

The Town Board of the Town of Spafford assembled at the Spafford Town Hall, 1984 Route 174, Skaneateles, New York.

PRESENT: Supervisor Mary Bean, Councilor Chris Fesko, Councilor Lou Hanlon and Councilor Dave Venezia.

ALSO PRESENT: Highway Superintendent Cherry Randall, Town Clerk Lisa Valletta and Accountant Thomas Chartrand.

Supervisor Bean called the meeting to order at 7:01 p.m. The Pledge of Allegiance was recited. This meeting is for planning the 2016 Town of Spafford budget and any other business before the Board.

Supervisor Bean invited Mr. Chartrand to guide the review of the tentative budget. Items discussed included:

- Taxable values for various involved entities (Town, County, Fire District, School Districts)
- Highway overtime

A motion was made by Supervisor Bean to cap the budgeted overtime at 200 hours for 2016. The discussion continued. Supervisor Bean recommended implementation of the Highway Advisory Committee recommendations and use County's severity payment to fill any gap. A roll call vote was requested: Nay – Councilor Fesko, Councilor Venezia. Councilor Fesko suggested 250 hours as the cap; there was unanimous approval.

- 2016 road projects – long term planning – paving dirt roads
- Equipment purchases and trade-ins. Instead of purchasing a broom attachment, the Board agreed the road sweeping could be contracted out.
- Southern Onondaga Area Water District – rates will remain the same

TB-10 Salaries: Supervisor Bean recommended the Board consider no more than 1.5% increase for salaries to stay in line with the Teamsters' Union increase.

- Town Supervisor – requested increase from \$10,000 to \$12,000 – *tabled*
- Secretary to Supervisor – new position – salary suggested \$5,000 – *tabled*
- Councilors – no increase requested – *approved*
- Justice – requested increase from \$7,000 to \$8,000 – *increase to \$7,110 approved*
- Justice Clerk – requested increase from \$5,000 to \$6,000 – *increase to \$5,080 approved*
- Town Clerk – no increase requested – *voted to increase to from \$16,950 to \$17,200*
- Deputy Town Clerk – no increase requested – *voted to increase to from \$3,310 to \$3,360*
- Tax Collector – no response to inquiry – *voted to increase to from \$5,080 to \$5,160*
- Assessor – requested increase from \$26,660 to \$27,726.40 – *voted to increase to \$27,060*
- Highway Supt – no increase requested – *voted to increase to from \$51,720 to \$52,500*
- Hwy Dept. Payroll – *union contract*
- Hwy Dept. Payroll (Overtime) – requested increase from \$23,800 to \$26,000 – *voted to decrease to \$21,800*
- Code Enforcement Officer – no increase requested – *voted to increase to from \$20,000 to \$20,300*
- Code Enf. Clerk – no increase requested – *voted to increase to from \$6,600 to \$6,700*

- Zoning Board Clerk – no increase requested – *voted to increase to from \$12.65/hr to \$12.85/hr*
- Planning Board Clerk – no increase requested – *voted to increase to from \$12.65/hr to \$12.85/hr*
- Landfill Supervisor – no increase requested – *approved – a job description needs to be created for this position*
- Landfill Attendant – no increase requested – *voted to increase to from \$12.58/hr to \$12.78/hr and increase budgeted number of hours to 618*
- Dog Control Officer – no response to inquiry – *voted to keep at \$1,400*
- Custodian – no increase requested – *voted to increase to from \$2,130 to \$2,200*

TB-2:

- Independent Auditor – requested increase from \$11,750 to \$12,200 – *approved*

Other amendments include:

- Attorney, Contractual (Litigation) – \$35,000 – *approved*
- Assessor, Contractual Expense – requested \$2,500 – *voted to set at \$1,800*

TB-3:

- Supt. of Highways, Equipment – requested \$40,000. There was discussion of the funds in the 2015 budget that may be available for Highway equipment.
- Cemeteries, Contractual Expense (Trees) – requested \$5,000 --- based on inquiries, Supervisor Bean expects \$2,500 will be sufficient – *approved*.
- Transfer to Other Funds – was set at \$60,000 --- becomes \$0, this related to transferring money for a truck purchase. *The proposed purchase was tabled for further discussion.*

TB-4 & TB-5: No additional amendments.

TB-6:

- Machinery, Equipment – Supt Randall clarified the equipment requests she submitted
 - Loader - \$277,000 should be \$149,000
 - Boom attachment (for loader) \$20,000 is accurate
 - Class 3 Trucks – should be \$103,000
 - Trailer – drop to \$5,000
- Total Highway Fund Appropriation drops to \$891,468.00

TB-7:

- Highway Fund Revenues, Local Sources, Sales of Equipment
 - (Trade) Loader – should be \$45,000
 - Mr. Chartrand advised to not list values for other equipment that may be sold or traded; allow any such revenue to replenish the Highway Reserve fund – *agreed*.

TB-8:

- Awaiting budget information from the Fire District
- Mr. Chartrand proposed the Board consider retaining the 2015 rates for the Southern Onondaga Area Water District for 2016 – *agreed*.

TB-9:

The foregoing adjustments reflect as follows:

GENERAL FUND

- Amount to be raised \$456,657
- Tax Rate per thousand \$1.28 (increase from 2015 of \$0.31)

HIGHWAY FUND

- Amount to be raised \$526,394
- Tax Rate per thousand \$1.47 (increase from 2015 of \$0.08)

These numbers reveal the tentative budget to be \$126,997 above the amount needed to stay within the Tax Cap. The Board is in agreement for the desire to avoid a Tax Cap Override Law and will meet October 1, 2015 at 7 p.m. as scheduled for further budget discussion.

WORKPLACE VIOLENCE POLICY

The proposed Workplace Violence Policy requires an investigative team of three. Supervisor Bean proposed listing these team members by office instead of name, putting forth the following suggestion: Town Supervisor, Town Clerk, and Town Attorney. The full text of the policy is as follows:

Town of Spafford Workplace Violence Program

PURPOSE:

The Town of Spafford maintains a zero tolerance standard of violence in the workplace. The purpose of this policy is to provide Town of Spafford employees guidance that will maintain an environment at and within Town of Spafford property and events that is free of violence and the threat of violence.

POLICY:

Violent behavior of any kind or threats of violence, either implied or direct, are prohibited at Town of Spafford, in properties and at Town of Spafford sponsored events. Such conduct by a Town of Spafford employee will not be tolerated. An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including dismissal. Violent threats or actions by a non-employee may result in criminal prosecution. Town of Spafford will investigate all complaints filed and will also investigate any possible violation of this policy of which we are made aware. Retaliation against a person who makes a complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

DEFINITIONS:

Workplace Violence: Behavior in which an employee, former employee or visitor to a workplace inflicts or threatens to inflict damage to property, serious harm, injury or death to others at the workplace.

Threat: The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

Intimidation: Making others afraid or fearful through threatening behavior.

Zero-tolerance: A standard that establishes that any behavior, implied or actual, that violates the policy will not be tolerated.

Court Order: An order by a Court that specifies and/or restricts the behavior of an individual. Court Orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including Temporary Restraining Orders.

PROHIBITED BEHAVIOR:

Violence in the workplace may include, but is not limited to the following list of prohibited behaviors directed at or by a co-worker, supervisor or member of the public:

1. Direct threats or physical intimidation.
2. Implications or suggestions of violence.
3. Stalking.

4. Possession of weapons of any kind on Town of Spafford property, including parking lots, other exterior premises or while engaged in activities for Town of Spafford in other locations, or at Town of Spafford-sponsored events, unless previously approved, or such possession or use is a requirement of the job.
5. Assault of any form.
6. Physical restraint, confinement.
7. Dangerous or threatening horseplay.
8. Loud, disruptive or angry behavior or language that is clearly not part of the typical work environment.
9. Blatant or intentional disregard for the safety or well-being of others.
10. Commission of a violent felony or misdemeanor on Town of Spafford property.
11. Any other act that a reasonable person would perceive as constituting a threat of violence.

Domestic Violence, while often originating in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers. For the purposes of this document, “domestic violence” is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, or stalking, or making annoying phone calls to a person who is in any of the following relationships:

- Spouse or former spouse;
- Domestic partner or former domestic partner;
- Cohabitant or former cohabitant and or other household members;
- A person with whom the victim is having, or has had, a dating or engagement relationship;
- A person with whom the victim has a child.

Town of Spafford recognizes that domestic violence may occur in relationships regardless of the marital status, age, race, or sexual orientation of the parties.

REPORTING ACTS OR THREATS OF VIOLENCE:

An employee who:

1. is the victim of violence, or
2. believes they have been threatened with violence, or
3. witnesses an act or threat of violence towards anyone else shall take the following steps:
 - If an emergency exists and the situation is one of immediate danger, the employee shall contact the local police officials by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect himself/herself from immediate harm, such as leaving the area.
 - If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible and complete the Town of Spafford Workplace Violence Incident Report Form.

The following people shall be responsible to begin the investigation on any reported incident within 24 hours of any report. They shall maintain confidentiality at all times during the investigation and make a determination as to the outcome (based on the policy herein) to be approved by the Town of Spafford Board: Town Supervisor; Town Clerk; and Town Attorney

These persons shall comprise the Workplace Violence Incident Response Team. Any member of this team can defer the investigation to the Police Department as deemed appropriate, based on circumstances.

PROCEDURES- FUTURE VIOLENCE:

Employees who have reason to believe they, or others, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their employment with Town of Spafford, shall inform their supervisor by immediately completing a Workplace Violence Incident Report Form so appropriate action may be taken. The supervisor shall inform his/her Department Director or may report directly to the Workplace Violence Incident Response Team and/or the local law enforcement officials.

Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor or any member of the Workplace Violence Incident Response Team. The supervisor shall provide copies to the Department Director, the Workplace Violence Incident Response Team and Police.

INCIDENT INVESTIGATION:

Acts of violence or threats will be investigated immediately (within 24 hours of any report) in order to protect

employees from danger, unnecessary anxiety concerning their welfare, and the loss of productivity. The employee's Department Director will cause to be initiated an investigation into potential violation of work rules/policies. Simultaneously, the Department Director will refer the matter to local police for their review of potential violation of civil and/or criminal law.

Procedures for investigating incidents of workplace violence include:

- Visiting the scene of an incident as soon as possible.
- Separately interviewing injured and threatened employees and witnesses.
- Examining the workplace for security risk factors associated with the incident, including any reports of inappropriate behavior by the perpetrator.
- Determining the cause of the incident.
- Taking mitigating action to prevent the incident from recurring. – Recording the findings and mitigating actions taken.

In appropriate circumstances, Town of Spafford will inform the reporting individual of the results of the investigation. To the extent possible, Town of Spafford will maintain the confidentiality of the reporting employee and the investigation but may need to disclose results in appropriate circumstances; for example, in order to protect individual safety. Town of Spafford will not tolerate retaliation against any employee who reports workplace violence. Any reports of retaliation will be reported to PESH and the local Police immediately.

MITIGATING MEASURES:

Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery.

Mitigating actions include:

- Notification of law enforcement authorities when a potential criminal act has occurred.
- Provision of emergency medical care in the event of any violent act upon an employee.
- Post-event trauma counseling for those employees desiring such assistance.
- Assurance that incidents are handled in accordance with the Workplace Violence Prevention policy.
- Requesting Town of Spafford Town of Spafford's attorney file a restraining order as appropriate.

TRAINING AND INSTRUCTION:

Town of Spafford Safety Committee shall be responsible for ensuring that all employees, including managers and supervisors, are provided training and instruction on general workplace security practices. Department Directors shall be responsible for ensuring that all employees, including Board members, managers and supervisors, and any persons allowed to perform any duties for the municipality (in either a Full-time, Part-time, Seasonal or Volunteer capacity) are provided training and instructions on job specific workplace security practices.

Training and instruction shall be provided as follows:

- To all current employees when the policy is first implemented.
- To all newly hired employees, supervisors and managers, or employees given new job assignments for which specific workplace security training for that job assignment has not previously been provided.
- To affected employees whenever management is made aware of a new or previously unrecognized hazard.

Workplace security training and instruction includes, but is not limited to, the following:

- Preventive measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards.
- Methods to diffuse hostile or threatening situations.
- Escape routes.
- Explanation of this Workplace Violence Prevention Policy.

In addition, specific instructions shall be provided to all employees regarding workplace security hazards unique to their job assignment.

The Safety committee will conduct the annual walk-through Security assessment and complete all required documentation.

The Safety committee will ensure that a sampling of employees from each department will perform a Security Assessment of their own workplace, annually.

The Safety Committee will review any incidents of Workplace Violence that have occurred in the previous year and determine if appropriate steps were taken at the time. This is a self assessment tool and meant to plan for possible different/better response, or preventative measures that could be taken in the future.

The Safety committee will prepare a report for presentation to the Town of Spafford Board for review and passage. Plans may need to be made based on budgetary concerns to temporarily address situations until a proper fix can be completed. The names of the persons on the Incident response team must be updated annually by the Town of Spafford Board.

PROGRAM DEVELOPMENT:

The Department Head or Lead employee in each department shall make a list of potential Safety and Security issues that are faced by their employees. Town of Spafford will assess, identify and train employees how to act/react to provide for Employee Safety and Security in the following Departments/locations:

Spafford Town Hall:

Town Clerk, Tax Collection, Code Enforcement, Building Inspection, Town Supervisor, Court Clerk, Town Justice

Highway Department

Transfer Station

Animal Control

A motion to accept the above Workplace Violence Policy was made by Councilor Fesko, seconded by Councilor Hanlon. The motion PASSED. AYES – 4, NAYS – 0.

SOLICITATION ON TOWN PROPERTY

A motion was made by Councilor Fesko, seconded by Councilor Venezia to adopt the following Policy for Solicitation (*Solicitation is defined as seeking to obtain by persuasion*).

Town Of Spafford Policy Regarding Use of Town Property for Solicitation

The rightful owners of the property belonging to the Town of Spafford are the people of the Town of Spafford. All of the people collectively.

The people's properties however, have specific purposes related to the effective delivery of various governmental functions. These functions must not be unreasonably interfered with.

With these principals firmly in mind, and cognizant of the constitutional right of free speech, the Town Board of the Town of Spafford hereby establishes the following policies regarding the use of public property for the purpose of solicitation.

1. Solicitation of donations, selling tickets to an activity or event and similar activity is prohibited on the Town's transfer station property, although such activity can occur on public right-of-ways adjacent thereto, and outside of the fence, so long as such activity does not interfere with the safe ingress and egress of vehicular traffic from the site.
2. Gambling, selling of tickets on games of chance and raffles, are strictly prohibited on Town of Spafford property.
3. Anyone soliciting donations on Town property must register the activity with the Town Clerk and solicitation cannot interfere with the conduct of Town business.

The motion PASSED. AYES – 4, NAYS – 0.

HIGHWAY ITEMS

Salt Storage & Floor Drains

Supervisor Bean reminded the Board of the need for a response from her to the DEC citing long term plans for salt storage. Supt Randall reported on a conversation with DEC regarding such plans, she is awaiting written confirmation of the details of the conversation. The DEC does not require a salt shed, just that the materials be contained and covered. The conversation included discussion of the floor drains and the DEC indicated the two tank system proposed by Supt Randall would be compliant. Written evidence of the conversation and the details will be provided to the Town Board upon receipt.

Town of Scott Snow/Ice Removal Contract

The Town of Scott accepted and returned the signed 2015-2016 Snow/Ice Removal contract.

EXECUTIVE SESSION

A motion was made by Supervisor Bean, seconded by Councilor Hanlon to enter into Executive Session at 10:42 p.m. for discussion of pending litigation. The motion PASSED. AYES – 4, NAYS – 0.

ADJOURNMENT

A motion was made by Supervisor Bean, seconded by Councilor Hanlon to exit Executive Session and adjourn the meeting at 10:52 p.m. The motion PASSED. AYES – 4, NAYS – 0.

Next meeting to be held
Thursday, October 1, 2015 @ 7 p.m.
@ Spafford Town Hall
This will be a budget work session.

Lisa M. Valletta
Town Clerk
Town of Spafford