

**MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF THOMASTON**

July 8, 2013

The Board of Trustees met on Monday, July 8, 2013 at the Village Hall, 100 East Shore Road, Great Neck, New York at 7:30 p.m.

Present: Mayor Robert Stern, Trustee James Sharkey, Trustee Gary Noren and Deputy Mayor Steven Weinberg

Absent: Trustee To-on Pang

The Mayor opened the meeting at 7:31 p.m.

Approval of Minutes:

RESOLUTION 13 - 45

Upon motion of Trustee Sharkey, seconded by Trustee Noren and unanimously approved, the following resolution was adopted:

RESOLVED that the minutes of the Board of Trustees meeting held on June 10, 2013 are hereby approved and accepted as presented.

Public Hearing Expenditure of Reserve Funds

Mayor Stern opened the Public Hearing on the appropriation of funds in the Village's Repair Reserve Fund to pay for road improvements, resurfacing of Valley View Road, York Drive, Windsor Road and Schenck Avenue as described in the bid documents (2013-2) prepared by the Village, in the amount of \$114,322.50.

There being no comments from the audience, the Mayor closed the hearing.

Upon motion of Mayor Stern, seconded by Trustee Sharkey, and unanimously approved the following resolution was adopted:

RESOLUTION 13-46

RESOLVED, the amount of \$114,322.50 is hereby appropriated from the Village's Reserve Fund to pay expenses for the Road Improvements as described in the bid documents (2013-2) prepared by the Village, and the appropriate Village personnel are hereby authorized to disburse funds in such Repair Reserve Fund, up to such amount, to pay such expenses.

Workplace Violence Policy

Mayor Stern presented Workplace Violence Policy, in accordance with the NYS Department of Labor guidelines.

RESOLUTION 13-47

Upon motion of Mayor Stern, seconded by Trustee Sharkey, and unanimously approved, the following resolution was adopted:

RESOLVED, that the Village Workplace Violence Policy, in the form attached to these minutes as Attachment A is hereby adopted, effective immediately.

Department of Public Works Emergency Response Plan – Hazardous Materials

Mayor Stern presented the DPW Emergency Response Plan Hazardous Materials Awareness Level to be in compliance with the NYS Department of Labor.

RESOLUTION 13-48

Upon motion of Deputy Mayor Weinberg, seconded by Trustee Sharkey and unanimously approved the following resolution was adopted:

RESOLVED, that the DPW Emergency Response Plan Hazardous Materials Awareness Level, in the form attached to these minutes as Attachment B is hereby adopted effective immediately.

SCAR (Small Claims Assessment Review) Decisions

The Board of Trustees was presented with the decisions of the Hearing Officer as of June 21, 2013. Upon motion of Deputy Mayor Weinberg, seconded by Trustee Noren and unanimously approved the following resolution was adopted:

RESOLUTION 13-49

RESOLVED that the Board of Trustees directs the Village Administrator to correct the tax roll with the new assessment indicated by the hearing officer and carry these new assessments forward into the 2014/2015 tax roll. In addition, the Board approves the payment of refunds of the 2013/2014 year reflected the difference between the original and amended bills. The Village Administrator will issue refunds to the applicant's representative upon submission of proper claim forms (see attachment C).

The Mayor set August 12, 2013 as the date for a Public Hearing on a Local Law to repeal Chapter 180 Article III §180-20, §108-21 with regards to Tax Abatement for Certain Rental Property.

Appointment of NY Secretary of State as Agent for service of notices of Claim

Upon motion of Mayor Stern, seconded by Deputy Mayor Weinberg and unanimously approved the following resolution was adopted:

RESOLUTION 13-50

Whereas, the New York State Uniform Notice of Claim Act ("Act"), effective on June 15, 2013, requires all municipal corporations subject to that law to file with the New York Department of State a certificate that (a) designates the New

York Secretary of State as the village's agent for service of notices of claim, and (b) provides the name and address of an officer, person, or designee, nominee or other agent-in-fact to which the Secretary of State will forward any notices of claim, and

Whereas, the Board of Trustees wishes to prove for, or ratify, the Village's compliance with such requirements,

Now, therefore, be it

RESOLVED, that the Village Board of Trustees hereby designates the New York Secretary of State as the Village's agent for service of notices of claim pursuant to the Act; and it is further

RESOLVED, that the Village hereby designates the Village Administrator/Village Clerk, at the Village office address, as the officer to whom the Secretary of State shall forward any notices of claim; and it is further

RESOLVED, that the Village Administrator is authorized to complete and file, and amend, such registration forms as may be required by the Secretary of State to make such registration, and to amend such registration in the event of any change in the identity of the Village Administrator/Clerk or Village address (including email address) in the future.

Vouchers

RESOLUTION 13-51

Upon motion of Trustee Sharkey, seconded by Deputy Mayor Weinberg and unanimously approved the following resolution was adopted:

RESOLVED, that the vouchers in the aggregate amount of 100,316.78 (consisting of the vouchers itemized in the report dated Monday July 8, 2013) are hereby approved for payment, all allocated to the General Fund.

There being no further business Mayor Stern a motion at 8:25 to close the meeting which was unanimously approved.

Respectfully Submitted

Barbara J. Daniels

Village Administrator

VILLAGE OF THOMASTON

WORKPLACE VIOLENCE

POLICY STATEMENT

2013

WORKPLACE VIOLENCE POLICY STATEMENT

The Village of Thomaston has a long-standing commitment to promoting a safe and secure work environment that promotes the achievement of its mission of serving the public. All employees of the Village of Thomaston are expected to maintain a working environment free from violence, threats of harassment, violence, intimidation or coercion. While these behaviors are not prevalent at the Village, no organization is immune.

The purpose of this policy is to address the issue of potential workplace violence in our Village, and to help prevent workplace violence from occurring to the fullest extent possible and set forth procedures to be followed when or if such violence should occur.

POLICY

The Village of Thomaston prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from Village property and are subject to disciplinary and/or personnel action up to and including termination, consistent with Village policies, rules and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the Village of Thomaston Policy against Sexual Harassment.

The Village of Thomaston, at the request of an employee, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee on Village property unless necessary to transact Village-related business. This policy particularly applies in cases where the employee suspects that an act of violence will result from an encounter with said individual(s).

SCOPE

All employees, members of the public, vendors, contractors, consultants, and others who do business with the Village of Thomaston, whether at a Village facility or off-site location where Village business is conducted, are covered by this policy. This policy also applies to other persons not affiliated with the Village, such as former employees, and visitors. When employees have complaints about other employees, they should contact their supervisor immediately.

DEFINITIONS

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, the work environment, or the Village's ability to provide services to the public.

Examples of workplace violence include, but are not limited to: Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).

Intentional physical contact for the purpose of causing harm, (such as slapping, stabbing, punching, striking, shoving, or other physical attack); menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.

REPORTING OF INCIDENTS

General Reporting Responsibilities:

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any employee of the Village of Thomaston. Workplace violence should promptly be reported to the appropriate Administrator (see below). Additionally, employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined above. It is important that all employees of the Village take this responsibility seriously to effectively maintain a safe working and learning environment.

Imminent or Actual Violence:

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call their supervisor immediately, or call 911.

Acts of Violence Not Involving Weapons or Injuries to Persons:

Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to his or her supervisor, or in lieu thereof, to their respective law enforcement agency. The law enforcement agency will work with the Village on an appropriate response.

Commission of a Crime:

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

False Reports:

Employees of the Village of Thomaston who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

Incident Reports:

The Village of Thomaston will report incidents of workplace violence consistent with the Village's Policies for Incident Reporting.

RESPONSIBILITIES

MAYOR

The Mayor shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all Village employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administrators, and supervisors are aware of their responsibilities under this policy through internal communications and training.

Safety Coordinator

The Safety Coordinator is responsible for responding to, intervening, and documenting all incidents of violence in the workplace. The Safety Coordinator will maintain an internal tracking system of all threats and incidents of violence.

The Safety Coordinator is responsible for assisting the Law enforcement Agency and supervisors in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; notifying the Law Enforcement Agency of workplace violence incidents reported to that office; and consulting with, as necessary, counseling services to secure professional intervention.

The Safety Coordinator is responsible for providing new employees with a copy of the Workplace Violence Policy and Procedures and insuring that employees receive appropriate training. The Safety Coordinator will also be responsible for annually disseminating this policy to all employees.

Supervisor/Department Head

Each, Department Head or other person with supervisory responsibility (hereinafter "supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report to the Safety Coordinator any complaint of workplace violence made to him/her and any other incidents of workplace violence of which he/she becomes aware or reasonable believes to exist. Supervisors are expected to inform their immediate supervisor promptly about any acts, or threats of violence even if the situation has been addressed and resolved. After having reported such complaint or incident to the safety Coordinator and immediate supervisor, the supervisor should keep it confidential and not disclose it further, except as necessary during the investigation process and/or subsequent proceedings. Supervisors are required to contact the Law Enforcement Agency, immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

Employees

Employees must report workplace violence, as defined above, to their supervisor. Recurring or persistent workplace violence that an employee reasonably believes is not being addressed satisfactorily, or violence that is, or has been, engaged in by the employee's supervisor should be brought to the attention of the immediate Supervisor.

Employees who have obtained Orders of Protection are expected to notify their supervisors and the Safety Coordinator/Law Enforcement agency of any orders that list Village locations as protected areas

Victims of domestic violence who believe the violence may extend into the workplace, or employees who believe that domestic or other personal matters may result in their being subject to violence extending into the workplace, are encouraged to notify their supervisor, or the Safety Coordinator/Law enforcement Agency. Confidentiality will be maintained to the extent possible.

Upon hiring, and annually thereafter, employees will receive copies of this policy. Additionally, the policy will be posted in the Village Hall and be placed on the Village's website, as appropriate.

Education

Supervisors are responsible for the dissemination and enforcement of this policy as described herein, as well as for providing opportunities for training in the prevention and awareness of workplace violence.

**Village of Thomaston
100 East Shore Road
Great Neck, NY 11021
Department of Public Works**

**AWARENESS LEVEL
HAZARDOUS MATERIALS
EMERGENCY RESPONSE PLAN**

June 2013

I. INTRODUCTION

This emergency plan is meant to be in compliance with OSHA 29 CFR 1910.120(q) by defining the role of this department in responding to such incidents.

“An emergency response plan shall be developed and implemented to handle anticipated emergencies prior to the commencement of emergency response operations. The plan shall be in writing and available for inspection and copying by employees, their representatives and OSHA personnel.”

Employees from this department will adhere to the contents of this plan when they witness or discover a hazardous material incident. This plan shall be reviewed and updated annually or anytime there are changes.

II. PERSONNEL ROLES

When a Hazardous Materials Incident has been identified by Public Works Department (DPW) personnel, these personnel will secure the scene, but will stay away from the immediate accident site and will not become involved in rescue or mitigation. The appropriate Fire Service Agency will be immediately notified.

In the event that DPW personnel must temporarily take charge of an incident, Incident Command will be transferred to a Fire Service Officer, Environmental Officer, or other appropriate agency as soon as is practical.

DPW personnel will confine their activities to those described herein, and will not engage in activities outside the scope of their training.

The policy for Department of Public Works personnel when confronted with a hazardous materials incident is to:

- A. Attempt to safely assess hazards that are present in the situation whenever possible, keeping in mind the personal safety of department personnel, as well as the safety of others who may be present.
- B. Immediately report the situation to the dispatcher and request that the local Fire Department and Police Department be notified.
- C. Implement traffic and crowd control procedures when necessary.
- D. Carry out an evacuation of the immediate area if the situation is too critical to await emergency services personnel.

First Responder Awareness Level

First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities

of the release. First responders at this level shall have sufficient training or experience to objectively demonstrate competency in the following areas:

1. An understanding of what hazardous materials are, and the risks associated with them in an incident.
2. An understanding of the potential outcomes associated with an emergency created when hazardous materials are present.
3. The ability to recognize the presence of hazardous materials in an emergency.
4. The ability to identify the hazardous materials, if possible.
5. An understanding of the role of the first responder awareness individual in the employer's emergency response plan including site security and control.
6. The ability to realize the need for additional resources and to make appropriate notifications.

RESOURCE INVENTORY

FIRE AGENCIES	PHONE NUMBER
Manhasset Lakeville Fire Department – <i>For all incidents south of the LIRR tracks</i>	(516) 466-4411
Vigilant Fire Company – <i>For all incidents north of the LIRR tracks</i>	(516) 482-5000

POLICE AGENCIES	PHONE NUMBER
Nassau County Police Department – <i>3rd Precinct</i>	(516) 573-6300

AMBULANCES	PHONE NUMBER
Manhasset Lakeville Fire Department – <i>For all incidents south of the LIRR tracks</i>	(516) 466-4411
Vigilant Fire Company – <i>For all incidents north of the LIRR tracks</i>	(516) 482-5000

