

VILLAGE OF PORT DICKINSON
Village Board Meeting Agenda
January 14, 2014
6:00 pm
Port Dickinson Village Hall

APPROVAL OF MINUTES: December 10, 2013

PUBLIC PARTICIPATION:

TREASURER'S REPORT:

AUDIT & PAYMENT OF CLAIMS:

1. No. 1-22 as listed on the Abstract of Unaudited vouchers for the General Fund for \$42,001.16
2. No. 23-25 as listed on the Abstract of Unaudited vouchers for the Water Fund for \$1,465.10
3. No. 5, 26-30 as listed on the Abstract of Unaudited vouchers for the Sewer Fund for \$53,657.05

COMMUNICATIONS:

1. Certificate of Insurance received from American Window and Floor Cleaning Co of Binghamton, Inc
2. Certificate of Insurance received from Rapp Signs
3. Certificate of Insurance received from J S Lawncare, Inc
4. Certificate of Insurance received from Suit-Kote Corp

COMMITTEE REPORTS:

Administration/Code Enforcement/Community Association – James DeGennaro, Trustee
Planning Board – meeting 1/14/14
Parks/Public Works – Robert Aagre, Trustee
Public Safety – Michael Cashman, Trustee
Water/Sewer – Michael Blakeslee, Trustee
Zoning Board of Appeals – meeting 1/14/14

OLD BUSINESS:

RESOLUTIONS FOR APPROVAL:

1. RESOLUTION AUTHORIZING DISCIPLINARY ACTION TO BE TAKEN AGAINST POLICE CHIEF SEAN CROUSE AND DIRECTING SUSPENSION WITHOUT PAY PENDING CIVIL SERVICE HEARING

Whereas, the Board of Trustees (the "Board") of the Village of Port Dickinson, Broome County, New York (the Village) has received information from an investigation caused to be conducted by said Board that Sean Crouse, Chief of Police of the Village ("Crouse") has violated certain provisions of the Port Dickinson Police Department Rules and Regulations and violated certain provisions of the Penal Law of the State of New York, and

Whereas, Civil Service Law Section 75 and the Village Disciplinary Procedures provide that in certain circumstances a municipality is required to conduct a hearing prior to taking disciplinary action against certain protected classes of employees, including among others a person holding a position by permanent appointment in the competitive class of the classified civil service, and

Whereas, due to such permanent appointment in the competitive class of the classified civil service status, it would appear that Crouse is entitled to the protection of Civil Service Law Section 75 and the Village Disciplinary Procedures

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Port Dickinson in regular session duly convened, as follows:

1. Appropriate disciplinary action shall be taken by the Village against Sean Crouse for his misconduct in violating certain provisions of the Port Dickinson Police Department Rules and Regulations and violated certain provisions of the Penal Law of the State of New York, and
2. The Mayor is directed to advise Crouse in writing of his rights pursuant to Civil Service Law Section 75 and the Village Disciplinary Procedures
3. A copy of the formal charges preferred against Crouse will be furnished to Crouse and Crouse will be allowed at least fifteen (15) days to answer the same in writing by denying the charges, admit to the charges and accept the proposed penalty of termination of employment or admit to the charges but reject the proposed penalty. Crouse may elect to proceed under either the Village's Disciplinary procedure or Civil Service Law section 75 in such response. Such response may either be hand delivered to the Village by delivering it to the Village Clerk or Deputy Village Clerk at 786 Chenango Street in the Village during normal business hours or mailing it to the above address postmarked within said 15 day period. Failure to submit a timely response shall be deemed acceptance of the charges and the proposed penalty.
4. A hearing pursuant to Civil Service Law Section 75 and/or the Village Disciplinary Procedures will be held on February 4, 2014 at 10:00 o'clock AM at the Law Offices of Coughlin & Gerhart, 99 Corporate Drive, Binghamton, NY, before Joseph Peckham, Esq. a hearing officer appointed for that purpose by the Board. At that hearing, Crouse will be given an opportunity to be heard regarding said charges, to be represented by counsel at this hearing and to present such witnesses and other proof as he may wish in defense against said charges.
5. Pursuant to Civil Service Law Section 75 (3) and Village Disciplinary Rules, Crouse's employment by the Town is suspended immediately without pay for a period of thirty days while awaiting the decision of the Hearing Officer.
6. This resolution shall take effect immediately.

2. **RESOLUTION APPROVING CHARGES TO BE CONSIDERED REGARDING AUTHORIZING DISCIPLINARY ACTION TO BE TAKEN AGAINST POLICE CHIEF SEAN CROUSE**

Whereas, the Board of Trustees (the "Board") of the Village of Port Dickinson, Broome County, New York (the Village) has received information from an investigation caused to be conducted by said Board that Sean Crouse, Chief of Police of the Village ("Crouse") has violated certain provisions of the Port Dickinson Police Department Rules and Regulations and violated certain provisions of the Penal Law of the State of New York, and

Whereas, Civil Service Law Section 75 and the Village Disciplinary Procedures provide that in certain circumstances a municipality is required to conduct a hearing prior to taking disciplinary action against certain protected classes of employees, including among others a person holding a position by permanent appointment in the competitive class of the classified civil service, and

Whereas, due to such permanent appointment in the competitive class of the classified civil service status, it would appear that Crouse is entitled to the protection of Civil Service Law Section 75 and the Village Disciplinary Procedures

Whereas, the Board on January 14, 2014 duly authorized a disciplinary hearing be conducted regarding

Crouse's said conduct

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Port Dickinson in regular session duly convened, as follows:

1. Disciplinary charges are hereby preferred against Chief of Police Sean Crouse:
2. A copy of the formal charges preferred against Crouse will be furnished to Crouse and Crouse will be allowed at least fifteen (15) days to answer the same in writing by denying the charges, admit to the charges and accept the proposed penalty of termination of employment or admit to the charges but reject the proposed penalty. Crouse may elect to proceed under either the Village's Disciplinary procedure or Civil Service Law section 75 in such response. Such response may either be hand delivered to the Village by delivering it to the Village Clerk or Deputy Village Clerk at 786 Chenango Street in the Village during normal business hours or mailing it to the above address postmarked within said 15 day period. Failure to submit a timely response shall be deemed acceptance of the charges and the proposed penalty.
3. A hearing pursuant to Civil Service Law Section 75 and/or the Village Disciplinary Procedures will be held on February 4, 2014 at 10:00 o'clock AM at the law offices of Coughlin & Gerhart, 99 Corporate Drive, Binghamton, NY, before Joseph Peckham, Esq. a hearing officer appointed for that purpose by the Board. At that hearing, Crouse will be given an opportunity to be heard regarding said charges, to be represented by counsel at this hearing and to present such witnesses and other proof as he may wish in defense against said charges.
4. If Crouse is found guilty of any of the charges preferred against him the penalty or punishment imposed upon him may co
5. The Mayor of the Village is directed to communicate these charges in writing to Crouse as well as his rights pursuant to
6. This resolution shall take effect immediately.

NEW BUSINESS/DISCUSSION:

ADJOURNMENT