

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, AUGUST 12, 2020**

Location: Zoom Video Conference – For Information on How to Join

Visit <https://www.tarrytowngov.com/home/events/29814>

Any questions prior to the meeting may be emailed to administrator@tarrytowngov.com. If you wish to speak during the meeting, please use the “raise hand” function during the meeting, or press *9 if calling in by phone

Executive Session 6:00 p.m.

- A. Personnel – Police Department
- B. PILOT Agreement – 62 Main Street
- C. Police Reform and Reinvention Ad Hoc Committee
- D. Columbus Memorial Ad Hoc Committee
- E. Trails Committee
- F. Personnel – DPW, Parks
- G. Ambulance Service

Board of Trustee Concerns

Open Session 7:00 p.m.

1. Review and Update of Workplace Violence Policy
2. Memorandum of Understanding – Sustainable Westchester, Inc. – Community Choice Aggregation
3. Set Public Hearing – Proposed Zoning Map Amendment – 62 Main Street
4. Memorial Ceremony Closing Portion of Main Street 9/6/20 - 10-Year Anniversary of Deaths of Fire Department Members
5. 9-11 Ceremony
6. Discussion of Main Street Evening Closures
7. Bonds and Refinancing of Existing Debt
8. Discussion – Letter from Greenburgh re Condos/Co-ops – State Legislation
9. Amendment to Fire Department LOSAP (One Person)
10. Authorization to Approve County IMA – Criminal Information System
11. Authorization to Approve County IMA – Hotline System for Police Department
12. Fire Department Membership Changes

**VILLAGE OF TARRYTOWN
VILLAGE ADMINISTRATOR'S OFFICE
MEMORANDUM**

TO: Richard Slingerland, Village Administrator

FROM: Josh Ringel, Assistant Village Administrator 

RE: Workplace Violence Policy Update

DATE: July 13, 2020

Background

Several months ago (pre-COVID-19) we began the process of reviewing and updating our Workplace Violence Policy with Public Sector HR Consultants. The goal of the review was three-fold: 1. identify existing risks and how to best mitigate those risks; 2. provide a more defined investigative procedure in the event of a workplace violence incident and; 3. update any out-of-date policies that are no longer consistent with NYS law or best practice. In order to meet these goals, the following steps were taken:

1. Public Sector HR visited the Village of Tarrytown and conducted a walkthrough Risk Assessment of all Village buildings (including all five fire houses and the pump station/water trailer). This review includes: risk factors for each facility, controls already in place, and recommended action items (which can be found between pages 19-34 of the attached report). Each Department Head has been made aware of such recommendations for follow-up.
2. Each Village Employee was provided an opportunity to complete a security survey, which was reviewed and summarized by our consultant. 41 surveys were returned; such review can be found on page 78 of the attached report.
3. The consultant reviewed and updated the existing policy to conform to more current standards and provided a more defined investigative procedure. Fortunately, our policy was mostly up-to-date and only minor modifications were made, as detailed below.

Changes to Proposed Policy

Attached please find the entire policy for your review. Upon completion your review, if you believe there should be any additional changes to the policy, let me know and I can request them of Public Sector HR. Below you will find a synopsis of the changes. Otherwise, I recommend that we provide the new policy to the Board for their review and authorization at the meetings in August.

Page 5 (new section) – Other Definitions

- Just added definitions of words e.g. Authorized Employee Representative, Employer, etc.

Page 7 – Hazard Reduction Team

- Hazard reduction team is recommended by Village Administrator, and approved by board resolution (separate of the policy)
- Responsibilities of each hazard reduction team member to be determined by Village Administrator

Page 13 – Internal Reporting Procedures

- Minor changes immaterial to the policy

Page 15 – Incident Investigation (*new procedure proposed*)

- Formal procedure indicated in policy
- Procedure dictates (as requested) that an outside firm would be used for investigation of an elected official. In that instance, the outside firm would report to Labor Counsel. This provides the best segregation of duties as it relates to the Appointed Official vs. Elected Official Relationship

Page 16 – Risk Evaluation after a work place violence incident

- Upon completion of a risk review by the hazard reduction team the Village Board will address the causes of the incident (*previous policy left it in the hands of hazard reduction team*).
 - o This change is consistent with the BOT making final determinations on personnel matters

Page 16 – [Annual] Review of Workplace Violence Program and Incident Reports

- Previous policy only put this responsibility on the hazard reduction team; new policy includes Village Board in review as they are involved in personnel matters

Village of Tarrytown

WORKPLACE VIOLENCE PREVENTION PROGRAM

Adopted by Resolution of the
Village Board of Trustees on April 5, 2010

Updated by Resolution of the Village Board of Trustees on _____



Human Resource Solutions Made Simple

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Village of Tarrytown

WORKPLACE VIOLENCE PREVENTION PROGRAM

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SECTION 1 – INTRODUCTION

POLICY STATEMENT

The Village of Tarrytown is committed to providing its employees with a work environment that is safe, secure, and free from violence. The Village also considers the safety of its residents, vendors, contractors, and the general public to be of paramount importance and strives to provide them the same type of protections while on Village property.

In accordance with the New York State Workplace Violence Prevention Act, The Village of Tarrytown has developed a Workplace Violence Prevention Program. As a part of this program, the Village conducted a comprehensive risk evaluation of the entire workplace. The Village will conduct annual reviews to identify risk factors that may increase the likelihood of workplace violence and implement appropriate measures to minimize or eliminate these hazards. In order to achieve this goal, the Village encourages the participation and cooperation of employees and their authorized employee representative(s).

The Village will not tolerate ANY acts of violence in the workplace, including but not limited to, physical assault (e.g., hitting, pushing), threatening, intimidating, or aggressive behavior, or verbal abuse or harassment. Employees are prohibited from possessing firearms or weapons (e.g., guns, knives (except for pocket knives used in the normal course of the employee's job), explosives, and other items with the intent to inflict harm) in the workplace, even if the employee is licensed to carry the weapon. The only exceptions are law enforcement and security personnel. An employee who has knowledge that a coworker or visitor possesses a weapon on Village property must report this to a Department Head immediately.

For the purpose of this program, the workplace is defined as any location away from an employee's home, either permanent or temporary, where the employee performs any work-related duty in the course of employment. This includes, but is not limited to, Village-owned buildings and surrounding perimeters, parking lots, work sites, residents' homes, and traveling to and from work assignments.

Any incident of workplace violence or imminent danger must be promptly reported to the Department Head or the Village Administrator's Office as outlined in Section 2 (Employee Responsibility) of this program manual.

Violations of this policy will result in appropriate remedial, disciplinary, and/or legal action, according to the circumstances.

An employee will not be subject to criticism, reprisal, retaliation, demotion, discrimination, disciplinary action, or other adverse employment action for making a good faith report of acts pursuant to this program.

This Workplace Violence Prevention Program policy statement will be posted where notices to employees are normally displayed. In addition, a copy of the program manual will be made available to employees, the authorized employee representative(s), and the Commissioner of the New York State Department of Labor at each of the Village's work sites during normal working hours.

OVERVIEW OF THE NEW YORK STATE WORKPLACE VIOLENCE PREVENTION ACT

Based on an increasing awareness of, and in response to, the violence that was occurring in public sector workplaces, the New York State Workplace Violence Prevention Act was passed in 2006. The Act amended NYS Labor Law by adding Section 27-b. Section 27-b requires all state and local government employers to take steps to ensure their employees are provided adequate protection from potential incidents of violence in the workplace.

Among other stipulations, Section 27-b requires the Village of Tarrytown to:

1. Conduct a risk assessment of its work sites to identify and address any existing risk factors that may increase the possibility of workplace violence;
2. Provide training for all employees (upon initial assignment and annually thereafter) which informs them of the risk factors that may be present at their work sites, the measures they can take to protect themselves from such risks, and the steps the employer has implemented to protect employees, such as appropriate work practices, emergency procedures, and use of security alarms and other devices; and
3. Develop and implement a written workplace violence prevention program that lists the risk factors and the methods the employer is using to prevent violence and minimize or eliminate identified hazards.

WHAT IS WORKPLACE VIOLENCE?

For the purpose of this program, the term "violence" means physically harming another, fighting, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, or threatening or talking of engaging in those activities. Workplace violence is any act of physical violence, threats of physical violence, harassment, intimidation, or other threatening, disruptive behavior, whether physical or verbal, that occurs in the workplace.

Workplace violence incidents are generally categorized into three levels:

Level I -- Disruptive behavior including, but not limited to verbal abuse, shouting, harassment, bullying, intimidation, obscene language or gestures, or making false statements

Level II -- Aggressive or threatening behavior including, but not limited to threatening with an object, verbal threats of assault, obscene or threatening calls, being followed or stalked

Level III -- Physical assault including, but not limited to pushing, grabbing, striking with an object, sexual assault, stabbing, shooting or homicide

A number of different actions in the work environment can trigger or cause workplace violence. It may even be the result of non-work-related situations, such as domestic violence or "road rage."

Workplace violence can be inflicted by an employee, a supervisor, department head, resident, member of the public, contractor, vendor, family member, or even a stranger.

WHAT IS A WORKPLACE VIOLENCE INCIDENT?

For the purpose of this program, workplace violence incident / workplace violence includes but is not limited to one of the following:

- a. An attempt or threat, whether verbal or physical, to inflict injury upon another person;
- b. Any intentional display of force which would give a person reason to fear or expect bodily harm;
- c. Intentional and wrongful physical contact with a person without his or her consent that entails some injury or offensive touching;
- d. Harassment of a nature that would give a person reason to fear escalation or make it difficult to pursue a normal life when the harassment arises out of or in the course of employment; or
- e. Stalking a person with the intent of causing fear of material harm to physical safety and health, and when such stalking has arisen through or in the course of employment.

A workplace violence incident may be committed without one person actually touching, striking, or doing bodily harm to another person.

While sexual harassment (as defined by the New York State Department of Labor and Division of Human Rights) is prohibited by the Village of Tarrytown, it is specifically excluded from the definition of a workplace violence incident. An employee should refer to the Village's Sexual Harassment Policy for more information about this topic. Any questions should be directed to the employee's Department Head or the Village Administrator's Office.

Workplace Violence Imminent Danger

The Department of Labor defines an imminent danger as any conditions or practices in any place of employment which are such that a danger exists that could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated.

Other Definitions

The following definitions as set forth in Article 27b of the New York State Labor Law and 12 NYCRR Part 800.6 are to be used, incorporated into and made a part of this program.

Authorized Employee Representatives - An employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law.

Employee - A public employee working for an employer.

Employer - The State, any political subdivision of the State, any public authority public benefit corporation, and any other governmental agency or instrumentality thereof, except that an employer shall not include, for purposes of this part, any employer defined as such in Section twenty-eight hundred one-a (2801a) of the Education Law.

Retaliatory Action - The discharge, suspension, demotion, penalization or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

Serious Physical Harm - Physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ or a sexual offense as defined in Article 130 of the Penal Law.

SAVINGS CLAUSE

The Village of Tarrytown has made every effort to ensure that this Workplace Violence Prevention Program complies with NYS Department of Labor regulations. In the event any of the provisions, portions or applications of this program are found to be invalid or inconsistent with any superseding legal requirements by any tribunal of competent jurisdiction, then the provisions, portions or applications specified in such decision shall be of no force and effect, but the remainder of this program shall continue to be in full force and effect.

SECTION 2 – EMPLOYEE AND SUPERVISOR ROLES AND RESPONSIBILITIES

EMPLOYEE RESPONSIBILITIES

Employee and authorized employee representative involvement in The Village of Tarrytown's Workplace Violence Prevention Program is essential to the program's success. Employees are expected to read, understand, and comply with the Village's program and to attend ongoing education and training on workplace violence. Any questions should be directed to the employee's Department Head or the Village Administrator.

Employees must promptly report any violations of the Village's Workplace Violence Prevention Program or any workplace violence imminent danger in accordance with the reporting procedures outlined in Section 5 (Incident Recordkeeping, Reporting, and Investigation) of this program manual.

Protective and Restraining Orders

An employee who applies for or obtains a protective or restraining order which lists specific workplace locations as being protected areas must provide the employee's Department Head and the Hazard Reduction Team a copy of the petition and declaration used to seek the order. A copy of any temporary or permanent protective or restraining order that was granted must also be provided. The Village will follow confidentiality procedures that recognize and respect the privacy of the reporting employee.

SUPERVISOR RESPONSIBILITIES

Department Heads and supervisors are responsible for communicating the Workplace Violence Prevention Program to employees and answering any of their questions. Department Heads and supervisors are expected to enforce the program in a fair and consistent manner and ensure all aspects of the program under their area of responsibility are properly met.

If an employee notifies his/her Department Head of an actual or potential workplace violence incident or submits a completed Workplace Violence Incident Report (Form-1), the Department Head is responsible for following the reporting procedures as outlined in Section 5 (Incident Recordkeeping, Reporting, and Investigation) of this program manual.

HAZARD REDUCTION TEAM

The Village of Tarrytown will establish a Hazard Reduction Team to administer the Workplace Violence Prevention Program. The Hazard Reduction Team may be comprised of employees, Department Heads, and/or Union representatives. The Hazard Reduction Team will always include employee representation.

The team's responsibilities will include, but will not be limited to:

- Conducting or coordinating a comprehensive risk evaluation of the entire workplace to identify any factors or situations that may place employees at risk of violence;
- Conducting or coordinating employee surveys and interviews to obtain feedback on the risk factors employees believe are present in the workplace, to determine if there have been previous workplace violence incidents, etc.;
- Developing and implementing risk reduction strategies and plans for responding to acts of violence;
- Coordinating employee training and education programs relating to workplace violence;
- Coordinating investigations of workplace violence incidents and implementing any necessary measures to reduce or eliminate the likelihood of similar incidents occurring;
- Reviewing the Workplace Violence Prevention Program at least annually, including analyzing Workplace Violence Incident Reports, if any, to identify trends in the types of incidents that occurred during the year and to determine the effectiveness of the mitigating actions taken; and
- Updating the Workplace Violence Prevention Program as needed.

The individuals appointed to the Hazard Reduction Team will be proposed by the Village Administrator but must be approved by resolution of the Village Board. The responsibilities of each individual team member shall be determined by the Village Administrator's Office. There are no "term limits" for members of the hazard reduction team. Changes to the Hazard Reduction Team will be made at the suggestion of the Village Administrator.

The listing of the Village's Hazard Reduction Team members is available from the Village Administrator's Office.

SECTION 3 – RESPONSE PROCEDURES

DURING AN INCIDENT

If a threatening situation arises:

- Try to remain calm;
- Remove yourself from the threat as soon as possible;
- Immediately call, or alert others to call, for on-site assistance from the appropriate resource (e.g., supervisor, police, ambulance). Refer to the Village of Tarrytown's emergency evacuation plan for the appropriate emergency contact number; and
- Notify coworkers as soon as practical to enable them to also reach safety if danger is imminent and applicable to them.

POST INCIDENT

If a workplace violence incident occurs or an employee submits a Workplace Violence Incident Report, a member of the Hazard Reduction Team or a designee will conduct a thorough investigation of the situation.

The Village of Tarrytown will respect the privacy and confidentiality rights of employees during investigations to the greatest extent possible, although the Village cannot guarantee complete confidentiality.

Based on the specific situation and the results of the investigation, appropriate measures will be taken, if needed, to eliminate or reduce the likelihood of similar workplace violence incidents occurring in the future. If the workplace violence incident was related to a threat, all employees who might be affected if the threat-maker were to carry out such threat will be given proper notification. Throughout the investigation, the Village will maintain open lines of communication with employees, visitors, and the public to answer questions and alleviate anxiety.

The Village of Tarrytown will provide information to potential or actual victims about the options available to them, such as obtaining a restraining order against the threat maker, obtaining follow-up medical care, and counseling services through the Westchester County Employee Assistance Program (EAP):

Westchester County Employee Assistance Program
Phone: (914) 995-6070

DEALING WITH CONFLICT

There is no sure way to tell whether someone will become violent. However, there are often warning signs before violence occurs. These warning signs do not mean that the individual will actually become violent, but in combination, they should be a cause for concern. Warning signs of potentially violent individuals include:

- Written, oral, or implied threats or intimidation
- Fascination with weaponry or acts of violence
- Theft or sabotage of projects or equipment
- Alcohol or drug abuse in the workplace
- Expressions of hopelessness or heightened anxiety
- Intention to hurt self or others
- Lack of concern for the safety of others
- Externalization of blame
- Irrational beliefs and ideas
- Romantic obsession
- Displays of excessive or unwarranted anger
- Feelings of victimization
- Inability to take criticism
- New or increased sources of stress at home or work
- Productivity and/or attendance problems

DEALING WITH POTENTIALLY VIOLENT INDIVIDUALS

Do's

- Do project calmness. Move and speak slowly, quietly, and confidently.
- Do listen attentively and encourage the person to talk
- Do let the speaker know that you are interested in what he or she is saying
- Do maintain a relaxed yet attentive posture
- Do acknowledge the person's feelings and indicate that you can see he or she is upset
- Do ask for small, specific favors such as asking the person to move to a quieter area
- Do establish ground rules. State the consequences of violent or threatening behavior.
- Do employ delaying tactics that give the person time to calm down. For example, offer a glass of water.
- Do be reassuring and point out choices
- Do help the person break down big problems into smaller, more manageable problems
- Do accept criticism. When a complaint might be true, use statements such as, "You're probably right" or "It was my fault." If the criticism seems unwarranted, ask clarifying questions.
- Do arrange yourself so that your exit is not blocked
- Do make sure there are at least three to six feet between you and the other person

Don'ts

- Don't make sudden movements that may seem threatening
- Don't speak rapidly, raise your volume, or use an accusatory tone
- Don't reject all demands
- Don't make physical contact, jab your finger at the other person, or use long periods of eye contact
- Don't pose in challenging stances, such as directly opposite someone, hands on hips, or with arms crossed
- Don't challenge, threaten, or dare the individual. Never belittle the other person.
- Don't criticize or act impatient
- Don't attempt to bargain with a threatening individual
- Don't try to make the situation seem less serious than it is
- Don't make false statements or promises you cannot keep
- Don't try to impart a lot of technical or complicated information when emotions are high
- Don't take sides or agree with distortions
- Don't invade the individual's personal space

SECTION 4 – TRAINING AND EDUCATION

All employees will receive training and education on the risks of workplace violence. Training will be provided at the time of hire and at least annually thereafter. Additional training may be required prior to starting a new job assignment, if new laws relating to workplace violence are enacted or there are changes in any current laws, or if the Village of Tarrytown makes significant changes in its Workplace Violence Prevention Program.

At a minimum, the Village's employee training and education will address the following:

- Overview of the New York State Workplace Violence Prevention Act and NYS Labor Law Section 27-b
- Overview of the Village's Workplace Violence Prevention Program
- Workplace location of the Village's Workplace Violence Prevention Program manual and procedures for obtaining a copy
- Definition of workplace violence and the three levels of workplace violence
- Methods of recognizing and responding to the three levels of violence
- Standard response action plan for violent situations
- Procedures for reporting a workplace violence incident or imminent danger
- How and when incidents will be investigated by the Village
- The risk factors identified in the Hazard Reduction Team, or outside consultant's risk evaluation and determination
- Measures employees can take to protect themselves from identified risks
- Procedures, policies, safety devices, and/or work environment accommodations that have been implemented to protect employees based on the results of the risk evaluation

Specialized training and education are provided to Department Heads and supervisors as well as to those employees who are at higher risk of workplace violence based on their job duties and/or work site locations.

Employees will receive a copy of the Village's updated Workplace Violence Prevention Program and will be required to sign a Policy Acknowledgement Form (Form-3) and a Training Acknowledgement Form (Form-4). These signed acknowledgement forms will be placed in the employee's personnel file.

SECTION 5 – INCIDENT RECORDKEEPING, REPORTING, AND INVESTIGATION

INCIDENT RECORDKEEPING

The Village of Tarrytown will maintain accurate records regarding all workplace violence incidents. The Village will adhere to all of the requirements of 12 NYCRR Part 801, known as the Public Employer Recordkeeping Rule, which is implemented pursuant to Section 27-a of the Labor Law, for the recording of employee injuries or illnesses due to workplace violence incidents. All workplace violence incident forms will be kept according to the applicable retention and disposition schedules.

Any situation that meets the definition of a workplace violence incident as defined in Section 1 (Introduction) page 4, or any workplace violence injury that results in imminent danger, serious physical harm, death, days away from work, restricted work or transfer to another job, medical treatment beyond first aid, or loss of consciousness will be documented on a Workplace Violence Incident Report. Any recordable injury will also be documented on the SH 900 Log.

If a workplace violence incident meets the definition of a privacy concern case as specified below, before sharing a copy of the Workplace Violence Incident Report Form with any party other than the Department of Labor, the Village will remove the name of the employee who was the victim of the workplace violence incident and shall instead enter "PRIVACY CONCERN CASE" in the space normally used for the employee's name. The Village will treat incidents involving the following injuries or illnesses as privacy concern cases:

- (1) An injury or illness to an intimate body part or the reproductive system;
- (2) An injury or illness resulting from a sexual assault;
- (3) Mental illness;
- (4) HIV infection;
- (5) Needle stick injuries and cuts from sharp objects that are or may be contaminated with another person's blood or other potentially infectious material;
- (6) Other injuries or illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the Report.

INCIDENT REPORTING

The Village of Tarrytown will follow all federal, state and local laws and procedures in the reporting of workplace violence incidents.

Internal Reporting Procedures

Any employee or authorized employee representative who believes that a workplace violence imminent danger exists or that there has otherwise been a violation of the Village's Workplace Violence Prevention Program should report such to the employee's Department Head. If the Department Head is unavailable or is a party to the violation, the report should be made to the employee's supervisor or the Village Administrator's Office.

An employee is responsible for reporting all incidents of Level I violence in writing within 48 hours of the occurrence using the Workplace Violence Incident Report. All Level II and Level III incidents must be reported immediately.

The Department Head or supervisor, in turn, is responsible for forwarding copies of the Workplace Violence Incident Report to the Hazard Reduction Teams and the Village Administrator. All Level II and Level III incidents must be forwarded immediately and all Level I incidents must be forwarded within 48 hours.

If, after providing the Village a reasonable opportunity to resolve the situation set forth in the Workplace Violence Incident Report, the employee believes that a violation of the Village's program still exists or that there continues to be a workplace violence imminent danger, the employee may contact the Commissioner of Labor at the NYS Department of Labor to request an inspection. Such request must be in writing, be signed by the employee or the employee's authorized representative and include specific information as to the alleged violation or imminent danger. The Commissioner of Labor will provide a copy of the employee's notice to the Village of Tarrytown no later than the time of inspection. The employee may request that his or her name, the names of individual employees, and/or the authorized employee representative's name be withheld from the Village.

An employee is not required to provide written notice to the Department Head if a workplace violence imminent danger exists to the safety of a specific employee or to the general health of a specific person and the employee reasonably believes in good faith that reporting this information to the Department Head would not result in corrective action.

An employee will not be subject to criticism, reprisal, retaliation, demotion, discrimination, disciplinary action, or other adverse employment action for making a good faith report of acts pursuant to this program.

Law Enforcement Reporting Procedures

The Department Head is responsible for reporting any workplace violence incident that may be of a criminal or domestic violence nature to the appropriate law enforcement agency.

If a pattern of workplace violence incidents involving criminal conduct or serious injury develops, the Village of Tarrytown will work with the District Attorney or local police department to develop a protocol to ensure that any future violent crimes occurring in the workplace are promptly investigated and appropriately prosecuted.

If an employee chooses to file a criminal complaint, the Village will provide the employee with the protocol and contact information for the District Attorney and/or police department. The Village of Tarrytown will not infringe upon the right of an employee to pursue or file a criminal complaint.

DOSH Reporting Requirements

The Village is required to report any workplace violence related fatalities and multiple hospitalizations to the DOSH District Office within eight hours of the incident. (Refer to NYCRR Part 801 for complete information pertaining to employee recordkeeping and PESH reporting requirements). The nearest Department of Safety and Health (DOSH) District Office is located at:

White Plains District Office

120 Bloomingdale Dr., Rm. 255 White Plains, NY 10605

(914) 997-9510/9514

(FAX) (914) 997-9528

Whenever there is a workplace violence incident resulting in an employee fatality or multiple employee hospitalizations, DOSH will conduct an on-site inspection. Other valid complaints that do not involve a fatality or multiple hospitalizations may result in an on-site inspection to determine if the Village is in compliance with the Workplace Violence Prevention Act.

INCIDENT INVESTIGATION

Procedure for Investigating a Workplace Violence Incident

Once a complaint has been forwarded to the Village Administrator's Office, a formal investigation will be initiated. This process will include the following:

1. In consultation with the Village's Labor Attorney, a determination will be made regarding the appropriate individual(s) to conduct the investigation. Under no circumstances will fewer than two people conduct a formal workplace investigation into a complaint of alleged workplace violence. The designated investigators may include, but are not limited to, the Village Administrator, the Assistant Village Administrator, the Village's Labor Attorney, a Department Head, a member of the Hazard Reduction Team, or an outside firm. Under circumstances where a complaint has been leveled against an Elected Official of the Village of Tarrytown, an outside firm will be contracted to conduct the investigation and report their findings to the Village's Labor Attorney.
2. The Village will notify each employee and/or Elected Official that is being interviewed as part of the investigation, in writing, of the date, time and location of their investigation interview. Union representation may be afforded in accordance with current law. If applicable, Union represented employees will be given an appropriate time period within which to schedule Union representation to accompany them during their investigation interview.
3. Once investigation interviews have been completed, an investigation report will be prepared by the investigator and submitted to the Village's Labor Attorney. The Village's Labor Attorney will share the outcome of the investigation with the Village Administrator/designee and/or the Village Board.

Risk Evaluation after a Workplace Violence Incident

The Hazard Reduction Team will coordinate or perform a risk evaluation and determination immediately after the occurrence of a workplace violence incident. The investigation may take various forms, depending upon the type of incident.

Upon completion of its review, the Village Board will address the cause(s) of the incident and take the necessary steps to eliminate or reduce the likelihood of such an incident occurring again. The team may also make recommendations for revising the Workplace Violence Prevention Program. Any revisions to the program will be put in writing and made available to employees. Employee training will be provided if significant changes to the program are made. The Village will also consider global prevention enhancements at all work sites which may be necessary to properly protect employees.

Review of Workplace Violence Program and Incident Reports

The Village Board and the Hazard Reduction Team are responsible for reviewing the Village's Workplace Violence Prevention Program and making any appropriate modifications at least annually. This review will include analyzing SH 900 Logs and Workplace Violence Incident Reports, if any, for any trends in the types of workplace violence incidents occurring and to review the effectiveness of the mitigating actions the Village has taken.

SECTION 6 – WORKPLACE RISK EVALUATION

EVALUATION PROCESS

As required by Section 27-b of the New York State Labor Law, the Village of Tarrytown performed a risk evaluation of the workplace in general and each work site specifically in the month of October of 2009 and most recently on June 10, 2020.

Prior to the risk evaluations, the Unit Presidents of each Union were invited to participate in the risk evaluations on June 10, 2020. Invitations to participate in the risk evaluations were extended by the independent consultant who conducted the risk evaluations, via email, on May 19, 2020 and June 8, 2020. Both Union representatives declined to participate and declined to designate another Union member/officer to participate in the conduct of the risk evaluations.

The work site specific risk evaluation process included:

- An examination of the workplace to determine existing or potential hazards that may place employees at risk for incidents of workplace violence, paying particular attention to the following: working with the public or in public settings, exchanging money with the public, working alone or in small numbers, working late night or early morning, uncontrolled access to the workplace, and having a mobile workplace;
- A review of occupational injury and illness records (i.e., SH-900 and SH-900.2 logs, C-2F forms), accident reports, and any available insurance, police, or other incident reports in order to identify injuries that may have been the result of workplace violence.
- An examination of past workplace violence incidents, if any, to identify any patterns as to the type and cause of injuries, particular work areas, or specific operations or individuals involved;
- A survey of employees to gather information regarding violent incidents they may have experienced or witnessed but not reported, as well as to identify conditions that could be contributing to potential incidents.

HIERARCHY OF CONTROLS

A hierarchy of controls to which the program shall adhere is as follows:

- Engineering Controls
- Work Practice Controls
- Personal Protective Equipment (PPE)

EVALUATION OUTCOMES

History of Past Workplace Violence Incidents

A review was performed by the Village of Tarrytown and did not reveal a pattern of past incidents or injuries due to workplace violence. This included a review of the SH-900, SH-900.1, and SH-900.2 Logs and Workers' Compensation C-2F (former C-2) Forms through June of 2020. A review will be made by the Village of Tarrytown on an annual basis to review reportable incidents of workplace violence, if any.

Employee Surveys

Each Village employee was provided an opportunity to complete an Employee Security Survey Form in March/April of 2020. Surveys returned were reviewed by an independent consultant and a summary of the survey feedback can be found in Section 8.

WORK SITE RISK EVALUATIONS

Site Specific Risk Factors

The risk evaluation entailed conducting a physical inspection of each worksite where one or more Village of Tarrytown employees perform any duties pertaining to their assigned job functions. The specific risk factors identified by the risk evaluation conducted most recently on June 10, 2020 are as follows:

Village Offices:

- Employees have contact with the public.
- Employees exchange money with the public in certain offices.
- Money is kept on the premises.
- Employees could potentially come into contact with high-risk individuals.
- Certain employees may stay late and/or arrive early through the course of their duties.
- Comprehensive hiring practices have not been consistently applied (pre-employment background checks).
- Employees leave the building/office to perform work and run errands.
- Employees occasionally work alone, and in small numbers.
- Government entity.

Police Department:

- Employees have contact with the public.
- Employees frequently come into contact with high-risk and potentially armed individuals.
- Frequently deal with conflict situations.
- Employees work alone, or in small numbers and late at night.
- Majority of work is performed off-site, out amongst the public.
- Employees perform work in high-stress and high-risk situations.
- Government entity.

*Note: Village of Tarrytown Police Officers receive advanced training and are issued personal protective equipment.

Recreation Center & Senior Center:

- Employees have contact with the public.
- Money is kept on the premises.
- Employees perform work off-site on occasion.
- Employees may work alone and/or in small groups.
- Employees arriving early and leaving late.
- Comprehensive hiring practices have not been consistently applied (pre-employment background checks).
- Government entity.

Department of Public Works:

- Employees have contact with the public.
- Employees perform work off-site.
- Employees perform work in emergency situations.
- No employee parking lot.
- Employees have the potential to be placed in a conflict situation.
- Employees may work alone and/or in small groups (i.e. Street Sweeper).
- Employees arriving early and leaving late.
- Comprehensive hiring practices have not been put in place (pre-employment background checks).
- Engineering Controls need improvement (see recommendations).
- Government entity.

Water Pump Station / Office:

- Employee works alone in a fairly isolated area.
- Employee performs work offsite.
- Employee performs work in emergency situations.
- Employee may work late at night.
- Comprehensive hiring practices have not been put in place (pre-employment background checks).
- Engineering Controls need improvement (see recommendations).
- Government entity.

Warner Library:

- Employees have frequent contact with the public.
- Employees exchange money with the public in certain offices.
- Money is kept on the premises.
- Employees could potentially come into contact with high-risk individuals.
- Building contains expensive electronics and equipment.
- Employees perform work in emergency situations.
- Potential to be placed in conflict situations.
- Employees mostly perform work off-site.
- Employees may work in small groups.
- Employees working into the evening.
- Government entity.

Fire Department:

- Volunteers have contact with the public.
- Volunteers may not receive the Village's Workplace Violence Prevention Training.
- Volunteers perform work in emergency situations.
- Potential to be placed in conflict situations.
- Volunteers perform work offsite in responding to fires.
- Building contains expensive equipment.
- Money is kept on the premises.
- Volunteers may work alone and/or in small groups.
- Government entity.

Controls in Place to Mitigate Site Specific Risk Factors

Specific to the risk factors identified during the risk evaluation, the Village of Tarrytown has a number of controls in place to minimize these risks. The following is a list of the controls that the Village has in place to minimize the risk of workplace violence:

It must be recognized that there are no certain means by which workplace violence can be completely prevented, that no process can wholly identify any and all conditions and risk factors that may exist in The Village of Tarrytown's workplace, and that the Village's ability to mitigate those conditions and risk factors may be limited by fiscal and administrative constraints.

Village Offices – Village Office facilities and space used for Village Court and Village Board meetings/work sessions.

Engineering Controls:	
1.	The Village Hall has a safe in the Town Clerk's Office where monies are stored. This mitigates risks presented by employees exchanging money and keeping money on the premises.
2.	Improved LED lighting in the parking lot, good interior lighting, video surveillance cameras and mirrors have been installed inside/outside Village Hall to mitigate risks presented by employees working late and arriving early and who have contact with the public/potentially high risk individuals.
3.	A stationary metal detector has been installed outside of the entrance to the Village courtroom to mitigate the risk presented by potentially armed or high-risk individuals.
4.	Employees who deal with members of the public typically have a panic button which can be used to contact the Police Department if an incident occurs.
5.	The Village has installed safety glass at most areas where employees frequently interface with the public.
6.	Village Hall has exterior door locks and interior door controls that can be utilized to protect employees who are working alone or in the event of a workplace violence incident.
Work Practice Controls:	
1.	Village has a procedure for opening and closing Village Hall for the safety and protection of employees who are arriving early and leaving late and who may be working alone.
2.	The Police Department is connected to Village Hall through internal doors. The Police Department can respond immediately to an incident that occurs in Village Hall. The presence of the Police Department will also serve as a deterrent to anyone who considers engaging in workplace violence on Village Hall property.
3.	Exits are consistently marked and kept clear of objects. The layout of the building is simplistic enough that employees and visitors would know their

	quickest route to exit the building.
4.	A procedure for dealing with conflict situations has been developed and distributed to employees. The Village has a workplace violence reporting procedure.

Police Department – Includes all Police Department offices and facilities, as well as parking lot.

Engineering Controls:	
1.	Police Department has door controls installed on doors inside of the department to protect employees from high risk individuals and workplace violence incidents.
2.	Lighting in the parking lot and interior lighting have been installed to mitigate risks presented by employees working late and arriving early. These controls also protect Police Department employees who may be working alone or in small groups.
3.	Police Department has video surveillance including and monitors to protect employees who are working with the public or dealing with high risk individuals. Video surveillance is an effective tool to deter workplace violence.
4.	Police Officers carry radios which allow them to immediately contact other officers while they are working alone or out amongst the public.
5.	Safety glass and partitions have been installed in the Police Department building where Departmental employees interface with the public.
Work Practice Controls:	
1.	Village of Tarrytown Police Officers receive advanced training and are issued personal protective equipment to protect them while they are working offsite and dealing with conflict situations.
2.	All visitors are escorted once inside of the Police Department.
3.	Exits are consistently marked and kept clear of objects.
4.	A procedure for dealing with conflict situations has been developed and distributed to employees. These procedures will assist employees in dealing with workplace violence situations and potentially high-risk individuals.
5.	Layout of office area has been designed so that barriers protect employees from visitors. Countertops separate visitors from employees/Officers.
6.	Safety procedures have been developed for Police Officers who are working offsite. Additionally, rules exist for all employees who are leaving the building.
7.	A procedure for conducting pre-employment background checks is in place to ensure the department isn't hiring potentially dangerous employees.

Recreation Center & Senior Center – Includes Pool area and fitness center.

Engineering Controls:

1. Door controls have been installed to protect the safety of employees who are working alone, or in small groups, before or after normal working hours. Interior doors have the ability to lock.
2. Lighting in the parking lot, interior lighting and video surveillance cameras have been installed to mitigate risks presented by employees working late and arriving early and to deter an incident of workplace violence.
3. The Recreation Center has a phone system that can be used to contact the Police Department in the event of a workplace violence incident.

Work Practice Controls:

1. Exits are consistently marked and kept clear of objects. Emergency phone numbers are posted throughout the Water Treatment Plant.
2. A procedure for dealing with conflict situations has been developed and distributed to employees. These procedures will assist employees in dealing with workplace violence situations both at the Water Treatment Plant and while working off-site.

Department of Public Works

Engineering Controls:

1. Department has installed door controls. There are key locks at all employee entrances.
2. Department members carry radios in trucks which allow them to immediately contact other employees or the Police Department while they are working alone or out amongst the public.
3. Department has installed an interoffice phone system which they can use to contact other employees or call the Police Department if an incident occurs.
4. Department has installed video surveillance cameras along certain parts of the exterior of the building in order to deter incidents of workplace violence.

Work Practice Controls:

1. Village has a liaison established with their local Police Department. Employees can communicate with the liaison or request assistance in the event that they feel unsafe or at risk from any of the above mentioned risk factors.
2. Exits are consistently marked and kept clear of objects.
3. A procedure for dealing with conflict situations has been developed and distributed to employees. These procedures will assist employees in dealing with workplace violence situations and potentially high risk individuals.
4. No money is kept on the premises.

Water Pump Station / Office

Engineering Controls:	
1.	A front gate has been installed to restrict visitor access and to protect the employee who works alone in the facility.
2.	Door locks have been installed on both the pump station and the trailer/office and are locked at all times.
3.	Employee carries a mobile phone and has a radio in Village-owned truck to contact the Police in the event of a workplace violence incident.
Work Practice Controls:	
1.	Exits are consistently marked and kept clear of objects.
2.	All visitors are escorted when on the premises of the water pump station.
3.	A procedure for dealing with conflict situations has been developed and distributed to employees. These procedures will assist employees in dealing with workplace violence situations both at the pump station and while working off-site.
4.	No money is kept on premises.

Warner Library

Engineering Controls:	
1.	Door detectors have been installed to alert employees who may be working alone or in small groups.
2.	Lighting in the parking lot, interior lighting and mirrors have been installed to mitigate risks presented by employees working late and arriving early.
3.	A video surveillance system has been installed with cameras both inside and outside of the building.
4.	Employees who deal with members of the public have an interoffice phone system which they can use to warn other employees or call the Police Department if an incident occurs.
5.	Three panic buttons have been installed throughout the Library to quickly contact the Police Department in the event of a workplace violence incident. These panic buttons are tested regularly.
4.	As part of its security system, the Library has motion detectors.
5.	Partitions have been installed and desks separate employees from visitors to act as a barrier between the employee and members of the public.
6.	The Village has a safe on the premises where monies are stored. This mitigates risks presented by employees exchanging money and keeping money on the premises.
Work Practice Controls:	
1.	Village has a procedure for opening and closing the Library for the safety and protection of employees who are arriving early and leaving late and who may be working alone.

2.	Library has a relationship with the Village Police Department. Employees can communicate with the Police or request assistance in the event that they feel unsafe or at risk from any of the above mentioned risk factors.
3.	Exits are consistently marked and kept clear of objects. An alarm sounds if someone exists the Library from the bottom floor exit.
4.	A procedure for dealing with conflict situations has been developed and distributed to employees. These procedures will assist employees in dealing with workplace violence situations and potentially high-risk individuals.

Fire Department – Riverside House

Engineering Controls:	
1.	Building is locked at all times.
2.	Parking area is well lit and is within 100 yards of the Police Department to protect employees that are arriving late or responding to an emergency call.
3.	Motion detectors have been installed inside of the station.
4.	A video surveillance system has been installed on the outside of the building. The monitors are on the upstairs floor of the station. This will deter incidents of workplace violence and assist in any possible investigation of an incident.
5.	Volunteers carry radios and mobile phones while responding to a call off-site.
Work Practice Controls:	
1.	No money kept on premises.
2.	Exits are consistently marked and kept clear of objects.
3.	Background checks are conducted on all volunteers prior to starting with the Fire Department

Fire Department – Hope Hose / Conqueror

Engineering Controls:	
1.	Building is locked at all times.
2.	Volunteers carry radios and mobile phones while responding to a call off-site.
Work Practice Controls:	
1.	No money kept on premises.
2.	Exits are consistently marked and kept clear of objects.
3.	Background checks are conducted on all volunteers prior to starting with the Fire Department

Fire Department – Washington Engine

Engineering Controls:	
1.	Building is locked at all times.
2.	A video surveillance system has been installed on the outside of the building. There are also cameras that cover all but one corner of the first floor of the station. The monitors for these cameras are on the upstairs floor of the station. This will deter incidents of workplace violence and assist in any possible investigation of an incident.
3.	Volunteers carry radios and mobile phones while responding to a call off-site.
Work Practice Controls:	
1.	No money kept on premises.
2.	Exits are consistently marked and kept clear of objects.
3.	Background checks are conducted on all volunteers prior to starting with the Fire Department

Fire Department – Consolidated

Engineering Controls:	
1.	Building is locked at all times.
2.	A video surveillance system has been installed on the outside of the building. There are also cameras located on the inside of the station. This will deter incidents of workplace violence and assist in any possible investigation of an incident.
3.	Volunteers carry radios and mobile phones while responding to a call off-site.
Work Practice Controls:	
1.	No money kept on premises.
2.	Exits are consistently marked and kept clear of objects.
3.	Background checks are conducted on all volunteers prior to starting with the Fire Department

Fire Department – Phenix

Engineering Controls:	
1.	Building is locked at all times.
2.	Volunteers carry radios and mobile phones while responding to a call off-site.
Work Practice Controls:	
1.	No money kept on premises.
2.	Exits are consistently marked and kept clear of objects.
3.	Background checks are conducted on all volunteers prior to starting with the Fire Department

Site Specific Recommendations

Based on the risk factors identified in the risk evaluation, it is recommended that the Village of Tarrytown consider the following measures in the effort to reduce the potential for incidents of workplace violence.

It must be recognized that there are no certain means by which workplace violence can be completely prevented, that no process can wholly identify any and all conditions and risk factors that may exist in The Village of Tarrytown's workplace, and that the Village's ability to mitigate those conditions and risk factors may be limited by fiscal and administrative constraints.

Village Offices – Village Office facilities and space used for Village Board meetings.

Engineering Controls:	
1.	The Village Clerk's office should have a service counter or a partition in place to create a barrier between the public and the employee workspace.
Work Practice Controls:	
1.	Establish written procedures for handling all monetary transactions, including bank deposits. Ensure the amount of money held on site is kept to a minimum. The time of day and person making the deposits should be varied, when possible.
2.	Establish a procedure for conducting pre-employment background checks. Conduct appropriate background checks related to the position that the employee is being hired for.
3.	Establish written procedures for employees who are working alone, or who are working after hours, or who are working off-site. Ensure that the Police Department is aware that employees are working off site or who are working after hours or alone in Village Hall.
4.	The Village should consider developing and adopting an Employee Handbook which includes policies, procedures and work rules for all employees.

Police Department – Includes all Police Department offices and facilities (two floors), as well as parking lot.

Engineering Controls:	
1.	Consider installing door detectors to notify Police Officers, Dispatchers and clerical staff that someone has entered the building through the visitor's entrance.

Recreation Center & Senior Center

Engineering Controls:	
1.	Consider enhancing the building's video surveillance system. Cameras should be installed on all sides of the building, as well as at entrances and throughout the buildings.
2.	Consider installing a panic button at the main entrance (whether entrants check in) and in the office area of the Recreation Center.
Work Practice Controls:	
1.	Employees required to work offsite or unaccompanied by another employee should notify another employee or supervisor where they will be, and when they expect to return.
2.	Written procedures should be developed for opening and closing the building.
3.	Staffing needs should be evaluated on a regular basis to ensure employee's safety and to ensure that employees are not regularly working alone.
4.	Establish a procedure for conducting pre-employment background checks. Conduct appropriate background checks related to the position that the employee is being hired for.
5.	Consider having the Police Department patrol/regularly visit the Recreation Center during the busier times of the day.
6.	Employees of the Recreation Center should wear identification badges or some form of identifying t-shirt so that they can better distinguished from building visitors.

Department of Public Works

Engineering Controls:	
1.	Consider installing door alerts / buzzers at entry doors to alert employees of an entry into the building.
2.	The Village should enhance the video surveillance system. Cameras should be installed on all sides of the building, and in the garage areas. The rear of the building currently has no video surveillance camera installed.
3.	Consider enhancements to the lighting on the exterior of the building, specifically in the rear of the building where various equipment and materials are stored.
Work Practice Controls:	
1.	Employees required to work offsite unaccompanied by another employee should notify another employee or supervisor where they will be and when they expect to return.
2.	Written procedures should be developed for opening and closing the building.
3.	Staffing needs should be evaluated on a regular basis to ensure employee's safety and to ensure that employees are not regularly working alone.
4..	Establish a procedure for conducting pre-employment background checks, beyond checking a prospective employee's driving record.

Water Department / Office

Engineering Controls:	
1.	Consider installing a video surveillance system. Cameras should be installed on all sides of the building, as well as at all entrances.
2.	Consider installing a panic button in the office/trailer. In the event of a workplace violence incident, an employee that is working alone may not have the time or opportunity to pick up a phone/radio and call the Police Department.
Work Practice Controls:	
1.	Employee should keep a record of his location when working offsite.
2.	Visitor access to the site should be prohibited.

Warner Library

Engineering Controls:	
1.	Evacuation plans and floor plans should be developed and posted throughout the Library.
2.	Lighting could be improved in certain "employee only" areas of the Library. Interior lighting is good in all areas of the Library where patrons are permitted access.
Work Practice Controls:	
1.	Offsite work is performed by employees. Another employee should be aware of this employee's location at all times.
2.	Establish a procedure for conducting pre-employment background checks. Conduct appropriate background checks related to the position that the employee is being hired for.

Fire Department – Riverside Hose

Engineering Controls:	
1.	Consider installing door alerts / buzzers at entry doors to alert volunteers of an entry into the building.
2.	Consider enhancing the video surveillance system to include cameras on the interior of the building.
Work Practice Controls:	
1.	Written procedures should be developed for opening and closing the building.
2.	Establish written protocols for volunteers to follow in the event they are confronted with a conflict or a potentially violent situation while working for the Village and while performing duties offsite.

Fire Department – Hope Hose / Conqueror

Engineering Controls:	
1.	Consider installing door alerts / buzzers at entry doors to alert volunteers of an entry into the building.
2.	Consider installing a video surveillance system to include cameras on the interior and front of the building.
3.	Consider installing mirrors throughout the station so that volunteers can view other parts of the building that couldn't otherwise be seen.
Work Practice Controls:	
1.	Written procedures should be developed for opening and closing the building.
2.	Establish written protocols for volunteers to follow in the event they are confronted with a conflict or a potentially violent situation while working for the Village and while performing duties offsite.

Fire Department – Washington Engine

Engineering Controls:	
1.	Consider installing door alerts / buzzers at entry doors to alert volunteers of an entry into the building.
Work Practice Controls:	
1.	Written procedures should be developed for opening and closing the building.
2.	Establish written protocols for volunteers to follow in the event they are confronted with a conflict or a potentially violent situation while working for the Village and while performing duties offsite.

Fire Department – Consolidated

Engineering Controls:	
1.	Consider installing door alerts / buzzers at entry doors to alert volunteers of an entry into the building.
2.	Consider enhancing the video surveillance system to add more vantage points to the existing system. Cameras should be included in the inside of the building.
Work Practice Controls:	
1.	Written procedures should be developed for opening and closing the building.
2.	Establish written protocols for volunteers to follow in the event they are confronted with a conflict or a potentially violent situation while working for the Village and while performing duties offsite.

Fire Department – Phenix

Engineering Controls:
1. Consider installing door alerts / buzzers at entry doors to alert volunteers of an entry into the building.
2. Consider installing a video surveillance system to include cameras on the interior and exterior of the building.
Work Practice Controls:
1. Written procedures should be developed for opening and closing the building.
2. Establish written protocols for volunteers to follow in the event they are confronted with a conflict or a potentially violent situation while working for the Village and while performing duties offsite.

General Recommendations for All Village Departments

It is recommended that the Village develop and implement the following administrative policies and procedures that would be applicable to all departments:

1. Post the Workplace Violence Prevention Policy Statement in each department where it is easily visible to employees and visitors. Workplace Violence Prevention Policy Statement is currently only posted at the Warner Library.
2. Ensure that training is conducted on the Village of Tarrytown's Workplace Violence Prevention Program for all current employees on an annual basis and within 30 days after a new employee is hired. Employee training acknowledgement should be placed in personnel files.
3. Develop, adopt and annually review a comprehensive Employee Handbook. This Employee Handbook should include a corrective action program that holds employees accountable for violations of the Workplace Violence Prevention Program. The corrective action program should address the use of counseling versus formal discipline, how to develop a counseling memo, and how to apply formal disciplinary procedures in accordance with Civil Service Law Section 75 and any applicable collective bargaining agreements.
4. Effectively enforce the Village's Harassment and/or Sexual Harassment Policies and corresponding complaint procedures. Provide annual training so that Department Heads will know how to recognize and deal with workplace harassment, as well as how to receive and handle complaints. Employees are required to be trained on the policy and made aware of their role in creating a harassment-free workplace.
5. Written protocols for dealing with conflicts occurring while working offsite involving a fellow employee(s) or an individual(s) not employed by the Village should be developed and/or reviewed with employees in each department. Take action to address potential interpersonal conflicts that may exist among co-workers, with the goal of establishing a more civil workplace.
6. Consistently perform pre-employment reference and background checks. This will prevent the Village from negligent hires. This will also ensure that the Village does not hire individuals who could pose a danger to fellow employees, as well as members of the public.
7. Consider consistently conducting exit interviews at the time employees separate from the Village. This will allow the Village the opportunity to request all keys, uniforms, ID badges, etc., in the employee's possession as well as gauge the individual's demeanor and the potential risk of workplace violence.
8. Develop proper procedures for terminating employees and provide Department Head and supervisory training on this topic.

9. For all employees who work off-site, develop procedures for notifying Department Heads when work shifts begin and end.
10. Ensure that each work site that will exist for one year or longer documents each recordable work-related injury and illness occurring during the calendar year on a SH-900 Log and that a SH-900.1 Log is completed at the end of each calendar year. Post the SH-900.1 annually from February 1 – April 30 at each work site in a conspicuous place where notices to employees are customarily posted. Maintain logs at each work site for a minimum of five years (or at a central location so long as 1) recordable injuries/illnesses are communicated to the central location within seven calendar days and 2) the records can be sent from the central location to the work site within the time frame required by law).

SECTION 7 – FORMS

The following forms are to be used in administering The Village of Tarrytown's Workplace Violence Prevention Program:

FORM-1 – Workplace Violence Incident Report Form

FORM-2 – Policy Acknowledgment Form

FORM-3 – Training Acknowledgment Form

WORKPLACE RISK EVALUATION SECURITY CHECKLISTS:

- Village Hall
- Police Department
- Recreation Center & Senior Center
- Department of Public Works
- Water Pump Station / Office
- Warner Library
- Fire Department
 - Riverside Hose
 - Hope Hose / Conqueror
 - Washington Engine
 - Consolidated
 - Phenix

This form must be used to document any reportable workplace violence incident. For any Level I incident, an employee must report the incident to the Department Head within 48 hours of the occurrence. For all Level II and Level III incidents, the incident must be reported immediately. The Department Head is responsible for forwarding this completed form to the Village Administrator within the same timeframes.

Victim's Name	
Job Title	
Department / Location	
Date and Time of Incident	
Location of Incident	
Name / Job Title of Individual Completing Report	
Date Incident Report Completed	
Date Received by the Village Administrator	

The following are examples of **Level I** types of workplace violence incidents.

- Harassment
- Shouting
- Obscene language
- Obscene gestures
- Verbal abuse
- Bullying
- Intimidation
- False statements

The following are examples of **Level II** types of workplace violence incidents.

- Threatening with an object
- Verbal threats of assault
- Obscene or threatening calls
- Being followed or stalked

The following actions are examples of **Level III** types of workplace violence incidents.

- Pushing
- Grabbing
- Striking with an Object
- Sexual Assault
- Stabbing
- Homicide
- Shooting

Describe each incident separately, including dates, times and locations. If you cannot remember exact dates, times or locations, please provide approximations. Use additional pages if necessary. _____

If an injury has resulted from the workplace violence incident described above, please indicate that an injury has occurred and include a brief description of the injury:

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List any individuals who may have witnessed this incident:

Witness Name	Witness Job Title	Witness Work Phone Number

List any other individuals who may have been involved in this incident (employee or non-employee):

Name of Persons Involved	Role in the Incident	Contact Information

Assailant / Perpetrator	<input checked="" type="checkbox"/>	Name	Address
Member of the Public	<input type="checkbox"/>		
Employee's Spouse	<input type="checkbox"/>		
Employee's Significant Other	<input type="checkbox"/>		
Employee's Supervisor	<input type="checkbox"/>		
Coworker	<input type="checkbox"/>		
Former employee	<input type="checkbox"/>		
Other (specify) _____	<input type="checkbox"/>		

*I attest that the information I have provided is a true and accurate description of my complaint and that I have not willfully or deliberately made false statements. I understand that The Village of Tarrytown prohibits any individual from retaliating against me for filing a complaint and that I am to notify my Department Head, the Village Administrator, or the Village Board if I believe that I am a victim of retaliation.

EMPLOYEE SIGNATURE

DATE

DEPARTMENT HEAD SIGNATURE

DATE

VILLAGE ADMINISTRATOR SIGNATURE

DATE

For Internal Village Use Only

Did police respond to the incident? ☐ Yes ☐ No

Was a police report filed? ☐ Yes ☐ No Police Report Number _____

Was the victim injured? ☐ Yes ☐ No

If yes, please specify the injuries and the name and location of the facility that provided medical care:

Did the victim lose any work days? ☐ Yes ☐ No If yes, number of days _____

Has the victim been informed of the crisis counseling services available? ☐ Yes ☐ No

Has the victim received counseling since this incident? ☐ Yes ☐ No

Did the victim have any reason to believe that this incident might occur? ☐ Yes ☐ No

Has the authorized employee representative been notified? ☐ Yes (Date) _____ ☐ No ☐ N/A

Has the Village taken any measures to prevent similar incidents from occurring in the future?

☐ Yes ☐ No

Indicate the steps that have been taken to mitigate future incidents of a similar nature:

Action Taken	Date Completed

Indicate any steps currently being taken by the Village to mitigate future incidents and/or any interim protective measures being taken:

Action in Progress and/or Interim Protective Measures	Estimated Date of Completion

Indicate any other work sites, if applicable, that will require similar action to mitigate future incidents:

DEPARTMENT HEAD SIGNATURE _____

DATE _____

VILLAGE ADMINISTRATOR SIGNATURE _____

DATE _____

I hereby acknowledge that I have received a copy of the Village of Tarrytown's Workplace Violence Prevention Program manual outlining the Village's policy, objectives, procedures, and regulations regarding violence in the workplace. I further acknowledge that I have read or will read the contents of the program manual and will contact my Department Head or the Village Administrator with any questions.

I understand that the objectives, procedures and regulations in this program manual will remain in effect unless I am notified of changes.

I understand that the Village of Tarrytown reserves the right to interpret, add to, or revise any part of this program manual, consistent with statutory requirements. Moreover, this program manual may be subject to alteration by changes in federal or state legislation, rules, and/or regulations.

I agree to abide by The Village of Tarrytown's Workplace Violence Prevention Program policies and procedures.

EMPLOYEE NAME (PLEASE PRINT)

EMPLOYEE SIGNATURE

DATE OF SIGNATURE

A copy of this form is to be placed in the employee's personnel file.

THE VILLAGE OF TARRYTOWN	Training Acknowledgment Form
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I hereby acknowledge that I have received training on the dangers of workplace violence, identified risk factors and available prevention methods, and my responsibilities and rights with respect to addressing the potential for workplace violence. I have been informed of the Village of Tarrytown's policy regarding workplace violence and the program and procedures in place to minimize risks.

DATE OF TRAINING

EMPLOYEE NAME (PLEASE PRINT)

SIGNATURE OF EMPLOYEE

DATE OF SIGNATURE

A copy of this form is to be placed in the employee's personnel file.

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Village Hall
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		Need a FOB to enter through certain interior doors. i.e. entrance into PD on second floor.
b. Door detectors		X	
c. Lighting in parking lot	X		Parking lots on either side of the building. LED lighting. Train station across the street from Village Hall.
d. Light switcher	X		
e. Motion detectors	X		In most offices
f. Sound detection		X	
g. Intrusion panel	X		
h. Interior lighting	X		Very good throughout Village Hall
i. Monitors	X		In Police Department
j. Video surveillance	X		
k. Closed circuit	X		
l. Mirrors	X		On second floor at the Village Administrator's Office.
m. Stationary metal detector	X		At the entrance to Village Court
n. Hand-held metal detector		X	
o. Panic button	X		In every office where it was recommended during 2010 inspection

p. Interoffice phone system	X		
q. Mobile phones	X		Employees carry their personal cell phones
r. Radio - Dispatch		X	
s. Safe on premises (e.g., wall, drop, gun locker)	X		In the Town Clerk's Office inside of a file room.
t. Structural modifications			
1) Safety glass	X		At the Treasurer's Office and Court Office. Recommend installing a customer service window at the Town Clerk's Office.
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	Nothing structural or permanent. Changes being made based on COVID.
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:			
1) At entrances	X		When Court is in session.
2) Local law enforcement	X		Police Department is attached to Village Hall through interior doors.
3) Liaison established with local police	X		
b. One entrance used	X		One entrance is used for members of the public.
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log		X	
g. Visitors escorted while on premises		X	
h. Reception area available	X		
i. Separate interview area	X		Multiple conference rooms.

j. Countertops that separate visitors from work areas	X		In all offices besides the Town Clerk's Office where only a desk separates the Town Clerk from a visitor.
k. Desks clear of object	X	X	Not in all Offices. Desks were messy in certain offices.
l. Money kept on premises	X		
m. Emergency phone numbers posted		X	n/a
n. ID badges	X		Certain employees carry ID badges. Building Department employees carry badges.
o. Identifying shirts		X	
p. Off-site work performed by some employees	X		Building and Engineering Department, Village Administrators Office, etc.
q. Safety procedures for off-site workers	X		Building Department maintains a schedule for where everyone will be.
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations	X		Staffing needs evaluated on a consistent basis via budget process.
t. Employee handbook		X	Recommended.
u. Pre-employment background checks		X	Only for certain employees. i.e. Police, Recreation (sex offender registry), DPW (CDL drivers).
v. Exit interviews		X	
w. Procedures for dealing with conflict situations		X	
x. Union/employees represented		X	CSEA declined two written requests to participate in risk inspections.
y. Harassment complaint process	X		Defined in Village's Sexual Harassment Policy.
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Police Department
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		Most interior doors have locks or require code entry.
b. Door detectors		X	Recommend a door detector on visitor entrance so that Dispatcher or civilian employee is aware when someone enters the building.
c. Lighting in parking lot	X		Described as adequate.
d. Light switcher	X		
e. Motion detectors	X		
f. Sound detection	X		
g. Intrusion panel	X		
h. Interior lighting	X		Interior lighting is very good. Dispatch was dark, but is typical for a communications room.
i. Monitors	X		Set up in communications room.
j. Video surveillance	X		
k. Closed circuit	X		
l. Mirrors		X	
m. Stationary metal detector			N/A
n. Hand-held metal detector			N/A

o. Panic button			N/A
p. Interoffice phone system	X		
q. Mobile phones	X		Police carry personal mobile phones.
r. Radio - Dispatch	X		Police carry radios on their person and in their vehicle.
s. Safe on premises (e.g., wall, drop, gun locker)	X		Gun locker.
t. Structural modifications			
1) Safety glass	X		At entrance where visitors confer with employees.
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:			N/A
1) At entrances			
2) Local law enforcement			
3) Liaison established with local police			
b. One entrance used	X		One entrance used for public. Police can enter through other entrances.
c. Exits kept clear	X		
d. Doors locked when building is closed to public			24/7 Police operation.
e. Procedures for opening/closing building			n/a
f. Visitor sign in/out log			n/a
g. Visitors escorted while on premises	X		
h. Reception area available	X		
i. Separate interview area	X		Multiple interview areas.

j. Countertops that separate visitors from work areas	X		
k. Desks clear of object	X		
l. Money kept on premises	X		
m. Emergency phone numbers posted		X	
n. ID badges	X		
o. Identifying shirts	X		Police Officers wear uniforms.
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers	X		
r. Rules for employees leaving building	X		
s. Staffing needs evaluated for high risk times and locations	X		
t. Employee handbook	X		Police Department has developed its own policies and procedures that are separate from other Village employees.
u. Pre-employment background checks	X		
v. Exit interviews	X		Department has begun conducting exit interviews under current Police Chief.
w. Procedures for dealing with conflict situations	X		Part of Police training.
x. Union/employees represented		X	Union declined two written requests to participate in risk inspections.
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Recreation Center & Senior Center
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		Someone had put tape on the door to the lifeguard office to prevent it from locking. Tape should be removed so that door can be locked in the event of a workplace violence incident.
b. Door detectors		X	
c. Lighting in parking lot	X		Area is well lit. Building is new and a large town house complex is across the parking lot.
d. Light switcher	X		
e. Motion detectors		X	
f. Sound detection		X	
g. Intrusion panel	X		
h. Interior lighting	X		Very good.
i. Monitors	X		In front office at main entrance.
j. Video surveillance	X		Could be enhanced.
k. Closed circuit	X		
l. Mirrors	X		In fitness room.
m. Stationary metal detector			N/A
n. Hand-held metal detector			N/A

o. Panic button		X	Is being considered.
p. Interoffice phone system	X		
q. Mobile phones	X		Employees carry their personal cell phones.
r. Radio - Dispatch		X	
s. Safe on premises (e.g., wall, drop, gun locker)	X		Two safes on premises.
t. Structural modifications			
1) Safety glass	X		At main entrance.
2) Partitions	X		Only at main entrance
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:			
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used	X		
c. Exits kept clear	X		Exit out of lifeguard office was blocked by supplies. Stated that it would be cleaned.
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log	X		Visitors are scanned in at the front desk.
g. Visitors escorted while on premises		X	
h. Reception area available	X		

i. Separate interview area	X		Meeting room.
j. Countertops that separate visitors from work areas	X		Desks
k. Desks clear of object	X		
l. Money kept on premises	X		
m. Emergency phone numbers posted		X	
n. ID badges		X	
o. Identifying shirts		X	Only for lifeguards.
p. Off-site work performed by some employees	X		At the softball field and at the school.
q. Safety procedures for off-site workers		X	
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations	X		
t. Employee handbook		X	Recommended.
u. Pre-employment background checks		X	Not consistently. Only done on certain employees based on regulations.
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented		X	
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Department of Public Works
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		All areas owned by the Village. Last to garage bays are used by the School District.
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		Ensure that doors are consistently kept locked.
b. Door detectors		X	
c. Lighting in parking lot			No employee parking lot. Employees park on the streets.
d. Light switcher	X		
e. Motion detectors	X		
f. Sound detection		X	
g. Intrusion panel	X		
h. Interior lighting	X		
i. Monitors	X		In the Foreman's office.
j. Video surveillance	X		Should be enhanced. Only covers the outside of the building/front of building. Supplies and materials are kept in the rear of the building where lighting is insufficient and there are no cameras. Side of building was recently tagged with graffiti.
k. Closed circuit	X		
l. Mirrors	X		
m. Stationary metal detector			N/A

n. Hand-held metal detector			N/A
o. Panic button		X	
p. Interoffice phone system	X		
q. Mobile phones	X		Employees carry personal cell phones.
r. Radio - Dispatch	X		
s. Safe on premises (e.g., wall, drop, gun locker)			N/A
t. Structural modifications			
1) Safety glass			N/A
2) Partitions			N/A
3) Other			
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:			
1) At entrances		X	Public does not enter building.
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used		X	Multiple entrances used on the property. Public only accesses the property, not the building.
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log			n/a
g. Visitors escorted while on premises	X		

h. Reception area available	X		
i. Separate interview area	X		Break room / meeting room.
j. Countertops that separate visitors from work areas			n/a
k. Desks clear of object	X		
l. Money kept on premises		X	Not anymore.
m. Emergency phone numbers posted		X	
n. ID badges		X	
o. Identifying shirts	X		
p. Off-site work performed by some employees	X		Work is primarily conducted offsite besides mechanics.
q. Safety procedures for off-site workers	X		Street sweeper primarily works alone.
r. Rules for employees leaving building	X		
s. Staffing needs evaluated for high risk times and locations	X		
t. Employee handbook		X	Recommend
u. Pre-employment background checks		X	Not comprehensive. Only to comply with DOT regulations.
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented		X	CSEA declined two written requests to participate in risk inspections.
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Water Department Pump Station / Office
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		Two buildings at this site. A water pump station and a trailer that serves as an office.
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		Front gate that opens and closes blocking entrants.
b. Door detectors		X	
c. Lighting in parking lot	X		Facility is lit but there is no specific parking lot. Facility is staffed by a single employee who works alone.
d. Light switcher	X		
e. Motion detectors		X	
f. Sound detection		X	
g. Intrusion panel	X		
h. Interior lighting	X		Lights were off inside of pump station.
i. Monitors		X	
j. Video surveillance		X	Recommend.
k. Closed circuit		X	
l. Mirrors		X	
m. Stationary metal detector			n/a
n. Hand-held metal detector			n/a
o. Panic button		X	Recommend

p. Interoffice phone system	X		
q. Mobile phones	X		
r. Radio - Dispatch	X		Employee has a radio in his truck.
s. Safe on premises (e.g., wall, drop, gun locker)		X	
t. Structural modifications			
1) Safety glass		X	
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:			
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used	X		
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		Doors locked at all times.
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log			N/A
g. Visitors escorted while on premises			N/A
h. Reception area available			N/A
i. Separate interview area			N/A
j. Countertops that separate visitors from work areas			N/A

k. Desks clear of object		X	
l. Money kept on premises		X	
m. Emergency phone numbers posted		X	
n. ID badges		X	
o. Identifying shirts	X		
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers		X	
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations		X	
t. Employee handbook		X	
u. Pre-employment background checks		X	
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented		X	
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans			N/A
2. Floor plans posted			N/A
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Warner Library
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		
b. Door detectors	X		At both entrances.
c. Lighting in parking lot	X		Described by employees as sufficient for working into night. Library closes at 9:00 PM on Monday nights.
d. Light switcher	X		
e. Motion detectors	X		
f. Sound detection		X	
g. Intrusion panel	X		
h. Interior lighting	X		Very good in most areas. Is lacking in some areas where only employees have access/storage.
i. Monitors	X		In front office.
j. Video surveillance	X		Sign indicating building is under video surveillance.
k. Closed circuit	X		
l. Mirrors	X		
m. Stationary metal detector		X	
n. Hand-held metal detector		X	
o. Panic button	X		Three panic buttons which are tested regularly.

p. Interoffice phone system	X		
q. Mobile phones	X		Employees carry their personal cell phones.
r. Radio - Dispatch		X	
s. Safe on premises (e.g., wall, drop, gun locker)	X		
t. Structural modifications			
1) Safety glass	X		Additional plexiglass structures put up due to COVID. Temporary measures.
2) Partitions	X		
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:			
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used		X	Two entrances for public use.
c. Exits kept clear	X		Alarm that goes off if patron exits through bottom floor exit.
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log		X	Visitors are counted but do not have to sign in.
g. Visitors escorted while on premises		X	
h. Reception area available	X		
i. Separate interview area	X		
j. Countertops that separate visitors from work areas	X		

k. Desks clear of object	X		
l. Money kept on premises	X		
m. Emergency phone numbers posted		X	
n. ID badges	X		
o. Identifying shirts		X	
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers	X		
r. Rules for employees leaving building	X		
s. Staffing needs evaluated for high risk times and locations	X		
t. Employee handbook		X	Written procedures for closing and handling of cash.
u. Pre-employment background checks		X	
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented		X	
y. Harassment complaint process	X		Included in Employee Handbook
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted	X		
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Fire Department – Riverside Hose
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		Key was left in mailbox.
b. Door detectors		X	
c. Lighting in parking lot	X		Has a shared parking lot with Police Department.
d. Light switcher	X		
e. Motion detectors	X		
f. Sound detection		X	
g. Intrusion panel		X	
h. Interior lighting	X		
i. Monitors	X		On second floor computer.
j. Video surveillance	X		Only outside of building
k. Closed circuit	X		
l. Mirrors		X	
m. Stationary metal detector			N/A
n. Hand-held metal detector			N/A
o. Panic button		X	
p. Interoffice phone system	X		

q. Mobile phones	X		
r. Radio - Dispatch	X		
s. Safe on premises (e.g., wall, drop, gun locker)		X	
t. Structural modifications			
1) Safety glass		X	
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:		X	
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used	X		
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log			N/A
g. Visitors escorted while on premises			N/A
h. Reception area available			N/A
i. Separate interview area	X		
j. Countertops that separate visitors from work areas			N/A
k. Desks clear of object	X		

l. Money kept on premises		X	
m. Emergency phone numbers posted			N/A
n. ID badges	X		
o. Identifying shirts	X		
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers	X		Volunteers received advanced training and conduct drills weekly.
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations		X	
t. Employee handbook			N/A
u. Pre-employment background checks	X		
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented			N/A
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Fire Department – Hope Hose / Conqueror
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		Two firehouses split the building
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		
b. Door detectors		X	
c. Lighting in parking lot			No specific parking lot.
d. Light switcher	X		
e. Motion detectors		X	
f. Sound detection		X	
g. Intrusion panel	X		
h. Interior lighting	X		
i. Monitors		X	
j. Video surveillance		X	Is being considered.
k. Closed circuit		X	
l. Mirrors		X	Recommended
m. Stationary metal detector			N/A
n. Hand-held metal detector			N/A
o. Panic button		X	
p. Interoffice phone system	X		

q. Mobile phones	X		
r. Radio - Dispatch	X		
s. Safe on premises (e.g., wall, drop, gun locker)		X	
t. Structural modifications			
1) Safety glass		X	
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:			
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used	X		
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log			N/A
g. Visitors escorted while on premises			N/A
h. Reception area available			N/A
i. Separate interview area	X		
j. Countertops that separate visitors from work areas			N/A
k. Desks clear of object	X		

l. Money kept on premises		X	
m. Emergency phone numbers posted			N/A
n. ID badges	X		
o. Identifying shirts	X		
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers	X		Volunteers received advanced training and conduct drills weekly.
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations		X	
t. Employee handbook			N/A
u. Pre-employment background checks	X		
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented			N/A
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Fire Department – Washington Engine
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		
b. Door detectors		X	
c. Lighting in parking lot	X		
d. Light switcher	X		
e. Motion detectors		X	
f. Sound detection		X	
g. Intrusion panel		X	
h. Interior lighting	X		
i. Monitors	X		On second floor computer in office.
j. Video surveillance	X		On both outside and inside of building. Only a back corner of ground floor isn't on video surveillance.
k. Closed circuit	X		
l. Mirrors		X	
m. Stationary metal detector			N/A
n. Hand-held metal detector			N/A
o. Panic button		X	

p. Interoffice phone system	X		
q. Mobile phones	X		
r. Radio - Dispatch	X		
s. Safe on premises (e.g., wall, drop, gun locker)		X	
t. Structural modifications			
1) Safety glass		X	
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:		X	
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used	X		
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log			N/A
g. Visitors escorted while on premises			N/A
h. Reception area available			N/A
i. Separate interview area	X		
j. Countertops that separate visitors from work areas			N/A

k. Desks clear of object	X		
l. Money kept on premises		X	
m. Emergency phone numbers posted			N/A
n. ID badges	X		
o. Identifying shirts	X		
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers	X		Volunteers received advanced training and conduct drills weekly.
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations		X	
t. Employee handbook			N/A
u. Pre-employment background checks	X		
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented			N/A
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Fire Department – Consolidated
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		
b. Door detectors		X	
c. Lighting in parking lot	X		Large parking lot. Car parked in parking lot that appears to have been left there possibly by a non-volunteer.
d. Light switcher	X		
e. Motion detectors	X		
f. Sound detection		X	
g. Intrusion panel		X	
h. Interior lighting	X		
i. Monitors	X		
j. Video surveillance	X		
k. Closed circuit	X		
l. Mirrors		X	
m. Stationary metal detector			N/A
n. Hand-held metal detector			N/A
o. Panic button		X	

p. Interoffice phone system	X		
q. Mobile phones	X		Personal cell phones.
r. Radio - Dispatch	X		
s. Safe on premises (e.g., wall, drop, gun locker)		X	
t. Structural modifications			
1) Safety glass		X	
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:		X	
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used	X		
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log			N/A
g. Visitors escorted while on premises			N/A
h. Reception area available			N/A
i. Separate interview area	X		
j. Countertops that separate visitors from work areas			N/A

k. Desks clear of object	X		
l. Money kept on premises		X	
m. Emergency phone numbers posted			N/A
n. ID badges	X		
o. Identifying shirts	X		
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers	X		Volunteers received advanced training and conduct drills weekly.
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations		X	
t. Employee handbook			N/A
u. Pre-employment background checks	X		
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented			N/A
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

WORKPLACE RISK EVALUATION SECURITY CHECKLIST

Facility:	Fire Department – Phenix
Evaluation Done By:	Ian J. Loehner, VPS
Date of Evaluation:	June 10, 2020

A. Work Site Evaluation	YES	NO	COMMENTS
Are all work areas at this facility being evaluated?	X		
B. Control Measures	YES	NO	COMMENTS
1. Engineering Controls			
a. Door controls	X		
b. Door detectors		X	
c. Lighting in parking lot		X	No parking lot. Small parking area.
d. Light switcher	X		
e. Motion detectors		X	
f. Sound detection		X	
g. Intrusion panel		X	
h. Interior lighting	X		
i. Monitors		X	
j. Video surveillance		X	Recommended. Station is in a residential area.
k. Closed circuit		X	
l. Mirrors		X	
m. Stationary metal detector			N/A
n. Hand-held metal detector			N/A
o. Panic button		X	
p. Interoffice phone system	X		

q. Mobile phones	X		
r. Radio - Dispatch	X		
s. Safe on premises (e.g., wall, drop, gun locker)		X	
t. Structural modifications			
1) Safety glass		X	
2) Partitions		X	
3) Other		X	
u. Structural changes planned		X	
2. Work Practice Controls	YES	NO	COMMENTS
a. Security guard usage:		X	
1) At entrances		X	
2) Local law enforcement	X		
3) Liaison established with local police		X	
b. One entrance used	X		
c. Exits kept clear	X		
d. Doors locked when building is closed to public	X		
e. Procedures for opening/closing building	X		
f. Visitor sign in/out log			N/A
g. Visitors escorted while on premises			N/A
h. Reception area available			N/A
i. Separate interview area	X		
j. Countertops that separate visitors from work areas			N/A
k. Desks clear of object	X		

l. Money kept on premises		X	
m. Emergency phone numbers posted			N/A
n. ID badges	X		
o. Identifying shirts	X		
p. Off-site work performed by some employees	X		
q. Safety procedures for off-site workers	X		Volunteers received advanced training and conduct drills weekly.
r. Rules for employees leaving building		X	
s. Staffing needs evaluated for high risk times and locations		X	
t. Employee handbook			N/A
u. Pre-employment background checks	X		
v. Exit interviews		X	
w. Procedures for dealing with conflict situations	X		
x. Union/employees represented			N/A
y. Harassment complaint process	X		
C. Floor and Evacuation Plans	YES	NO	COMMENTS
1. Evacuation plans		X	
2. Floor plans posted		X	
b. Exits/areas with security equipment marked	X		

SECTION 8 – EMPLOYEE SURVEY OUTCOMES

Employee Surveys

Confidential employee surveys were distributed to all employees and supervisory staff of the Village of Tarrytown in March of 2020. There were a total of forty-one (41) surveys returned for review: (15) Village Hall; (11) DPW; (8) Warner Library; (5) Police Department; and (2) Recreation.

The following is representative of the employee comments documented in the confidential employee surveys:

Employee Survey Results:	
1.	In thirty-five (35) of the surveys returned, employees indicated that they have not been a victim or a witness to workplace violence of any kind in the workplace.
2.	In six (6) of the surveys returned, employees indicated that they had witnessed or been confronted with Level I Workplace Violence in the form of shouting, verbal abuse, harassment, intimidation/bullying or obscene language/gestures. These employees worked in Village Hall (2), Warner Library (2), the Department of Public Works and the Recreation Center.
3.	In one (1) of the surveys returned, an employee of Village Hall indicated that they had been confronted with Level II Workplace Violence in the form of an obscene or threatening call.
4.	One (1) employee of Village Hall expressed that they felt unsafe working alone during off hours.
5.	In eighteen (18) of the surveys returned, employees expressed a desire to receive additional training on conflict resolution.
6.	In eight (8) of the surveys returned, employees expressed a desire to receive additional training on how to prevent harassment in the workplace.
7.	In seven (7) of the surveys returned, employees/supervisors expressed a desire to receive additional training on how to implement effective counseling and corrective discipline.
8.	In six (6) of the surveys returned, employees expressed a desire to receive additional training on what to do if subjected to workplace violence.

2

<fsheehan@greenburghny.com>; Steven Wolk <steve@wolkco.com>; Jennifer Mebes Flagg <jenmebes@gmail.com>
Cc: Steven Rosenthal <steve@sustainablewestchester.org>; Nina Orville <nina@sustainablewestchester.org>; Jasmine
Graham <jasmine@sustainablewestchester.org>; Carmen Santos <carmen@sustainablewestchester.org>; Michel
Delafontaine <michel@sustainablewestchester.org>
Subject: Re: Westchester Power Joint Municipal Meeting Followup / MOU redline

[EXTERNAL] This email is from outside the Village of Tarrytown - Please use caution when opening links and attachments!

All:

We have worked out the conceptual framework for the variable rate option, but I'm going to ask everybody for another day to get the language and the document together.

The gist is that we have a structure which will allow our price to move in the direction the utility moves. The variations would lag behind Con Ed, and we would not vary monthly but rather every six months. It's not a direct mirror of Con Ed pricing, but does meet our goal of significantly reducing the degree of divergence from the Con Ed price. We're waiting on a little last input, but here's the outline of how it works:

- Our energy price is made up of a number of components, of which the actual kWh energy is the largest and most variable portion.
- This energy price has a public benchmark - the "Location Based Marginal Price" (LMBP) published by the NYISO (the grid operator for NY).
- Constellation tells us that their estimate (because Con Ed does not make this info public) is that Con Ed hedges (fixes) about half of the LMBP cost, and lets the rest float with the market.
- So to follow their pricing more closely, we will do the same.
- We can do that by establishing a fixed price through the bidding, but then allowing for price adjustments against the LPBP portion 50% of our usage.
- The variation is calculated by comparing on a weighted monthly basis the published LMBP variation against a benchmark value (probably the lastest published value as of the bid date) we established at the time of the auction process.

2

- Adjustments would be made periodically - probably every 6 months to the customer rate established in the bid based on that monthly variation. That is, if the actual LMBP values end up lower than the benchmark value from the bid, we will be reducing prices in the following period accordingly, and if they are higher, increasing them.

As noted above, the result is that we trail Con Ed movements, but the overall direction is with Con Ed. If rates head down, our variable rate will go that direction as well and vice versa.

There's a bit more to it than this, but that's the principle. Because our price will be fixed and essentially averaged over the 6 month periods, if Con Ed spikes or drops very low for a short period, our variable rate will not follow it at that level, but as noted this movement will be picked up and drive our price in the same direction. That means there could still be individual months where there was a significant gap, but that gap would close as the adjustments kick in.

As noted, introducing the variable component does bring a risk element into the equation that we do not have with a fully fixed rate. So while you will not have what we have now which is a fixed rate missing the bottoming out of the Con Ed rates, you will get the other side of that which is that as Con Ed rates go up, this variable rate option will too. I'm attaching a press piece done by our auction service which speaks to this market movement. It's kind of "sales pitchy", but it reflects what the industry news tells us today about where gas prices are going.

For those of you who are still inclined towards the fixed price, we'd really appreciate getting your feedback on where we should start the bidding. In our meeting, there were some people that favored the more aggressive 7.65 number based on our one year indicatives, and at least one person who made a pitch for leaving room to lock in for a longer, probably 2 year contract - that would be the 7.81 level. Please let us know where you incline asap.

2

By the way, some people have asked for the MOU to review. I've attached a redline of the basic format that we have always used. Of course the final will have the numbers plugged in in the case of the fixed price, and we will also do an alternative version which captures the variable rate option - municipalities would choose one or the other. Once we have those two things determined, we'll send out the two final versions for you to take to your boards.

Once again, apologies for making everybody stretch a bit here, but your help in getting us set up for the bid is much appreciated.

Regards,

Dan Welsh

Program Director

Westchester Power

A Program of Sustainable Westchester

914-242-4725

On Fri, Jul 31, 2020 at 5:09 PM Dan Welsh <dan@sustainablewestchester.org> wrote:

Thanks much for joining in this important discussion this morning. I would have had this email out a little earlier, but we were reaching out to gather information for input on the possibility of a variable rate option. It's a challenge, but we hope to have something for consideration Monday.

In the meantime, I've attached the presentation material. The other options we discussed are of course at the end (3rd to last slide), and include not-to-exceed benchmarks for a fixed price auction of:

7.96 cents - our current price

7.81 cents - two tenths under the indicative total for 2 years, and

2
7.65 cents - the lowest indicative total (12 month).

Thanks for diving into the weeds with us on this. Like so many things these days, it's not a simple matter, but the imperative is very clear and worthy of our efforts.

Best regards and have a great weekend,

Dan Welsh
Program Director
Westchester Power
A Program of Sustainable Westchester
914-242-4725

On Fri, Jul 31, 2020 at 9:05 AM Dan Welsh <dan@sustainablewestchester.org> wrote:

Reminder - the Westchester Power joint municipal meeting starts at 11.
Zoom info below. See you then! - Dan

On Tue, Jul 28, 2020 at 1:06 PM Dan Welsh <dan@sustainablewestchester.org> wrote:

We had sent out a calendar invite but had at least one person said that had not seen, so here's the Zoom login link/info. This time slot worked for all but one of the 15 poll respondents so seemed optimum. - Dan Welsh

Westchester Power Conference Room is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://zoom.us/j/95559272569?pwd=U1F6RmQ3VVh6TVpzK25KMSszMFZ0UT09>

Meeting ID: 955 5927 2569

Passcode: 073120

Dial by your location

+1 646 558 8656 US (New York)

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into by and between:

Sustainable Westchester, Inc., a New York non-profit-for-profit corporation ("Sustainable Westchester"), and the City/Town/Village of _____ (~~The~~ "**Municipality**"), a local government member of Sustainable Westchester (each a "Party" and collectively, the "Parties"), ~~Inc.~~

1. Background:

- a. In February 2015, the New York Public Service Commission issued an Order for Case 14-M-0564 as follows: "The Petition of Sustainable Westchester is granted to the extent that its municipal members are authorized to undertake a Community Choice Aggregation demonstration project consistent with the discussion in the body of this Order..."
- b. The PSC subsequently issued an Order for Case 14-M-0224 on April 21, 2016, which authorized Community Choice Aggregation ("CCA") throughout New York State (the "~~PSC~~-CCA Order") and on November 15, 2018 issued the "Order Approving Renewal of the Sustainable Westchester Community Choice Aggregation Program" reauthorizing the Sustainable Westchester CCA program under a Master Implementation Plan.
- c. Sustainable Westchester's Pilot-CCA Program (~~"Sustainable Westchester Pilot CCA Program"~~) enrolled customers from an initial group of 20 participating municipalities in April 2016. Since then, seven~~five~~ additional municipalities have joined and several other municipalities are actively working towards participation.
- d. For municipalities in the Con Edison utility territory, the current Electric Service Agreement for the Sustainable Westchester Pilot-CCA Program will ~~terminate~~expire ~~on~~ on December 31, 2020~~April 30, 2019~~
- e. In compliance with the ~~PSC~~-PSC CCA Orders, ~~The~~ Municipality has adopted local legislation to enable Community Choice Aggregation".
- f. As a member of Sustainable Westchester in good standing and participant in the Sustainable Westchester Pilot-CCA Program, the Municipality wishes to continue to engage the services of Sustainable Westchester as the Program Manager for Community Choice Aggregation for the Operation and Maintenance of the Program.

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2. Definitions:

- a. **Eligible Customers** – Residential and small commercial consumers of electricity who receive Default Service from the Distribution Utility as of the Effective Date, or have been served by the program under the 20196 ESA and have not opted-out, or "Newly Eligible Consumers" that subsequently become eligible to participate in the Program, at one or more locations within the geographic boundaries of the Municipality, except those consumers who receive Default Service and have requested not to have their account information shared by the Distribution Utility. For the avoidance of doubt, all Eligible Consumers must reside or be otherwise located at one or more locations within the geographic boundaries of the Municipality, as such boundaries exist on the Effective Date of this ESA.
- b. **Community Choice Aggregation Program or CCA Program or Program**– A municipal energy procurement program, which replaces the incumbent utility as the

default Supplier for all Eligible Customers within the Participating Municipality, as defined in the PSC PSC CCA Orders.

- c. **Competitive Supplier:** An entity duly authorized to conduct business in the State of New York as an energy service company ("ESCO") that procures electric power for Eligible Customers in connection with this CCA Program.
- d. **Compliant Bid:** Electric power supply bid from a Competitive Supplier that meets the requirements specified in this MOU and the 2021 ESA. A Compliant Bid price must be inclusive of fees owed to Program Manager and be less than:
 - i. Residential accounts: ##### cents/kwh;
 - ii. Small commercial accounts: ##### cents/kwh
- e. **Distribution Utility:** Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission in the Participating Municipality.
- f. **Electric Service Agreement ("ESA"):** An agreement that implements a CCA Program and contains all the terms and conditions of the Program.
- g. **20196 ESA:** The ESA which implemented the Sustainable Westchester Pilot-CCA Program during the period from January 1, April 20196 to December 31, 2020 April 30, 2019.
- h. **202119-ESA:** The ESA which will implement Sustainable Westchester CCA Program commencing January 1, 2021 May 1, 2019 for the Con Edison service territory. The 20212019 ESA shall have substantially the same terms outlined in the attached 2019202019 ESA Template (Attached as Exhibit 1). The 20212019 ESA Template tracks as closely as possible to the 20196 ESA in its content, with only minor changes regarding to supplier data requirements, enable administrative streamlining, additional clarification regarding NY renewable energy certificate registration adoption of the NY State renewable energy definition, provision for recovering any NYS subsidy for CCA purchase of renewable energy certificate if such subsidy comes into force after contract signing, and deletion of the the addition of an optional time-of-use product.

Commented [1]: update

Commented [2]: update

Commented [3]: Shouldn't this be 2019? I.e., the 2020 ESA tracks as closely as possible to the 2019 ESA?

Commented [4]: add reverse bidding process

- i. **CCA Orders:**— Collectively, the February 26, 2015 "Order Granting Petition in Part" issued by the PSC in Case 14-M-0564, "Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester"; and, the April 21, 2016 "Order Authorizing Framework for Community Choice Aggregation Opt-out Program" issued on April 21, 2016 by the PSC in Case 14-M-0224, (the "CCA Order") on CCA which sets setting forth the requirements, terms, and conditions under which CCA programs can proceed through implementation; and the November 15, 2018 "Order Approving Renewal of the Sustainable Westchester Community Choice Aggregation Program" issued by the PSC in Case 14-M-0564, which reauthorizes the Sustainable Westchester CCA program under a Master Implementation Plan.

February Order: February 26, 2015 "Order Granting Petition in Part" issued by PSC in Case 14-M-0564, "Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester."

~~i.j.~~ **Qualifications Credit Review:** A verification ~~an assessment~~ of the status creditworthiness of the Competitive Supplier ~~as an electricity supplier in the Distribution Utility's service territory. A precondition for attaining such status is that Competitive Supplier has met the credit requirements established by the New York Independent Systems Operator (NYISO), or adequate documentation of alternative credit arrangement that is at least as secure as a credit worthy Competitive Supplier.~~

~~j.k.~~ **Participating Municipality:** A dues-paying municipal member of Sustainable Westchester, ~~Inc.~~, which has adopted the applicable local legislation for the Community Choice Aggregation Program.

~~k.l.~~ **Program Manager:** Sustainable Westchester, ~~Inc.~~, a non-profit corporation of which the Participating Municipality is a member, ~~authorized by the Public Service Commission per the PSC CCA Orders for Case 14-M-0564 "to undertake a Community Choice Aggregation demonstration project."~~

~~l.m.~~ **Public Service Commission ("PSC"):** The New York State Public Service Commission or the New York State Department of Public Service acting as staff on behalf of the Public Service Commission ~~(PSC).~~

3. Purpose: The purpose of the Memorandum of Understanding is as follows:

- a. To establish participation by **The Municipality (hereafter, the "Participating Municipality")** in a Community Choice ~~(Energy)~~ Aggregation Program (hereafter, the "Program") that will be managed on its behalf by **Sustainable Westchester, Inc (hereafter, the "Program Manager")** under the 202119 ESA.
- b. To affirm that the Participating Municipality and Program Manager agree to adhere to the terms and conditions of the 202119 ESA in the event they execute it.
- c. To affirm that the Participating Municipality and Program Manager agree to execute the 202119 ESA, subject to the conditions of review and approval outlined in 4(c) and 5(a), ~~outlined below.~~

4. Roles and responsibilities of the Program Manager: As Program Manager, Sustainable Westchester, ~~Inc.~~, agrees to perform all duties outlined in the 202119 ESA and, prior to execution of that agreement, Program Manager agrees to:

- a. Provide the involved agencies and parties to the ~~PSC~~ **PSC** CCA Orders, including, but not limited to, the Public Service Commission and Distribution Utility, requested information about and documentation of the actions undertaken by the Participating Municipality in furtherance of enabling participation in the Program;
- b. Manage the energy procurement bidding process including:
 - i. the identification and notification of potential firms seeking to be the Competitive Supplier,
 - ii. ~~the management of~~ the Request for Proposals ("RFP") process from preparation of the content to the publication of the RFP and management of firms responding to the RFP,
 - iii. the preparation of the 202119 ESA that will be included in the RFP,
 - iv. the acceptance, ~~and~~ secure opening, ~~and review~~ of the responses to the RFP, and
 - v. the ~~organization~~ **organizing** and ~~procuring~~ of the ~~Qualifications Credit~~ Review and bid evaluation,

all in a manner that is transparent to the Participating Municipality and firms seeking to be the Competitive Supplier;

2

- c. Sign the 2021+9 ESA in a timely fashion subject to the conditions that:
 - i. the Competitive Supplier is deemed qualified creditworthy for the duration of the 2021+9 ESA by the Qualifications Credit Review, and
 - ii. such Competitive Supplier's response to the energy procurement RFP is deemed by the Program Manager to be a Compliant Bid as defined in Section 2 above.
- d. Fulfill any other responsibilities as may reasonably adhere to facilitating the implementation of the Program, subject to the Program Manager's inherent and original role as an organization driven by the deliberated priorities of its constituent member municipalities.

5. Roles and responsibilities of the Participating Municipality: ~~As a Participating Municipality~~, the Participating Municipality agrees to:

- a. Sign the 2021+9 ESA in a timely fashion subject to the conditions that:
 - i. the Competitive Supplier is deemed qualified creditworthy for the duration of the 2021+9-ESA by the Qualifications Credit Review, and
 - ii. such Competitive Supplier's response to the energy procurement RFP is deemed by the Program Manager to be a Compliant Bid as defined in Section 2 above.

6. Term and Termination: Memorandum of Understanding shall expire on the earlier of December 31, 2020~~April 30, 2019~~ or the date on which the 2021+9 ESA is signed by the Participating Municipality, the Program Manager, and the selected Competitive Supplier~~three counterparties to the 202019 ESA~~. Participating Municipality shall have the right to terminate this Memorandum of Understanding for any of the reasons set forth in the Termination section of the ESA attached hereto as Exhibit 1.

Signature Page Follows -

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6.

IN WITNESSETH WHEREOF, the ~~Parties~~parties hereto have signed this MEMORANDUM OF UNDERSTANDING on the day and year appearing below their respective signatures.

City/Town/Village of _____
Authorized Official Name and Title: _____

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CCA MOU - CON ED2019-

202019-074-08 DRAFT

Signature: _____

Address: _____

Telephone(s): _____

E-Mail Address: _____

Address for Notices: _____

Sustainable Westchester, Inc.

Authorized Official Name and Title: Steven Rosenthal, Interim Executive Director~~Robert Elliott,~~
~~Executive Director~~

Signature: _____

Address: 40 Green Street~~55 Maple Ave.~~, Mount Kisco, NY 10549990

Telephone(s): (914) 242-4725

E-Mail Address: steve@sustainablewestchester.org~~bellott@sustainablewestchester.org~~

Address for Notices: 40 Green Street~~55 Maple Ave.~~, Mount Kisco, NY 10549

Attachments: Exhibit 1, 202149 ESA Template

3

VILLAGE OF TARRYTOWN
PUBLIC HEARING NOTICE
PROPOSED ZONING MAP AMENDMENT

PLEASE TAKE NOTICE that the Board of Trustees of the Village of Tarrytown will set a public hearing to be held on the 8th day of September, 2020, at 8:00 p.m. in the Municipal Building, One Depot Plaza, Tarrytown, New York 10591, either via in-person meeting, or Zoom Video Conference, depending on the State's directives about gatherings under NY on Pause, to hear and consider the proposed amendment to the Zoning Map of the Village of Tarrytown to rezone that portion of the property located at 62 Main Street, Tarrytown, New York, which is designated on the tax assessment map of the Village of Tarrytown as Section 1.70, Block 33, Lots 23, 23.1, 23.2, from the RR Restricted Retail District to the M-1.5 Multifamily Residence District, to allow for a proposed development at 62 Main Street, (YMCA).

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF TARRYTOWN

Dated: _____, 2020

Richard Slingerland, Village Administrator
Tarrytown Village Hall
One Depot Plaza
Tarrytown, New York 10591
914-631-1785



Source: Westchester County GIS

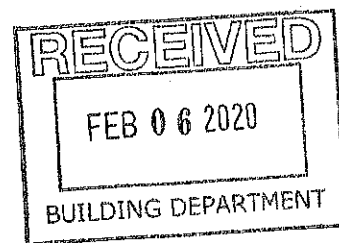
- M-1.5 Zone
- Parcels of 20,000 SF or more
- Municipal Boundary

- (A) Project Site
- (B) 18 N Broadway
- (C) Tarrytown Hall
- (D) Wood Ct
- (E) Tarrytown Community Opportunity Center
- (F) 5 Wood Ct

0 250 500 Feet



BOARD OF TRUSTEES OF THE VILLAGE OF TARRYTOWN
COUNTY OF WESTCHESTER; STATE OF NEW YORK



-----X
In the Matter of the Application of:

WILDER BALTER PARTNERS INC.

PETITION

For amendments to the Zoning Law of the Village of Tarrytown Establishing a Senior Community Floating/Overlay District ("SC Floating/Overlay District"), and to the Zoning Map of the Village of Tarrytown, to rezone the real property at 62 Main Street, designated on the Tax Assessment Map of the Village of Tarrytown as Section 1.70, Block 33, Lots 23, 23.1, 23.2, to SC Floating/Overlay District.

-----X
Wilder Balter Partners Inc. (the "Petitioner"), by its attorneys, DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, hereby petitions the Board of Trustees of the Village of Tarrytown (the "Village Board") pursuant to New York Village Law Section 7-708, as follows:

THE PETITIONER

1. The Petitioner is contract vendee of the property located at 62 Main Street, Tarrytown, New York, which is designated on the tax assessment map of the Village of Tarrytown (the "Village") as Section 1.70, Block 33, Lots 23, 23.1, 23.2 (the "Property"). The Petitioner is a New York business corporation, having a principal place of business at 480 Bedford Road, Building 300, Chappaqua, New York 10514. The Petitioner is a leading residential real estate development firm, specializing in the acquisition, renovation, and development of well-planned residential communities in Westchester County and across New York State.

THE PROPERTY

2. The Property is currently owned by Family YMCA at Tarrytown ("YMCA"), a New York not-for-profit corporation. This Petition is made with the consent of YMCA.

3. The Property consists of approximately 1.12 acres and is located partially in the RR Restricted Retail District of the Village ("RR District") and partially in the M-1.5 Multifamily Residence District of the Village ("M-1.5 District"). The Property is improved with an approximately 52,000 square foot, four-story brick building with 48 single room occupancy units as well as a community recreation center, and with approximately 42 on-grade parking spaces. A copy of a Survey dated October 19, 1998, and updated through March 9, 2001, showing the existing conditions on the Property, is attached hereto as **Exhibit "A"**.

4. The Property has frontage on Main Street with one side yard adjoining Windle Park and the other side yard adjoining the Village's South Washington Street Municipal Parking Lot (the "Municipal Lot"). The rear yard adjoins a multi-family building with associated parking, which is also located in the M-1.5 District.

5. Across the street from Windle Park is a three-story multi-family condominium development that was constructed in or around 1987, consisting of multiple attached buildings and on-grade parking, and located within the M-1 Multifamily Residence District of the Village.

6. The area of Main Street on which the Property is located is pedestrian friendly, with retail stores, restaurants, and personal service establishments accessible by existing sidewalks and within walking distance of the Property.

THE PROPOSED PROJECT

7. The Petitioner proposes to demolish the existing improvements on the Property except the historic four (4) story brick building with frontage on Main Street (the "Historic Building"), and a portion of the adjoining two (2) story building west of the Historic Building.

8. The Petitioner intends to adaptively re-use the Historic Building as part of a new affordable, mixed income, senior multi-family community with occupancy limited to persons

who are 55 and over as permitted by, and in compliance with, the Housing for Older Person Act of 1995 and other applicable federal laws and regulations for "housing for older persons" (the "Project"). The Project would be developed in compliance with the Westchester County Affordable Housing Program and the Village's affordable housing requirements in §305-130 of the Zoning Law. All of the Project dwelling units will be made available for rent to households with incomes at 40% to 80% of the Westchester County area median income.

9. The Project building would be approximately 50 feet and four stories high, and contain approximately 109 dwelling units, with 15 efficiency/studio units and 94 one-bedroom units. The size of the efficiency/studio units would be at least 450 square feet and the size of the one-bedroom units would be at least 650 square feet. The Petitioner would relocate the residents of the 48 single room occupancy units of the existing building to the new Project building.

10. The Project building would also include a parking structure in which approximately 70 parking spaces would be for shared municipal and Project visitor parking (the "Municipal Spaces")¹, and approximately 118 parking spaces on two below ground levels would be reserved for residents. The Municipal Spaces would be located on the ground level of the structure, and be directly accessible from the Municipal Lot. A conceptual plan of the Project with a conceptual building elevation from Windle Park is attached as **Exhibit "B"**.

11. While multifamily dwellings are permitted in the M-1.5 District, the dimensional regulations of that district (and of the RR District in a which a portion of the Property is located) would not permit the Project as proposed.

¹ The Petitioner proposes to enter into an agreement with the Village pursuant to which the Village will be responsible, at its expense, for the maintenance of the Municipal Spaces.

3

THE PROPOSED AMENDMENTS TO THE ZONING LAW AND ZONING MAP

12. Accordingly, to permit the Project, the Petitioner respectfully requests that the Village Board adopt amendments to the Zoning Law of the Village of Tarrytown (the "Zoning Law") to add multifamily dwellings in which at least 80% of the dwelling units must be occupied by one person 55 years of age or older as a new use to be known as a "Senior Community," and add a new floating/overlay zoning district to be known as the "SC Floating/Overlay Zone" (the "SC Zone"), in which Senior Community use would be permitted, and which would contain the location criteria for applying the SC Zone, and the specific use, dimensional, and parking requirements for a Senior Community, including that a Senior Community is subject to the affordable housing requirements in §305-130 of the Zoning Law. The proposed amendments to the Zoning Law (the "Amendments") are set forth in **Exhibit "C"** attached hereto.

13. The SC Zone is proposed to be permitted only in an underlying M-1.5 District. Since the Property is partially within the RR District, the Petitioner also requests that Village Board first amend the Zoning Map of the Village of Tarrytown (the "Zoning Map") to rezone that portion of the Property to M-1.5 District, and then amend the Zoning Map to rezone the entire Property to SC Zone.

14. Petitioner respectfully submits that the adoption of the Amendments and rezoning of the Property will permit appropriate redevelopment of the Property to meet the market demand for affordable senior housing facilities, which allow seniors to remain in the community without the need to maintain a home that no longer serves their needs. Senior facilities do not impact public schools, and do not require municipal services different in kind or degree than other multi-family residences. The real property taxes generated by the proposed Project to the Village and the Union Free School District of the Tarrytowns are therefore expected to exceed

the costs to both taxing jurisdictions. Seniors also have a greater than average purchasing power that supports local retailers, restaurants, and service providers, thereby bolstering the local economy.

15. In addition to the Property, five (5) other properties would be eligible for rezoning to the new SC Zone: 18 North Broadway (condominiums), 20 Wood Court (Tarrytown Hall Care Center), Wood Court (multifamily), 105 Wildey Street (Tarrytown Community Opportunity Center), and 5 Wood Court (multifamily). A map showing the Property and the other parcels that would be eligible for application of the SC Floating Zone is attached as **Exhibit "D"**.

16. The Comprehensive Plan of the Village adopted on November 19, 2018 (the "Comprehensive Plan") seeks to "ensure housing stock supports a diverse and multi-generational community" and to "facilitate the creation of alternative and affordable housing types." In particular, the Comprehensive Plan states as follows:

Drawing from a range of high-density housing and inclusionary zoning strategies including floating zones and mixed-use zoning as well as mixed income housing, age-restricted models, and novel typologies such as live-work spaces or micro-units, the Village and its housing can help create places that serve a wider range of residents while preserving the balance of built and open space. New housing for seniors can offer a way for long-time residents to remain a part of the community without continuing to occupy and maintain a single-family property.

17. The Petitioner respectfully submits that the adoption of the proposed Amendments, rezoning of the Property, and development of the Project would further the goals and objectives set forth in the Comprehensive Plan. Allowing for future redevelopment of the other properties would also advance the Village's goal of providing the opportunity for the repurposing of underutilized institutional buildings throughout the Village as affordable senior housing.

3

COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

18. Under the regulations of the State Environmental Quality Review Act ("SEQRA") the actions directly and indirectly proposed by this Petition are classified as "Unlisted." Accordingly, the Petitioner will comply with the requirements of SEQRA as regards an Unlisted Action. A completed full environmental assessment form dated January 9, 2020, is attached hereto as Exhibit "E".

WHEREFORE, the Petitioner respectfully requests that the Village Board grant this Petition and adopt the proposed amendments to the Zoning Law and Zoning Map set forth herein.

Dated: January 10, 2020
White Plains, New York

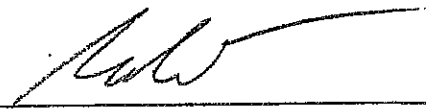
Respectfully submitted,

DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP
Attorneys for Petitioner
One North Lexington Avenue, 11th floor
White Plains, New York 10601

VERIFICATION

State of New York)
)ss.:
County of Westchester)

William G. Balter, the President of Petitioner WILDER BALTER PARTNERS INC.,
being duly sworn states: I have read the annexed Petition, know the contents thereof, and the
same are true to my knowledge, except those matters therein which are stated to be alleged on
information and belief and as to those matters I believe them to be true.



William G. Balter

Sworn to before me this 8th day
of January 8, 2020



Notary Public

Christine A. Crisci
Notary Public, State of New York
LIC # 01CR6365109
Qualified in Westchester County
Comm. Exp. September 25, 2021

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- A. Survey of Property
- B. Conceptual Plan and Conceptual Building Elevation
- C. Proposed Amendments
- D. Proposed SC Zone Parcels
- E. Full EAF

PROPOSED ZONING AMENDMENTS

1. Amend Village Code Chapter 305, Section 305-5(B) to insert the following new definition:

Senior Community:

A multifamily dwelling in which at least 80% of the dwelling units must be occupied by one person 55 years of age or older. A Senior Community shall be subject to and comply with the Housing for Older Persons Act of 1995 and any other applicable federal laws and regulations for "housing for older persons." Senior Community shall not include assisted-living facilities or congregate housing.

2. Amend Village Code Chapter 305, Section 305-6 to add "SC Floating/Overlay" to the first column of the list of districts and "SC" to the second column of the list of districts.
3. Amend Village Code Chapter 305 to add new Section 305-33-1 entitled "SC Floating/Overlay Zone," as follows:

A. Introduction.

By action of the Board of Trustees, qualifying land in the M-1.5 district may be rezoned to the SC Floating/Overlay Zone, either on application of the land owner or upon the initiative of the Board of Trustees. Upon rezoning, the SC Floating/Overlay District shall be in addition to and shall overlay the M-1.5 district so that the land in the SC Floating/Overlay District shall also be in the M-1.5 district. The effect is to create a new district which has the characteristics and limitations of the M-1.5 district and the SC Floating/Overlay District. A Senior Community in the SC Floating/Overlay District shall be subject to the following use, dimensional and other provisions of the following regulations and not the regulations of the M-1.5 district including the requirements in the Zoning Schedule for Multifamily Residence Districts (305 Attachment 6) or any conflicting provisions of this Chapter.

B. Location/Qualifying Criteria.

- (1) A Senior Community shall be located on a lot having a minimum lot area of 20,000 square feet, either in one lot or an assemblage of contiguous lots held under common ownership as of [the date of adoption of the local law].
- (2) A Senior Community shall be located on a lot served by public water and sanitary sewer facilities.

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C. Additional Requirements. The following requirements and standards, shall apply to a Senior Community:

- (1) A Senior Community shall be subject to §305-130 of this Chapter regarding affordable housing.
- (2) The maximum building height shall be 52 feet and 4 stories.
- (3) The maximum building coverage shall be 85%, and the maximum coverage of all buildings, structures, and paved areas shall be 90% of the total lot area.
- (4) There shall be no minimum required yards and the Planning Board shall in its discretion determine the appropriate setback of buildings and parking areas, except that there shall be a minimum 5-foot setback of buildings from the boundary of any public street. Appropriate buffer screening shall be installed within any required setback area adjoining a property in a residential zoning district, to the extent deemed appropriate by the Planning Board.
- (5) The maximum floor area ratio shall be 2.0, except that the maximum floor area ratio shall be 2.5 for any Senior Community in which 100% of the dwelling units are affordable to a household whose income does not exceed 80% of the Westchester County Area Median Income (AMI). Gross residential floor area of a Senior Community shall be calculated in accordance with §305-26 of this Chapter, except garages and building areas devoted to parking shall not be included in the calculation of gross residential floor area or floor area ratio.
- (6) The minimum gross floor area of efficiency (studio) apartments shall be 450 square feet, and the minimum gross floor area of a one-bedroom unit shall be 650 square feet. The maximum number of bedrooms in a dwelling unit shall be 3.
- (7) Minimum recreation/open space per dwelling unit shall be 35 square feet, and may consist of any combination of at-grade open space and resident amenities such as a community room or other resident amenity space, including rooftop amenity space.
- (8) A minimum of 1 parking space shall be provided for each efficiency/studio or one-bedroom dwelling unit, plus .25 space for each additional bedroom.

Kathy Deufemia

From: Joshua Ringel
Sent: Monday, August 3, 2020 4:07 PM
To: Kathy Deufemia; Richard Slingerland
Subject: Fwd: 10 year anniversary of FD deaths

Kathy

Please add this to the agenda for Aug 12

Josh Ringel
Assistant Village Administrator
Village of Tarrytown
1 Depot Plaza
Tarrytown, NY 10591

Sent from My iPhone

From: Bryan Meade <bmeade@tarrytownfd.org>
Sent: Tuesday, July 28, 2020 2:00:55 PM
To: Richard Slingerland <rslingerland@tarrytowngov.com>; Joshua Ringel <Jringel@tarrytowngov.com>
Cc: Drew Fixell <dfixell@tarrytowngov.com>; Rick Tucci <RTucci@tarrytownfd.org>; Kelly Murphy <kmurphy@tarrytownfd.org>; Jim Riley <jriley@tarrytownfd.org>
Subject: 10 year anniversary of FD deaths

[EXTERNAL] This email is from outside the Village of Tarrytown - Please use caution when opening links and attachments!

Rich:

The fire department is requesting a street closure in front of main street firehouse for a memorial ceremony for the 10 year anniversary of the deaths of firefighters John Kelly and Anthony Ruggerio. We would like to have the section from Windle Park to Washington street closed from 9am to 12pm Sunday September 6th.

We also invite all village officials to attend and maybe say a few words if comfortable doing so. We will be placing a wreath, ringing a bell for the fallen firefighters, saying a few words and a brief reception afterwards at Main street firehouse for the Ruggerio and Kelly familys.

All appropriate masking and distance measures will be followed. Please respond with any questions. Thanks

Bryan J. Meade
Chief Engineer
Tarrytown Fire Department

The U.S. Constitution requires that everyone living in the United States is counted every 10 years -we all count.

<https://2020census.gov/en/who-to-count.html>



TOWN of GREENBURGH

OFFICE OF THE SUPERVISOR

177 Hillside Avenue Greenburgh, New York 10607
(914) 989-1540 Office (914) 993-1541 Fax (914) 478-1219 Home
Web Site www.greenburghny.com
E-Mail - pfeiner@greenburghny.com

BOT 8
RECEIVED

JUL 27 2020

TARRYTOWN VILLAGE ADMINISTRATOR

PAUL J. FEINER
Supervisor

July 17, 2020

To: Mayors/Town Supervisors

I would appreciate your reaching out to members of the Westchester delegation of the State Legislature supporting this proposed law. If new condos and co-ops would be taxed at the residential rate - local governments and school districts would be able to generate more revenue from these developments, helping us offset COVID related revenue shortfalls. Approving new condos and co-ops that are not taxed at residential rates does not generate the revenue we all need.

The legislation has a chance to be approved this session if we all work hard. Please give this your priority attention.

Sincerely,

Paul J. Feiner
Town Supervisor

PJF:ca

Cc: Executive Director, NYS Association of Towns
Executive Director, NYS Conference of Mayors
Executive Director, NYS Association of Counties

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RECEIVED
JAN 13 2021
LEGISLATIVE COUNCIL

BILL NUMBER: A5221A (Galef) / S7057 (Carlucci)

PURPOSE OR GENERAL IDEA OF BILL:

The purpose of this legislation is to allow municipal corporations to value newly constructed and converted cooperative and condominium units as they would for real property to alleviate any negative impacts placed on the locality by the current statute.

JUSTIFICATION:

As currently written, the Real Property Tax Law and the Real Property Law does not allow the sum of the assessments of individual cooperative or condominium units to exceed the value of the entire complex if it was valued as a single entity. The restriction tends to reduce condominium and cooperative assessments by preventing the use of sales of units in the assessment process. The Office of Real Property Services, assessors and other local officials generally consider the restrictions an unreasonable state mandate that unfairly limits the revenue-raising abilities of local governments. Assessors and appraisers also cite the difficulties they encounter when they are forced to ignore market information—usually the best indicator of value in developing estimates of taxable value. This bill would allow municipal corporations to value newly constructed and converted cooperative and condominium units as they would other real property to alleviate any negative impacts placed on the locality by the current statute.

EFFECTIVE DATE:

This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2021.

INTER-MUNICIPAL AGREEMENT

AGREEMENT, made _____, 20__ by and between

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601,

(hereinafter referred to as the "County")

and

THE VILLAGE OF TARRYTOWN, a municipal corporation of the State of New York, acting by and through the Village of Tarrytown Police Department, having an office and place of business at One Depot Plaza, Tarrytown, New York 10591.

(hereinafter referred to as the "Municipality")

WHEREAS, the County has implemented a system called Westchester County Repository for Integrated Criminalistic Information ("RICI System") to allow for the electronic transmission and storage of criminal record and police blotter information; and

WHEREAS, the type of information that is transmitted and stored on the system includes, but is not limited to, information related to a subject's arrest, booking, detention or incarceration including name, address, social security number, physical description, telephone number, fingerprints, palm-prints, photographs, and related data; and

WHEREAS, the information is stored chronologically on a central computer maintained by the County and is shared by multiple law enforcement agencies having access to the system; and

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WHEREAS, the Municipality is desirous of obtaining access to the RICl System and receiving supplemental computer services from the County; and

WHEREAS, the County agrees to provide such services upon the terms described below.

NOW, THEREFORE, in consideration of the mutual representations, covenants and agreements herein set forth, the County and the Municipality, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

FIRST: The County agrees:

(a) To provide and maintain a computer system and related equipment that will allow for the electronic transmission and storage of records relating to a subject's arrest, booking, detention or incarceration including name, address, social security number, physical description, telephone number, fingerprints, palm-prints, photographs, and related data. The system will allow for the two-way transmission of data between the Municipality, the County, the New York State Division of Criminal Justice Services ("DCJS") and other law-enforcement agencies.

(b) To maintain all parts of the RICl System under County control. The portion of the system "under County control" means the hardware or software associated with the central computer. "Maintenance" generally means support, upkeep, repair and periodic duplication or "back-up" of Municipality records in order to safeguard the data. Maintenance will be provided 24 hours per day, 365 days per year. The County will take reasonable measures to prevent or correct system trouble. "System trouble" is generally defined as the non-ability of any Municipality RICl System workstation to send or receive data from the central computer. If the County determines any system trouble to be within the portion of the system under Municipality

control, or within the jurisdiction of a third party, it will make appropriate notification to the Municipality or to such third party. The portion of the system "under Municipality control" means the hardware or software contained within the Municipality computer network. The "jurisdiction of a third party" means any hardware or software that is not within that portion of the system under County control or under Municipality control.

(c) To provide management control over the RICI System.

"Management control" means the authority to set and enforce (1) priorities; (2) standards for the selection, supervision, and termination of personnel in its employ; and (3) policy governing the operation of computers, circuits and telecommunications terminals or equipment used to process, store, or transmit criminal justice data, and guarantees the priority service needed by the criminal justice community. Management control includes, but is not limited to, the supervision of equipment, system design, programming, and operating procedures necessary for the exchange of criminal justice data.

(d) That authorized Municipality employees and authorized employees from other user law enforcement agencies may access, view or print any record contained in the RICI System relating to a subject's arrest, booking, detention or incarceration including name, address, social security number, physical description, telephone number, fingerprints, palm-prints, photographs, and related data. Access by Municipality employees is strictly for business purposes relating to an official law enforcement function or to the administration or maintenance of the system. Any data so accessed may be used or disseminated only in accordance with all applicable federal, state or local laws or applicable rules and regulations, taking into account the type of record being used or disseminated including designation as adult, juvenile delinquent, sealed or similar restricted status.

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(e) That all County employees having access to RICl System data have been the subject of a criminal background check for the purpose of ascertaining fitness to access criminal justice and police blotter information. The Department of Public Safety will determine the criteria to be used in ascertaining such fitness. Any person not meeting such criteria will be denied access to RICl System data.

(f) That all Municipality records maintained on the RICl System are owned by the Municipality. The Municipality will enter or edit its own records and has sole responsibility for the proper designation of its records as adult, juvenile delinquent, sealed or similar restricted status. The Municipality has sole responsibility for compliance with all court processes pertaining to any Municipality record contained in the system. The County will not enter or edit Municipality records, except at the request of the Municipality or as necessary for the administration or maintenance of the system.

SECOND: The Municipality agrees:

(a) To provide and maintain a computer system and related equipment that will allow for the electronic capture and transmission of records relating to a subject's arrest, booking, detention or incarceration including name, address, social security number, physical description, telephone number, fingerprints, palm-prints, photographs, and related data. The system will allow for the two-way transmission of data between the Municipality, the New York State Division of Criminal Justice Services ("DCJS") and other law-enforcement agencies.

(b) To maintain all parts of the RICl System under Municipality control. The portion of the system "under Municipality control" means the hardware or software associated with the Municipality computer network. The Municipality will take reasonable measures to prevent or correct system trouble. "System trouble" is

generally defined as the non-ability of any Municipality RICI System workstation to send or receive data from the central computer. If the Municipality determines the trouble to be within the portion of the system under County control, or within the jurisdiction of a third party, it will make appropriate notification to the County or to such third party. The portion of the system "under County control" means the hardware or software associated with the central computer. The "jurisdiction of a third party" means any hardware or software that is not within that portion of the system under Municipality control or under County control.

(c) To provide supervision and control over that portion of the RICI System under Municipality control. The term "supervision and control" generally means, but is not limited to, maintenance of security for terminals used to access RICI System data and the exercise of reasonable measures to ensure that only authorized personnel access criminal justice and police blotter information contained in the system.

(d) That authorized County employees and authorized employees from other user law enforcement agencies may access, view or print any record contained in the RICI system relating to a subject's arrest, booking, detention or incarceration including name, address, social security number, physical description, telephone number, fingerprints, palm-prints, photographs, and related data. Access by County employees is strictly for business purposes relating to an official law enforcement function or to the administration or maintenance of the system. Any data so accessed may be used or disseminated only in accordance with all applicable federal, state or local laws or applicable rules and regulations, taking into account the type of record being used or disseminated including designation as adult, juvenile delinquent, sealed or similar restricted status.

10

(e) That all Municipality employees having access to RICI System data have been the subject of a criminal background check for the purpose of ascertaining fitness to access police blotter and criminal justice information. The Department of Public Safety will determine the criteria to be used in ascertaining such fitness. Any person not meeting such criteria will be denied access to RICI System data.

THIRD: The Municipality agrees

(i) That except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of the County, the Municipality shall indemnify and hold harmless the County, its officers, employees, agents and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of this Agreement; and

(ii) To provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement, unless caused by or resulting from the negligence of the County, and to bear all other costs and expenses related thereto.

FOURTH: The term of this Agreement will commence August 1st, 2020 and terminate July 31st, 2025, unless terminated earlier as provided herein.

FIFTH: Either party may cancel this Agreement on thirty (30) days written notice to the other party.

10

SIXTH: This Agreement shall not be enforceable unless signed by the parties and approved by the Office of the County Attorney.

SEVENTH: All notices given pursuant to this agreement shall be in writing and effective on mailing. All notices shall be sent by registered or certified mail, return receipt requested or by overnight courier and mailed to the following addresses:

To The County:

Thomas A. Gleason
Acting Commissioner - Sheriff of Public Safety
1 Saw Mill River Parkway
Hawthorne, New York 10532

With a copy to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

To The Municipality:

Village of Tarrytown
One Depot Plaza
Tarrytown, New York 10591

or to such other addresses as may be specified by the parties hereto in writing.

EIGHTH: This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, comments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

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NINTH: This Agreement is entered into solely between, and may be enforced only by, the County and the Municipality; and this Agreement shall not be deemed to create any rights in third parties, or to create any obligations of a Party to any such third parties.

TENTH: Any delegation of duties or assignment of rights under this Agreement, without the prior express written consent of the County, is void.

ELEVENTH: The Agreement shall be construed and enforced in accordance with the laws of the state of New York.

IN WITNESS WHEREOF, the County and the Municipality have executed
this Agreement in triplicate:

COUNTY OF WESTCHESTER

By: _____
Thomas A. Gleason
Acting Commissioner-Sheriff
Department of Public Safety

By: _____
Name: _____
Village of Tarrytown

Approved by the Board of Legislators of the County of Westchester on March 12, 2018
by Act No. 2018-22.

Approved by the Board of Acquisition and Contract of the County of Westchester on the
29th day of March, 2018.

Approved as to form and
manner of execution:

Sr. Assistant County Attorney
The County of Westchester

S:\Con\CARP\DPS\RICI IMA 2018

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MUNICIPALITY'S ACKNOWLEDGMENT

STATE OF NEW YORK)

) ss.:

COUNTY OF WESTCHESTER)

On this _____ day of _____, 20____, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she is the _____ of _____, the municipal corporation described in and which executed the within instrument, who being by me duly sworn did depose and say that he/she executed the same in his/her capacity, and that by his/her signature(s) on the instrument, the municipal corporation executed the instrument.

Notary Public

County

10

CERTIFICATE OF AUTHORITY
(Municipality)

I, _____,
(Officer **other than** officer signing contract)

certify that I am the _____ of the
(Title)

(Name of Municipality)

(the "Municipality"), a corporation duly organized and in good standing under the

(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement; that _____,
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution

_____ of the Municipality, and that said
(Title of such person),

agreement was duly signed for and on behalf of said Municipality by authority of its

_____, thereunto duly authorized and
(Town Board, Village Board, City Council)

that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this _____ day of _____, 20____, before me, the undersigned,
personally appeared _____, personally known to me or
proved to me on the basis of satisfactory evidence to be the individual whose name is
subscribed to the above certificate and acknowledged to me that he/she executed the
above certificate in his/her capacity
as _____ of _____,
(Title) (Municipality)
the municipal corporation described in and which executed the within instrument.

Notary Public

County

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SCHEDULE "B"

STANDARD INSURANCE PROVISIONS
(Municipality)

1. Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

10

2 The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

- a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

- b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- i. Premises - Operations.
- ii. Broad Form Contractual.
- iii. Independent Contractor and Sub-Contractor.
- iv. Products and Completed Operations.

- c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

- d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

- (i) Owned automobiles.
- (ii) Hired automobiles.
- (iii) Non-owned automobiles.

10

3. All policies of the Municipality shall be endorsed to contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

THIS LICENSE AGREEMENT made the _____ day of _____, 2020
by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601
(hereinafter the "County")

and

THE VILLAGE OF TARRYTOWN, a municipal corporation of the State of New York, having an office and place of business at One Depot Plaza, Tarrytown, New York 10591
(hereinafter the "Licensee")

WITNESSETH:

WHEREAS, the County is operating a new version of its longtime hotline system, which will perform the same function as the old system: facilitating the speedy communication of information, coordination of operations, and the like between the County and various other municipal entities when circumstances necessitate such action (the "Hotline"); and

WHEREAS, the County's new Hotline system is based upon voice over Internet protocol ("VOIP") technology; and

WHEREAS, it is in the interests of the County to ensure that each appropriate municipal entity that desires to be included in the new Hotline system be able to do so; and

WHEREAS, in order to do so, the County has determined that it must make available to each such municipal entity certain VOIP-related equipment that will facilitate its participation in the new Hotline system; and

WHEREAS, the Licensee desires to be included in the new Hotline system and to have access to the equipment necessary for it to do so, in order to enable participation by its **POLICE DEPARTMENT**.

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the parties agree as follows:

1. DESCRIPTION

The County hereby grants to the Licensee, and the Licensee hereby accepts from the

County, a License for the Licensee to use certain equipment of the County (the "Equipment"), as specified below. The County is providing the Licensee with the License for the Equipment for the purpose of facilitating the Licensee's participation in the Hotline. Accordingly, the Equipment shall be used by the Licensee solely for its participation in the Hotline, unless otherwise permitted or directed, in writing, by the County's Chief Information Officer or her duly authorized designee (the "Chief Information Officer").

2. THE EQUIPMENT

The Equipment licensed hereunder shall be that which is specified in Schedule "A", which is attached hereto and made a part hereof. Schedule "A" shall be subject to revision from time to time by the parties to this License Agreement. Each such revision shall take effect, a.) in the case of the deletion of equipment from said list, upon the County's receipt and acceptance of such equipment from the Licensee, and b.) in the case of the addition of equipment to said list, upon the Licensee's receipt and acceptance of such equipment from the County.

The parties acknowledge and agree that there are items that are not specifically listed in Schedule "A" of this License Agreement that shall nevertheless also be considered Equipment that is licensed to the Licensee under this License Agreement, such as various cords, power adaptors, and the like that may be necessary for the proper installation and/or operation of the listed Equipment.

All Equipment returned to the County shall be returned in the same, operable condition that it was in upon the Licensee's receipt of it, ordinary wear and tear excepted.

The County makes no warranties, express or implied, as to the Equipment and assumes no responsibility for the condition of the Equipment. The Licensee will accept the Equipment "As Is" and "With All Faults", in the condition existing as of the date of the Licensee's receipt of the Equipment from the County.

3. TERM AND TERMINATION

The License shall commence upon execution of this License Agreement and shall continue until either party terminates the License pursuant to the terms of this License Agreement.

Either party may, at any time, and for any reason or no reason, immediately upon written notice to the other party, terminate this License Agreement. Upon such termination, the Licensee shall immediately return the Equipment to the County.

4. CONSIDERATION FROM THE LICENSEE

In consideration of the License, the Licensee shall provide space for the Equipment, which shall be adequate and suitable for the Equipment, (the "Equipment Space") and provide, at its sole cost and expense, everything that is or may be necessary to make the Equipment operative and keep it available for use for the Licensee's participation in the Hotline, including,

without limitation, electricity and Internet access.

5. CONDITION AND SAFETY OF THE EQUIPMENT SPACE

The Licensee represents and warrants that the Equipment Space is in a safe condition and in a state of good repair, such that it is suitable and safe for the Equipment and any and all persons who may use or otherwise interact with the Equipment.

6. INDEMNIFICATION

(a) The Licensee agrees that the Licensee shall indemnify and hold harmless the County, and its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of this License Agreement, including without limitation the performance or failure to perform hereunder by the Licensee or third parties under the direction or control of the Licensee.

(b) The Licensee further agrees to provide defense for and defend, at its sole expense, any and all claims, demands, or cause of action directly or indirectly arising out of this License Agreement and to bear all other costs and expenses related thereto.

(c) In the event the Licensee does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of this Section 6, then the Licensee shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this Section 6 of this License Agreement.

7. COMPLIANCE WITH LAWS, RULES, AND REGULATIONS

The Licensee shall comply, at its own expense, with all applicable federal, state and local laws, rules, regulations, orders, executive orders, ordinances, and all other sources of lawful authority (including, but not limited to, those applicable to the Licensee as an employer of labor) with regard to this License Agreement, the Equipment, and the Equipment Space.

8. NO LEASE

It is expressly understood and agreed that the Equipment is not being leased to the Licensee and no property right whatsoever is being given or transferred to the Licensee.

9. ENTIRE AGREEMENT AND MODIFICATION

This License Agreement and its attachments constitutes the entire agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments, and writings. This License Agreement shall not be released, discharged, changed, or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

10. NON-WAIVER

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Failure of the County to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment of such term or condition for the future, but the same shall remain in full force and effect. No waiver by the County of any provision hereof shall be implied.

11. COUNTERPARTS; GOVERNING LAW; VENUE; SEVERABILITY

This License Agreement may be executed simultaneously in multiple counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

This License Agreement shall be construed, interpreted, and enforced in accordance with the laws of the State of New York. In addition, the parties hereby agree that any cause of action arising out of this License Agreement shall be brought in the County of Westchester.

If any term or provision of this License Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this License Agreement shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision shall be interpreted and enforced to give effect to the original written intent of the parties prior to the determination of such invalidity or unenforceability.

12. NO ASSIGNMENT

The Licensee shall not make any delegation or assignment of, or otherwise transfer or dispose of, all or any part of this License Agreement, including any duties or rights hereunder, without the prior express written consent of the County, subject to any necessary legal approvals. Any purported delegation, assignment, or other such action by the Contractor regarding this Agreement without the prior express written consent of the County is void.

13. DAMAGE, LOSS, THEFT, OR DESTRUCTION OF THE EQUIPMENT.

In the event of any damage to, or loss, theft, or destruction of, the Equipment, the Licensee shall, immediately upon the discovery thereof, notify the County both by phone, to such number as the County may designate in advance, and in writing, to the addresses specified below, and take action with respect to the Equipment in accordance with instructions of the County. Without limiting the applicability of any other provision of this Agreement, the Licensee shall, in the event of such damage, loss, theft, or destruction, be responsible for the full replacement value of the affected Equipment.

14. HEADINGS

The headings herein are inserted for the convenience of the parties only and shall not be deemed a part of this License Agreement.

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15. APPROVALS

This License Agreement shall not be enforceable until it is signed by both parties and approved by the Office of the Westchester County Attorney.

16. NOTICES

All notices, requests, demands, or other communications required or permitted to be given hereunder shall be in writing and shall be deemed given when delivered by hand or mailed postage prepaid, certified mail, return receipt requested, to the addresses as set forth below or to such other addresses as the respective parties hereto may designate in writing pursuant to this paragraph. Notices shall be sent to the following:

To the County: Chief Information Officer
 Department of Information Technology
 148 Martine Avenue, 3rd Floor
 White Plains, New York 10601

With a copy to: County Attorney
 148 Martine Avenue, 6th Floor
 White Plains, New York 10601

To the Licensee: The Village of Tarrytown
 One Depot Plaza
 Tarrytown, New York 10591

[NO FURTHER TEXT ON THIS PAGE]

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IN WITNESS WHEREOF, the County of Westchester and the Licensee have duly executed this License Agreement.

THE COUNTY OF WESTCHESTER

By: _____
Marguerite Beirne
Chief Information Officer
Department of Information Technology

THE VILLAGE OF TARRYTOWN

By: _____
Name:
Title:

☐ By checking this box, I, as the above signatory for the Licensee, hereby state affirmatively that the Licensee for which I have signed this License Agreement, will provide the County with an electronically scanned image of this signature page, by electronic mail or facsimile machine, which the Licensee understands and agrees that the County will print and use for execution, and which the parties will thereafter use for all legal purposes for this License Agreement. Accordingly, the Licensee, as part of the terms of this License Agreement, hereby waives any and all claims regarding the sufficiency of the signature on this page that it will provide by said electronic means.

Authorized by the Board of Acquisition and Contract of the County of Westchester on the 23rd day of April, 2020.

Approved as to form and manner of execution

Senior Assistant County Attorney
County of Westchester

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SCHEDULE "A"
THE EQUIPMENT

The Equipment shall, at the commencement of the term of this License Agreement, include the following:

- 1.) One (1) Voice Over Internet Protocol (VOIP) telephone
- 2.) One (1) router

