

**Village Board
Meeting Minutes of
April 5, 2022**

Present: Mayor Lee, Trustees Zabelny, Fowler, Speer, Farrell
Village Manager/Clerk Shari Wilson Pearce
DPW Superintendent Jeff Pearce
Asst DPW Superintendent Chad McManus
Treasurer Maryalice Edwards
Code Enforcement Officer Mark Mazzucco
Deputy Clerk Amy Harter
Recreation Director Tom Venniro

Guests: Linda Viney

Mayor Lee called the Village Board meeting to order with the Pledge of Allegiance followed by a moment of silence. The meeting was held in person and via Zoom.

Recreation Report

Tom Venniro updated the Board on upcoming events. There will be a Village/Town garage sale on June 3rd & 4th. Addresses will be advertised in the Suburban News.

Code Enforcement

52 Underwood Avenue: Mark Mazzucco updated the Board on the status of the property. An inspection was completed on March 24th which included a structural engineer, RGE and Village staff. The house will be boarded up for security and safety concerns. It must be posted with a letter stating no entry is allowed. Mark will post the property and have it secured. Mark noted the interior will be needed to be cleaned out by a professional company.

Resolution to post, clean and secure the house located at 52 Underwood Avenue to be taken from the contingency fund at an unknown cost, motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Public Works Report

Resolution to authorize the DPW Superintendent to solicit bids for the purchase of concrete for the 2022 season. Motion to approve made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously 5-0.

Vehicle Damage: Jeff Pearce received a call that a private vehicle was hit by debris from our refuse truck while traveling back from the landfill. An estimate for repair of the windshield was provided in the amount of \$792.00 however no police report was filed. The board felt that a police report is necessary as there is no proof that our vehicle was involved. Jeff will wait until the vehicle owner contacts him with additional information.

Resolution to authorize the Superintendent to hire a seasonal mower for the 2022 season. A motion was made by Trustee Farrell, seconded by Trustee Speer. Carried unanimously, 5-0.

Auction items: Jeff Pearce explained that equipment is available on auction sites that he would like to purchase. This is to allow the Superintendent to purchase equipment from auction or as the opportunity arises; many items are difficult to find at this time.

Resolution to expend up to \$10,000 for DPW equipment to purchase from an online auction, pending confirmation that it is an allowed practice. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Treasurer's Report

Resolution To renew the CD's at .20% interest with Canandaigua National Bank. Motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously, 5-0.

Manager's Report

Resolution to maintain the water rate at \$3.49 per thousand gallons and increase the daily rate from \$.24 to \$.25. Motion made by Trustee Fowler seconded by Trustee, Zabelny. Carried unanimously, 5-0.

Resolution to maintain (no increase) the sewer rates as presented in the fee schedule. Motion made by Trustee Zabelny, seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution to allow the Village Manager to attend the NYCOM spring conference on May 4th – 6th. This is a budgeted item. Motion made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution to designate the volunteers of the Hilton Parma Food Shelf and Rick Holden as the 2022 Citizen(s) of the Year. A motion was made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Real Estate Purchase: Shari Pearce explained the Village and Town have agreed to share the land equally with approximately 14 acres for each. Each municipality will share in the maintenance of the access road and sewer. It was suggested to form a committee to include two Town Board members, two Village Trustees (Fowler and Speer) and both Superintendents.

Resolution to authorize the Village Manager to work with the Village Attorney to prepare a real property purchase contract for approximately 14 acres at 165 Collamer Rd for the purpose

of stockpiling. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried 4-0-1, Mayor Lee abstained.

Employee Benefits: Last fall, the board agreed to discuss changing the maternity leave policy and to consider adding paternity leave. The board would like to hold a workshop meeting for this purpose.

Resolution to schedule a special meeting on May 10th at 4 p.m. to discuss employee benefits. The motion was made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

6:00 p.m. Public Forum

Mayor Lee to open the public forum for comments:

Linda Viney, Chairperson of the Hilton Apple Fest, asked for clarification of Local Law 1, 2021, Recreational Vehicles, Chapter 259, specifically the use of such vehicles for festivals. The board held a general discussion that the purpose of the law was to strengthen the code for unlicensed, nuisance vehicles that were riding on private property and in the streets. Trustee Zabelny stated she is not in favor of making any changes to the law. Mayor Lee stated he would consider make changes to accommodate festivals due to the convenience the UTV's allow. Trustee Speer is also in favor of allowing UTV's during festivals for the same reasons as the Mayor noted. Shari Pearce will investigate if the law could be changed.

Mayor Lee closed the public forum at 6:20 p.m.

Annual Resolutions:

Resolution that the following banks are hereby designated as the official depositories for the Village of Hilton: Canandaigua National Bank and M&T Bank. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution that Westside News is hereby designated as the official newspaper of the Village of Hilton. If it is found, however, that another newspaper is needed, then the Democrat and Chronicle is also designated as the official newspaper for the Village of Hilton. All public notices are also displayed on the website. Motion made by Trustee Zabelny, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution that the Village Board will meet on the following dates at 5:00 p.m. Motion made by Trustee Farrell, seconded by Trustee Speer. Carried unanimously, 5-0.

2022

May 3
June 7
July 5
August 2
September 6
October 4
November 1
December 6

2023

January 3
February 7
March 7
April 4

Resolution If Mayor Lee shall call a special meeting, the notification procedure to the media shall be by telephone or e-mail from the Village Manger/Clerk as soon as the meeting is called. Motion to approve made by Trustee Farrell, seconded by Trustee Speer. Carried unanimously, 5-0.

The Mayor made the following appointments:

Vice Mayor	Andy Fowler
Zoning Board Liaison	Larry Speer
Personnel Liaison	Joe Lee, Andy Fowler
Village Budget Liaisons	Shannon Zabelny, Andy Fowler
Hilton Parma Recreation Liaison	Larry Speer
Enhancement	Joe Lee
Public Relations	Joe Lee and Shari Pearce
Newsletter	Joe Lee and Shari Pearce
Fire Commissioners Liaison	Larry Speer
School Board Liaisons	Joe Lee and Shari Pearce
Chamber of Commerce	Joe Lee and Shari Pearce
Historian	Dave Crumb
Assistant Historian	Amanda Dudley
Registrar of Vital Statistics	Shari Pearce
Deputy Reg. Vital Statistics	Amy Harter and Maryalice Edwards
Community Development	Shari Pearce and Jeff Pearce
Records Retention Officer	Shari Pearce and Amy Harter
Shared Services Team	Joe Lee and Jeff Pearce
Community Center Supervisor	Shari Pearce and Chad McManus
Special Police Committee	Joe Lee, Shari Pearce
Safety Team Com Center	Joe Lee, Mark Mazzucco, Chad McManus, Shari Pearce, Shannon Zabelny
Social Media	Shari Pearce, Debbie Jones, Andy Fowler
Environmental Committee	Larry Speer, Andy Fowler, Jeff Pearce, Shari Pearce
Town of Parma Liaison	Sherry Farrell

Resolution that the Board of Trustees hereby authorizes payment in advance of the audit of claims for the following expenditures which are due prior to the regular meeting date of the Village Board. 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: Motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously, 5-0.

- a) public utility services
- b) postage, freight, and express charges
- c) Monroe County and/or New York State Department of Transportation fees
- d) Blue Cross/Blue Shield medical insurance charges

Resolution to reimburse officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village based on the rates published and approved by the IRS. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution: to authorize the following petty cash funds: \$125.00 for water & general transaction. Said funds shall be located in the Village Office, 59 Henry Street and the following employees shall have access to these funds: Maryalice Edwards, Amy Harter, Debbie Jones, Shari Pearce, Aimee Doser and Vicky Taylor. Motion made by Trustee Zabelny, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution to approve the 2022-2023 fee schedule as amended. Motion made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution that the procurement policy shall be renewed for one year as amended. Motion made by Trustee Farrell, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution that the online banking policy shall be renewed for one year. Motion made by Mayor Lee, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution that the credit card policy shall be renewed for one year. Motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously, 5-0.

Resolution that the social media policy shall be renewed for one year. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution that the Facebook policy for the Village of Hilton shall be renewed for one year. Motion made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution that the investment policy for the Village of Hilton shall be renewed for one year. Motion made by Trustee Farrell, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution that the travel policy for the Village of Hilton shall be renewed for one year. Motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously, 5-0.

Resolution to accept the Water and Refuse Billing Procedures/Policy as amended. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution to accept the Fund Balance Policy for 2022-2023. Motion made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution to accept the Reserve Policy for 2022-2023. Motion made by Trustee Farrell, seconded by Mayor Lee. Carried unanimously, 5-0.

Resolution to accept the Payroll Policy for 2022-2023. Motion made by Mayor Lee, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution to accept the Budget Policy for 2022-2023. Motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously, 5-0.

Resolution to accept the Password Policy for 2022-2023. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution to accept the Sexual Harassment Policy for 2022-2023. Motion made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution to accept the Whistleblower Policy for 2022-2023. Motion made by Trustee Farrell, seconded by Mayor Lee. Carried unanimously, 5-0.

Resolution to accept the Workplace Violence policy for 2022-2023. Motion made by Mayor Lee, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution to renew the following leases with tenants in the Hilton Community Center with a 3% increase: Motion made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously, 5-0.

- Hilton Community Child Care
- LaDanse Workshop
- Apple Festival
- Life Quest Church

Resolution to retain the law firm of Lacy, Katzen LLP, and Attorney Larry Schwind on a fee basis when legal advice is needed at a rate of \$ 285.00 per hour. This is an increase of \$10.00 per hour. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution to continue our participation in the self-insured Upstate NY Municipal Workers' Compensation Program. The Village Board hereby designates Shari Pearce as the Plan Director; Maryalice Edwards as the Alternate Director; and Jeff Pearce as the Plan Facilitator. Motion made by Trustee Speer, seconded by Trustee Farrell. Carried unanimously, 5-0.

Resolution to hire MRB Group as the Village Engineer at their current rate. Motion made by Trustee Farrell, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Vouchers

Resolution to approve the vouchers for payment with the following ad on's made by Trustee Zabelny, seconded by Trustee Fowler. Carried unanimously, 5-0.

Minutes

Resolution to approve the meeting minutes of March 1st. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution to approve the meeting minutes of March 17th. Motion made by Trustee Fowler, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Resolution to approve the meeting minutes of March 22nd. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Village Board Liaison Reports

Trustee Fowler made a motion to enter into Executive Session at 6:48 p.m. to discuss wages for two employees, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Trustee Fowler made a motion to exit Executive Session at 7:03 p.m., seconded by Trustee Speer. Carried unanimously, 5-0.

Resolution to increase the wages of Steve Catone and Cody Pierce by \$1.00 per hour. Motion made by Trustee Fowler, seconded by Trustee Speer. Carried unanimously, 5-0.

Adjournment

Motion to adjourn at 7:04 p.m. made by Trustee Speer, seconded by Trustee Zabelny. Carried unanimously, 5-0.

Next Meeting

April 12, 2022

Respectfully Submitted,

Amy Harter, Deputy Clerk

BUDGET POLICY/PROCEDURES

Below is a summary of the Village of Hilton's current process. This policy will be reviewed each year at the annual meeting.

A good annual budget begins with sound estimates and well-supported budgetary assumptions. Spending levels and financial resources must be accurately gauged at the budget preparation time to ensure that planned services are properly funded. The entire budget team should work closely to develop a realistic budget.

Sources of information used in preparing the budget:

- Modified budgets for prior and current year
- Prior year's financial reports
- Current year revenue and expenditures information to date
- Cash flow reports and revenue projections
- Multiyear capital plans
- Current interest rates
- State and federal aid information
- Tax cap regulations
- Employee benefits
- Strategic plans

Budget preparation process

The Village Manager, who is the designated budget officer, oversees the budget process. The Treasurer is the main person compiling the budget with the aid of the Village Manager.

The Mayor, at the regular annual meeting, designates two Village Board members to be included on the budget team with the administration.

The budget process begins with the Village Manager and Treasurer setting the budget schedule in January of each year. The Village Board approves the schedule at the January Village Board meeting.

The Treasurer begins with preparing the budget and transferring the numbers to the new budget format.

The Treasurer and Village Manager prepare the modified budget, which will include estimates of expenditures and revenues for the remaining fiscal year.

Department Heads and Board members submit their requests and estimates to the budget team.

The Treasurer and Village Manager begin inputting the revenues and proposed expenses into the proposed budget.

There will be several meetings internally to discuss the budget and preliminary results and findings with the budget team.

The Treasurer and Village Manager review the budget numbers for accuracy.

The Treasurer and Village Manager prepare the power point for the board.

The Board of Trustees are furnished with a copy of the tentative budget and any supporting documentation.

At the first budget meeting, an overview of the budget is given by department heads to the board. The board at this time will make recommendations and changes. The Treasurer will revise the budget and present it at the next meeting.

At the final budget meeting, the board will determine the tax rate and set the public hearing date. A public hearing is held, and the budget is adopted. The budget must be adopted by May 1st.

Credit Card Policy

June 2020

Credit/Purchasing Cards

The Village of Hilton issues credit cards to department heads for the purchase of items necessary to carry on the business of the Village. Credit cards are to be used only if the vendor will not invoice the Village and will not accept a Purchase Order from the Village to complete the transaction. Individual items purchased by the Superintendent of Public Works with a credit card shall not exceed \$5,000. Individual items purchased for all other departments of the Village by the Village Manager shall not exceed \$3,500. Total combined cards not to exceed \$7,500.

The following general rules apply to the use of the cards:

- All purchases are subject to the Village's Procurement Policy.
- Cards shall not be used for personal purchases of any kind. Use of the cards for personal purchases or expenses with the intention of reimbursing the Village is prohibited. Personal liability for such purchases will be immediately made and the loss of credit card privileges will result from such circumstances.
- All receipts related to a purchase need to be approved by the department head within three days of the purchase or return to work if used for Village business travel.
- All receipts must be forwarded to the Village Treasurer immediately following approval.
- If a receipt for proper documentation is not available to submit, the cardholder must provide a written statement that includes a description of the item, date of purchase, merchant's name, and an explanation for the missing support documentation that shall be approved by the department head and submitted to the Village Treasurer within three days of the purchase.
- Use of the New York State Tax Exempt form will apply to all purchases.
- Card holders will verify that the goods or services are allowable. Lack of proper documentation or authorization may result in the loss of the Village issued credit card and/or personal liability.
- All purchases made with these cards shall be paid for within the grace period to avoid interest charges or penalties to accrue.
- Misuse of a Village credit card by an unauthorized employee may result in loss of the credit card and/or disciplinary action up to and including termination of employment.

- Cardholders are responsible for determining if the intended purchase is within the cardholder's credit card limit.
- Cardholders are responsible for managing any returns or exchanges to obtain proper credit for returned merchandise. The cardholder should contact the vendor to obtain instructions for returns and make sure the proper credit is applied to the card on which it was charged. No cash refunds are allowed.
- Cardholders shall take measures necessary to safeguard the security of the credit card and the card number.
- Lost or stolen cards must be reported to the Village Manager immediately after discovery.
- Periodic review may be conducted of both the card activity and the receipt retention by the Village and the auditors employed by the Village.
- Upon separation of employment, cardholders shall surrender their Village credit cards to the Village Manager on or before the last day of work and prior to the payment of final compensation.

By signing below the cardholder agrees to follow the above requirements for the use of a Village credit card.

Date: _____

Signature: _____

Village of Hilton Facebook Standard

Purpose

Facebook is a social networking site. Businesses and governments have joined individuals in using Facebook to promote activities, programs, projects and events. This standard is designed to assist the Village government in driving traffic to its website, www.hiltonny.org, and to inform more people about Village activities. These standards should be used in conjunction with the Village of Hilton Social Media Policy. As Facebook changes these standards may be updated as needed.

Content

1. Type of 'pages'
 1. The Village will create 'pages' in Facebook not 'groups.' Facebook 'pages' offer distinct advantages including greater visibility, customization and measurability. Related community pages are unofficial representations of village business created by Facebook. Community pages will currently be accepted as is unless there is a copyright/trademark issue.
 2. For 'type' description, choose 'government.'
2. Boilerplate
 1. The Facebook page's cover and profile images will be standardized where possible with the website images and the village logo will be added to the cover photo.
 2. Comments are prohibited on the Facebook Page. The resident or concerned party can send an email through the Village of Hilton website or call the office for questions or concerns.
3. Link to the Village
 1. A link to www.hiltonny.org will be included on the Page Info page.
4. Page administrators
 1. The Village Clerk or designated office personnel is responsible for monitoring the Facebook page. Posts must be approved by the Mayor or a designated alternate.
 2. A designated office employee is responsible for making sure content is not stale.
5. Comments and Discussion Boards
 1. All Comments will be monitored by the administrator and be removed if necessary .
6. Style
 1. The Village Facebook page will be consistent with Village branding.

2. Administrators will use proper grammar and standard AP style, avoiding jargon and abbreviations. Facebook is more casual than most other communication tools but still represents the Village at all times.

7. Applications

1. There are thousands of Facebook applications. Common applications can allow users to stream video and music, post photos, and view and subscribe to RSS feeds. While some may be useful to the page's mission, they can cause clutter and security risks.
2. An application should not be used unless it serves a business purpose, adds to the user experience, comes from a trusted source and is **approved** by the Village Clerk and the Mayor.
3. An application may be removed at any time if there is significant reason to think it is causing a security breach or spreading viruses.

Archive

1. The Facebook page will be set up in conjunction with a designated Village e-mail account.
 2. Content on the Facebook page will not constitute items of official record. All communication will represent or reiterate existing items of record. This disclaimer will be presented on the Facebook page as well as the Village of Hilton Social Media Policy available at www.hiltonny.org.
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Fund Balance Policy

Statement of Intent:

It is the Village of Hilton's policy to maintain an unrestricted fund balance to provide for adequate emergency reserves and to assist with fluctuations in revenue receipts. Fund balances shall be maintained in each of the three major funds, general, water and sewer and kept in the manner described below.

How Funded

At the close of the fiscal year, any revenues received in excess of expenditures, unless otherwise designated, shall be placed in the undesignated fund balance for the respective fund for which revenues were realized.

In development of the budget proposal, the Treasurer shall advise the Village of Hilton Board of Trustees of the undesignated fund balance levels in each fund. Should the level in any fund be below targeted balances as identified below, the budget proposal shall indicate a funding mechanism for replenishment to minimum levels.

Appropriate Levels

General

The undesignated fund balance in the general fund shall be between 25% – 30% of the most recently adopted general budget; exclusive of fund balance appropriations.

Water

The undesignated fund balance in the water fund shall be between 25% - 30% percent of the most recently adopted water budget; exclusive of fund balance appropriations.

Sewer

The undesignated fund balance in the sewer fund shall be between 25% and 30% of the most recently adopted sewer budget; exclusive of fund balance appropriations.

Example:

The 2019 Water Fund Budget is \$584,353. There is an appropriated fund balance of 119,967 in the budget. This leaves \$464,386 in revenues exclusive of fund balance appropriations. The undesignated fund balance policy requires this fund balance to be between 25% and 30%. Thus, the undesignated fund balance should be between \$116,097 and \$139,316.

Appropriate Use/Process for Use

Fund balance appropriations should be treated as one-time revenue sources and utilized as such in accordance with the Village Board of Trustees' Revenue policies. In most cases, fund balance appropriations should be used to offset costs of one-time expenditures.

In limited circumstances, Village Board of Trustees may direct staff to utilize fund balances to mitigate significant swings in recurring revenues. In cases where property tax or utility rates would require significant increases to meet expenditure needs, Village Board of Trustees may choose to use fund balances to "phase in" necessary increases. In all cases fund balances must be appropriated at the budget development or budget amendment process.

INVESTMENT POLICY FOR THE VILLAGE OF HILTON 2020-2021

- I. **SCOPE:** This investment policy applies to all moneys and other financial resources available for investment on our behalf.

- II. **OBJECTIVES:** The primary objectives of the Village of Hilton's investment activities are, in priority order:
 - a) To conform with all applicable federal, state and other legal requirements;
 - b) To adequately safeguard principal;
 - c) To provide sufficient liquidity to meet all operating requirements; and
 - d) To obtain a reasonable rate of return

- III. **DELEGATION OF AUTHORITY:** The Village Board of Trustees responsibility for administration of the investment program is delegated to the Village Clerk who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

- IV. **PRUDENCE:** All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Hilton to govern effectively. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

- V. **DIVERSIFICATION:** It is the policy of the Village of Hilton to diversify its deposits and investment by financial institution, by investment instrument, and by maturity scheduling.

- VI. **INTERNAL CONTROLS:** The Village Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

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

<u>Depository Name</u>	<u>Maximum Amount</u>
M&T Bank	\$ 100,000
Canandaigua National Bank	\$ \$4,000,000

VIII. COLLATERALIZING OF DEPOSITS: In accordance with the provisions of General Municipal Law, 10, all deposits of the Village of Hilton, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations 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;
2. Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under a specific state statute may be accepted as security for deposit of public moneys;
3. Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank; and
4. 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.

IX. SAFEKEEPING AND COLLATERALIZATION: Eligible securities used for collateralizing deposits shall be held by the depository and/or 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 Hilton deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Village of Hilton 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 Hilton, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, or agent of a custodian for, the Village of Hilton, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Village of Hilton a perfected interest in the securities.

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

- a. Special time deposit accounts
- b. Certificates of deposit
- c. Obligations of the United States of America

All investment obligations shall be payable or redeemable at the option of the Village of Hilton within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Hilton within two years of the date of purchase.

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

XII. PURCHASE OF INVESTMENTS: The Village Clerk is authorized to contract for the purchase of investments:

- a. Directly from an authorized trading partner.
- b. By participation in a cooperative investment program with another governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Village Board of Trustees.
- c. By utilizing an ongoing investment program with an authorized tracking partner Pursuant to a contract authorized by the Village Board of Trustees.

All purchased obligations, unless registered or inscribed in the name of the Village of Hilton, 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 Hilton by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, 10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Village of Hilton, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Village of Hilton a perfected interest in the securities.

Online Banking/Electronic Transactions and Wire Transfers

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. The Treasurer, with a separate established username and password, will have the authority to process online banking transactions. The Village Clerk, with a separate established username and password, will be responsible for online banking transactions in the event the Treasurer is not available. Monthly all online banking activity will be reviewed and reconciled with the monthly bank statement. Online banking will only take place on secure computers located inside the Village Office.

Authorizations and transmitting function will be done by the Treasurer. Interfund transfers (between funds) are confirmed using confirmation page and reconciled monthly with the bank statement.

All wire transfers from one bank to another will be authorized by the Treasurer and confirmed by Village Clerk and the designee.

Parking Ticket Procedures¹

Village of Hilton Parking Tickets are to be made returnable before the Parma Justice Court, located at 1300 Hilton Parma Corners Road, Hilton, New York 14468 – (585) 392-9470.

- IF DEFENDANT PLEADS GUILTY BY MAIL OR AT COURT ON THE RETURN DATE OF THE SUMMONS: The Court (following a judicial review of the circumstances) shall set the appropriate fine and notify the Defendant of the fine and payment procedures.
- IF DEFENDANT PLEADS NOT-GUILTY BY MAIL OR AT COURT ON THE RETURN DATE OF THE SUMMONS:
 - A. If the plea is made by mail, the Court must first determine if the plea was signed and mailed within 48 hours of issuance of the ticket.
 - B. If the plea is made by mail and IS NOT timely, the Court shall notify the Defendant that a personal appearance in Court is necessary.
 - C. If the plea is made by mail and IS timely, the Court shall notify the Defendant by first class mail of an appearance date for disposition or trial.
 - D. If the plea is made in court, the Court shall notify the Defendant of the appearance date at that time.
 - E. The ticket is then addressed by the Court through disposition or a hearing and determination as the case may be and, if applicable, the Court shall notify the Defendant of the fine and payment procedures. A civil default judgment may then be filed with the county clerk and enforced accordingly for a period of 8 years.
- IF DEFENDANT DOES NOT RESPOND BY MAIL OR APPEAR IN COURT:
 - A. Consistent with Vehicle and Traffic Law §1806-a, in the event the Defendant does not answer within the time specified, the Court may enter a guilty plea on behalf of the Defendant by default and render a civil default judgment of the fine as determined by the Court and authorized by law. Any judgment entered is civil in nature, but is treated as a conviction.
 - B. However, before a plea of guilty may be entered and a default judgment may be rendered, no earlier than 30 days after expiration of the original date prescribed for entering a plea, the Court must then notify the Defendant, by certified mail:
 - 1) Of the violation charged;
 - 2) Of the impending plea of guilty and default judgment;
 - 3) That the judgment will be filed with the clerk of the county in which the operator or registrant is located; and
 - 4) That a default judgment and plea of guilty may be avoided by entering a plea or making an appearance within 30 days of the sending of the default notice.
 - C. If Defendant appears or enters a plea within 30 days, the matter is handled as if the plea had initially been made in a timely fashion. If Defendant enters a plea of not-guilty and demands a hearing, no fine or penalty may be imposed prior to the hearing which must be scheduled by the court within 30 days of the demand.
 - D. If Defendant fails to appear or enter a plea within 30 days, the civil default judgment may be filed with the county clerk at any time within two years after the original time to enter the plea has expired and may be enforced accordingly for a period of 8 years.

^{1 1} See: Enacting and Enforcing Traffic and Parking Regulations by Wade Beltramo, NYCOM Counsel (Sept. 2006)

Village of Hilton Password Policy

This policy applies to every Village Employee, Mayor or Trustee that utilize a Village owned computer, tablet or phone.

Overview

The Village of Hilton Password Policy establishes the position that poor password management or construction imposes risks to the security of information systems and resources. Standards for construction and management of passwords greatly reduce these risks.

Objective / Purpose

This document describes the acceptable standards for password construction and management.

Scope

The requirements in this standard apply to passwords for any computing account on any Village computer resource, to the users of any such accounts, and to system administrators and developers who manage or design systems that require passwords for authentication.

Minimum Password Length and construction

Passwords shall have a minimum of 6 characters with a mix of alphanumeric and special characters; if a system will not support 6-character passwords, then the maximum number of characters allowed by that system shall be used.

Passwords should be changed every 6 weeks and kept in a secure environment.

Payroll Procedures

1. Village Employees are responsible for completing their own timesheets.
2. All employees submit their timesheets to their department heads the Monday before the payroll date. Each department head approves and signs.
3. The Treasurer inputs each employee's time into payroll system
4. The Treasurer provides the computer-generated timesheet report to the Village Manager/Clerk to approve all departments time is inputted correctly.
5. The Village Manager/Clerk signs the approval form of the payroll.
6. The Treasurer completes the payroll processing including payments for all deductions including payroll taxes.
7. The Treasurer files all reports.
8. If the Treasurer is unable or unavailable to process payroll, the Village Manager will complete the payroll for that time period.

VILLAGE OF HILTON
PROCUREMENT POLICY

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

WHEREAS, comments have been solicited from the administration involved in the procurement process, now, therefore, be it

RESOLVED, that the Village of Hilton does hereby adopt the following procurement policy which is intended to apply to all goods services which are not required by law to be publicly bid.

1. Every major purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can be reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 104 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases, goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from another governmental entity. A major purchase is considered anything of value \$2,500.00 or more.

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

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

3. The following method of purchase should be used as a guide when required by this policy in order to achieve the optimum savings:

<u>Estimated amount of purchase contract</u>	<u>Method</u>
Between \$2,500.00 and \$20,000	Written Quotations
<u>Estimated amount of public Works Contract</u>	<u>Method</u>
Between \$2,500 and \$35,000.00	Written Quotations

A good faith effort shall be made to obtain a reasonable number of proposals or quotations. If the purchaser is unable to obtain proposals or quotations, the purchaser will document the attempt made at obtaining the proposals.

4. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offerer. This documentation will include an explanation of how the award will achieve savings or how the offerer was not responsible. A determination that the offerer is not responsible shall be made by the purchaser.
5. Pursuant to General Municipal Law Section 104-b (2) (f), the procurement policy may contain circumstances when, or type of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Hilton to solicit quotations or document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Village Board of Trustees shall take into consideration the following guidelines; (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for

customized programs, or services involved in substantial modification and customizing of pre-packaged software.

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

c. Purchase of surplus and second-hand goods from any source. If alternate proposals are required, the Village may purchase surplus and second-hand goods at auctions or through special advertised sources where the best value may be obtained.

d. Goods or services under \$2,500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism. All purchases made for goods and services under \$2,500 in cost shall be made based on the judgment of the purchaser.

6. This policy went into effect April 1, 1997, and is reviewed annually.

7. The following employees and/or their designees are authorized to make purchases:

Shari Pearce, Village Manager/Clerk
Jeff Pearce, Superintendent
Maryalice Edwards, Treasurer
Debra Jones, Clerk III

Chad McManus, Asst. Supt
Nick Mucci, Mechanic
Amy Harter, Deputy Clerk
Aimee Doser, Receptionist (added 4/2022)

Refuse and Recycling Policies

Any refuse or recycling left by residents for collection by the Village shall be collected and delivered directly to the appropriate location and no employee of the Village or other persons acting under the authority of the Village, shall remove and/or retain, or cause to be removed or retained, any item or items whatsoever from such refuse and/or recycling.

Please note that the obligations of Village employees and Board members with respect to confidentiality of any information obtained, directly or indirectly, through employment by or service on behalf of the Village, shall continue to apply to any refuse or recycling left by residents for collection by the Village.

RESERVE POLICY

PURPOSE

The purpose of a Reserve policy is for the Village of Hilton to ensure the stability of financial goals, large, planned projects and ongoing operations of the Village and to provide a source of internal funds for organizational priorities.

The Reserve policy will be implemented in concert with the other governance and financial policies of the Village of Hilton and is intended to support the goals and strategies contained in these related policies and operational plans.

ACCOUNTING FOR RESERVES

The Reserve Funds will be recorded in the financial records as Board Designated Reserves. The reserve account will be funded and available in cash. Reserve accounts will be maintained in a segregated bank account in accordance with investment policies or will be commingled with the general cash and investment accounts of the Village of Hilton.

FUNDING OF RESERVES

The Board will establish a specific reserve as a board resolution and will be funded with unrestricted operating funds. The Board of Trustees may from time to time direct that a specific source of revenue be set aside for each reserve fund.

USE OF RESERVES

Identification of appropriate use of reserve funds

The Village of Hilton Board of Trustees and administration will identify the need to access reserve funds and confirm that the use is consistent with the purpose of the reserves as described in this Policy. This step requires analysis of the reason for the shortfall, the availability of any other sources of funds before using reserves, and evaluation of the time period that the funds will be needed and replenished.

Authority to use reserves

Authority for use of reserves is delegated to the Village Manager/Clerk and Treasurer. The use of reserves shall be reported to the Village Board of Trustees at their next scheduled meeting, accompanied by a description of the analysis and determination of the use of funds and plans for the monies.

Reporting and monitoring

The Manager and Treasurer are responsible for assuring that the Reserve funds are maintained and used only as described in this Policy. Upon approval for the use of Reserve funds, the Treasurer will maintain records of the use of funds and plan for replenishment, if required. Treasurer will provide regular reports to the Village Board of progress to restore the fund to the target minimum amount, if required.

RESERVE MAXIMUMS

The Village Board will establish maximum amounts to be placed on the reserve accounts upon formation of the reserve. These amounts can be modified based on project need from time to time per Village Board resolution.

REVIEW OF POLICY

This Policy will be reviewed annually at the annual Village Board meeting or sooner if warranted by internal or external events or changes.

Introduction

Village of Hilton is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of *Village of Hilton's* commitment to a discrimination-free work environment. Sexual harassment is against the law² and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with *Village of Hilton*. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. *Village of Hilton's* policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with *Village of Hilton*. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. *Village of Hilton* will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of *Village of Hilton* who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees³ working in the workplace who believe they have been subject to such retaliation should inform Superintendent, Manager, Mayor or Village Board Member. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

² While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

³ A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject *Village of Hilton* to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. *Village of Hilton* will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. *Village of Hilton* will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. *Village of Hilton* will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Mayor and Board of Trustees.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or

- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

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

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

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

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

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

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. *Village of Hilton* cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a Supervisor, Manager, Mayor or Village Board member. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to the Mayor, Village Board member, Manager or Superintendent.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason

suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Mayor, Village Board member, Manager or Superintendent.

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

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

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. *Village of Hilton* will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, Supervisor or Mayor will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;

- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).

- Keep the written documentation and associated documents in a secure and confidential location.

- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.

- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by *Village of Hilton* but is also prohibited by state, federal, and, where applicable, local law.

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

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

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to *Village of Hilton* does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

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

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

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

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

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

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

Village of Hilton Social Media Policy

Purpose

To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, Village of Hilton departments may consider using social media tools to reach a broader audience. The Village encourages the use of social media to further the goals of the Village and the missions of its departments, where appropriate.

The Village of Hilton has an overriding interest and expectation in deciding what is published on behalf of the Village on social media sites. This policy establishes guidelines for the use of social media.

General

1. All Village of Hilton social media sites posted by departments, will be subject to approval by the Mayor.
2. The Village of Hilton website www.hiltonny.org will remain the Village's primary and predominant internet presence.
 1. The best, most appropriate Village of Hilton uses of social media tools fall generally into two categories:
 1. As channels for disseminating time-sensitive information as quickly as possible (example: emergency information).
 2. As marketing/promotional channels which increase the Village's ability to broadcast its messages to the widest possible audience.
 2. Wherever possible, content posted to Village of Hilton social media sites will also be available on the Village's main websites.
 3. Wherever possible, content posted to Village of Hilton social media sites should contain links directing users back to the Village's official websites for in-depth information, forms, documents or online services necessary to conduct business with the Village of Hilton.
3. As is the case for Village of Hilton's primary website, www.hiltonny.org, a designated office employee shall be responsible for the content and upkeep of any social media sites on behalf of the Village government.
4. Wherever possible, all Village of Hilton social media sites shall comply with all appropriate Village of Hilton policies and standards.
5. Any exceptions will be approved by the Village Clerk and subject to review by the Village Mayor and the appropriate department liaison.
6. Village of Hilton social media sites shall comply with Hilton Code of Ethics and administrative polices and New York State Election law.
7. The Village of Hilton will follow all records management requirements laid out in the New York State MU-1 schedule as they pertain to the content, related to Village business, maintained in a social media format.
8. Users and visitors to social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between Village government and members of the public.
9. The Village reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.

10. The Village will approach the use of social media tools as consistently as possible, enterprise wide.
11. All new social media tools proposed for Village use will be approved by the Village Board.
12. Administration of Village of Hilton social media sites.
 1. The Village Clerk will maintain a list of social media tools which are approved for use by the Village.
 2. The Village Clerk will maintain a list of all Village of Hilton social media sites, including login and password information. Departmental representatives will inform the Clerk of any administrative changes needed to the sites and will provide relevant content for posting.
 3. The Village must be able to immediately edit or remove content from social media sites.
13. For each social media tool approved for use by the Village the following documentation will be developed and adopted:
 1. Operational and use guidelines
 2. Standards and processes for managing accounts on social media sites
 3. Village and departmental branding standards
 4. Standards for the administration of social media sites

Village of Hilton
Travel Policy
Updated
9/6/2016

Travel by Board Members and appointed officials of the Village of Hilton will be allowed under the following policy:

1. Any Village Employee must complete the Travel and Conference Request and obtain the Mayors signature.
2. Any travel expenses for which reimbursement is requested and allowed shall be for actual and necessary expenses incurred when conducting business for the Village and will be approved on the following basis.
 - a. Mileage - rates as approved by IRS.
 - b. Parking - necessary parking.
 - c. Tolls - for bridges, thruway charges, etc.
 - d. Meals - reimbursed subject to the IRS per diem rate
 - e. Lodging – arrangements will be made by the Village Clerk, Village Treasurer or Village Manager.
 - f. Miscellaneous - per receipt if for business purposes.
3. Whenever practical, travel shall be approved in advance by the Village Board.
4. Reimbursement procedure. Upon completion of the travel a statement of all expenses with receipts shall be submitted to the Board who shall authorize the reimbursement to the employee.
5. Unauthorized expenses. Expenses such as alcoholic beverages, valet, laundry services, newspaper, entertainment expenses, or for other personal items will not be reimbursed.
6. Whenever possible, Village employees shall drive village vehicles. If a village vehicle is not available, the employee may drive their personal vehicle but the Village shall not be held liable for any damages that may happen to their vehicle, pay for any of the employee's insurance deductible.

WHISTLEBLOWER PROTECTION

The Village of Hilton strives to protect its employees, business, and community as best as possible. As a matter of policy and practice, as well as in compliance with various laws, we offer employees whistleblower protection when they report certain activities or make a complaint to management about a specific situation or occurrence in the workplace that may be unsafe, illegal, abusive, or fraudulent. The complaint will be taken seriously and investigated to the fullest extent possible. Employees who make complaints of this nature will be protected from retaliation.

MAKING A COMPLAINT

If an employee believes that a workplace activity or situation is unsafe, illegal, abusive, or fraudulent, he/she should bring the problem to the attention of the Board of Trustees. The Village of Hilton will, if appropriate, conduct a prompt and thorough investigation of the situation. Employees may report problems anonymously but should be aware that this may hamper the Village of Hilton's ability to obtain further details, and/or otherwise conduct a complete, thorough investigation.

Problems that are covered by other Village of Hilton complaint procedures (e.g., employment discrimination, harassment) should be reported in the manner and to the individual(s) set out in those specific procedures and not under this policy.

NO RETALIATION

Employees who make a complaint in good faith will not be retaliated against or penalized in any manner. The employee's identity, if made known to the Village of Hilton, will be protected by the Village of Hilton to the greatest extent possible, consistent with applicable law and the need to investigate and remedy the situation. Any employee who believes he or she has been retaliated against in violation of this policy should notify the Board of Trustees immediately.