

Resolution offered by Mayor Spinello and seconded by _____

LOCAL LAW 04-2017

A LOCAL LAW TO REPEAL CHAPTER 263 OF THE GLEN COVE CITY CODE AND REPLACE IT WITH A NEW CHAPTER 263 FOR THE PURPOSE OF IMPLEMENTING NEW REGULATIONS AND PROCEDURES FOR THE ISSUANCE OF A PERMIT FOR THE REMOVAL OF TREES

BE IT ENACTED by the City Council of the Glen Cove that a new Chapter 263 entitled, “A Local Law to replace Chapter 263 of the Glen Cove City Code and replaced it with a new Chapter 263 for the purpose of implementing new regulation and procedures for the issuance of a permit for the removal of trees as follows:

SECTION 1: The purpose of this Local Law is to replace the previously enacted Chapter 263 of the Glen Cove City Code regarding the regulation and the removal of trees. The City Council recognizes that the issuance of a tree permit for the removal of trees requires the City to respond to the needs of the homeowner faster than the previous regulation or law provided. Accordingly, in order to respect the property rights and interests of all homeowners in the City of Glen Cove, this Local Law seeks to achieve a balance between those who need to remove trees and those who seek to preserve them.

SECTION 2: To achieve these stated goals, Chapter 263 of the Glen Cove City Code is hereby repealed in its entirety and replaced with new Chapter 263 which shall now read as follows:

263-1. Definitions.

Whenever used in this chapter, the following terms shall have the meaning indicated:

APPLICANT — The owner of real property or the duly authorized agent of such owner.

BOARD — The Planning Board of the City of Glen Cove

CITY — The City of Glen Cove.

Department of Public Works — The Department of Public Works of the City of Glen Cove.

DIAMETER AT BREAST HEIGHT (DBH) — The tree trunk diameter measured in inches at a height of 4 1/2 feet above the ground. If a tree splits into multiple trunks below 4 1/2 feet, then the trunk is measured at its most narrow point beneath the split.

EMERGENCY — Any condition in which the continued existence of any tree or portion of any tree shall represent an imminent danger to human life, welfare, physical health or property.

HABIT — The natural growing characteristics of any tree, and includes branch spread and distribution, branch height above ground and root spread and distribution.

PERSON — Any individual, firm, partnership, association, corporation, company, limited-liability company, public agency, public utility, organization or entity of any kind or agent thereof.

REAL PROPERTY — All improved and unimproved property, whether or not subject to subdivision and development, and including lands owned by the City.

SPECIMEN TREE —

A. Any tree which equals or exceeds the following diameter sizes:

(1) Large hardwoods, as defined and categorized by the National Arborist Association, which are 30 inches DBH or larger.

(2) Large softwoods, as defined and categorized by the National Arborist Association, which are 36 inches DBH or larger.

(3) Ornamental trees, as defined and categorized by the National Arborist Association, which are eight inches DBH or larger.

B. A lesser-size tree can be considered a specimen by the Department of Public Works if it is a rare or unusual species, of exceptional quality or of historical significance.

C. A lesser-size tree can be considered a specimen by the Department of Public Works if it is specifically used by a builder, developer or design professional as a focal point in a project or landscape.

SUBDIVISION — The subdivision of any parcel of land into two or more lots, sites or other divisions of land for the purpose, whether immediate or future, of transfer of ownership or building development, with or without streets, in conformity with state law, and including resubdivision.

SUBSTANTIAL ALTERATION — Any cutting, pruning, elevating or other alteration of the habit of a tree which endangers the life of such tree or includes unnecessary cutting of top branches (topping), cutting of major lower limbs (elevating) or drastic pruning, and shall not include customarily accepted ornamental procedures.

TREE — Any woody plant having at least one well-defined trunk of at least four inches DBH.

TREE COMPANY — Any business organization that removes or services trees.

TREE REMOVAL — Any intentional act or conduct which causes the tree to die after the Department of Public Works of said act or conduct, including but not limited to damage inflicted upon the root system or trunk as the result of:

A. Improper use of machinery on the trees.

B. Storage of materials in or around the tree.

C. Soil compaction.

D. Altering the natural grade to expose the roots or cover the trunk, permitting the infection or infestation of the tree by pests, fungus or harmful bacteria.

E. Excessive harmful pruning.

F. Paving with concrete, asphalt or other impervious surfaces within such proximity as to be harmful to the tree.

G. Application of herbicides or defoliant to any tree without first obtaining a permit from the approving agency.

§ 263-2. Prohibited acts.

A. No person shall perform, or cause to be performed, a tree removal act on any tree on private property with a DBH of eight inches or greater without first obtaining approval from the Department of Public Works as hereinafter prescribed and a tree removal permit, which said permit shall be issued by the Department of Public Works Administrator.

B. This section shall not apply in an emergency situation as defined in this chapter.

§ 263-3. Permits for tree removal.

A. Before performing, or causing to be performed, a tree removal act on a tree with a DBH of eight inches or greater, a person shall submit an application for a tree removal permit to the Department of Public Works by delivering the same to the Department of Public Works Administrator. The application shall be made on such form as may be prescribed by the Department of Public Works and shall include, but not be limited to, the following:

(1) The name and address of applicant and owner.

(2) Purpose of proposed tree removal.

(3) Site of proposed tree removal.

(4) An attached sketch or plan of the area where the proposed tree(s) to be removed is/are located indicating the following:

(a) Existing trees on the site, including tree species and sizes or size range

(b) Locations and sizes of trees to be removed.

(c) Location of any existing and proposed improvements on the property.

(5) The name of the tree company, if any, and its Nassau County Consumer affairs license number.

(6) Any additional reasonable information that the Department of Public Works may deem necessary for evaluation of the application.

B. A permit application shall be submitted to the Department of Public Works by delivering the same to the Department of Public Works Administrator, who shall date stamp its date of submission on the face of said application. Said permit application shall either be granted or denied within Fourteen business days of such submission. If there is no determination by the Department of Public Works within Fourteen business days, the application shall be deemed denied.

C. The decision of the Director of the Department of Public Works will be based on the following criteria:

(1) The condition of the trees with respect to disease and hazardousness, danger of falling, proximity to existing and proposed structures and interference with utility service.

(2) The necessity of the removal for the project in question.

(3) The effect of the removal on ecological systems.

(4) The character established at the proposed site of removal with respect to existing vegetation management practices.

(5) Whether the tree in question is a specimen tree.

D. The Director of Public Works, in making a determination concerning removal of live trees on private property in the City upon notice to the applicant, may obtain the services of a professional arborist regarding the advisability of removal. The cost of this professional evaluation shall, in all cases, be borne by the applicant.

E. A nonrefundable permit application fee as set forth from time to time by the City Council, 1 per tree proposed to be removed, shall be paid with each application. Said application fee shall become part of the Tree Restoration Fund as hereinafter described in § 263-14.

F. The Department of Public Works Administrator shall be responsible for the actual issuance of a tree removal permit if and when the Department of Public Works determines to grant it.

§ 263-4. Land development procedures; removal fee.

A. Planning Board review.

(1) Simultaneously with the submission to the Board for approval of any site plan or subdivision plan, the applicant shall submit three sets of the plan and an existing tree survey, as well as a proposed survey/drawing indicating the effect of any proposed construction and/or grading on said tree survey, to the Department of Public Works to enable the Department of Public Works to physically inspect the site and recommend and designate trees to be saved by the applicant, particularly along any proposed roads.

(2) The Department of Public Works shall submit a written report and preliminarily mark the trees which it has recommended to the Board for preservation. The Board may consider the recommendations of the Department of Public Works as a condition to the granting of preliminary approval for major subdivisions and site plans. If at any time after receiving approval the applicant changes the road pattern and lot layout, then he or she shall submit to the Department of Public Works copies of the new maps so that the Department of Public Works may revise its preliminary report if necessary.

B. In the event that there are no sidewalks or curbs existing or proposed, the applicant shall plant shade trees in the right-of-way line, approximately 40 feet apart. Trees shall be staggered when planted on opposite sides of the same street. No tree shall be located in such a manner as to limit the sight distance along the road.

C. Any proposed off-street parking area for eight or more vehicles shall be planted with shade trees around the perimeter of such parking area in accordance with this chapter.

D. Prior to removing any specimen tree(s) with a diameter of 30 inches or greater, which is/are not diseased or a danger to adjacent properties, and for which a permit for removal can be issued, an application shall be submitted to the Board for approval. The Board shall review the site conditions to determine if any alternative action can be taken that might allow the tree(s) to be saved. For every tree with a diameter of 30 inches or greater that must be removed, a fee of \$1,050 shall be deposited in the Tree Restoration Fund.

E. Certificate of occupancy. Prior to the issuance of the certificate of occupancy, the Department of Public Works Administrator or his or her authorized designee shall inspect the premises to make certain that all trees designated by the Board for preservation in fact remain in existence. In the event that any trees have been removed without the Board's prior approval, then the applicant shall replace the trees with trees of equal kind to the satisfaction of the Board.

§ 263-5 Responsibility of applicant after approval

A. Where the board has given final approval to a subdivision or site plan which contains as a condition to such approval the retention and/or planting of trees, then the applicant shall be responsible for the preservation of designated trees and the planting of trees pursuant to § 263-6.

B. Where by reason of weather, season or other circumstances it is impossible for the applicant to plant trees in accordance with this chapter, a person may deposit in escrow with the City Clerk an amount to be determined and specified by the Board to cover the cost of purchasing and planting the trees. No street shall be accepted for the dedication by the City Council until the Board notifies the Council that the applicant has complied with this chapter.

§ 263-6. Specifications for planting of trees for subdivision or site plan.

A. Trees shall be balled and burlapped and shall not be less than two inches above the top of the ball, nor less than 10 feet high. They must be well-branched, the branches to start not less than six feet from the crown of the root system. Trees shall be nursery-grown, and a nursery inspection certificate shall be available covering all trees.

B. In general, excavations for planting shall be large enough to accommodate the natural spread of the root system, and at least one foot deeper and two feet wider than the ball of earth supplied with the tree. The pit shall be rock-free and refilled with seven parts of topsoil and one part humus. Hardpan shall be loosened an additional 12 inches from bottom and sides of pit. Trees shall be adequately fertilized and watered at the time of planting and mulched with three inches of approved mulch immediately after planting.

C. Trees shall be staked and guyed immediately after planting. Stakes shall be cedar or oak, a minimum of eight feet in height, no less than two inches in diameter, and driven into the tree's root system. Trees shall be guyed to the stakes using No. 10 wire covered with the rubber hose or equal. The wire shall be stapled to the stake in such a manner that it will not slip or come in contact with the tree trunk. The trunk of the tree may be protected with tree wrapping paper.

D. Removal of debris is required. The property must be left in a neat and orderly condition in accordance with good and accepted planting and tree surgery practice.

E. Trees shall not be planted between May 15 and September 15 without specific authorization of the Board.

F. Notice must be given to the Board three days prior to the start of planting in order that the plants and trees may be inspected and approved for tree variety, condition, size and quality. All work shall be subject to the general supervision and approval of the Board.

§ 263-7. Tree replacement.

A. Any tree improperly planted or not meeting these specifications will be subject to removal upon notice from the Board or Department of Public Works. Any tree that does not survive or is in an unhealthy condition at the end of one year shall be replaced by the applicant or developer at no cost to the City. Said replacement shall be made within 60 days following written demand by the Board or Department of Public Works for such replacement or as specified by the Board or Department of Public Works.

B. The Board or Department of Public Works may require the planting of the same or agreed upon alternative species of trees, which are as nearly comparable in type and

size as practical to the trees to be removed, when the individual character of the trees or the ecological seeding requires special consideration, as a condition for the issuance of a permit for tree removal. The location for planting the replacement trees shall be agreed upon prior to issuance of the permit for removal.

C. All replacement trees must comply with the specifications for the planting of shade trees as provided in § 263-8 of this chapter.

§ 263-8. Enforcement by Planning Board and The Department of Public Works.

A. Sections 263-2 and 263-3 shall be enforced by the Department of Public Works and §§ 263-4, 263-5, 263-6 and 263-7 shall be enforced by the Planning Board of the City of Glen Cove. Nothing contained herein shall prevent Division of Code Enforcement or Building Department from enforcing any provision in this chapter

B. Any decisions by the Board and Department of Public Works pursuant to the provisions of this chapter shall be in writing and shall state the facts relevant to the issue.

§ 263-9. Notification involving Planning Board subject matters.

All owners of lands within a radius of 200 feet from the perimeter of the subject real property shall be notified by the applicant by certified mail, return receipt requested, mailed to the address shown on the current City tax rolls not less than 10 days prior to destruction, removal or substantial alteration of the habit of any trees. An affidavit to that effect, together with the receipts, shall be placed on file.

§ 263-10. Removal of nuisance trees.

A. Private property. Any tree growing on private property which constitutes danger to public streets or public places, or which in any way endangers the usefulness of a public sewer or public utility shall be removed or trimmed by the owner of the property within 14 days after receipt of such notice from the City. If said owner fails to remove the tree within 14 days, the City may then remove or trim said tree and assess the cost thereof against the property owner. Upon confirmation by the City Council, such cost shall become a lien on the property and the resolution assessing such costs shall be recorded with the City Clerk's office, or may be collected by court action.

B. Streets and Public Places

(1) No tree shall be removed by a private person from any public street or property owned or under the control of the City without the prior written consent of the Department of Public Works Administrator. Such consent shall only be granted if the tree constitutes a hazard to property or persons using the adjoining streets, if its roots are causing excessive damage to the curb or gutters or if it unduly interferes with the legitimate land use requirements of the owner/occupant. Any tree being removed for the sole benefit of the property owner shall be removed and replaced with an approved tree at the property owner's expense, in the event that the Department of Public Works Administrator so requires.

(2) No City employee shall perform, or cause to be performed, a tree removal act on a public street or property owned or under the control of the City without the prior written consent of the Department of Public Works Administrator.

§ 263-11. Appeal

A. Any person aggrieved by any act or determination of the Department of Public Works in the exercise of the authority herein granted shall have the right to appeal to the Glen Cove Planning Board whose decision shall be final and conclusive.

B. An appeal shall be in writing stating the decision appealed from and the reason for the appeal and shall be made within 30 days of the Director of Public Works determination therein.

§ 263-12. Establishment of Tree Restoration Fund; removal

A. The Controller of the City is hereby directed to establish a separate line item under the City's general fund which will be designated as the Tree Restoration Fund. All permit fees and other fees which are required pursuant to this chapter to be paid into said fund shall be delivered to the Controller of the City and segregated into said separate line item of the general fund. The money in the Tree Restoration Fund shall be used for the planting and maintaining of new trees by the City, as directed by the City Council in consultation with the Department of Public Works.

B. For every and all trees approved by the Department of Public Works to be removed due to new construction at any given site, a fee of \$125 per tree shall be collected for the Tree Restoration Fund.

§ 263-13. Penalties for offenses.

Any person who violates this chapter or fails to comply with any conditions imposed by the Board or Department of Public Works under any subdivision, site plan or building permit shall be subject to fines as indicated below.

A. For illegally removing a single tree eight inches or greater, a minimum fine of \$500, with a maximum not to exceed \$2,000, shall be imposed on the property owner. If a tree company removes the tree on the owner's behalf, without filing for a permit, the company shall also be subject to the same fine.

B. Where more than one tree is illegally taken down on a given property, the fines shall be sequenced, as follows:

(1) For the first tree illegally removed, the fine shall be a statutory minimum amount of \$500, with a maximum not to exceed \$2,000.

(2) For illegally removing two trees, the statutory amount shall be \$2,500 plus \$2,000.

(3) For illegally removing three or more trees, the statutory amount shall be up to \$3,000 per tree for each tree removed, plus \$4,500.

(4) The court may fine up to, but not more than, \$50,000 in the aggregate for violation(s) at any one property, based on the number of trees illegally removed.

C. If a tree company removes the trees on the owner's behalf, without filing for a permit, then the tree company shall also be subject to the same fine.

SECTION 4: Authority

The City Council of Glen Cove may enact this Local law in order to protect the health, safety and welfare of its residents, and derives its authority to do so from the New York State Constitution and Section 10 of the Municipal Home Rule Law.

SECTION 5: Severability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the City of Glen Cove hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6: Effective Date

This Local Law shall be effective upon filing with the office of the Secretary of State.

Resolution 6B

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby approves the Glen Cove Volunteer Emergency Medical Services Corps. (EMS) amended By-Laws, as indicated on attachment.

Resolution 6C

Resolution offered by Mayor Spinello and seconded by _____

RESOLUTION AUTHORIZING THE CITY OF GLEN COVE TO ACCEPT A GRANT IN THE AMOUNT OF \$125,000.00 FROM THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK PROJECT ID#8402

WHEREAS, the Glen Cove Community Development Agency applied for a grant with the Dormitory Authority of the State of New York (DASBY) and the State Municipal Facilities Program(SAM) in order to receive funding to make certain repairs or upgrades to Glen Cove Firehouse in 2015; and

WHEREAS, the Glen Cove Community Development Agency working in conjunction with The City of Glen Cove has been awarded a grant in the amount of

\$125,000.00 from the Dormitory Authority of the State of New York for the replacement of the flooring at the Glen Cove Fire Department; and

WHEREAS, the Glen Cove Community Development Agency will be responsible for administrating the grant herein; and

NOW HEREBY BE IT RESOLVED; that

1. The City of Glen Cove is hereby authorized to accept the grant from the Dormitory Authority of New York (DASNY) for the replacement of flooring of the Glen Cove Fire Department in the amount of \$125,000.00;
2. The Mayor is hereby authorized to enter and execute a grant distribution agreement with the Dormitory Authority of the State of New York(DASBY regarding the administration of the grant herein.

Resolution 6D

Resolution offered by Mayor Spinello and seconded by _____

**RESOLUTION AUTHORIZING THE CITY OF GLEN COVE TO ACCEPT A
GRANT IN THE AMOUNT OF \$50,000.00 FROM THE DORMITORY
AUTHORITY OF THE STATE OF NEW YORK
PROJECT ID# 7721**

WHEREAS, the Glen Cove Community Development Agency applied for a grant with the Dormitory Authority of the State of New York (DASBY) and the State Municipal Facilities Program(SAM) in order to receive funding to make certain repairs or upgrades to City Property in 2016; and

WHEREAS, the Glen Cove Community Development Agency working in conjunction with The City of Glen Cove has been awarded a grant in the amount of \$50,000.00 from the Dormitory Authority of the State of New York for the construction of dog runs and kennel at the animal shelter owned by the City of Glen Cove and operated by Cove Animal Rescue; and

WHEREAS, the Glen Cove Community Development Agency will be responsible for administrating the grant herein; and

NOW HEREBY BE IT RESOLVED, that

1. The City of Glen Cove is hereby authorized to accept the grant from the Dormitory Authority of New York (DASNY) for the construction of dog runs and kennels at animal shelter owned by the City of Glen Cove and operated by Cove Animal Rescue in the amount of \$50,000.00;

2. The Mayor is hereby authorized to enter and execute a grant distribution agreement with the Dormitory Authority of the State of New York (DASNY) regarding the administration of the grant herein.

Resolution 6E

Resolution offered by Mayor Spinello and seconded by _____

**RESOLUTION AUTHORIZING THE CITY OF GLEN COVE TO ACCEPT A
GRANT IN THE AMOUNT OF \$150,000.00 FROM THE DORMITORY
AUTHORITY OF THE STATE OF NEW YORK
PROJECT ID# 7537**

WHEREAS, the Glen Cove Community Development Agency applied for a grant with the Dormitory Authority of the State of New York (DASBY) and the State Municipal Facilities Program (SAM) in order to receive funding to make certain repairs or upgrades to Brewster Street Garage in 2016; and

WHEREAS, the Glen Cove Community Development Agency working in conjunction with the City of Glen Cove has been awarded a grant in the amount of \$150,000.00 from the Dormitory Authority of the State of New York to make improvements and repairs to the Brewster Street Garage; and

WHEREAS, the Glen Cove Community Development Agency will be responsible for administrating the grant herein; and

NOW HEREBY BE IT RESOLVED, that

1. The City of Glen Cove is hereby authorized to accept the grant from the Dormitory Authority of New York (DASNY) in order to make improvements and repairs to the Brewster Street garage in the amount of \$150,000.00;
2. The Mayor is hereby authorized to enter and execute a grant distribution agreement with the Dormitory Authority of the State of New York (DASNY) regarding the administration of the grant herein.

Resolution offered by Mayor Spinello and seconded by _____

RESOLUTION AUTHORIZING THE CITY OF GLEN COVE TO APPLY FOR A GRANT WITH THE FEDERAL TRANSIT ADMINISTRATOR BUSES AND BUSES INFRASTRUCTURE INVESTMENT PROGRAM

WHEREAS, the City of Glen Cove would like to apply for a grant from the Federal Transit Administration (FTA) Buses and Bus Facilities Infrastructure Investment Program to obtain a new loop bus; and

WHEREAS, it is anticipated that the potential grant from Federal Transit Administration (FTA) Buses and Bus Facilities Infrastructure Investment Program would not exceed the sum of \$70,000.00 including up to \$10,500.00 of matching funds by the City; and

WHEREAS, the loop bus is an important means of transportation to the residents of the City of Glen Cove; and

NOW HEREBY BE IT RESOLVED

1. The City of Glen Cove is hereby authorized to apply for a grant with the Federal Transit Administration (FTA) Buses and Bus Facilities Infrastructure Investment Program in an amount not to exceed the sum of \$70,000, including up to \$10,500 in City cash match;

2. The Mayor is hereby authorized to enter and execute a grant distribution agreement or execute Certifications and Assurances as required by the grant; to enter into and execute a project agreement with the FTA for such financial assistance with the City of Glen Cove for a new Loop Bus vehicle as may be required by the grant therein.

Resolution offered by Mayor Spinello and seconded by _____

RESOLUTION AUTHORIZING THE CITY OF GLEN COVE TO ACCEPT A GRANT FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR A YOUTH COURT (PROJECT ID# LG17-1129-D00)

WHEREAS, the City of Glen Cove has been awarded a grant from the Department of Criminal Justice Services (DCJS) to have a youth court program under Project Id LG17-1129-D00; and

WHEREAS, the City Council finds that educating the youth of our city on the functions of the criminal justice system is an important gateway to good citizenship; and

WHEREAS, Department of Criminal Justice Services (DCJS) has awarded a grant in the amount of \$25,000.00 to the City of Glen Cove without any requirement of contribution or matching funds from the City therein; and

NOW HEREBY BE IT RESOLVED; that

1. The City of Glen Cove is hereby authorized to accept the grant from Department of Criminal Justice Services (DCJS) project ID LG17-1129-D00 in the amount of \$25,000 in order to maintain a youth court;
2. The Mayor is hereby authorized to enter and execute a grant distribution agreement or execute any documents necessary to effectuate the grant therein.

Resolution 6H

Resolution offered by Mayor Spinello and seconded by _____

A RESOLUTION TO ESTABLISH A UNIFIED SOLAR PERMIT FOR THE CITY OF GLEN COVE

WHEREAS, the Department of Public Works has presented the Glen Cove City Council with a unified solar permit; and

WHEREAS, the permit is designed to streamline the approval process for installing residential solar for the residents of the City of Glen Cove; and

WHEREAS, the unified solar permit has been considered and approved by many municipalities throughout New York State.

NOW THEREFORE BE IT;

RESOLVED, that the Glen Cove City Council heretofore adopts the unified solar permit, as presented, to reduce costs and delays for solar photovoltaic (PV) project 25KW in size or smaller, and

FURTHER BE IT RESOLVED, the City of Glen Cove shall charge a fee of \$125.00 for solar photovoltaic projects 25K or smaller which shall be amended from time to time as the City Council deems appropriate.

Resolution offered by Mayor Spinello and seconded by _____

**A RESOLUTION TO ESTABLISH ENERGY BENCHMARKING
REQUIREMENTS FOR
CERTAIN MUNICIPAL BUILDINGS**

Be it **RESOLVED** by the Mayor and City Council of the City of Glen Cove as follows:

Buildings in the City of Glen Cove are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use. As such, this Resolution will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the City of Glen Cove.

Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the City of Glen Cove is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

§2. DEFINITIONS

- (A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.
- (B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.
- (C) “Director” shall mean the head of the Department of Public Works.
- (4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the City of Glen Cove that is 1,000 square feet or larger in size.
- (5) “Department” shall mean The Department of Public Works.
- (6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the KBTUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUP” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§3. APPLICABILITY

(1) This Resolution is applicable to all Covered Municipal Buildings as defined in Section 2 of this Resolution.

(2) The Director of Public Works may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§4. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than December 31, 2016, and no later than May 1 every year thereafter, the Director or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§5. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than December 31, 2016 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Resolution; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Resolution across calendar years for all years since annual reporting under this Resolution has been required for said building.

§6. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Resolution, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§7. ENFORCEMENT AND ADMINISTRATION

(1) The Director or his or her designee from the Department shall be the Chief Enforcement Officer.

(2) The Chief Enforcement Officer may promulgate regulations necessary for the administration of the requirements of this Resolution.

(3) Within thirty days after each anniversary date of the effective date of this RESOLUTION, the Chief Enforcement Officer shall submit a report to the Mayor and City Council including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Resolution

Resolution 6J

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby approve Budget Transfers as submitted and reviewed by the City Controller.

(See Attached)

Resolution 6K

Resolution offered by Mayor Spinello and seconded by _____

WHEREAS, the Purchasing Agent was authorized to advertise for Plumbing Services/Maintenance Contract; and

WHEREAS, Paul Yonkers Plumbing & Heating, submitted the lowest responsible bid; and

WHEREAS, it is in the best interest of the City to accept such bid; and

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to accept the lowest responsible bid of Paul Yonkers Plumbing & Heating, 327 Glen Cove Avenue, New York 11579, in the amount of \$103.50 (Standard), \$148.50 (Overtime), \$215.00 (Premium) and 10% material mark-up.

Funding: A1490-55420

Resolution 6L

Resolution offered by Mayor Spinello and seconded by _____

WHEREAS, the Purchasing Agent was authorized to advertise for Electrical Services/Maintenance Contract; and

WHEREAS, Anker Electric Services, Inc., submitted the lowest responsible bid; and

WHEREAS, it is in the best interest of the City to accept such bid; and

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to accept the lowest responsible bid of Anker Electric Services, Inc., 10 S 5th St., Locust Valley, New York 11560, in the amount of \$80.00 (Standard), \$115.00 (Overtime), \$130.00 (Premium) and 8% material mark-up.

Funding: A5110-54381

Resolution 6M

Resolution offered by Mayor Spinello and seconded by _____

WHEREAS, the Purchasing Agent was authorized to advertise for HVAC Services/Maintenance Contract; and

WHEREAS, Commercial Instrumentation Services, submitted the lowest responsible bid; and

WHEREAS, it is in the best interest of the City to accept such bid; and

NOW, THEREFORE, BE IT RESOLVED, that the Purchasing Agent is hereby authorized to accept the lowest responsible bid of Commercial Instrumentation Services, 681 Grand Blvd #7, Deer Park, New York 11729, in the amount of \$85.00 (Standard), \$125.00 (Overtime) and \$125 (Premium) and 20% mark up.

Funding: A1490-55420

Resolution 6N

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes Calvary AME Church to host their annual “Back to School Event”, September 2, 2017, 1:00 p.m. – 4:00 p.m., and the closing of Chestnut Street between Cottage Row and Cottage Lane.

Resolution 6O

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes Latin-American Fraternity of El Senor De Los Milagros of Glen Cove Incorporated to host their annual “Procession” on October 8th, 2017, 1:30 p.m. through 6:00 p.m., and the closing of Pearsall Avenue between Walnut Road and Saint Patrick’s Church.

Resolution 6P

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes Friends Academy to host their annual “Fall Fair”, October 14, 2017 and October 15, 2017.

Resolution 6Q

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes Friends Academy to erect 20 (twenty) lawn signs October 1, 2017 through October 16, 2017, to advertise their annual “Fall Fair”.

Resolution 6R

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes Morgan Park Summer Music Festival to erect 20 lawn signs, August 7, 2017 through August 21, 2017, to advertise “Third Annual Folk Festival”.

Resolution 6S

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby authorizes St. John’s of Lattingtown to erect 20 (twenty) lawn signs, September 4, 2017 through September 18, 2017, to advertise annual “St. John’s country Fair”.

Resolution 7A-1

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby appoints Eric S. Shuman as full-time Activities Coordinator, with the Senior Center, annual salary of \$41,010, (Grade 7, Step 0) effective September 5, 2017.

Funding: A7030-51101

Resolution 7A-2

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESLOVED, that the City Council hereby appoints Heidi Leuthner as part-time Recreation Leader with the Senior Center Adult Day Care Program, \$13.00 per hour, effective August 23, 2017.

Funding: A7036-51120

Resolution 7B

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby appoints Mark Vitale as EMT (Advanced), with EMS, \$20.00 per hour, effective September 1, 2017.

Funding: A4540-551120

Resolution 7C-1

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby appoints Kiara Demosthene as Seasonal Park Attendant, with Parks and Recreation, \$8.00 per hour, effective July 17, 2017 through September 4, 2017.

Funding: CR7140-51120

Resolution 7C-2

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby amends Resolution 7F, dated May 23, 2017, as follows:

<u>Name</u>	<u>Amended Salary</u>
Livia Muzante	\$12.00 per hour

Resolution offered by Mayor Spinello and seconded by _____

BE IT RESOLVED, that the City Council hereby appoint the following persons, to the Youth Bureau, as indicated:

<u>Name</u>	<u>Position</u>	<u>Salary</u>	<u>Effective Date</u>
Chris Acosta	Youth Service Worker	\$8.50 per hour	9/1/2017
Cindy Bonilla	Youth Service Worker	\$9.50 per hour	9/1/2017
Nancy Dagrass	Youth Service Worker	\$11.50 per hour	9/1/2017
Danielle Galiano	Youth Service Worker	\$9.00 per hour	9/1/2017
Mira Mirkovic	Youth Service Worker	\$9.50 per hour	9/1/2017
Montserrat Munoz	Youth Service Worker	\$10.00 per hour	9/1/2017
Daniella Penate	Youth Service Worker	\$8.50 per hour	9/1/2017
Susan Rosenberg	Youth Service Worker	\$10.50 per hour	9/1/2017
Martha Ruiz	Youth Service Worker	\$11.50 per hour	9/1/2017
Monica Salinas	Youth Service Worker	\$11.50 per hour	9/1/2017
Joann Sposato	Youth Service Worker	\$8.50 per hour	9/1/2017
Natalia Ventura	Youth Service Worker	\$15.00 per hour	9/1/2017
Jessie Mayreis	Youth Service Worker	\$9.00 per hour	9/1/2017
Nicole Giordano	Youth Service Worker	\$10.00 per hour	9/1/2017
Melissa Rivas	Youth Service Worker	\$10.00 per hour	9/1/2017

Funding: A7050-51123

**BY-LAWS
OF
THE GLEN COVE VOLUNTEER
EMERGENCY MEDICAL SERVICE CORPS**
REVISED OCTOBER, 2014

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ARTICLE I: CORPS OFFICERS, ELIGIBILITY, ELECTIONS, VACANCIES & DUTIES

SECTION 1. CORPS OFFICERS

The officers of the Corps shall consist of Chief Officers, Line Officers, Administrative Officers, and Trustees. The term of office of Chief Officers, Line Officers, and Trustees is two years. The term for all other officers is one year.

- A. Chief Officers. The Chief Officers of the Corps shall be a Chief, 1st Assistant Chief, and a 2nd Assistant Chief.
- B. Line Officers. The Line Officers of the Corps shall be a Captain and ~~a Lieutenants~~ no more than three (3) Lieutenants. Line Officers are appointed at the discretion of the ~~Chief of Department~~ Chief of the Corps and must meet the eligibility criteria outlined in Article 1, Section 2B.
- C. Administrative Officers. The Administrative Officers shall be an Administrative Manager, Secretary, and a Treasurer.
- D. Trustees. Two members of the Corps shall serve as members of the Board of Trustees.

SECTION 2. ELIGIBILITY

No one shall be eligible to be a candidate for a Chief Officer or Line Officer position unless they are a permanent full time member in good standing as defined by the Policies & Procedures of Glen Cove EMS, and certified as an EMT-B or higher, and have taken an approved Officers Training Course. In order to remain in office, Chief and Line Officers must remain as full-time members in good standing, and maintain, at minimum, an EMT-B Certification.

- A. Chief Officers. No one shall be eligible for the office of ~~Chief~~ Chief of the Corps who is not a full time member and has not served as a Chief or an Assistant Chief. No one shall be eligible for the office of Assistant Chief who has not served as a Chief, Assistant Chief, or Captain.
- B. Line Officers. No one shall be eligible to be appointed as a Line Officer who is not a full time member and has not successfully completed the Officers Training Course. No one shall be eligible to be appointed to the office of Captain who has not served as Lieutenant. No one shall be eligible to be appointed to the office of Lieutenant who has not served as an Administrative Officer.
- C. Administrative Officer. No one shall be eligible for an administrative office who has not been a permanent member for at least one year by the time they take office. ~~Part-Time~~ Part-Time and Full Time members are eligible for any administrative office.
- D. Trustees. No one shall be eligible for the office of Trustee who has not been a permanent member for at least five years by the time they take office.

SECTION 3. NOMINATIONS

Nominations for all officers shall take place at the regular October meeting of the Corps. Nominations for Chief Officers and Trustees shall take place in the year preceding the January in which the Mayor takes office. A person does not have to be present to be nominated, but at the time of nominations must have shown intent, in writing to the Corps, in order to be nominated in their absence. No nominations for any office shall be accepted after the October meeting- unless a quorum was not present at the October meeting.

SECTION 4. ELECTIONS

- A. Elections. Elections for Officers and Trustees shall take place at the regular November meeting of the Corps- from 1900-2030 hours.
- B. Absentee Ballots. ~~Absentee Ballots shall be accepted if signed by the absent member, notarized, and delivered to a member of the Board of Trustees or to the Chief of the Corps, at or prior to the meeting in which the election is to be held.~~ Absentee Ballots shall be accepted if placed in a sealed envelope, and then placed inside a second sealed envelope which shall have the seal signed by the absent member. The absent member may then either hand deliver it to a Chief or Trustee, or send it via certified mail to EMS Headquarters. All absentee ballots must be received prior to the meeting in which the election is held.
- C. Write-In Candidates. Votes for write-in candidates shall be accepted provided that the write-in candidate meets all the requirements for said office. All write-in votes for a non-qualified candidate shall be deemed invalid but shall be counted in the total votes cast.
- D. Election Committee. The current Board of Trustees shall act as the election committee and shall see that the election is carried ~~out~~ in a proper manner. At least two (2) members of the Board of Trustees shall be present at all elections and shall serve as the election committee. They shall be responsible for counting and validating the votes. At the time of elections, the Officers shall provide the election committee with a roll-call sheet containing all members eligible to vote and all members who are eligible to hold office. This committee shall have each member sign a roll-call sheet at the time they cast their ballot.
- E. Election Results. For all offices except Trustee, the winner shall be the candidate that receives a simple majority of the votes cast. In the event of a tie, or if no candidate receives a simple majority of the votes cast, the election shall be suspended for two weeks (fourteen days), at which time a special meeting shall be called – as per Article IV, Sec. 2 C – to continue the election. For the office of Trustee, the two candidates that receive the most votes shall win the election. In the event of a tie for the second office for Trustee, the election shall be suspended for two weeks (fourteen days) at which time a special meeting shall be called – as per Article IV, Sec. 2 C – to continue the election. Absentee ballots shall be permitted at the special meeting. If another tie results, the same procedure shall be repeated until the second Trustee is elected.
- F. Voter Eligibility. No member may cast a vote for an Officer, Trustee or for any By- Law revision unless they are a Full Time or Part-Time member in good standing and have served as permanent member for a total of eight of the last twelve months preceding the election. Up to six months of a permanent member’s probationary time may be included in the eight-month requirement if served during said twelve-month period.
- G. Terms. The newly elected and appointed Officers and Trustees shall take office at 0001 hours on the January 1st following the election, and shall serve until their successors take office. Said

Officers and Trustees shall take the oath of office at the ~~Annual~~ Installation Dinner which follows their selection.

SECTION 5. VACANCIES

- A. In the event that an office (other than Chief-of-the-Corps) becomes vacant, other than between July 1st and December 31st of a year when elections are scheduled, the Chief shall notify the members of the Corps within seventy-two hours of the receipt of a resignation and/or official knowledge of such vacancy. Once the Corps has been notified, nominations to fill said vacancy shall take place at the next regular meeting of the Corps. Elections shall be held no earlier than seventy-two hours after nominations – in the event that a special meeting is called pursuant to these By- Laws – but no later than at the next regular meeting following nominations.
- B. In the event that the office of Chief-of-the-Corps becomes vacant other than between July 1st and December 31st of a year when Chiefs' elections are scheduled, the First Assistant Chief shall assume the office of Chief-of-the-Corps until such time as the vacancy is filled.
- C. In the event that an office (other than Chief-of-the-Corps) becomes vacant between July 1st and December 31st of a year when elections are scheduled, a member meeting the qualifications of said office shall be selected by a majority vote of the remaining officers within two weeks of knowledge of the vacancy, and shall serve the remainder of the term.
- D. In the event that the office of Chief-of-the-Corps becomes vacant between July 1st and December 31st of a year when elections are scheduled, the First Assistant Chief shall assume the office of Chief-of-the-Corps for the remainder of the term.

SECTION 6. DUTIES OF OFFICERS

- A. Chief. The Chief shall be the Chief Executive Officer, responsible for the management, administration, and operation of the Corps, and shall regulate and oversee all duties of the Officers. The Chief shall preside over Corps meetings, serve on Board of Trustees, and appoint chairpersons of committees and committee members.
- B. First Assistant Chief. The First Assistant Chief shall assist the Chief in discharge of his/her duties. The First Assistant Chief shall assume the duties of the Chief when the Chief is ill, out of town, or otherwise unable to act.
- C. Second Assistant Chief. The Second Assistant Chief shall assist the Chief in the discharge of his/her duties. The Second Assistant Chief shall assume the duties of the Chief when the Chief and First Assistant Chief are ill, out of town, or otherwise unable to act.
- D. Captain. The Captain shall report to the Chief and shall supervise the Lieutenants in the discharge of their duties. The Captain shall ensure that the emergency ambulance service vehicles are always in a ready condition to respond to calls, that the vehicles are clean, that checklists are completed regularly, and that equipment maintenance and checks are performed regularly. The members of the Corps shall assist the Captain in maintaining the vehicles in a ready-to-respond condition. As per Article II, Section 1A of the Glen Cove V.E.M.S Corps Constitution, the Captain shall be an ex-officio member of the Board of Trustees.

E. Lieutenant. Each Lieutenant shall be in charge of one ambulance, as assigned by the Captain. The Lieutenants shall ensure that their assigned ambulance is always in a ready condition to respond to calls, that the ambulance is clean, that checklists are completed regularly, and that maintenance checks are performed regularly. The members of the Corps shall assist the Lieutenants in maintaining equipment and vehicles in a ready-to-respond condition. The Lieutenants shall be responsible for manpower assignments for duty crews and standbys for emergencies and public events. The Lieutenants shall verify that checklists are properly completed, and that any problems noted on the checklists are properly resolved.

F. Administrative Manager. The Administrative Manager shall be responsible for the overseeing of personnel records. ~~The Administrative Manager shall also coordinate the operations of various committees.~~ As per Article II, Section 1A of the Glen Cove V.E.M.S Corps Constitution, the Administrative Manager shall be an ex-officio member of the Board of Trustees.

~~G. Vehicle Manager. The Vehicle Manager shall be responsible for the maintenance and repair of all ambulances and emergency ambulance service vehicles.~~

H.G. Recording Secretary. The Recording Secretary shall keep a correct record of each meeting and of all proceedings of the Corps. The Secretary shall prepare such correspondence and communications, on behalf of the Corps, as may be directed by a Line Officer. The Secretary shall notify all Corps members of special meetings, at least seventy-two (72) hours in advance of said meeting. The records of the ~~Recording~~ Secretary shall be available for inspection by the Board of Trustees and the Mayor of the City of Glen Cove.

~~I. Corresponding Secretary. The Corresponding Secretary shall prepare such correspondence and communications, on behalf of the Corps, as may be directed by an Officer. The Corresponding Secretary shall notify all Corps members of special meetings at least seventy-two hours in advance of said meeting.~~

J.H. Treasurer. The Treasurer shall oversee accounts receivable, accounts payable, report the state of funds at each meeting, and render an account annually. The Treasurer shall serve as a fiscal liaison between the Corps and the City of Glen Cove.

ARTICLE II: COMMITTEES

SECTION 1. COMMITTEES

The following Committees and their Chairpersons shall be appointed by the Chief of the Corps in January of each year, unless otherwise specified in the By-Laws:

- A. Membership
- B. By-Laws
- C. Training
- D. Policies and Procedures
- E. Statistics
- F. Such other committees as the Chief authorizes

SECTION 2. DUTIES OF COMMITTEES

- A. MEMBERSHIP: The membership Committee shall be responsible for recruiting and screening applicants for membership. Said Committee shall make recommendations to the Corps as to whether an applicant should be accepted as a Probationary member.

During the probationary period, the Committee shall oversee all Probationary members and shall apprise the Officers of the successful completion of each member's probationary period.

- B. BY-LAWS: The By-Laws Committee shall review all matters pertaining to the Constitution and may propose such additions and revisions as may be required from time to time.
- C. TRAINING: The Training Committee shall be responsible for developing regular training programs for the benefit of the Corps and the community. The First Assistant Chief shall be the Chairperson of the Training Committee.
- D. POLICIES AND PROCEDURES: The Policies and Procedures Committee shall be responsible for establishing standard operating procedures for the Corps. The Policies and Procedures shall be written as operational guidelines only and shall never supersede these By-Laws. Any policy or procedure must be approved by two of the three Chief Officers. The Second Assistant Chief shall be the Chairperson of the Policies and Procedures Committee.
- E. STATISTICS: The Statistics Committee shall submit a monthly report to the Officers containing pertinent statistical information for each member regarding the number of calls, shift time, drills, meetings attended, and any other information requested by the Officers.

ARTICLE III: MEMBERSHIP

SECTION 1. APPLICATION AND ELECTION

- A. APPLICATION: All ~~applicants-applications~~ for membership shall be submitted to the Membership Committee, which shall investigate and interview each applicant. ~~The Committee shall notify the Corps at the next~~Said Committee shall then make a recommendation to the Corps at a regular meeting as to and report their findings on the proposed applicant. whether or not the applicant should be accepted as a Probationary member.
- B. ELECTION: ~~Upon hearing the recommendation of~~At the meeting following notification by the Membership Committee of the proposed applicant, the Membership Committee shall make a recommendation to accept or reject said proposed applicant. The Corps shall then vote to accept or reject the proposed applicant the Corps shall decide, by a simple majority vote, ~~whether to accept or reject said recommendation.~~

SECTION 2. MEMBERSHIP STATUS

- A. PROBATIONARY: every new Corps member shall require a probationary period of six cumulative active duty months. Said member will be responsible for fulfilling all duty requirements and attending meetings, details, and training sessions. Probationary members may not vote for the election or removal of Officers of the Corps or for By-Law changes.

At any time during the probationary period, the Officers of the Corps, in consultation with the Membership Committee, shall review the Probationary member's record and shall then, by a majority vote of the Officers, take one of the following actions:

- 1) Terminate the probationary period and change the Probationary member's status to that of a Permanent member.
- 2) Extend the period of probation up to a maximum of six additional months.
- 3) Expel the Probationary member from the Corps.

In the event that the Probationary member is either expelled from the Corps or the period of probation is extended, the Chief of the Corps shall set forth the reasons therefore in writing. Said Probationary member may appeal in writing to the Board of Trustees, which shall render a final decision within 30 days of receiving such appeal. The member in question shall be notified by the Board of Trustees by certified mail, return receipt requested, within 72 hours of the decision.

Any member who resigns or is asked to leave during their probationary period shall be prohibited from reapplying to the Corps for a period of one year from the date of resignation or expulsion.

- B. PERMANENT MEMBER: A Permanent member shall be required to fulfill duty requirements as ~~set forth by the members of the Corps~~outlined in the Policies and Procedures of Glen Cove EMS. Said member shall also be responsible for attending 50% of scheduled meetings and drills annually unless excused by the Chief upon submission of a written request either prior to or within 72 hours following the missed meeting or drill. A Permanent member shall have full voting privileges and is entitled to all benefits of the Corps. The status of a Permanent member can only be changed for just cause by order of the Chief, following consultation with the other Officers.

- C. PART-TIME PART-TIME MEMBER: A ~~Part-Time~~Part-Time member shall be required to meet the following in order to apply for ~~Part-Time~~Part-Time membership or be afforded ~~Part-Time~~Part-Time membership if currently a Permanent member.
- a. A ~~Part-Time~~Part-Time member must commit to 50% of the monthly requirements currently in effect for a permanent member.
 - b. A ~~Part-Time~~Part-Time member must maintain a current valid NYS driver's license.
 - c. Once accepted by the corps, an applying ~~Part-Time~~Part-Time member must obtain a physical in accordance with the current corps physical policy.
 - d. An applying ~~Part-Time~~Part-Time member must become a Driver within their six month probationary period.
 - e. ~~Part-Time~~Part-Time members are urged to attend meetings, drills, and other Corps functions whenever possible; ~~however a~~A ~~Part-Time~~Part-Time member shall have **NO** voting privileges.
 - f. A ~~Part-Time~~Part-Time member shall only be eligible for the annual service award program if they meet the current requirements in effect for a permanent member.
 - g. A ~~Part-Time~~Part-Time member is ~~encouraged~~required to obtain and maintain CPR Certification and is encouraged to obtain First Aid Certifications which shall be funded by Glen Cove EMS Corp.
 - h. Unless otherwise provisioned in this section, a ~~Part-Time~~Part-Time member will follow the same Bylaws, Policies & Procedures, and other Rules & Regulations set forth by the Glen Cove Volunteer Emergency Medical Services Corps.
 - h.i. The maximum number of Part-Time members shall be no more than twenty-five percent (25%) of the number of active members of the Corp, including members on any leave.
- D. PERSONAL LEAVE OF ABSENCE: Requests for a personal leave of absence must be made in writing to the Chief of the Corps who, in conference with the other Officers, shall accept or reject the request. Leaves will be granted for no longer than three months at a time.

Members on a personal leave of absence are excused from, and may not participate in, any Corps duties or activities while on leave, and are inactive for the duration of the leave.

If a leave of absence needs to be extended, another request must be submitted in writing to the Chief, before the end of the previously granted leave.

Should a member be in need of a leave of absence, which would extend beyond 12 months, the member must resign from the Corps and reapply at a later time. In such cases, the probationary period may be waived, at the discretion of the Chief, upon reapplication.

- E. MEDICAL LEAVE OF ABSENCE: Request for a medical leave of absence must be submitted in writing to the Chief of the Corps who, in conference with the other Officers, shall accept or reject the request. Requests for a medical leave of absence must be accompanied with a letter from a physician stating the approximate time frame of the leave. A maximum time of three months shall be granted at the time of each request. This may be extended a maximum of three times for a total of 12 months. A separate note must be submitted from the member's physician for each additional three months of leave. At the discretion of the Chief of Department/Chief of the Corps, the Medical Leave may be extended beyond 12 months.

Members on medical leave of absence are excused from, and may not participate in, any Corps duties ~~or activities~~ while on leave, and are inactive for the duration of their leave. A member on medical leave as a result of a Line-of-Duty injury shall be continued on the rolls as a permanent member as long as necessary.

Any member on a medical leave who wishes to return to active duty must submit a clearance letter from their own physician to the Chief of the Corps.

Any member who finds that they cannot return to active duty after 12 months of medical leave (excluding Line-of-Duty medical leave) must either:

- a. Resign from the Corps and reapply when able to return to active duty.
- b. If eligible, apply petition in writing to the Chief of the Corps to become and Exempt Member. ~~A member with a line of duty injury shall automatically become an Exempt Member.~~
- ~~b.c.~~ Petition in writing to the ~~Chief of Department~~ Chief of the Corps for an additional extension beyond the 12-month Medical Leave.

F. MILITARY LEAVE OF ABSENCE: The Chief of the Corps may grant a military leave of absence to a member entering active military service. In order to be eligible for a military leave of absence, the member must submit a copy of his/her military orders, with the request for a leave of absence to the Chief of the Corps within thirty (30) days of entering active military service. Such leave of absence shall only be for a maximum of four (4) total years of active duty. The member must receive an honorable discharge in order to return to their previous membership status with the Corps. A member will continue to accrue years of service with the Corps while they are on military leave.

A member on Military Leave who is able to complete all LOSAP requirements shall remain eligible for LOSAP participation.

~~F.G.~~ EXEMPT MEMBER: A member may apply, in writing, for an Exempt status after completion of ~~five (5)~~ten (10) years of active service as a Permanent Member, or exclusive of Part Time Part Time Member, or excluding Personal, or Non Line of Duty Medical Leaves of Absence (medical or personal). No member may apply for exempt status who is not in "Good Standing" at the time of their application, as defined by the GCEMS Policies and Procedures. The application shall be reviewed by the Line Officers of the Corps and shall either be accepted or rejected with explanation.

Exempt members shall be non-voting members, eligible to serve on committees, perform administrative duties under the guidance of an officer, and attend all corps functions, and are prohibited from performing any technician duties, and from responding to, or participating in, any calls of the Corps but may not take part in any EMS alarms. Any Exempt member who is employed as a Full-Time or Part-Time Emergency Medical Technician (BASIC) or Emergency Medical Technician (ADVANCED) with the City of Glen Cove (excluding seasonal employees) must resign from the Corps until they are no longer employed with the City in that capacity may take part in EMS alarms only while they are employed in their respective capacity.

Members who have joined the Corps prior to the date of approval of this bylaw change (/ /) shall continue to be eligible for exempt status after 5 years of service. Any current or former member who has previously been approved for Exempt status shall remain eligible for Exempt Status no matter their years of service. Any member who rejoins the Corps after the above date with less than ten (10) years of previous service is required to complete ten (10) total

years of cumulative service before being eligible for Exempt status unless any of the above criteria are met.

H. HONORARY MEMBER: Honorary membership may be granted to any person not a member of the Corps, who has substantially and voluntarily aided and assisted the Corps, or rendered distinctive or valuable service to the Corps.

In order to be considered for Honorary Membership, a person must be nominated by the Chief of the Corps at a regular Monthly Meeting. The Chief of the Corps shall state the reason(s) why the person should be considered for Honorary Membership. The nomination shall be referred to a Committee of at least three (3) active members, to be appointed by the Chief of the Corps, which shall make a recommendation to the membership within two (2) months of the formation of the committee. A vote shall be taken at the meeting when the recommendation of the committee is made. A ninety (90) percent vote of the members present and voting is required to grant an honorary membership.

Honorary Members shall have all rights and privileges of active members in the use of EMS Headquarters, but may not take an active part in any EMS alarms. Honorary members shall have no voice or vote at any meeting(s) they attend. Honorary Members may participate in Parades & Social Events at the discretion of the Chief of the Corps.

G-I. LIFE MEMBER: Any member may apply for Life Membership status who has been an active member (Full or Part-Time, or any combination of the two) for at least twenty (20) years, excluding all leaves of absence except Medical Leave due to Line of Duty Injury/Illness or the first three (4) years of Military Leave. Life members retain all rights and privileges of a permanent member as stated in Article III, Section 2B.

SECTION 3. RESPONSIBILITY OF MEMBERS

All members shall be responsible for conducting themselves in accordance with the Constitution, By-Laws, and Operating Procedures of the Corps. Said members shall obey all lawful orders of the Officers of the Corps and shall be responsible for fulfilling all duty requirements and attending meetings and training sessions. All members shall be responsible for performing to their level of training in accordance with the New York State Emergency Medical Protocols. ~~and~~ All members are required to be familiar with all equipment pertinent to their level of training. All members shall conduct themselves in a professional manner while representing the Corps and shall not offer any opinion on behalf of the membership of the Corps unless directed by the Chief of the Corps.

SECTION 4. CONFLICT OF INTEREST

Any member who becomes aware that he/she or a member of his/her family holds a position of financial interest in any outside concern which sells goods or services to the Glen Cove Volunteer EMS Corps shall declare such conflict of interest in writing to the Chief of the Corps. Said declaration shall be made known to the members of the Corps at the next meeting of the Corps.

ARTICLE IV: MEETINGS

~~SECTION 1. ANNUAL MEETING~~

~~The annual meeting of the Corps shall be held on the second Thursday in January of each year at 2000 hours at a place to be designated by the Chief of the Corps Chief of Department.~~

SECTION 21. REGULAR AND SPECIAL MEETINGS

- A. Regular meetings of the Corps shall be held on the second Thursday of each month at 2000 hours at a place to be designated by the Chief of the Corps.
- B. The Chief of the Corps may change the date, time, or place of any regular meeting if such change is necessary and would be in the best interest of the Corps.
- C. Special meetings may be called at any time by the Chief of the Corps, First Assistant Chief, the Board of Trustees, or upon written request to the Chief of the Corps by any five Permanent members. Members shall receive seventy-two (72) hours advance notice of any special meeting.
- D. No action may be taken at any regular or special meeting unless a quorum is present. A quorum shall consist of twenty-five (25) percent of the membership of which at least half are Permanent members.
- E. Procedures at meetings shall be governed by these By-Laws and *Robert's Rules of Order* (current edition).

ARTICLE V: DISCIPLINARY PROCEDURES

SECTION 1. REMOVAL

Any elected Officer may be removed from office:

- A. By two-thirds written ballot of the Corps members present and eligible to vote, as per Article I, Section 2, Subsection G, after they have heard the recommendations from the Board of Trustees who will have conducted their own investigation at the written request of ten or more members.
- B. Any officer appointed by the ~~Chief of Department~~ Chief of the Corps may be removed from their position at the discretion of the ~~Chief of the Department~~ Chief of the Corps in consultation with his/her Assistant Chiefs.
- C. Any officer may be removed by the Mayor for just cause.

Any Officer removed from office shall still remain a member of the Corps unless convicted and expelled by an investigation held pursuant to Article V of these By-Laws.

SECTION 2. EXPULSION OF MEMBERS

No member shall be expelled from the Corps unless convicted and expelled by an investigation held pursuant to this Article, with the exception of the following:

- A. Probationary members may be expelled for just cause, as stated in Article III, Section 2 A.
- B. Any member who fails to respond to Corps correspondence related to their membership status for a period of three months may be deemed an inactive member and may be expelled by a majority vote of the Officers. Said member shall be notified of this action by certified mail, return receipt requested, within seventy-two (72) hours of the vote.
- C. Any member ~~on Part Time Statues~~ who fails to fulfill the annual Corps requirements ~~for such status~~, as stated in Article III, Section ~~€2~~ of these By-Laws.

Any member who is expelled from the Corps, for a reason other than attendance, or who resigns while being investigated on charges shall be prohibited from reapplying to the Corps ~~for a period of one year from the date of resignation or expulsion.~~ Any member who has been expelled two (2) times for attendance shall be prohibited from reapplying to the Corps.

SECTION 3. RESPONSIBILITY OF MEMBERS

Any member having knowledge of any violation of the By-Laws, Constitution, or Operating Procedures of the Corps by another member shall have the obligation to bring said violation to the attention of the Chief of the Corps or to file written charges against the offending member.

SECTION 4. PROCEDURE FOR FILING CHARGES

- A. All Charges against non-Officers must be submitted in writing to the Chief of the Corps and shall specify the article or section of the By-Laws, Constitution or Operating Procedures, which have allegedly been violated. The time, date and place of the violation must also be specified. The notice of charges must be signed by the member filing said charges.

All charges brought against any Officer must be submitted in writing to the Board of Trustees which shall investigate said charges, pursuant to Article V, Section 4, Subsection E.

- B. Charges must be made within seventy-two (72) hours of obtaining knowledge of any alleged violation, but in no event more than sixty (60) days from the date of occurrence.
- C. The charges against non-Officers shall be presented to the Chief of the Corps, who shall meet with one or both Assistant Chiefs and the By-Law Committee Chairperson to determine, within seventy-two (72) hours, whether the alleged charges, if proven, would constitute a violation of the By-Laws, Constitution, or Operating Procedures.

After a review of the charges, they may direct that the charges be dismissed or that an investigation be conducted. The findings shall be sent to the accused in writing, by certified mail, return receipt requested, by the Chief of the Corps, within ~~seventytwo~~seventy-two (72) hours of the determination.

- D. In the event that the By-Law Chairperson is brought up on charges, the Chief shall appoint one non-Officer as a substitute and proceed, pursuant to Article V, Section 4, Subsection C.
- E. In the event that charges are filed against any Officer of the Corps, the member filing said charges shall present them to the President of the Board of Trustees. The Board of Trustees shall determine whether the alleged charges, if proven, would constitute a violation of the By-Laws, Constitution, or Operating Procedures. After a review of the Charges, they may direct the charges be dismissed or that an investigation be conducted. The President of the Board of Trustees shall send a copy of the findings to the accused Officer by certified mail, return receipt requested, within seventy-two (72) hours of the determination.

SECTION 5. INVESTIGATION AND DISPOSITION OF CHARGES

- A. If an investigation is warranted against a non-officer, the Chief of the Corps, within ten business days following notification of the accused, shall appoint a Charge Investigation Committee of five members of the Corps, one whom shall be designated as Chairperson. The Chief of the Corps shall provide the accused member with the names of the Charge Investigation Committee. In the event that the accused member objects to any member(s) of the Charge Investigation Committee, the accused may request that the Board of Trustees, for just cause, remove the objected member(s) from the Charge Investigation Committee. If the Board of Trustees removes a member of the Charge Investigation Committee, they must immediately appoint another member to fill the vacancy.
- B. If an investigation is warranted against an Officer, the President of the Board of Trustees shall appoint a Charge Investigation Committee as per Article V, Section 5, Subsection A.
- C. The Charge Investigation Committee shall conduct a preliminary investigation of the charges. The preliminary investigation shall include interviews with the accused, witnesses and involved persons as well as a review of documents and any other evidence pertinent to the charges.
- D. Following the preliminary investigation by the Charge Investigation Committee, the accused member shall be notified within 72 hours, by certified mail, return receipt requested, of the date, time, and place of a hearing. Notice must be given at least ten, but no more than thirty days before

the hearing. The accused member shall be entitled to request a rescheduling of the hearing upon a showing of good cause.

- E. The Chief of the Corps or President of the Board of Trustees (in the case of an accused Officer) may appoint a person from inside or outside of the Corps to assist the Charge Investigation with the hearing process.
- F. At the hearing, the accused member shall have the right to be represented by a person of his/her choice and to review and rebut all evidence gathered by the Charge Investigation Committee. Said member shall also have the right to present witnesses and other evidence on his/her behalf. The Chief of the Corps or President of the Board of Trustees (in the case of an accused Officer), shall appoint a stenographer or secretary to keep a verbatim transcript or tape recording of the proceedings, which shall be available to the accused at his/her request upon completion of the hearing.
- G. Within ten business days following the conclusion of the hearing, the Charge Investigation Committee shall issue a written report in which they shall set forth their decision of innocence or guilt, along with a factual basis to support their finding. Said report shall be sent to the accused by certified mail, return receipt requested, within seventy-two (72) hours of its completion.
- H. If the said member is found guilty, a second meeting with the Charge Investigation Committee shall be scheduled within ten business days from the time of the finding for the purpose of determining the penalty to be imposed. The convicted member shall have the right to present a statement, orally or in writing, which shall be directed only to the nature of the penalty to be imposed. The Charge Investigation Committee shall determine the penalty to be imposed and shall submit this in writing to the Chief of the Corps or the President of the Board of Trustees (in the case of an accused Officer), to officially notify the convicted member of the penalty to be imposed by certified mail, return receipt requested, within five (5) business days. The penalty, as determined by the Charge Investigation Committee, shall take effect immediately upon the mailing of notification.
- I. In the event that the accused member fails to appear at either of the above stated hearings on the date scheduled, without notifying the Charge Investigation Committee in advance of his/her inability to appear and without having requested an alternate date, then the Charge Investigation Committee may, at its discretion, either proceed with the hearings in the absence of the accused member or reschedule the hearing.
- J. In the event that the accused member pleads guilty to the preliminary findings of the Charge Investigation Committee, said member may, in writing, waive his/her right to a hearing and face sentencing pursuant to Article V, Section 5, Subsection H.
- K. In the event that a member is found not guilty of the charges, said member shall be restored completely to the status held prior to charges being brought against him/her and the record shall be expunged of any reference to the charges.
- L. Any other correspondence between the Corps and the accused member, which is not specifically mentioned above, shall be done by certified mail, return receipt requested. All notifications to the accused shall be considered official upon the receiving of the return receipt by the Chief of the Corps or the President of the Board of Trustees, with the exception of the notification of the penalty, as stated in Article V, Section 4, Subsection H.

- M. All written documents pertaining to any hearing are to be officially sealed and kept in a special file with the Chief of the Corps. At the end of the Chief's term, this file shall be handed over to the new chief.

SECTION 6. RIGHT TO APPEAL

A non-officer convicted by the Charge Investigation Committee may appeal his/her conviction to the Board of Trustees by notifying the Chief or either Assistant Chief of the Corps in writing of his/her intention to appeal within thirty (30) days of his/her notification of conviction.

The appeal shall be heard by the Board of Trustees within fourteen (14) days of notification or as soon as it is possible to assemble a quorum. After hearing the member or his/her representative, and reviewing the Charge Investigation Committee's records, the Board may affirm or reverse the conviction. The convicted member will then be sent the Board of Trustees' decision by mail, return receipt requested, within five business days.

Any Officer convicted by the Charge Investigation Committee may appeal his/her conviction directly to the Mayor by notifying the Mayor in writing of his/her intention to appeal within thirty (30) days of his/her notification of conviction. The appeal shall be heard by the Mayor at his/her earliest convenience. After hearing the member or his/her representative, and reviewing the Charge Investigation Committee's records, the Mayor may affirm or reverse the condition. The convicted member will then be sent the Mayor's decision by certified mail, return receipt requested, within five (5) business days.

SECTION 7. INTERIM SUSPENSION

Nothing contained in this Article shall negate the right of the Chief of the Corps or either Assistant Chief to suspend a member if it appears that it would be disruptive and contrary to the best interest of the Corps to allow said member to continue to function as a member of the Corps. No member may be temporarily suspended pursuant to this section for a period of time in excess of ten (10) business days unless, within the suspension period, written charges are filed.

Should written charges be filed during the suspension period, said member shall remain on suspension throughout the duration of the disciplinary process.

Any member on suspension shall be prohibited from any and all Corps activities, to include attending meetings, drills, parades, etc., and riding on the ambulance. Said member shall also be denied access to E.M.S headquarters.

ARTICLE VI: AMENDMENTS

These By-Laws are subject to change or amendment pursuant to the provisions of Article VI of the Constitution of the Glen Cove Volunteer Emergency Medical Service Corps. Members shall be considered eligible to vote for any changes in these By-Laws if they meet requirements as defined in Article I, Section 2, Subsection G of these By-Laws.



Recreation Department

BUDGET YEAR 2017

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EST. REVENUE INCREASE (DECREASE)	APPROPRIATION INCREASE (DECREASE)
H7140-95000-1401	Ballfield Improvements		7500.00
H7140-92706-1401	Ballfield Improvements	7500.00	
			-

Reason for Amendment: receipt of donation from Oh Yes Productions specified for ballfield improvements

Department Head Signature: Darcy A Belyga **Date:** 8-10-17

City Controller Approval: Jandra Clavin **Date:** 8-10-17

City Council Approval-Resolution Number: _____ **Date:** _____