

VILLAGE OF VICTORY

RESOLUTION DATED JANUARY 10, 2011

POLICY AND PROCEDURE FOR VILLAGE OFFICE ACCESS

At a special meeting of the Village Board of Trustees of the Village of Victory, Saratoga County, New York, held at the Village Office Building, 23 Pine Street, Victory Mills, New York, on the 10th day of January, 2011 at 7:00 o'clock p.m. there were:

PRESENT: *Patrick Dewey, Trustee and Timothy Healy, Trustee*

ABSENT: *James Sullivan, Mayor*

Mr. Healy offered the following resolution and moved its adoption:

WHEREAS, pursuant to Section 4-412(1)(a) of the Village Law of the State of New York the Board of Trustees of the Village of Victory (the "Board") has the management of the Village's property and finances; and

WHEREAS, in the exercise of this power the Board has previously undertaken to limit the number of persons having access to the Village Office at 23 Pine Street, Victory Mills, New York (the "Village Office") outside of normal business hours; and

WHEREAS, it has come to the attention of the Board that the Mayor has recently facilitated after-hours access to the Village Office to persons not authorized by the Board to have such action; and

WHEREAS, the Village Clerk/Treasurer and Deputy Village Clerk have each reported to members of the Board in the last few weeks that official Village records under their statutory custody, control and supervision have been removed from where they are normally kept and are currently lost, stolen or missing; and

WHEREAS, the Village Clerk and Deputy Village Clerk have also reported to members of the Board that they have discovered on more than one occasion that during their absence from the Village Office during non-business hours, someone has gained access to their computers, desks or filing cabinets and, in some instances, have removed items from, or added items to, the contents of those storage places; and

WHEREAS, the Board has determined that a more formal policy regarding access to the Village Office is needed in order to insure the safety, security and integrity of the Village's records and property;

NOW, THEREFORE, BE IT

RESOLVED, that access to the Village Office shall be governed by the following policy and procedure:

1. Keyed Locks and Security Alarm. Each outside entrance to the Village Office shall have a keyed lock, be wired into the building's security alarm and be equipped with an alarm keypad.

2. Metal Keys and Security Alarm Codes. The following Village officials shall be entitled to a metal key and personal security alarm code, upon submission of a written key and alarm code request form: the Mayor, the Village Trustees, the Village Clerk/Treasurer, the Village Deputy Clerk and the Village Department of Public Works Working Foreman. Any Village Official who is issued a metal key and security alarm code for the Village Office shall be responsible for the proper use and control of the key and code issued to him or her. **Duplication or alteration of building keys is prohibited. Transfer of keys and/or alarm codes between village officials is prohibited. Dissemination of keys and/or alarm codes to any other person is prohibited. Permitting any other person to use a building key or alarm code to gain access to the Village Office is prohibited.**

The loss or theft of a metal key, or the dissemination of an alarm code to someone other than the person to whom it was issued, shall be promptly reported to the Village Clerk/Treasurer and the Working Foreman of the Department of Public Works. The Village Clerk/Treasurer shall promptly report the loss, theft or dissemination to the Board of Trustees; and the Working Foreman of the Department of Public Works shall arrange for the replacement of the key or code.

The loss of keys or the dissemination of alarm codes may result in the re-keying of locks, or a re-setting of security alarm codes.

3. Hours of Operation. The Village Office is open to the public during the following times:
times:
holidays;

- (a) Mondays through Fridays between the hours of 9 a.m. and 5 p.m., except on public holidays;
- (b) During meetings of the Board of Trustees;
- (c) During meetings of the Planning Board;
- (d) During meetings of the Zoning Board of Appeals;
- (e) At such other times as the Board of Trustees may, by resolution, determine.

4. Building Access When Open To the Public. During the hours of operation specified in paragraph 3 above, the Village Office may be accessed by all elected and appointed Village officials, Village employees, vendors, suppliers, members of the public and other persons have a legitimate business purpose to be on the premises. Should any question, conflict or dispute arise regarding the right of a person to enter, use or remain in the Village Office during the hours specified in paragraph 3 above (a "Security Concern"), it shall be resolved as follows:

- (a) By a Trustee of the Village, if personally present upon the premises or available by telephone; or
- (b) In the absence of a Village Trustee, by the Village Clerk/Treasurer, if she or he is personally present upon the premises or is available by telephone; or
- (c) In the absence of a Village Trustee and the Village Clerk/Treasurer, by the Deputy Village Clerk, if she or he is personally present upon the premises or is available by telephone; or
- (d) In the absence of a Village Trustee, the Village Clerk/Treasurer and the Deputy Village Clerk, by the Working Foreman of the Department of Public Works, if he is personally present upon the premises or is available by telephone.

5. Building Access During Off-Hours. During any period of time other than the hours of operation stated in paragraph 3 above (the "Off-Hours"), access to the Village Office shall be permitted only by:

(a) those persons listed in paragraph 2 above (i.e., the Mayor, the Village Trustees, the Village Clerk/Treasurer, the Village Deputy Clerk and the Village Department of Public Works Working Foreman); and

(b) those persons who have secured prior written permission from a Trustee of the Village pursuant to such request procedure, and on such form, as may be prescribed by the Board of Trustees for such purpose.

Permitting any person other than those authorized in subparagraphs 5(a) and (b) above to enter or remain in the Village Office during Off-Hours is prohibited.

6. Issuance of New Keys and Codes. That upon the adoption of this resolution, the Working Foreman of the Department of Public Works shall arrange for all locks upon the exterior doors to the Village Office to be re-keyed, and for the building alarm system codes to be re-set, and shall thereafter issue a new key and new alarm system entry code to each of the Village Officials authorized to receive them pursuant to paragraph 2 above.

And be it further

RESOLVED, that the Clerk/Treasurer and the Working Foreman of the Department of Public Works are hereby each authorized and directed to take appropriate steps and to prepare and file all appropriate forms and statements in order to carry out the purpose of this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

Moved by Mr. Healy, seconded by Mr. Dewey and adopted as follows:

Mayor Sullivan voting: absent

Trustee Healy voting: aye

Trustee Dewey voting: aye

CERTIFICATION

I, MAUREEN KEMMET, Clerk of the Village of Victory, Saratoga County, New York, do hereby certify that the foregoing resolution was duly passed and adopted by the Village Board of the Village of Victory, Saratoga County, New York, at a special meeting of the Village Board duly held on the 10th day of January, 2011 in the Village Office Building, 23 Pine Street, Victory Mills, New York, and that said resolution is now in full force and effect.

DATED: January ^{the} 10, 2011

M. Kemmet
MAUREEN KEMMET, Village Clerk/Treasurer
Village of Victory