

FIRE ISLAND PINES FIRE DISTRICT  
COMMISSIONER MEETING March 7th, 2026  
West Sayville Fire House

MEETING CALLED TO ORDER BY CHAIRMAN BOSS AT 10:55 A.M.

Present:

Walter Boss, Chair  
Holly Rhodes-Teague, Vice Chair  
Joseph Micheels  
Eugene Cook  
Robert McGarity  
Richard Barry, Secretary  
Robert Marzella, Treasurer  
Jordan Cohen, Chief - VIA ZOOM

A Discussion took place on who would be Chair, Vice-Chair and the various committee heads. See motion page

A Discussion took place on various committee assignments and afterwards the following was determined:

Budget, Records, Insurance & LOSAP - Commissioner Cook, with Chairperson Rhodes-Teague also helping  
Grounds, PR & Policies - Commissioner McGarity  
Grants - Commissioner McGarity and Secretary Barry  
Apparatus, Equipment & Radios - Commissioner Boss  
Buildings - Commissioner Micheels  
Building Renovation - All Board Members & Department Chief Cohen

A Conversation regarding Snow Removal, LOSAP, and Open Meetings (public meeting sector requirement), was had via zoom with the District's Attorney, Bob Fuchs, Esq.

It was determined that Bob Fuchs, Esq would prepare a letter from the Board to FIPPOA acknowledging their request to terminate their contract with the District and the Town of Brookhaven. See motions page.

SECRETARY'S REPORT -

Filed sworn affidavits of Commissioner Micheels, Secretary Barry and Treasurer Marzella with the Town of Brookhaven.

Discussed email and new hosting by Google for [FIPFD.ORG](http://FIPFD.ORG). Also updated our webpage.

Discussed Waterways proposal to do hose testing in Water Island

Recirculated LOSAP Plan documents to the Board and discussed rules of when new members join the program. It was agreed that a member's effective date would be the day when the Commissioners approve their membership.

Reviewed last meeting minutes. See motion page

#### CHIEF'S REPORT -

#### ALARMS

#4045	1/23/26	Ocean Walk, Cherry Grove - Standby
#4046	1/30/26	Harbor Walk, Coop - Auto alarm - nothing showing

#### REQUESTS/COMMENTS:

- 1 Special Ferry requests for Yaphank training on April 26, 2026; July 12, 2026; September 13, 2026; September 20, 2026 all at 7:30 a.m.
- 2 Discussed new bunker gear and which vendor will we eventually use.
- 3 There was a question about, can a non-firefighter 1 member, drive pumpers to the scene in the event there is no driver for the pumper (5-28-10 & 5-28-2)
- 4 Discussed replacing the old pelican lights for a cost of a single head at \$249.00 and a double head for \$449.00
- 5 Replacement of gas chainsaws to battery operated. Costs for 14 inch is \$499.00, costs for 16 inch is \$441.17 and cost for 20 inch would be \$899.00

#### TREASURER'S REPORT

Discussed our Asset Questionnaire; profit and loss statement budget, versus actual; and pay to our district employees. Tax levy receipts.

Spoke of yearly audit and it is approximately 80% complete. Discussed favorability amounts and perhaps purchasing a CD for \$100,000.00 for our savings.

We will look into the electric bill for the annex. There has been a high charge for the last two months.

See motion page.

#### COMMITTEE REPORTS

#### BUDGET & RECORDS - Commissioner Cook

No report

#### INSURANCE & LOSAP - Commissioner Cook

Will fill out the census from VFIS so that new payments can be made by 4/1/26. Discussed plan administrator and our investment companies. A representative from Lincoln Financial will be making a presentation at our April meeting.

## GROUNDNS - Commissioner Micheels

Discussed the generator and the moving of the gas line. Long Island Plumbing has given us a quote for their work. LP tanks need to be moved away from the firehouse. We talked about the walkway from FI Blvd to the firehouse. The pilings are all rotting out. We have received two quotes for replacing the walk. See Motion page.

## ALARMS, OSHA changes, Reconciliation - Chairperson Rhodes-Teague

Bank reconciliations for January 31 & February 28, 2026 were done.

## APPARATUS, EQUIPMENT & RADIOS - Commissioner Boss

Two handles on 5-28-4 still need to be dealt with.

## GRANTS - Commissioner McGarity & Secretary Barry

Commissioner Micheels and the Dept Chief have been researching various companies for bunker gear and scott packs. They would like to do the facemask fittings when physicals are done at the beach. They are currently getting NYS Contract pricing. E-mails are currently out for the washer/dryer for bunker gear. It was decided that we will use smaller equipment that can wash two sets of bunker gear at the same time, not five.

We discussed Bond Counsel, Robert Smith, Esq. who we have previously used when the community purchased the Annex. Their costs will be anywhere from \$10,000 to \$15,000. It was suggested that they can frame the application and all paperwork leading up to the vote of the community. Talked about an initial study with architects, whose costs would be approximately \$20,000 to \$30,000. This would be after we pick an architect.

Discussed MUNISTAT, who actually does the sale of the municipal bonds. They sent a projection with various options and how it would impact the taxpayers for a bond of \$3 million.

It was decided to hold a Zoom workshop meeting regarding architects on Saturday, April 4th, 2026. We will post sign-in information on the District's webpage.

## OLD/NEW BUSINESS

Commissioners reviewed and updated three policies which were Credit Card Usage Policy; Procurement and Purchasing Policy; Sexual Harassment Policy and Complaint Form for reporting sexual harassment. See Motion Page

We received two emails this week regarding snow removal in the community, one from Elliot Friedlander and Karen Boss.

CHAIRPERSON RHODES-TEAGUE closed the meeting at 2:45 p.m.

COMMISSIONER MEETING MOTIONS OF 3/7/26

MOTION MADE BY COMMISSIONER MICHEELS seconded by Commissioner McGarity to nominate Holly Rhodes-Teague as Chairperson, and Gene Cook as Vice Chairman. Commissioners Micheels, Cook, McGarity, and Rhodes-Teague voted in favor. Commissioner Boss abstained.

MOTION MADE BY COMMISSIONER BOSS seconded by COMMISSIONER MICHEELS to accept the meeting minutes of January 10, 2026. All Commissioners voted in favor.

MOTION MADE BY CHAIRPERSON RHODES-TEAGUE, seconded by COMMISSIONER COOK to have Bob Fuchs, Esq. prepare a letter to FIPPOA on the Board's behalf. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER COOK, seconded by CHAIRPERSON RHODES-TEAGUE for an amount to Waterways up to \$5,700.00 for hose testing. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER MICHEELS, seconded by COMMISSIONER BOSS for a 2.5% pay raise retroactive to January 1, 2026 for our District Mechanic and our Assistant Mechanics who have been employed by the District before 2025. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER COOK, seconded by COMMISSIONER BOSS and approved by all Commissioners for the expenditure of \$4,123.00 for the following:

Firematic	Tank Refills	\$ 161.00
All American Uniforms	Shirts/hats	\$ 492.00
Robert Fuchs, Esq.	Lawyer	\$ 963.00
Bob Marzella	Postage	\$ 125.00
NAPA	Truck Parts misc	\$ 74.00
Liz Touchette	Postage from Sayville	\$ 33.00
Kage Solutions	New E-mail accounts	\$ 593.00
Fire News	Subscription	\$ 240.00
Coastline	Freight	\$ 35.00
BOA Credit Card	Misc items	\$ 1,108.00
Northshore Surveyors	Additional monies	\$ 300.00

MOTION MADE BY COMMISSIONER COOK, seconded by COMMISSIONER BOSS to accept the Treasurer's report. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER COOK, seconded by COMMISSIONER MICHEELS to allow electronic transfers between banks and bank accounts. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER MCGARITY , seconded by COMMISSIONER BOSS in the amount of \$7,800 for D Lopez to repair the walkway from FI Blvd to Firehouse. All Commissioners voted in favor.

MOTION BY COMMISSIONER MICHEELS, seconded by COMMISSIONER MCGARITY to have the Annex opened by 4/1/26, and if requested the Chief, and line officers may use the annex as temporary residence from 4/1 to 4/15. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER BOSS, seconded by COMMISSIONER MICHEELS in the amount of \$4,800.00 for Long Island Plumbing to move gas lines, tanks and equipment. All Commissioners voted in favor.

MOTION MADE BY CHAIRPERSON RHODES-TEAGUE, seconded by COMMISSIONER MCGARITY to dispose of the old generator. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER MCGARITY, seconded by CHAIRPERSON RHODES-TEAGUE to engage Robert Smith, Esq., bond counsel for the firehouse renovation. All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER MICHEELS, seconded by COMMISSIONER BOSS to approve the updated "Fire Island Pines Fire District Procurement and Purchasing Policy". All Commissioners voted in favor.

MOTION MADE BY COMMISSIONER BOSS, seconded by COMMISSIONER MCGARITY to approve the updated "Fire Island Pines Fire District Credit Card Use Policy". All Commissioners voted in favor.

MOTION MADE BY CHAIRPERSON RHODES-TEAGUE, seconded by Commissioner Cook, that the Chair will be the official person to deal with the Board's attorney, with prior notice to all Board members. Commissioners Rhodes-Teague, Cook, McGarity, Micheels all voted in favor. Commissioner Boss abstained.

## **FIRE ISLAND PINES FIRE DISTRICT CREDIT CARD USE POLICY**

### **Philosophy:**

All Personnel are acting as representatives of the Fire Island Pines Fire District (“District”) when using any credit card for District business related expenses. The Board of Commissioners believes that standards should be set to govern the use of credit cards issued to the District and assigned to District personnel and personal credit cards used by personnel to pay District business related expenses for which reimbursement will be sought.

### **Policy:**

Credit cards issued to the District and assigned to District officers and personnel are a matter of the discretion of the Board of Fire Commissioners. The Board reserves the right to demand the return of such cards from the personnel to whom they have been issued. They will only be issued when the Board determines that there is a valid business related need to obtain the credit card and to issue it to a particular officer or employee.

### **Issuance Resolution:**

The Board will approve the issuance of a district credit card to a particular officer or employee of the fire district or to a chief officer of the fire department by resolution approved at a Board meeting and entered in the Board minutes. The authorization shall be a continuing authorization unless the person ceases to hold the office or employment or the Board revokes the authorization. The authorization to use the card issued shall be limited by this policy and applicable laws and regulations. District officers and employees and chiefs currently in possession of district credit cards issued to them shall be deemed authorized by the adoption of the resolution approving this policy unless such authorization is specifically terminated herein.

The resolution shall state the credit limits applied to each credit card based upon the agreement between the issuer and the district.

The Board will take steps to prevent the use of credit cards as debit cards and to prevent access to cash advances and cash withdrawals.

The Board reserves the right to cancel any credit card it has issued in the name of the District to an officer or employee at any time. It shall accept no liability for any inconvenience or embarrassment encountered by an officer or employee unable to use a District issued credit card due to such cancellation.

Only the Board of Commissioners and authorized officers of the District shall have a right to communicate with credit card companies and make arrangements relative to the issuance of credit cards and the setting of credit policies. No officer or employee issued a District credit card may communicate with the credit card company in order to change any of the terms of the credit agreement, change credit limits, etc.

Credit cards issued to the District and assigned to District personnel may only be used to pay a valid expense of the District. They may not be used to pay a personal expense for the assigned employee even though he or she intends to reimburse the District. These cards are obtained and issued solely for the convenience and needs of the District and not for the convenience and needs of the officer or employee.

The purpose of credit cards issued to the District and assigned to District personnel is not to provide a line of credit for the personal needs and expenses of such personnel. The District is not in the business of providing loans for personnel, and personal use of such credit cards will be considered a violation of this policy.

All purchases made on credit cards issued to the District and assigned to District personnel are subject to the approval of the Board of Commissioners. In the event that the Board rejects a purchase made on such credit card, the officer or employee assigned the card shall be personally liable to reimburse the District for such charges.

Any officer or employee violating this policy, failing to reimburse the District within two weeks of receipt of a bill from the District Treasurer for a credit card expense rejected by the Board of Commissioners, or failing to immediately return a District issued credit card on notice of demand from the Board shall be guilty of misconduct and subject to disciplinary action.

Officers and employees shall have no right to dispute a charge rejected by the Board. A rejection by the Board shall be a final determination and shall trigger the right to reimbursement for the District.

Officers and employees shall complete claim vouchers required, shall submit all backup documentation requested and shall cooperate with the District Treasurer in verifying the accuracy and correctness of credit card bills for credit cards issued to the District and assigned to him or her.

All purchases on credit cards, both personal credit cards and credit cards issued to the District and assigned to District personnel, shall be supported by credit card monthly bills, credit card bill or

receipts issued at the time of payment, and itemized bills issued by the vendor of the goods and/or services.

All purchases on credit cards, both personal credit cards and credit cards issued to the District and assigned to District personnel, that relate to meals shall be supported by an itemized bill from the restaurant and a list of the personnel in attendance at such meals. Only Commissioners shall be authorized to pay for a meal bill for multiple officers and employees on a credit card issued to the District and assigned to him or her. Chiefs will only be granted this authority based upon a prior Board approval for the particular planned meal.

Credit cards are to be used for the business expense of the officer or employee using the card and should not be used for the expenses of other officers or employees unless the Board has granted explicit prior approval for the particular expenditure on multiple officers and employees. Credit cards should not be used for the expenses of a spouse, family member or friend accompanying the officer or employee on District business.

Credit cards may be used by officers and employees to purchase supplies or to make travel arrangements for travel of multiple employees when specifically authorized by the Board of Fire Commissioners.

All purchases made by credit card shall be accomplished in a manner that complies with the district's written purchasing and procurement policy. If multiple quotes are required, proper proof of same will be submitted with the claim submission.

All precautions should be taken to avoid paying unnecessary finance charges on District credit cards.

Gasoline (diesel or other applicable vehicle fuel) credit cards issued to the District may only be used to purchase gasoline, diesel, oil, and unavoidable emergency servicing of District owned or rented vehicles. Employees using these credit cards must clearly indicate the vehicle for which the gasoline, diesel, oil or services were purchased in backup documentation submitted with the bills, and must provide information on the business related travel that caused the need to purchase the products or services.

All gasoline credit card expenses must be documented by a proper receipt.

Gasoline credit cards issued to the District may not be used to purchase products or services for a personal vehicle of an officer or employee. Personal vehicle use reimbursements shall be based upon I.R.S. mileage rates and shall not be for the purchase of gasoline, diesel, etc.

### **Audit of Claims:**

The Treasurer will be responsible to maintain records on all district credit card accounts. He or she shall report to the Board on a monthly basis as to the personnel issued cards, the limits placed on the cards and the activity on the cards.

The Treasurer will make certain that each officer and employee issued a card submits the necessary back up documentation for all purchases on the bill presented to the Board for payment although such duties shall not relieve the officer or employee of the obligation to provide same.

The Treasurer shall report any discrepancies or policy violations to the Board of Fire Commissioners.

In auditing the claims the Board shall review the claims for compliance with the policy.

One commissioner shall be appointed by the Board to review credit card bills monthly and report to the Board as an additional internal financial control. He or she shall at a minimum advise the Board of any issues related to:

- Personal rather than business expenditures;
- Unauthorized expenditures;
- Cash advances or ATM withdrawals appearing on a bill;
- Credit limit changes;
- Credit limit violations;
- Service or finance charges imposed; and
- Issues related to receipt of goods and services

### **Credit Card Rewards and Points Programs:**

In the event that a credit card issued to the District or a credit card on a District account issued to an officer or employee provides a rewards or points program where use of the credit card generates rewards or points, such rewards or points shall be the property of the District and not the property of the officer or employee issued and using the credit card. The Treasurer shall monitor all such rewards and points, make certain that the rewards or points are not being taken or used by an officer or employee for his or her personal purposes and report on same to the Board. The Treasurer shall be authorized to apply any such rewards or points to reduce the balance due on the account based upon the rules of the company that issues the credit card and operates the rewards or points

system. If the rewards or points must be applied to some other purpose the Treasurer will work with the Board to see that they are applied to a District purpose. The rewards and points may not be applied to the personal purposes of an officer or employee even if the rewards of points are scheduled to expire and be forfeited.

If an officer or employee uses his or her personal credit card to pay for business expenses of the District he or she incurs, and submits for reimbursement of those expense, the Board makes no claim relative to rewards or points that might be given on that personal credit card account.

**Who is included under this policy:**

All personnel are included in this policy. The Board of Fire Commissioners is responsible for determining which personnel have a District business need for the issuance of a District credit card. For purposes of this policy the term, “Personnel” and “Employee”, refers to all members and officers of the Fire Department and Fire Company and all employees, officers, and agents of the District.

The adoption of the foregoing policy in the form of a resolution was duly put to a vote and upon roll call the vote was as follows:

Chairman Rhodes-Teague	)	
Commissioner Cook	)	
Commissioner Boss	)	AYES
Commissioner McGarity	)	
Commissioner Micheels	)	

The resolution was thereupon duly adopted.

Dated: West Sayville, New York  
March 7th, 2026

Attest: Richard W. Barry  
District Secretary



### Purpose and Goals

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

#### Goals of this Policy:

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

## **Sexual Harassment and Discrimination Prevention Policy:**

1. The Fire Island Pines Fire District's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, and volunteer firefighters. In this policy the term "employees" shall be deemed to include employees, applicants for employment, interns, whether paid or unpaid, and volunteer firefighters. The policy also applies to additional covered individuals. It applies to anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in our workplace. These individuals include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are persons providing equipment repair, cleaning services, or any other services through a contract with the Fire Island Pines Fire District. For the remainder of this policy, we will use the term "covered individual" to refer to these individuals who are not direct employees of the company.
2. Sexual harassment is unacceptable. Any employee or covered individual who engages in sexual harassment, discrimination, or retaliation will be subject to action, including appropriate discipline for employees. In New York, harassment does not need to be severe or pervasive to be illegal. Employees and covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough, or conversely because they do not want to see a colleague fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and might include education and counseling. It may lead to suspension or termination when appropriate.
3. Retaliation is prohibited. Any employee or covered individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment if they believe it has occurred. So long as a person reasonably believes that they have witnessed or experienced such behavior, they are protected from retaliation. Any employee of the Fire Island Pines Fire District who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All employees and covered individuals working in the workplace who believe they have been subjected to such retaliation should inform a supervisor, manager, Fire District Manager/ Fire District Superintendent or the Chairman of the Board of Fire Commissioners. All employees and covered individuals who believe they have been a target of such retaliation may also seek relief from government agencies, as explained below in the section on [Legal Protections](#).
4. Discrimination of any kind, including sexual harassment, is a violation of our policies, is unlawful, and may subject the Fire Island Pines Fire District to liability for the harm experienced by targets of discrimination. Harassers may also be individually subject to liability and employers or supervisors who fail to report or act on harassment may be liable for aiding and abetting such behavior. Employees at every level who engage in harassment or discrimination, including managers and supervisors who engage in harassment or discrimination or who allow such behavior to continue, will be penalized for such misconduct.
5. The Fire Island Pines Fire District will conduct a prompt and thorough investigation that is fair to all parties. An investigation will happen whenever management receives a complaint about discrimination or sexual harassment, or when it otherwise knows of possible discrimination or sexual harassment occurring. The Fire Island Pines Fire District will keep the investigation confidential to the extent possible. If an investigation ends with the finding that discrimination or sexual harassment occurred, the Fire Island Pines Fire District will act as required. In addition to any required discipline,

the Fire Island Pines Fire District will also take steps to ensure a safe work environment for the employee(s) who experienced the discrimination or harassment. All employees, including managers and supervisors, are required to cooperate with any internal investigation of discrimination or sexual harassment.

6. All employees and covered individuals are encouraged to report any harassment or behaviors that violate this policy. All employees will have access to a complaint form to report harassment and file complaints. Use of this form is not required. For anyone who would rather make a complaint verbally, or by email, these complaints will be treated with equal priority. An employee or covered individual who prefers not to report harassment to their manager or employer may instead report harassment to the New York State Division of Human Rights and/or the United States Equal Employment Opportunity Commission. Complaints may be made to both the employer and a government agency.

Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Board of Fire Commissioners.

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

## **What Is Sexual Harassment?**

Sexual harassment is a form of gender-based discrimination that is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating employees differently because of their gender.

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

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, the Human Rights Law specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which an employee or covered individual is treated worse

because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of the Fire Island Pines Fire District's policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts. Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

- The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. The impacted person does not need to be the intended target of the sexual harassment;
- Employment depends implicitly or explicitly on accepting such unwelcome behavior; or
- Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of such behavior. Such decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

- Behaviors that contribute to a **hostile work environment** include, but are not limited to, words, signs, jokes, pranks, intimidation, or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.
- Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions, or privileges of employment. This is also called **quid pro quo** harassment.

Any employee or covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

### **Examples of Sexual Harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited. **This list is just a sample of behaviors and should not be considered exhaustive.** Any employee who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body; or
  - Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy (please contact local law enforcement if you wish to pursue criminal charges).
- Unwanted sexual comments, advances, or propositions, such as:

- Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;
    - This can include sexual advances/pressure placed on a service industry employee by customers or clients, especially those industries where hospitality and tips are essential to the customer/employee relationship;
  - Subtle or obvious pressure for unwelcome sexual activities; or
  - Repeated requests for dates or romantic gestures, including gift-giving.
- Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.
- Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:
    - Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
    - Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
    - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace;
    - This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, such as:
    - Interfering with, destroying, or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
    - Sabotaging an individual's work;
    - Bullying, yelling, or name-calling;
    - Intentional misuse of an individual's preferred pronouns; or
    - Creating different expectations for individuals based on their perceived identities:
      - Dress codes that place more emphasis on women's attire;
      - Leaving parents/caregivers out of meetings.

### **Who Can be a Target of Sexual Harassment?**

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

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

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

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

### **Where Can Sexual Harassment Occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer or industry sponsored events or parties. Calls, texts, emails, and social media usage by employees or covered individuals can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

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

### **Retaliation**

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

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

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

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

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

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

## **Reporting Sexual Harassment**

**Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors and managers have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination.** Any employee or covered individual is encouraged to report harassing or discriminatory behavior to a supervisor, manager. Fire department personnel should file their complaint with the Chief of Department. District personnel should file their complaint with the Fire District Manager/ Fire District Superintendent. In the alternative all personnel can file their complaint with the Chairman of the Board of Fire Commissioners. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, the Chief of Department, Fire District Manager/ Fire District Superintendent or the Chairman of the Board of Fire Commissioners.

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

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

## **Supervisory Responsibilities**

Supervisors and managers have a responsibility to prevent sexual harassment and discrimination. All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report such suspected sexual harassment to the Chief of Department, the Fire District Manager/ Fire District Superintendent or the Chairman of the Board

of Fire Commissioners. Managers and supervisors should not be passive and wait for an employee to make a claim of harassment. If they observe such behavior, they must act.

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

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

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

### **Bystander Intervention**

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

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

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

### **Complaints and Investigations of Sexual Harassment**

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

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

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

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

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate. If complaint is verbal, request that the individual completes the complaint form in writing. If the person reporting prefers not to fill out the form, the person taking the complaint will prepare a complaint form or equivalent documentation based on the verbal reporting;
2. Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails or phone records that may be relevant to the investigation. The person assigned to investigate will consider and implement appropriate document request, review, and preservation measures, including for electronic communications;
3. Will seek to interview all parties involved, including any relevant witnesses;
4. Will create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - a. A list of all documents reviewed, along with a detailed summary of relevant documents;
  - b. A list of names of those interviewed, along with a detailed summary of their statements;
  - c. A timeline of events;
  - d. A summary of any prior relevant incidents disclosed in the investigation, reported or unreported; and
  - e. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
5. Will keep the written documentation and associated documents in a secure and confidential location;
6. Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document; and
7. Will inform the individual(s) who reported of the right to file a complaint or charge externally as outlined in the next section.

### **Legal Protections and External Remedies**

Sexual harassment is not only prohibited by the Fire Island Pines Fire District, but it is also prohibited by state, federal, and, where applicable, local law.

The internal process outlined in the policy above is one way for employees to report sexual harassment. Employees and covered individuals may also choose to pursue legal remedies with the following

governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may also seek the legal advice of an attorney.

### **New York State Division of Human Rights:**

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

Complaints of sexual harassment filed with DHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with DHR, they can bring a lawsuit directly in state court under the Human Rights Law, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Fire Island Pines Fire District does not extend your time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

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

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

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

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

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

### **The United States Equal Employment Opportunity Commission:**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 U.S.C. § 2000e *et seq.* An individual can file a complaint with the EEOC anytime within 300 days from the most recent incident of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether

there is reasonable cause to believe that discrimination has occurred. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred but does not file a lawsuit.

Individuals may obtain relief in mediation, settlement or conciliation. In addition, federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with the New York State Division of Human Rights, DHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment or discrimination with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

## **Conclusion**

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

The adoption of the foregoing policy in the form of a resolution was duly put to a vote and upon roll call the vote was as follows:

Commissioner Walter Boss )  
Commissioner Rhodes-Teague )  
Commissioner McGarity ) AYES  
Commissioner Cook )  
Commissioner Micheels )

The resolution was thereupon duly adopted.

Dated: West Sayville, New York

March 7, 2026

# Fire District Complaint Form for Reporting Sexual Harassment



## Fire Island Pines Fire District

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment or gender discrimination, you are encouraged, but not required, to complete this form and submit it to the Chief of Department at FI Pines Firehouse, 34 FI Blvd, FI Pines, NY – PO Box 193, Sayville, NY 11782 or Chairperson of the Board of Fire Commissioners at FI Pines Firehouse, 34 FI Blvd, FI Pines, NY – PO Box 193, Sayville, NY 11782]. No employee will be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy, and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

### COMPLAINANT INFORMATION

Name: \_\_\_\_\_

Work Address: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Job Title: \_\_\_\_\_

Email: \_\_\_\_\_

Select Preferred Communication Method:  Email  Phone  In person

### SUPERVISORY INFORMATION

Immediate Supervisor's Name: \_\_\_\_\_

Title: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Work Address: \_\_\_\_\_

### COMPLAINT INFORMATION

1. Your complaint of sexual harassment is made about:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

*Adoption of this form does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.*

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Relationship to you: Supervisor Supervisee Co-Worker Other (please specify)

2. Please describe what happened and include as many details as possible. You may use additional sheets of paper if necessary. If you have any relevant documents, please include them. .

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3. Date(s) sexual harassment occurred: \_\_\_\_\_

Is the sexual harassment continuing? Yes No

4. If possible, please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

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*The last question is optional, but may help the investigation.*

5. Have you previously provided information (verbal or written) about related incidents? If yes, when and to whom did you provide information?

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This is not required, but if you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Instructions for Employers**

If you receive a complaint about alleged sexual harassment, follow your sexual harassment prevention policy.

An investigation involves:

- Speaking with the employee
- Speaking with the alleged harasser
- Interviewing witnesses
- Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

Sexual harassment occurs on a spectrum and employers are encouraged to view all potential allegations with an open mind. Disciplinary action should meet the severity of the alleged actions.

Employers should document the findings of the investigation and basis for your decision along with any corrective actions taken. Notify the employee and the individual(s) against whom the report was made of the investigation's outcome and corrective actions taken. This may be done via email.

