

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF THOMASTON
December 9, 2013**

The Board of Trustees met on Monday December 9, 2013 at the Village Hall, 100 East Shore Road, Great Neck, New York.

Present: Deputy Mayor Steven Weinberg, Trustee James Sharkey, Trustee To-on Pang, and Trustee Gary Noren

Absent: Mayor Robert Stern

The Deputy Mayor opened the meeting at 7:35 p.m.

Adoption of Minutes

RESOLUTION 13-64

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

RESOLVED that the minutes of the Board of Trustees meeting held on November 19, 2013 are hereby approved and accepted as presented.

Workplace Violence Policy

RESOLUTION 13-65

Upon motion of Trustee Sharkey and seconded by Trustee Pang, and unanimously approved the Village's revised Workplace Violence Policy is hereby accepted and is now in compliance with the PESH (Public Employees Safety and Health) regulations. A copy of the policy is attached to these minutes. (Attachment A)

Public Hearing for Vigilant Fire Protection & Ambulance Service 2014

RESOLUTION 13-66

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

RESOLVED, that a public hearing on the Vigilant Fire Protection and Ambulance Service Contract for 2014 year shall be held on January 13, 2014 during the meeting of the Board of Trustees commencing at 7:30 pm.

Proposed Budget FY 2014-2015

The proposed budget was presented to the Board by Deputy Mayor Weinberg (copies of the tentative budget and a memo discussing the tentative budget had been distributed to Board members several days prior to the meeting), and discussed by the Board of Trustees. At the conclusion of the discussion, the following action was taken.

RESOLUTION 13-67

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

RESOLVED, that the tentative budget for the 2014-2015 fiscal year is hereby approved in the form presented to the Board at this meeting, without changes, and a public hearing on the budget for the 2014-2015 fiscal year is hereby scheduled for Monday, January 13, 2014 at 7:30 pm at the Village Hall (the Village Administrator will provide the notice of such public hearing as required by law).

Vouchers

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

RESOLUTION 13-68

RESOLVED, that the vouchers in the aggregate amount of \$125,277.32 (constitution the vouchers itemized in the report dated Monday, December 9, 2013) are hereby approved for payment, all allocated to the General Fund.

There being no further business, a motion to adjourn was made at 8:25 by Trustee Sharkey, seconded by Trustee Noren and unanimously approved.

Respectfully submitted,

Barbara J. Daniels

Village Administrator

ATTACHMENT A

VILLAGE OF THOMASTON

WORKPLACE VIOLENCE

POLICY STATEMENT

2013

VILLAGE OF THOMASTON

WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT

The Village of Thomaston is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our municipality, staff, clients and residents.

Workplace violence is defined as any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to: An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; Any intentional display of force which would give an employee reason to fear or expect bodily harm; Intentional and wrongful physical contact with a person without his or her consent that entails some injury; Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence against Village of Thomaston employees where any work related duty is performed will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that is designed to identify the workplace hazards our employees could be exposed to. Other tools utilized during this process included establishing a committee made up of management and employees who will have an ongoing role of participation in the evaluation of the physical environment, recommending methods to reduce or eliminate the hazards identified during the evaluation process, reviewing workplace violence incident reports, at least annually, to identify trends in the types of incidents in the workplace, and reviewing the effectiveness of the mitigating actions taken.

All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to help promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification.

All Village of Thomaston personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Name: Barbara J. Daniels

Title: Village Administrator

Department: Village Administration

Phone: 516-482-3110

Email: vilthomaston@optimum.net

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 violence 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 designated contact person (see policy statement). 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 will report incidents of workplace violence to law enforcement authorities as the Village Administrator, after consultation with, and approval by, the Mayor, deems appropriate.

RESPONSIBILITIES

Village Administrator

The Village Administrator 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. Any such investigation and follow-up actions by the Village Administrator shall be taken only after consultation with, and approval by, the Mayor.

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

Subject to the foregoing, the Village Administrator 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 Village Administrator is responsible for providing new employees with a copy of the Workplace Violence Policy and Procedures and insuring that employees receive appropriate training. The Village Administrator 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 Village Administrator 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 Village Administrator 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 Village Administrator/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 Village Administrator/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.