

AMENDED

VILLAGE OF SPRINGVILLE 2023 MINUTES

May 15, 2023

7:00 P. M.

The Regular Meeting of the Trustees of the Village of Springville was held at the Village Municipal Building, 65 Franklin Street, Springville, New York at the above date and time.

Present were:

Mayor	Timothy Michaels
Trustees	Reed Braman Lindsay Buncy Mary Padasak Terry Skelton
Village Administrator	Liz Melock
Superintendent of Public Works	Duane Boberg
Police Officer in Charge	Nicholas Budney
Building Inspector/ Code Enforcement Officer	Michael Kaleta
Village Attorney	Paul Weiss
Deputy Clerk	Holly Murtiff
Absent	Marc Gentner, Fire Chief
Also Attending	Max Borsuk, Springville Journal

also see attached attendance sheets (1-4) **051523 A.1**

Mayor Michaels called the meeting to order at 7:00 PM.

1. Minutes

Minutes of the Regular Meeting of May 1, 2023, were approved as written, by motion of Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed.

PUBLIC COMMENT

Mayor Michaels opened the public comment portion of the meeting and the following people addressed the Board;

<u>Name</u>	<u>Residence</u>	<u>Topic</u>
Sue Boyle	non-village resident	public art/murals/historic district
Dave Stahley	village resident	public art/murals/historic district
Devin Kowalske	village resident	public art/murals/historic district
Chris Cerrone	village resident	public art/murals/historic district
Bruce Morrell	non-village resident	public art/murals/historic district
Alisia Glasier	non-village resident	public art/murals/historic district
Shelly Baronich	village resident	public art/murals/historic district
Jessica Schuster	village resident	public art/murals/historic district
M.C. Dearing	non-village resident	public art/murals/historic district

AMENDED

May 15, 2023
Page (2)

<u>Name</u>	<u>Residence</u>	<u>Topic</u>
Christina Enser	non-village resident	public art/murals/historic district
Cloe Krouse	non-village resident	public art/murals/historic district
Tara Lowry	non-village resident	public art/murals/historic district
Tom Irish	non-village resident	public art/murals/historic district
Jessica Rote	non-village resident	public art/murals/historic district
Lori Morrell	non-village resident	public art/murals/historic district
Ashley Lowry	village resident	public art/murals/historic district
John Baronich	village resident	public art/murals/historic district
Lia Oprea	non-village resident	public art/murals/historic district
Don Orton	village resident	public art/murals/historic district
Maggie Boyle	non-village resident	public art/murals/historic district
Max Collins	village resident	public art/murals/historic district
M. Wolniewicz	village resident	public art/murals/historic district
Richard Stamps	non-village resident	public art/murals/historic district
Seth Wochensky	village resident	public art/murals/historic district
Bob Sorenson	village resident	public art/murals/historic district
Judy Wright	village resident	public art/murals/historic district

There being no other who wished to address the Board the Mayor closed the public comment period at 8:19 pm.

DEPARTMENT REPORTS ADMINISTRATOR REPORT

2. LL 5-2023 Motion was made by Trustee Braman, seconded by Trustee Skelton; carried, Mayor Michaels, Trustees Braman, Skelton, Buncy and Padasak voting yes, none opposed to declaring the Village of Springville as the Lead Agency for Local Law 5 of 2023 – Chapter 200 Section 2, definition changes to lot line, front.

Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to approving a negative declaration to LL 5 of 2023-Chapter 200 Section 2, definition changes to lot line, front.

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to adopting LL 5 of 2023 Chapter 200-Section 2, definition changes to lot line, front. **05152023 A.2**

3. 23/24 Amended Tax Warrant Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to approve the amended 23/24 Tax Warrant as shown below.

AMENDED
LEGAL NOTICE
TAX WARRANT 23-24
VILLAGE OF SPRINGVILLE

You are hereby commanded to receive and collect from the several persons named in the Tax Roll hereunto annexed, the several sums stated in the last column hereof opposite their respective names, being a total \$2,254,670 for the following purpose:

AMENDED

May 15, 2023
Page (3)

For the current Budget \$2,042,274
For the Releived Water/Sewer Charges \$106,895
For the Releived Taxes/Exempt \$9956
For the Releived Accounts Receivable \$1,401
Total Taxes Receivable \$ 2,254.670
Special District 38200 – Garbage totes \$94,144

You are further commanded to receive and collect such sums without additional charge between the first day of June and the first day of July 2023 both inclusive; and thereafter to collect with such of the sums as have not been therefore collected and additional charge of seven and one-half per centum for the first month or fraction thereof, and one and one-half per centum for each month or fraction thereof until paid.

You are further commanded to file the tax roll and warrant in your office on or before the thirty-first day of October, 2023 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

4. DEC Consent Order Amendment Motion was made by Trustee Padasak, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Padasak, Braman, Buncy and Skelton voting yes, none opposed to authorized Mayor Michaels, to sign the DEC Consent Order Amendment No.2 Case R9-20200415-28. This modification allows the construction & commencement date of operations to be extended to November 15, 2023.
5. Village Office Phone System Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to authorizing Mayor Michaels to sign a contract and approve new phones, install and router for the Village Office to Vaspian at the cost of \$6,900.
6. Budget Adjustments Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to approve the attached 22/23 budget adjustments. **051523 A.3**
7. Employee Handbook Modifications Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to modifying the employee handbook – Insurance Coverage- page 46 – add “Employees shall be entitled to one health insurance policy if both husband and wife are employed by the Village. There shall be no buyout of health/dental insurance allowed if one spouse takes the insurance and the other is not eligible.” Also, replace existing Sexual Harassment Policy with new NYS Model policy. **051523 A.4**
8. SEIU Local 200 Union Contract Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to approving the SEIU Local 200 United union contract for public works employees in the Village.
9. Stop DWI Program Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to authorizing Mayor Michaels to sign the Stop DWI 2023 agreement.

AMENDED

May 15, 2023
Page (4)

Administrator Melock updated the Board on the following;

- Financial reports (Treasurer's Report) – Balance sheets, Rev & Exp Summaries will be submitted to the Village Board for April 2023.
- Village tax bills will be mailed to owner on record on May 31st. The bills are due July 3rd without penalty. Village offices are closed July 4th.
- Free Summer Concerts start June 29th with Springville Jazz Orchestra as the first band. Concerts are from 6:30 – 8:30 pm at Heritage Park and Kiwanis will be selling hot dogs and snacks.
- 96-gal garbage Tote delivery is scheduled for May 30-June 2, 2023. One time charge of \$64 is on the village tax bill. Tax roll is on the village web page. If there is no tote being charged then no tote will be delivered. **Starting on June 6th only village totes will be picked up by Waste Management (the 6th is garbage not recycling).**

SUPERINTENDENT REPORT

10. Truck Purchase Motion was made by Trustee Skelton, seconded by Mayor Michaels; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to purchase a 2023 Chevy Colorado 4 door 4x4 from Jim Murphy Chevy Inc. Purchase price is \$17,430 after trade in. This is using the Best Value Bid. This vehicle will be available early June. It is already in route to Murphy's. Other dealers could not get this truck or (comparable).
11. Summer New Hire Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to hiring Adam Ditchey for summer help at a rate of \$15.50/hr.
12. Creek Obstruction After discussion, motion was made by Trustee Skelton, seconded by Mayor Michaels; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to sending a letter to the owners of 109 N. Buffalo St. notifying them that if the obstruction on their property that is threatening the creek as it borders Heritage Park becomes an obstruction the Village of Springville will remedy that obstruction and then bill the owner for that repair/remedy.

Superintendent Boberg updated the Board on the following;

- An order for a 2024 Freightliner from Fleet Maintenance Inc. of West Seneca has been placed. We will be using a piggyback contract for this purchase.
- Bump outs at Franklin and N. Buffalo Streets and the repaving project on Franklin Street.

POLICE DEPARTMENT

13. New Officer Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to appoint Bradford Ballantyne to the vacant position of patrolman (part-time) effective May 30, 2023.

FIRE DEPARTMENT

13. Temp Positions Motion was made by Trustee Skelton, seconded by Mayor Michaels; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed to

AMENDED

May 15, 2023

Page (5)

approving the temporary positions within the Springville Volunteer Fire Department.

Temporary 9-3 Fire Chief Paul Smith until 10/6/23

Temporary Fire Captain Jim Siminiski until 10/6/23

BUILDING INSPECTOR/CODE ENFORCEMENT

BI/CEO Kaleta updated the Board on the following;

- Letters have gone out to the residents that are involved with the rezoning of W. Main St. and Clark St. That public hearing is scheduled for 6/5/23.
- Letters have gone out to the owners on record for vacant properties regarding lawn mowing.

CONTROL CENTER

There was no Control Center report this evening.

14. HPC Meeting Motion was made by Trustee Skelton, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Skelton, Buncy and Padasak voting yes, Trustee Braman abstaining, none opposed to accepting the Historic Preservation Commission meeting minutes of May 8, 2023.

NEW BUSINESS

15. HPC Mural At this time Seth Wochensky, SCA Executive Director, and the Board had a discussion regarding the recent mural applications within the Historic Preservation District. At the beginning of the discussion Village Attorney Paul Weiss pointed out that the original applications must be given to Board of Trustees in order for them to review the matter. Being that Seth did not have those applications with him the matter could not proceed. During the conversation all agreed that a specially scheduled Historic Preservation Commission meeting should be immediately scheduled in the hopes of reaching an agreement regarding the murals in question. If no agreement is reached then this matter will return to the Village Board at the next scheduled meeting on 6/5/23.
16. Garbage Committee At this time Mayor Michaels asked for two Trustees to form a committee to decide how to proceed with garbage collection for non-profit entities. Trustees Braman and Skelton volunteered to address the matter.

OLD BUSINESS

There was no Old Business this evening.

BILLS

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #332 through #348, total of \$417,307.49 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Buncy and Padasak voting yes, none opposed.

PERMITS AND APPLICATIONS

Motion was made by Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed to accepting the permits and applications attached.

AMENDED

May 15, 2023

Page (6)

Building applications received by the Building Inspector/CEO Kaleta, Planning Board, Zoning Board of Appeal and Historic Preservation Commission as follows:

Minutes of the Planning Board meeting on April 25, 2023.

Minutes of the Historic Preservation Commission on May 8, 2023. **(approved earlier)**

PROJECT: 0000010186 - HISTORIC PRESSERVATION TYPE: HISTORIC
PROPERTY: 46 E MAIN ST PRESERV REVIEW
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141

PROJECT: 0000010187 - HISTORIC PRESSERVATION TYPE: HISTORIC
PROPERTY: 69 E MAIN ST PRESERV REVIEW
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141

PROJECT: 0000010188 - HISTORIC PRESSERVATION TYPE: HISTORIC
PROPERTY: 57 W MAIN ST PRESERV REVIEW
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141

PROJECT: 0000010189 - HISTORIC PRESSERVATION TYPE: HISTORIC
PROPERTY: 26 FRANKLIN ST PRESERV REVIEW
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141

PROJECT: 0000010190 - HISTORIC PRESSERVATION TYPE: HISTORIC
PROPERTY: 37 N BUFFALO ST PRESERV REVIEW
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
P.O. BOX 62
SPRINGVILLE, NY 14141

PROJECT: 0000010191 - HISTORIC PRESSERVATION TYPE: HISTORIC
PROPERTY: 37 N BUFFALO ST PRESERV REVIEW
ISSUED DATE: 5/03/2023
ISSUED TO: SPRINGVILLE CENTER FOR THE ART
PO BOX 62
SPRINGVILLE, NY 14141

AMENDED

May 15, 2023

Page (7)

PROJECT: 0000010192 - SIGNS
PROPERTY: 564 W MAIN ST
ISSUED DATE: 5/03/2023
ISSUED TO: FLEXLUME SIGN CORP
1464 MAIN ST
PO BOX 804
BUFFALO, NY 14209-0000

TYPE: SIGNS

VILLAGE ATTORNEY NOTES

There was no Attorney's report this evening

TRUSTEE NOTES

17. Public Art Discussion/Moratorium At this point all the Board discussed the best way to aid the Historic Preservation Commission in their role with public art. It was agreed that the Commission needs help with training and guidelines. It was further agreed that public art is an asset and there is a definite desire to collaborate with the entities proposing these projects. During this discussion there was talk that there is a need in updating the design standards and there should be a committee to do such. This committee should be comprised of one HPC member, one PB member and two Trustees. There was also discussion if a moratorium on new art applications would help in the matter of public art in the Historic Preservation District. Motion was made by Mayor Michaels, seconded by Trustee Skelton; Mayor Michaels and Trustees Skelton voting yes, Trustees Braman, Padasak and Buncy voting no on the proposed moratorium until June 20, 2023 on public art.

Mayor Michaels added that there is now a full committee dedicated to getting a dog park established in our area.

TREE COMMITTEE REPORT

There was no Tree Committee report this evening.

18. Adjourn Motion was made by Trustee Skelton, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Skelton, Padasak, Braman and Buncy voting yes, none opposed to adjourn the regular session at 9:44 pm.

Respectfully submitted,

Holly Murtiff
Deputy Clerk

VILLAGE BOARD MEETING

Village of Springville

Date:

5/15/23

PLEASE SIGN INPRINT NAMEADDRESSRH & ELIZABETH STAMPS 13353 RT. 62 COLLINS, NY.Don Onton 27 Ellis Ave, Spgvl NYJudy Wright 66 N. Central Sp 14141Christina Enser 4035 Woodside Rd. Lawtons 14091Tom IrishJessica Rot 12240 SHARP ST. 5Tony & Paul Swerkwood 9101 Mayo 14141Joe Boyle 19 Ridge Rd 14069Matt & Valarie Ritzlaff 227 W Main - DepotChloe Krouse 10070 Davis Hill Rd E. ConcordLIA OPREA ONSTON CAMP 12820 BENTON ROAD, SANDWICHRich + Eugenie Myers 10986 New Oregon Rd. N. Collins NY 14111Bruce Biringel 45 Mill S. T Springs, NY 14141Bruce & Lori Morrell 9715 Darien Rd, West Falls, NY 14170Jim Krezmien 33 Greenwood Pl.Jess Schuster 514 Franklin St 14141

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

PRINT NAME

ADDRESS

Tracy Maybray	22 Church St Josie
JEFF MAYBRAY	22 CHURCH ST SPRINGVILLE
John BARONICH	386 Mill St Springville
Shelly Baronich	386 Mill St, Spr.
Max Borsuk	Springville Journal
Kara Kane	Glenwood
Jean Maul	Springville
Joel Maul	Springville
Chris Carrone	Springville
Martin Truitt	PO Box 246 Glenwood
Joshua White	21 Park St.
Davin Kowalske	21 Park St
Judy Laer	25 Sped Dr
Tom Laer	"
Ashley Lowmy	151 East Ave
Jean Wiedel	Collins NY

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

PRINT NAME

ADDRESS

Alicia Glosior	123 McKinley Pkwy Buffalo
Max Gillis	67 Main St Springville
Piper McCall	126 Penl Street
Margaret Boyle	19 Ridge Trail
Rick Ferguson	12120 RT 39 ORAFFEE
Tracy Gath	" "
Robert Sorenson	292 E. Main Spvc
MaryCarol Davis	6471 Genesee Rd.
George Klemens	" " "
Tara Lowry	6861 Boston Cross Rd
Robert Schurt	168 Elk St Springville
Jwen Alayne	56 Tarn Trail, Glenwood
Kelly Campbell	21 Ridge trail, Glenwood
Jennifer Morns	49 E Main
DAN Bryce	346 Franklin
Kelly Hotchkiss	70 N. Buffalo

THANK YOU

VILLAGE BOARD MEETING

Village of Springville

Date:

PLEASE SIGN IN

PRINT NAME

ADDRESS

Tracy McNally	590 Franklin St.
GEORGE RICHTER	376 E. MAIN
Charlotte Dudley	71 S. Edgwood Dr.
Dave Stahley	" "
Marla Wagner	35 Hilltop Dr.
Adrian Wagner	" "
Audrey Wagner	" "
Andrea Simmons	107 Transit line Rd
Alex Simmons	" "
Seth Wochensky	30 S. Central Ave.
Carla Roetzer	44 W. Edgewood
Marnie Robel	9841 State Rd
Christine Small	3466 N Buffalo ST.
Michael Wolniewicz	200 W. Buffalo St.

THANK YOU

§ 200-2 **Word usage; definitions.**

B. Definition of words and terms. As used in this chapter, the following terms shall have the meanings indicated:

LOT AREA

The total horizontal area included within lot lines.

LOT, CORNER

A lot at the junction of and fronting on two or more intersecting streets.

LOT COVERAGE

The percentage of the horizontal area of the lot covered by a building or buildings, measured to the outside of the wall.

LOT FRONTAGE

The portion of a lot which runs along the street or streets which border the lot. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards.

LOT, INTERIOR

Any lot other than a corner lot.

LOT LINE

Any boundary of a lot. Any "lot line" not a rear lot line nor a front lot line shall be deemed a side lot line.

LOT LINE, FRONT

The street right-of-way line at the front of a lot. On a corner lot, the owner may specify the "front lot line" on the plot plan.

LOT LINE, REAR

The lot line opposite the front lot line.

LOT, THROUGH

A lot extending from one street to another.

LOT WIDTH

The horizontal dimension measured from side lot line to side lot line along a line parallel to the street line at the required minimum front yard depth.

YARD, FRONT

A yard extending between the side lot lines and situated between the street line and the front line of the principal building or use projected to the side lines of the lot.

YARD, REAR

A yard extending between the side lot lines and situated between the rear lot line and the rear line of the principal building or use projected to the side lot lines.

YARD, SIDE

A yard extended between the front yard and rear yard and situated between the side lot line and the adjacent side line of the principal building.

YARD, TRANSITIONAL

A side or rear yard of a property in a nonresidence district that abuts a property in a residence district

New **LOT LINE, FRONT**

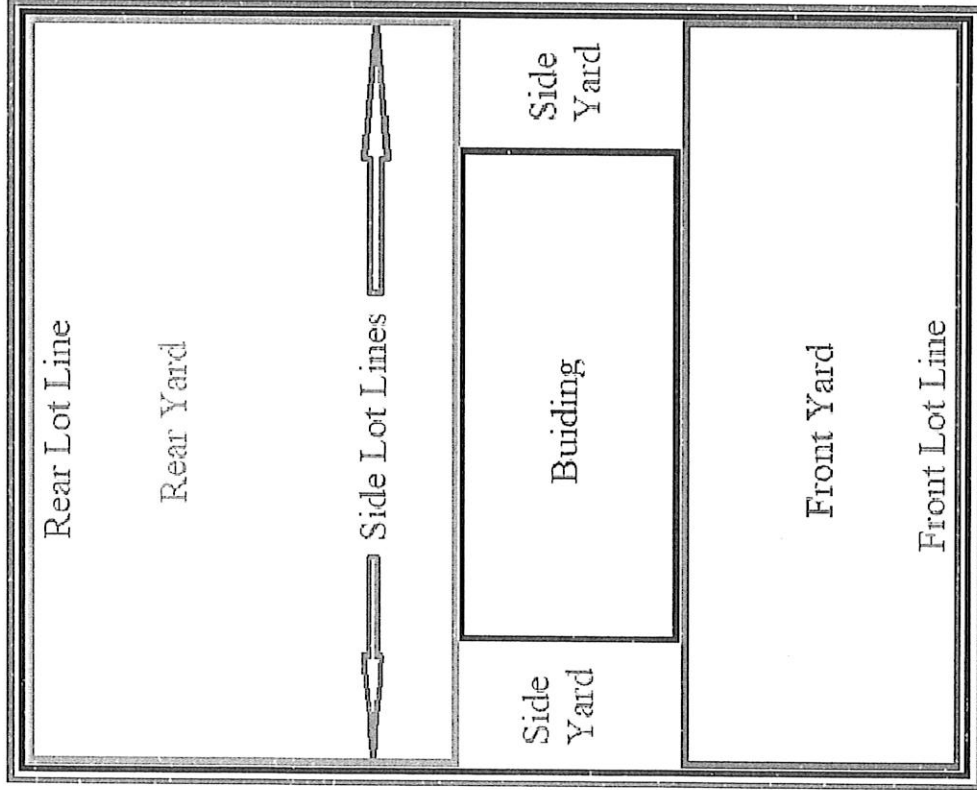
In the case of a lot abutting upon only one street, the line separating such lot from such street. In the case of a lot that abuts more than one street, each street line shall be considered to be a front lot line.

Add language to rear yard and side yard.

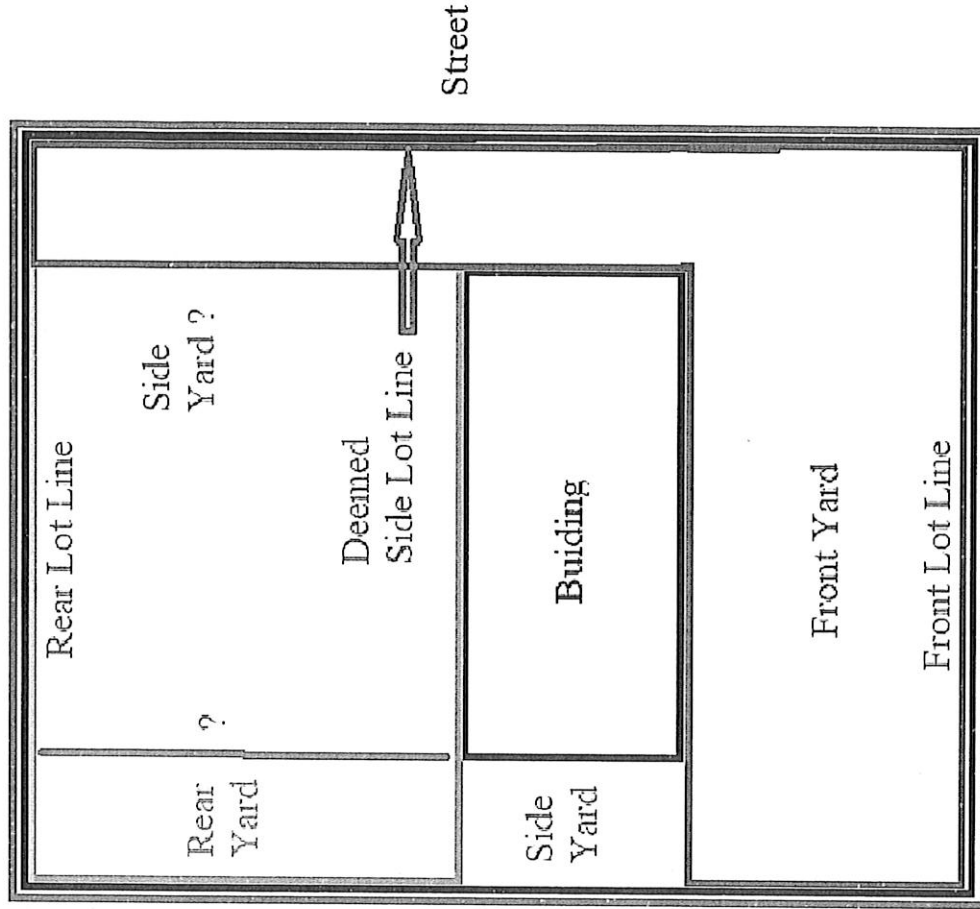
On a corner lot the side yard will line up with the adjoining lot side yards.

On a corner lot the rear yard will line up with the adjoining lot rear yards.

Interior Lot



Corner Lot



LOT FRONTAGE

The portion of a lot which runs along the street or streets which border the lot. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered front yards.

05152023 A.3

Amount	From Account	To Account
General Fund		
\$ 2,710.00	1130-0100	1130-0400
\$ 742.00	1325-0200	1325-0400
\$ 12.00	1325-0200	1355-0400
\$ 326.00	1490-0410	1490-0420
\$ 841.00	1490-0440	1490-0100
\$ 2,904.00	1620-0200	1620-0400
\$ 1,301.00	3410-0210	3410-0460
\$ 27,500.00	5142-0120	5110-0100
\$ 436.00	5142-0120	5110-0120
\$ 13.00	5110-0410	5110-0410
\$ 346.00	7110-0440	7110-0410
\$ 1,200.00	8170-0410	8170-0100
\$ 5,224.00	8510-0410	8510-0100
\$ 2,114.00	5142-0100	8540-0100
\$ 35,278.00	5142-0410	8540-0410
\$ 2,000.00	5650-0100	8540-0100
\$ 93.00	5650-0440	8540-0100
\$ 1,171.00	5650-0440	9050-0800
\$ 84,211.00	Total GF	

Water Fund		
\$ 524.00	8320-0121	8320-0101
\$ 1,764.00	8320-0441	8320-0411
\$ 946.00	8330-0461	8330-0411
\$ 209.00	8330-0461	8330-0441
\$ 571.00	8330-0121	8330-0421
\$ 11,397.00	8340-0111	8340-0101
\$ 1,084.00	8340-0121	8340-0101
\$ 16,495.00	Total WF	

Sewer Fund		
\$ 3,838.00	8120-0121	8120-0101
\$ 391.00	8120-0461	8120-0441
\$ 6,600.00	8130-0111	8130-0205
\$ 6,000.00	8130-0421	8130-0261
\$ 10,794.00	8130-0101	8130-0261
\$ 86,103.00	9730-0700-003	9710-0700-003
\$ 2,384.00	9040-0800-003	9710-0700-003
\$ 17,000.00	8110-0441	9710-0700-003
\$ 8,993.00	1910-0400-003	9710-0700-003
\$ 4,500.00	8120-0261	9710-0700-003
\$ 146,603.00	Total SF	

FUND ACCOUNT Budget Adj. # 000283

DATE DESCRIPTION ADJUSTMENT ORIGINAL BUDGET PREVIOUS ADJUSTMENTS NEW BUDGET BUDGET BALANCE

001	5-1130-0100-001	5/15/2023	BOARD MEETING 05152	2,710.00-	61,724.00	800.00-	58,214.00	8,723.93
	JUDICIAL - WAGES							
001	5-1130-0400-001	5/15/2023	BOARD MEETING 05152	2,710.00	12,425.00	800.00	15,935.00	955.98
	JUDICIAL - CONT. EXPENSE							
001	5-1325-0200-001	5/15/2023	BOARD MEETING 05152	742.00-	5,000.00	1,893.00-	2,353.00	2,353.00
	CLERK-TREAS EQUIPMENT							
001	5-1325-0400-001	5/15/2023	BOARD MEETING 05152	742.00	36,800.00	1,800.00	39,342.00	1,306.91
	CLERK-TREAS. CONT. EXPENSE							
001	5-1325-0200-001	5/15/2023	BOARD MEETING 05152	12.00-	5,000.00	1,893.00-	2,353.00	2,353.00
	CLERK-TREAS EQUIPMENT							
001	5-1355-0400-001	5/15/2023	BOARD MEETING 05152	12.00	5,500.00	93.00	5,605.00	0.22
	ASSESSMENT CONT. EXPENSE							
001	5-1490-0410-001	5/15/2023	BOARD MEETING 05152	326.00-	3,500.00	1,115.00-	2,059.00	800.81
	PUB.WORKS ADMIN SUPPLIES & MAT							
001	5-1490-0420-001	5/15/2023	BOARD MEETING 05152	326.00	4,000.00	1,115.00	5,441.00	287.02
	PUB.WORKS ADMIN. UTILITIES							
001	5-1490-0440-001	5/15/2023	BOARD MEETING 05152	841.00-	2,000.00	0.00	1,159.00	406.25
	PUBLIC WKS CONTR SERVICES							
001	5-1490-0100-001	5/15/2023	BOARD MEETING 05152	841.00	39,621.00	0.00	40,462.00	0.86
	PUB. WORKS ADMIN. PER. SERV.							
001	5-1620-0200-001	5/15/2023	BOARD MEETING 05152	2,904.00-	25,000.00	15,360.00-	6,736.00	6,736.00
	BUILDINGS EQUIPMENT							
001	5-1620-0400-001	5/15/2023	BOARD MEETING 05152	2,904.00	35,000.00	15,360.00	53,264.00	1,840.29
	BUILDINGS CONTRACTUAL EXPENSE							
001	5-3410-0210-001	5/15/2023	BOARD MEETING 05152	1,301.00-	36,000.00	0.00	34,699.00	7,756.82
	FIRE FIGHTING EQUIPMENT							
001	5-3410-0460-001	5/15/2023	BOARD MEETING 05152	1,301.00	19,106.00	3,721.00	24,128.00	316.24
	FIRE MISCELLANEOUS							
001	5-5142-0120-001	5/15/2023	BOARD MEETING 05152	27,500.00-	40,000.00	200.00-	11,864.00	0.44
	OVERTIME							
001	5-5110-0100-001	5/15/2023	BOARD MEETING 05152	27,500.00	174,000.00	63,072.00	264,572.00	14,571.17
	STREET MAINT. PERSONAL SERVICE							
001	5-5142-0120-001	5/15/2023	BOARD MEETING 05152	436.00-	40,000.00	200.00-	11,864.00	0.44
	OVERTIME							

ACCOUNT: 00234-BOARD MEETING 05152023
 UDCODE: CB-Current Budget

UND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
001	5-110-0120-001	5/15/2023 BOARD MEETING 05152 OVERTIME	436.00	3,000.00	200.00	3,636.00	295.66
001	5-110-0410-001	5/15/2023 BOARD MEETING 05152 STREETS SUPPLIES & MATERIALS	13.00-	84,500.00	1,577.00-	82,923.00	75,311.95
001	5-110-0410-001	5/15/2023 BOARD MEETING 05152 STREETS SUPPLIES & MATERIALS	13.00	84,500.00	1,577.00-	82,923.00	75,311.95
001	5-110-0440-001	5/15/2023 BOARD MEETING 05152 PARKS CONTRACTED SERVICES	346.00-	5,000.00	3,232.00-	1,422.00	1,536.12
001	5-110-0410-001	5/15/2023 BOARD MEETING 05152 PARKS SUPPLIES & MATERIALS	346.00	25,000.00	8,700.00	34,046.00	4,713.66
001	5-8170-0410-001	5/15/2023 BOARD MEETING 05152 ST. CLEANING SUPPLIES & MAT.	1,200.00-	5,500.00	0.00	4,300.00	4,158.08
001	5-8170-0100-001	5/15/2023 BOARD MEETING 05152 STREET CLEANING PERSONAL SERV	1,200.00	4,400.00	1,400.00	7,000.00	381.94
001	5-8510-0410-001	5/15/2023 BOARD MEETING 05152 COMM.BEAUTIFICATION SUPP & MAT	5,224.00-	20,000.00	8,700.00-	6,076.00	6,081.32
001	5-8510-0100-001	5/15/2023 BOARD MEETING 05152 COMM.BEAUTIFICATION - PERS.SER	5,224.00	6,250.00	0.00	11,474.00	1.94
001	5-5142-0100-001	5/15/2023 BOARD MEETING 05152 SNOW REMOVAL PERSONAL SERV.	2,114.00-	57,261.00	30,000.00-	25,147.00	0.46
001	5-8540-0100-001	5/15/2023 BOARD MEETING 05152 DRAINAGE PERSONAL SERVICE	2,114.00	13,500.00	0.00	17,707.00	0.12
001	5-5142-0410-001	5/15/2023 BOARD MEETING 05152 SNOW REMOVAL SUPPLIES & MAT	35,278.00-	115,000.00	174.00-	79,548.00	1,405.95
001	5-8540-0410-001	5/15/2023 BOARD MEETING 05152 DRAINAGE SUPPLIES & MATERIALS	35,278.00	8,500.00	1,025.00-	42,753.00	770.20
001	5-5650-0100-001	5/15/2023 BOARD MEETING 05152 OFF ST. PARKING PERSONAL SERV.	2,000.00-	2,000.00	0.00	0.00	0.00
001	5-8540-0100-001	5/15/2023 BOARD MEETING 05152 DRAINAGE PERSONAL SERVICE	2,000.00	13,500.00	0.00	17,707.00	0.12
001	5-5650-0440-001	5/15/2023 BOARD MEETING 05152 OFF ST. PARKING CONT. SERVICE	93.00-	3,000.00	0.00	1,736.00	1,736.00
001	5-8540-0100-001	5/15/2023 BOARD MEETING 05152 DRAINAGE PERSONAL SERVICE	93.00	13,500.00	0.00	17,707.00	0.12

ACCRET: 00234-BOARD MEETING 05152023
UDGET CODE: CB-Current Budget

UND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
01	5-5650-0440-001	5/15/2023 BOARD MEETING 05152 OFF ST. PARKING CONT. SERVICE	1,171.00-	3,000.00	0.00	1,736.00	1,736.00
01	5-9050-0800-001	5/15/2023 BOARD MEETING 05152 EMPLOYEE BENEFITS	1,171.00	0.00	0.00	1,171.00	0.15
02	5-8320-0121-001	5/15/2023 BOARD MEETING 05152 OVERTIME, COMMODITY	524.00-	1,000.00	0.00	476.00	68.12
02	5-8320-0101-001	5/15/2023 BOARD MEETING 05152 SUPPLY SOURCE -REGULAR COMM.	524.00	15,830.00	6,151.00	22,505.00	0.36
02	5-8320-0441-001	5/15/2023 BOARD MEETING 05152 CONTRACTED SERVICES-COMMODITY	1,764.00-	30,000.00	1,221.00-	27,015.00	15,198.07
02	5-8320-0411-001	5/15/2023 BOARD MEETING 05152 SUPPLIES & MATERIAL COMMODITY	1,764.00	15,000.00	0.00	16,764.00	7,406.68
02	5-8330-0461-001	5/15/2023 BOARD MEETING 05152 MISCELLANEOUS-COMMODITY	946.00-	1,500.00	0.00	345.00	145.00
02	5-8330-0411-001	5/15/2023 BOARD MEETING 05152 SUPPLIES & MATERIAL, COMMODITY	946.00	20,000.00	1,446.00	22,392.00	3,196.79
02	5-8330-0461-001	5/15/2023 BOARD MEETING 05152 MISCELLANEOUS-COMMODITY	209.00-	1,500.00	0.00	345.00	145.00
02	5-8330-0441-001	5/15/2023 BOARD MEETING 05152 CONTRACTED SERVICES-COMMODITY	209.00	20,000.00	10,071.00	30,280.00	300.59
02	5-8330-0121-001	5/15/2023 BOARD MEETING 05152 OVERTIME, COMMODITY	571.00-	5,000.00	0.00	4,429.00	3,348.33
02	5-8330-0421-001	5/15/2023 BOARD MEETING 05152 UTILITIES-COMMODITY	571.00	11,000.00	1,900.00	13,471.00	506.98
02	5-8340-0111-001	5/15/2023 BOARD MEETING 05152 TEMPORARY - COMMODITY	11,397.00-	19,200.00	0.00	7,803.00	0.30
02	5-8340-0101-001	5/15/2023 BOARD MEETING 05152 SALARIES REGULAR-COMMODITY	11,397.00	130,607.00	0.00	143,088.00	0.36
02	5-8340-0121-001	5/15/2023 BOARD MEETING 05152 OVERTIME, COMMODITY	1,084.00-	4,000.00	0.00	2,916.00	1,490.68
02	5-8340-0101-001	5/15/2023 BOARD MEETING 05152 SALARIES REGULAR-COMMODITY	1,084.00	130,607.00	0.00	143,088.00	0.36
03	5-8120-0121-001	5/15/2023 BOARD MEETING 05152 OVERTIME, COMMODITY	3,838.00-	6,000.00	594.00-	1,568.00	1,120.15

BUDGET ADJUSTMENT REGISTER

UND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
03 5-8120-0101-001	5/15/2023	BOARD MEETING 05152	3,838.00	27,734.00	11,000.00	42,572.00	0.16
SALARIES REGULAR, COMMODITY							
03 5-8120-0461-001	5/15/2023	BOARD MEETING 05152	391.00-	1,500.00	0.00	1,109.00	676.50
MISCELLANEOUS-COMMODITY							
03 5-8120-0441-001	5/15/2023	BOARD MEETING 05152	391.00	33,000.00	787.00	34,178.00	406.28
CONTRACTED SERVICES-COMMODITY							
03 5-8130-0111-001	5/15/2023	BOARD MEETING 05152	6,600.00-	8,000.00	0.00	1,400.00	1,400.00
TEMPORARY- COMMODITY							
03 5-8130-0205-001	5/15/2023	BOARD MEETING 05152	6,600.00	0.00	0.00	6,600.00	0.00
ROOF-DIGESTER BLDG							
03 5-8130-0421-001	5/15/2023	BOARD MEETING 05152	6,000.00-	49,000.00	0.00	43,000.00	8,653.73
UTILITIES-COMMODITY							
03 5-8130-0261-001	5/15/2023	BOARD MEETING 05152	6,000.00	6,000.00	21,882.00	44,676.00	0.72
SYSTEM EQUIPMENT-VILLAGE							
03 5-8130-0101-001	5/15/2023	BOARD MEETING 05152	10,794.00-	191,935.00	32,882.00-	148,259.00	8,065.28
SALARIES REGULAR COMMODITY							
03 5-8130-0261-001	5/15/2023	BOARD MEETING 05152	10,794.00	6,000.00	21,882.00	44,676.00	0.72
SYSTEM EQUIPMENT-VILLAGE							
03 5-9730-0700-003	5/15/2023	BOARD MEETING 05152	86,103.00-	124,251.00	0.00	38,148.00	0.07
BAN - INTEREST							
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	86,103.00	70,388.00	0.00	189,368.00	22,485.33-
SERIAL BONDS - INTEREST							
03 5-9040-0800-003	5/15/2023	BOARD MEETING 05152	2,384.00-	9,100.00	0.00	6,716.00	0.93
WORKMEN'S COMPENSATION							
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	2,384.00	70,388.00	0.00	189,368.00	22,485.33-
SERIAL BONDS - INTEREST							
03 5-8110-0441-001	5/15/2023	BOARD MEETING 05152	17,000.00-	37,500.00	0.00	20,500.00	1,338.57
SEWER ADMIN. CONVT. SERVICES							
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	17,000.00	70,388.00	0.00	189,368.00	22,485.33-
SERIAL BONDS - INTEREST							
03 5-1910-0400-003	5/15/2023	BOARD MEETING 05152	8,993.00-	28,500.00	0.00	19,507.00	42.75
UNALLOCATED INSURANCE							
03 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	8,993.00	70,388.00	0.00	189,368.00	22,485.33-
SERIAL BONDS - INTEREST							

 Budget Adj. # 00283 -----

TOND ACCOUNT	DATE	DESCRIPTION	ADJUSTMENT	ORIGINAL BUDGET	PREVIOUS ADJUSTMENTS	NEW BUDGET	BUDGET BALANCE
003 5-8120-0261-001	5/15/2023	BOARD MEETING 05152	4,500.00-	4,500.00	0.00	0.00	0.00
SYSTEM EQUIPMENT-VILLAGE							
003 5-9710-0700-003	5/15/2023	BOARD MEETING 05152	4,500.00	70,388.00	0.00	189,368.00	22,485.33-
SERIAL BONDS - INTEREST							

TOTAL IN PACKET--
 0.00

*** BUDGET DEFICIT WARNINGS ***

TOND ACCOUNT	NAME	BALANCE
003 5-9710-0700-003	SERIAL BONDS - INTEREST	22,485.33-

TOTAL WARNINGS: 1

** NO ERRORS ***

*** END OF REPORT ***

Sexual Harassment Policy for All Employers in New York State



Combating
Sexual Harassment

Purpose and Goals

Village of Springville is committed to maintaining a workplace free from harassment and discrimination. Sexual harassment is a form of workplace discrimination that subjects an employee to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but *Village of Springville* recognizes that discrimination can be related to or affected by other identities beyond gender. Under the New York State Human Rights Law, it is illegal to discriminate based on sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or status as a victim of domestic violence. Our different identities impact our understanding of the world and how others perceive us. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the methods for reporting and investigating discrimination based on other protected identities are the same. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to take action when it occurs. All employees, department heads, and supervisors are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace. This policy is one component of Village of Springville's commitment to a discrimination-free work environment.

Goals of this Policy:

Sexual harassment and discrimination are against the law. After reading this policy, employees will understand their right to a workplace free from harassment. Employees will also learn what harassment and discrimination look like, what actions they can take to prevent and report harassment, and how they are protected from retaliation after taking action. The policy will also explain the investigation process into any claims of harassment. Employees are encouraged to report sexual harassment or discrimination by filing a complaint internally with Village of Springville. Employees can also file a complaint with a government agency or in court under federal, state, or local antidiscrimination laws. To file an employment complaint with the New York State Division of Human Rights, please visit <https://dhr.ny.gov/complaint>. To file a complaint with the United States Equal Employment Opportunity Commission, please visit <https://www.eeoc.gov/filing-charge-discrimination>.

Sexual Harassment and Discrimination Prevention Policy:

1. Village of Springville's policy applies to all employees, applicants for employment, and interns, whether paid or unpaid. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals 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 through a contract with Village of Springville. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.

2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of Village of Springville who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subject to such retaliation should inform a supervisor, department head, or the Village Administrator. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on Legal Protections.
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject Village of Springville to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including department heads and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. Village of Springville will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. Village of Springville will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, Village of Springville will act as required. In addition to any required discipline, Village of Springville will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including department heads and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.
6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Supervisors and department head are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Village Administrator.

7. This policy applies to all employees and covered individuals, such as contractors, subcontractors, vendors, consultants, or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees in person or digitally through email upon hiring and will be posted prominently in all work locations. For those offices operating remotely, in addition to sending the policy through email, it will also be available on the organization's shared network.

What Is Sexual Harassment?

Sexual harassment is a form of gender-based discrimination that 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 is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of Village of Springville's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or

- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are 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, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee'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 or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by 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. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- 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; or
 - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, 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;
 - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
 - Subtle or obvious pressure for unwelcome sexual activities; or
 - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.

- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
 - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
 - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

- 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;
 - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.

- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
 - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, or name-calling;
 - Intentional misuse of an individual's preferred pronouns; or
 - Creating different expectations for individuals based on their perceived identities:
 - Dress codes that place more emphasis on women's attire;
 - Leaving parents/caregivers out of meetings.

Who Can be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. New York Law protects employees and all covered individuals described earlier in the policy. **Harassers can be anyone in the workplace.** A supervisor, a supervisee, or a coworker can all be harassers. Anyone else in the workplace can also be harassers including an independent contractor, contract worker, vendor, client, customer, patient, constituent, or visitor.

Sexual harassment does not happen in a vacuum and discrimination experienced by an employee can be impacted by biases and identities beyond an individual's gender. For example:

- Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
- An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
- Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

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 or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Sexual harassment can occur when employees are working remotely from home as well. Any behaviors outlined above that leave an employee feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the employee or covered individual is at home when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

Retaliation

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. These actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

- Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts;
- Publicly releasing personnel files;
- Refusing to provide a reference or providing an unwarranted negative reference;
- Labeling an employee as “difficult” and excluding them from projects to avoid “drama”;
- Undermining an individual’s immigration status; or
- Reducing work responsibilities, passing over for a promotion, or moving an individual’s desk to a less desirable office location.

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 or discrimination, either internally or with any government agency;
- Testified or assisted in a proceeding involving sexual harassment or discrimination under the Human Rights Law or any other anti-discrimination law;
- Opposed sexual harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of suspected harassment;
- Reported that another employee has been sexually harassed or discriminated against; 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

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and department heads have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, department head or Village Administrator. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, department head, or Village Administrator.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is attached to this policy if an employee would like to use it, but the complaint form is not required. Employees who are reporting sexual harassment on behalf of other employees may use the complaint form and should note that it is on another employee's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another employee is also acceptable.

Employees and covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

Supervisors and department heads have a responsibility to prevent sexual harassment and discrimination. All supervisors and department heads who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the Village Administrator. Department heads and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

Supervisors and department heads can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors and department heads can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

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

While supervisors and department heads have a responsibility to report harassment and discrimination, supervisors and department heads must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors and department heads must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

Bystander Intervention

Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

1. A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;
2. A bystander who feels unsafe interrupting on their own can ask a third party to help intervene in the harassment;
3. A bystander can record or take notes on the harassment incident to benefit a future investigation;
4. A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and
5. If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace. Any employee witnessing harassment as a bystander is encouraged to report it. A supervisor or manager that is a bystander to harassment is required to report it.

Complaints and Investigations of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, and started and completed as soon as possible. The investigation will be kept confidential to the extent possible. All individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Village of Springville will take disciplinary action against anyone engaging in retaliation against employees who file complaints, support another's complaint, or participate in harassment investigations.

Village of Springville recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize an employee. Those receiving claims and leading investigations will handle complaints and questions with sensitivity toward those participating.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, Village Administrator]:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, Village Administrator will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. Village Administrator will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;

4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
 - b. A list of names of those interviewed, along with a detailed summary of their statements;
 - c. A timeline of events;
 - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
 - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) 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 Springville but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals 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 also seek the legal advice of an attorney.

New York State Division of Human Rights:

The New York State Human Rights Law (HRL), N.Y. Executive Law, art. 15, § 290 *et seq.*, applies to all employers in New York State and protects employees and covered individuals, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the New York State Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **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 Springville does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

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

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, DHR has the power to award relief. Relief varies but it may include requiring your employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive 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.

Go to dhr.ny.gov/complaint for more information about filing a complaint with DHR. The website has a digital complaint process that can be completed on your computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to DHR as well as a form that can be submitted online. The website also contains contact information for DHR's regional offices across New York State.

Call the DHR sexual harassment hotline at **1(800) HARASS3** for more information about filing a sexual harassment complaint. This hotline can also provide you with a referral to a volunteer attorney experienced in sexual harassment matters who can provide you with limited free assistance and counsel over the phone.

The United States Equal Employment Opportunity Commission:

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of 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. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred by does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, 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 the New York State Division of Human Rights, DHR will automatically 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 or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st 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. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Conclusion

The policy outlined above is aimed at providing employees at Village of Springville and covered individuals an understanding of their right to a discrimination and harassment free workplace. All employees should feel safe at work. Though the focus of this policy is on sexual harassment and gender discrimination, the New York State Human Rights law protects against discrimination in several protected classes including sex, sexual orientation, gender identity or expression, age, race, creed, color, national origin, military status, disability, pre-disposing genetic characteristics, familial status, marital status, criminal history, or domestic violence survivor status. The prevention policies outlined above should be considered applicable to all protected classes.