetland?	<input type="checkbox"/>	<input type="checkbox"/>
(l) Will the project alter drainage flow, patterns or surface water runoff on or from the site	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(m) Will best management practices be utilized to control storm water runoff into waterways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(n) Will the project cause emissions which exceed Federal or State air quality standards or generate significant amounts of nitrates or sulfates?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SECTION D. Remarks or Additional Information

For questions answered "Yes" in Section C, explain methods you will undertake to reduce adverse effects. Review the LWRP to see if the project is consistent with each policy. List policies the project is not consistent with and explain all mitigating actions. Add any additional sheets necessary to complete this form.

SECTION E. Preparer Information	
Preparer's Name (Please print): Paul Blaine	
Title: Development Code Administrator	
Organization Name: Village of Saranac Lake	
Phone Number: 518-891-4150 ext. 236	
Signature: <i>Paul Blaine</i>	Date: 10/2/2020

SECTION F. Determination of LWRP Consistency (To be completed by the Planning Board)	
The Village of Saranac Lake Planning Board finds that the above referenced project is:	
<input checked="" type="checkbox"/> consistent with LWRP policy standards and conditions. <input type="checkbox"/> <u>not</u> consistent with LWRP policy standards and conditions and <u>shall not be undertaken</u> .	
Melinda Little, Deputy Mayor	
Print Name of Planning Board Chair	10/13/20
Signature of Planning Board Chair	Date

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: LOCAL LAW AMENDMENT Date: 10-13-20

DEPT OF ORIGIN: Manager John Sweeney Bill: 94 2020

DATE SUBMITTED: 10-5-20

EXHIBITS: Exhibit A

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED:

AMOUNT
BUDGETED

APPROPRIATION
REQUIRED:

Resolution for amendment to the Village of Saranac Lake Unified Development Code

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL :

MAYOR RABIDEAU _____

TRUSTEE LITTLE _____

TRUSTEE NEWMAN _____

TRUSTEE SHAPIRO _____

TRUSTEE CATILLAZ _____

**RESOLUTION
OF THE
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES**

SUBJECT: RESOLUTION AMENDING THE VILLAGE OF SARANAC LAKE UNIFIED DEVELOPMENT CODE

WHEREAS, in 2016 the Village Board adopted the Village of Saranac Lake Unified Development Code; and

WHEREAS, amendments to the Code are allowed for purposes of public necessity, convenience and the general welfare, and

WHEREAS, the Board has received draft Village Development Code amendments; and

WHEREAS, in consideration of the circumstances as described above the Board needs to amend the Village of Saranac Lake Unified Development Code; and

WHEREAS, the Saranac Lake Village Board of Trustees held a public hearing on October 13, 2020, to consider a local law amending the Village of Saranac Lake Unified Development Code, as more fully set forth in the text of the Local Law; and

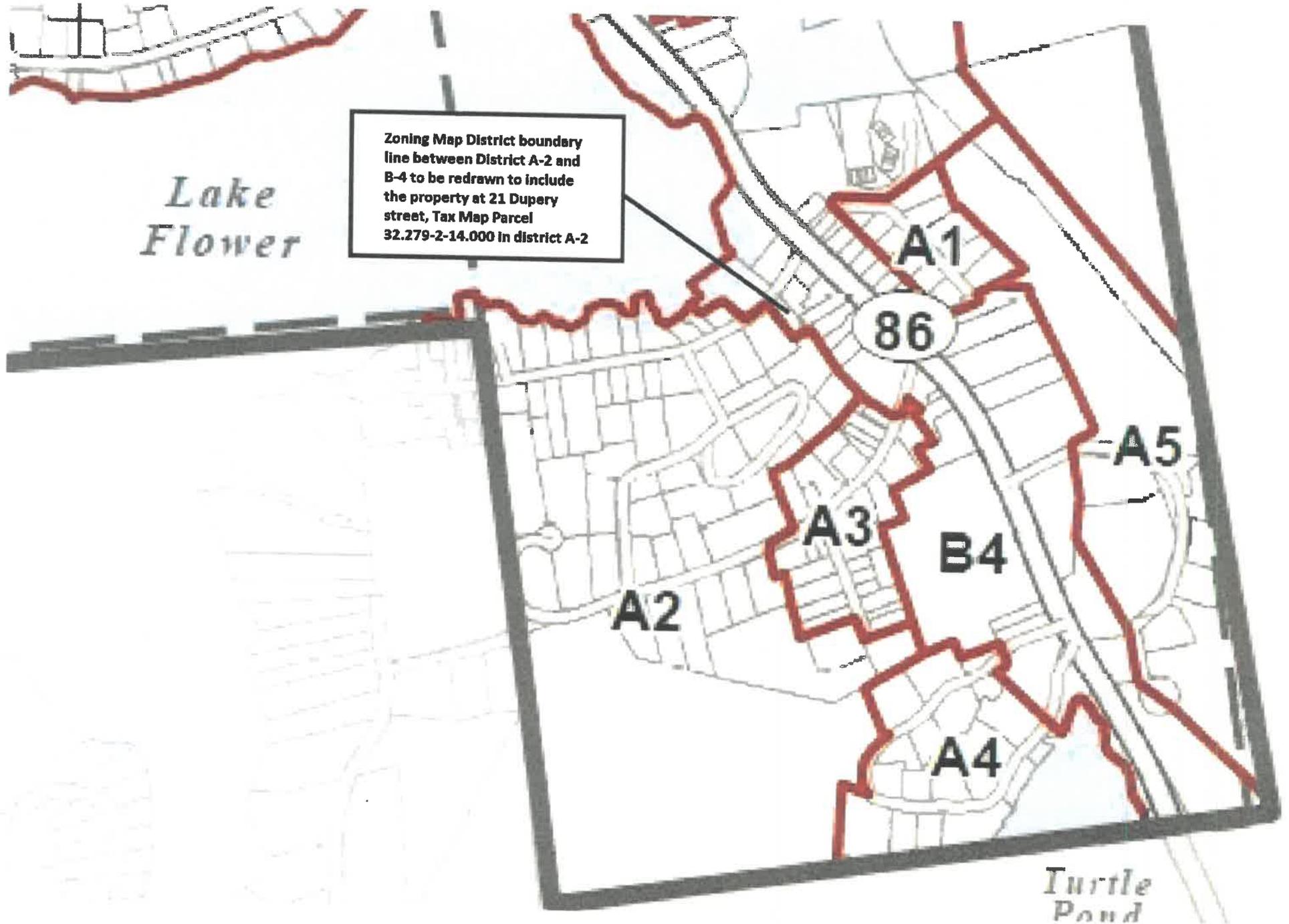
WHEREAS, the Board has reviewed the proposed amendment for purposes of the State Environmental Quality Review Act (SEQRA) and determined that a negative declaration should be issued with respect to the proposed action; and

WHEREAS, the Board has reviewed the proposed amendments in regard to the Local Waterfront Revitalization Program and found it consistent and in accordance with the goals and objectives of the LWRP policies and standards; and

NOW, THEREFORE, BE IT RESOLVED, the Board makes the following findings and determinations with respect to the proposed project:

- (1) The Village of Saranac Lake Board of Trustees amends the Village Code with changes as set forth in Exhibit A
- (2) The amendment will become effective upon filing with the Secretary of State.

Exhibit A



Lake Flower

Zoning Map District boundary line between District A-2 and B-4 to be redrawn to include the property at 21 Dupery street, Tax Map Parcel 32.279-2-14.000 in district A-2

86

A1

A5

A3

B4

A2

A4

Turtle Pond

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: DRI Project Advisory Committee Date: 10/13/20

DEPT OF ORIGIN: Mayor Rabideau Bill # 95-2020

DATE SUBMITTED: 10/08/20 EXHIBITS:

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED: \$12,500	BUDGETED: \$12,500	REQUIRED: \$0

SUMMARY STATEMENT:

Resolution to create a Project Advisory Committee to oversee the design and engineering of the DRI public projects.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE NEWMAN _____

TRUSTEE CATILLAZ _____

TRUSTEE LITTLE _____

**RESOLUTION TO APPOINT DRI PROJECT ADVISORY COMMITTEE FOR
PUBLIC PROJECTS**

WHEREAS, the Village of Saranac Lake received a Downtown Revitalization grant to create a series of linked gateway parks, increase connectivity between downtown destinations, and enhance the Woodruff Street streetscape; and

NOW, THEREFORE BE IT RESOLVED, the Board of Trustees hereby establishes the DRI Project Advisory Committee and appoints the following persons to said committee:

Tom Boothe (Development Board)
Jerry Michael (Downtown Advisory Board)
Kelly Brunette (Downtown Advisory Board)
Ezra Schwartzberg (Parks & Trails Advisory Board)
Colleen O'Neil (Parks & Trails Advisory Board)
Kirk Sullivan (Arts & Culture Advisory Board)
Jess Collier (Arts & Culture Advisory Board)
Matt Scollin (SL LDC)

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Call for a Public Hearing Date: 10-13-20

DEPT OF ORIGIN: Manager John Sweeney Bill: 96 2020

DATE SUBMITTED: 10-7-20

EXHIBITS: A: SLVRS amendment request
 B: Development Board Resolution No. 2 – October 6, 2020

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED:

AMOUNT
BUDGETED

APPROPRIATION
REQUIRED:

Call for a public hearing on Monday November 9, 2020 at 5:30 pm for amendment of the Village of Saranac Lake Development Code

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL :

MAYOR RABIDEAU _____

TRUSTEE LITTLE _____

TRUSTEE NEWMAN _____

TRUSTEE SHAPIRO _____

TRUSTEE CATILLAZ _____

RESOLUTION CALLING FOR A PUBLIC HEARING

WHEREAS, in 2016 the Village Board adopted the Village of Saranac Lake Unified Development Code; and

WHEREAS, amendments to the Code are allowed for purposes of public necessity, convenience and the general welfare, and

WHEREAS, the Board has received a written request for amendment; and

WHEREAS, the Board has received a recommendation from the Development Board supporting the request for amendment; and

WHEREAS, in consideration of the circumstances as described above the Board seeks to call a public hearing and to consider adoption of the draft amendment.

NOW, THEREFORE, BE IT RESOLVED THAT,

- (1) The Village of Saranac Lake Board of Trustees hereby sets a public hearing for Monday November 9, 2020 at 5:30PM in the Harrietstown Town Hall Auditorium at 39 Main Street, for purpose of gathering public input about the proposed Local Law amending the Village of Saranac Lake Unified Development Code.



SARANAC LAKE VOLUNTEER RESCUE SQUAD, INC.

P.O. Box 431 • 110 Broadway
Saranac Lake, NY 12983
Phone (518) 354-8395 • Fax (518) 354-8374



Village of Saranac Lake Board of Trustees
39 Main St.
Saranac Lake NY 12983

9/9/2020

Re: Land Use Code amendment for Saranac Lake Volunteer Rescue Squad

To the Board, Saranac Lake Volunteer Rescue Squad, Inc. (SLVRS) respectfully requests that the Village Board accept this application for an amendment to the Development Code. SLVRS is in the process of purchasing 79 Woodruff St. and it has come to our attention that there is no current land use designation for a rescue squad anywhere in the village. After working with the Planning and Development Office, SLVRS would like to add the following to the Land Use Code:

1. Add the words rescue garage to the **Public/Institutional** definition in Article II 106-6.
2. Add a definition for Ambulance Service to Article II 106-6 for use in the Schedule #1- Allowed uses in the Public/Institutional Land Use Types.
Definition : Ambulance service – A facility that responds care and transportation of sick or injured persons to a hospital or other higher level of care facility. The service may also provide inter facility transport of patients.
3. SLVRS wishes to purchase in District E2. The only suitable districts would be B1, B2, B3, E1, E2, E3, and G. After discussing at length, SLVRS would like to make all these districts available.

SERVING OUR COMMUNITIES 24 HOURS A DAY
e-mail: slrs@centralny.twcbc.com
www.saranaclakerescue.com

4. Level of review for all of the above districts appears to be Site Plan required. SLVRS will respectfully choose that level for the above-mentioned districts. We will be very pleased, if the Board chooses Permitted designation in recognition of all the volunteer effort to provide rescue services to the community.

SLVRS has been blessed with success. We are in need of office, storage, training, and garage space. 79 Woodruff St. has plenty of space for us. One of our trucks is kept outdoors, and we need another truck. All of our trucks will fit in the new garage. I work from my home as treasurer, because the available desk space is taken at 110 Broadway. The furnace room is full of supplies and records. I would be honored to give tours or more information to any Board member.

From six feet away,



Robert W. Nadon

Treasurer S.L.V.R.S., Inc.

EXHIBIT B

**SARANAC LAKE VILLAGE DEVELOPMENT BOARD
RESOLUTION NO. 2 - October 6, 2020**

RECOMMENDING CHANGES TO THE VILLAGE DEVELOPMENT CODE

WHEREAS, in 2016 the Village Board adopted the Village of Saranac Lake Unified Development Code; and

WHEREAS, amendments to the Code are allowed for purposes of public necessity, convenience and the general welfare, and

WHEREAS, the Board has received a written request for amendment; and

WHEREAS, the Village Board referred the request to the Development Board for review and comment;

NOW, THEREFORE, BE IT RESOLVED, that the Village Development Board offers to the Village Board of Trustees the following recommendation:

1. The Board recommends inserting "Ambulance Service" as a definition in section 106-6 of the Development Code as follows:

AMBULANCE SERVICE - A facility which transports any sick or injured person from the scene of any accident, disaster or emergency situation to a hospital, clinic or other location where professional medical care is available. The service may also provide non-emergency inter facility transport of injured or sick patients.

2. The Board recommends inserting "Ambulance Service" in the Development Code Schedule 1 Allowed Use Table as a Public/Institutional land use type.
3. The Board recommends Ambulance Service be an allowed use requiring a Special Use Permit in districts E1, E2, E3 and G.

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Hire DRI Consultants

Date: 10/13/20

DEPT OF ORIGIN: Mayor Rabideau

Bill # 97-2020

DATE SUBMITTED: 10/13/20

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED:

AMOUNT
BUDGETED:

APPROPRIATION
REQUIRED: \$0

SUMMARY STATEMENT:

A resolution to hire Environmental Design & Research (EDR) for design and construction of the Parks, Streetscapes, and Connectivity Improvements project, which are funded by the Downtown Revitalization Initiative (DRI).

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE NEWMAN _____

TRUSTEE CATILLAZ _____

TRUSTEE LITTLE _____

**RESOLUTION TO HIRE ENVIRONMENTAL DESIGN & RESEARCH FOR
DESIGN AND CONSTRUCTION OF PROJECTS FUNDED BY THE DOWNTOWN
REVITALIZATION INITIATIVE**

WHEREAS, the Village was awarded funding through Downtown Revitalization Initiative (DRI) for Parks, Streetscapes, and Connectivity Improvements that will advance the Downtown Revitalization Initiative; and

WHEREAS, the improvements include the following three projects as outlined in the Village's DRI Strategic Investment Plan: Create a Series of Linked Gateway Parks; Increase Connectivity between Downtown Destinations; and Enhance the Woodruff Street Streetscape; and

WHEREAS, the Village seeks to engage the services of qualified consultants to prepare designs and manage construction for the three projects; and

WHEREAS, Village staff have reviewed Requests for Proposals and conducted a series of interviews with qualified consultants who can provide the desired services; and

WHEREAS, Village staff have recommended hiring Environmental Design & Research to assist the Village in this effort;

NOW, THEREFORE BE IT RESOLVED, the Board of Trustees accepts the recommendation to hire Environmental Design & Research and the Village Manager is hereby authorized to execute a contract with Environmental Design & Research for design and construction of the Parks, Streetscapes, and Connectivity Improvements project.