

Parma Town Board meeting held on Tuesday, January 7, 2014 at the  
Parma Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York.

### **ATTENDANCE**

Supervisor	James Smith
Councilperson	Gary Comardo
Councilperson	James Roose
Councilperson	Tina Brown
Highway Supt.	Brian Speer
Building Inspector	Jack Barton
Recreation Director	Steve Fowler

### **OTHERS IN ATTENDANCE**

Recreation Commissioner Al Howe, Ed Arnold, Mark Bernreuther, Ken Mullen, Carol Mullen, Fritz Gunther, Steve Speer, Carm Carmestro, Kyle Mullen, Tammy Mullen, Mike Weldon, Duane Motley, Randy Mousaw, Stan Hoy, Walt Horylev, and other members of the public.

### **CALL TO ORDER**

Supervisor Smith called the meeting to order at 7:00 p.m. and lead those present in the Pledge of Allegiance to the Flag, followed by a moment of silence. Emergency exit procedures were noted.

### **APPOINTMENT OF KYLE MULLEN TO THE PARMA TOWN BOARD**

Supervisor Smith noted that per Town Law Section 64 (5) confers the authority on the Town Board to fill vacancies in Town offices. A person who is selected to fill that office must possess the same qualifications as the original electee or appointee. There is no particular procedure that must be followed by the Town Board in determining who that individual will be. The Town Board conducted interviews in the later part of December. Those interviewed were Walt Horylev, Rick Lemcke, Kyle Mullen, Dan Barlow, Ken Blackburn, and Carm Carmestro. They looked at experience; skill sets they could bring to the Town; and how they could make the Town Board better. Councilperson Roose commented that this was the most people he was aware of to apply for this kind of position and the candidate's qualifications were outstanding with lots of experience; making it a difficult decision.

Supervisor Smith nominated Kyle Mullen for the position. He stated Mr. Mullen will bring a level of IT and communications understanding that no one on the Board and

perhaps in the building possesses. He felt that this will be critical as we move forward in the information age. In the past year, he has found him to be a critical thinker, asks good tough questions and felt he will make this a better Board.

**RESOLUTION NO. 1-2014** Motion by Supervisor Smith, seconded by Councilperson Comardo, to appoint Kyle Mullen to fill the open Town board seat through December 31, 2014.

Motion carried: Aye 4 Nay 0

Supervisor Smith noted that Mr. Mullen would be sworn in at the end of the meeting.

### **ORGANIZATIONAL MEETING**

Supervisor Smith explained the organizational meeting establishes the policies, appointments and other issues the Town deals with for the year.

### **MILEAGE AGREEMENT FOR REIMBURSEMENT TO EMPLOYEES WHO USE PERSONAL VEHICLES FOR OFFICIAL TOWN OF PARMA BUSINESS FOR 2014**

**RESOLUTION NO. 2-2014** Motion by Councilperson Roose, seconded by Councilperson Comardo, to approve the amount of \$.50 per mile to be paid to employees who use their personal vehicles for official Town of Parma business.

Motion carried: Aye 4 Nay 0

### **2014 SUPERVISOR'S APPOINTMENTS**

Supervisor Smith informed the Town Board of the following appointments for 2014.

Deputy Supervisor	Carmey Carmestro
Director of Finance	Mary Gavigan
Secretary to Supervisor	Marian Aprilano
Historian PT	Don Stilson
Historian PT	James Stilson

### **2014 TOWN BOARD APPOINTMENTS**

The following appointments were made by the Town Board for 2014.

**RESOLUTION NO. 3-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to appoint

Registrar	Donna K. Curry
Tax Receiver	Donna K. Curry
Records Management Officer	Donna K. Curry
Dog Control Officer	Arthur Fritz

Motion carried: Aye 4 Nay 0

**TOWN CLERK APPOINTMENTS FOR 2014**

Town Clerk Curry informed the Town Board of the following appointments for 2014.

Deputy Town Clerk and Receiver of Taxes	Carrie Webster
Deputy Town Clerk	Kerri Scoccia

**TOWN JUSTICE APPOINTMENTS FOR 2014**

The following appointments were made by the Town Justices for 2014.

Court Clerk	Barb Speer
Office Clerk IV P.T.	Wendy Pinzon
Court Attendant	Katie Edenhofer
Court Attendant	Joe Silivestro
Court Attendant	Michael Silivestro
Court Attendant	William Butler
Court Attendant	Steve Zajac
Court Attendant	Don Warney

**APPROVAL OF BLANKET UNDERTAKING**

**RESOLUTION NO. 4-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to acknowledge as sufficient, per Public Officers Law Section 11(2), the blanket undertaking covering Town Officer, Clerks and employees as set forth below:

1. Town Supervisor, Town Clerk/Receiver of Taxes, Deputy Town Clerk and Receiver of Taxes, Director of Finance and Assistant Director of Finance and Couriers \$500,000 Limit
2. Employees (including Clerks, Court Clerk, Town Officers and employees not prescribed above) \$100,000 Limit \$1,000 Deductible

Motion carried: Aye 4 Nay 0

**OFFICIAL DEPOSITORIES OF THE TOWN OF PARMA**

**RESOLUTION NO. 5-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve M&T Bank and First Niagara Bank as the official depositories for the Town of Parma for 2014.

Motion carried: Aye 4 Nay 0

**OFFICIAL NEWSPAPERS OF THE TOWN OF PARMA**

**RESOLUTION NO. 6-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to designate the Suburban News North and South Editions as the official newspaper for the Town of Parma for 2014. Should there be a need, or if a deadline is missed with the Suburban News the secondary newspaper to be used will be the Rochester Democrat & Chronicle.

Motion carried: Aye 4 Nay 0

**OFFICIAL MEETING DATES FOR THE RECREATION COMMISSION - 2014**

The following dates for the Recreation Commission meetings were approved by the Recreation Commission and submitted as informational. The Commission normally meets on the 4<sup>th</sup> Wednesday of each month. Meetings start at 7:00 p.m. and are held at the Village Community Center.

January 22, 2014	July 23, 2014
February 26, 2014	No August Meeting
March 26, 2014	September 24, 2014
April 23, 2014	October 22, 2014
May 28, 2014	November 19, 2014
June 25, 2014	December 17, 2014

**TOWN BOARD MEETING DATES AND TIME -2014**

**RESOLUTION NO. 7-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve the 2014 meeting dates for the Parma Town Board as follows:

January 7, 2014	July 15, 2014
January 21, 2014	August 19, 2014
February 4, 2014	September 2, 2014
February 18, 2014	September 16, 2014
March 4, 2014	October 7, 2014
March 18, 2014	October 21, 2014
April 1, 2014	November 5, 2014 (Wednesday)
April 15, 2014	November 18, 2014
May 6, 2014	December 2, 2014
May 20, 2014	December 16, 2014
June 17, 2014	December 30, 2014 (Tuesday) (time to be determined)

Meeting time will be 6:30 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road

Motion carried: Aye 4 Nay 0

**PLANNING BOARD MEETING DATES AND TIME -2014**

**RESOLUTION NO. 8-2014** Motion by Councilperson Brown, seconded by Councilperson Roose, to approve the 2014 meeting dates for the Parma Planning Board as follows:

**PLANNING BOARD MEETING DATES – 2014**

January 2, 2014	August 7, 2014
February 6, 2014	August 18, 2014
March 6, 2014	September 4, 2014
March 17, 2014	September 15, 2014
April 3, 2014	October 2, 2014
April 21, 2014	October 20, 2014
May 1, 2014	November 6, 2014
May 19, 2014	November 17, 2014
June 5, 2014	December 4, 2014
June 16, 2014	December 15, 2014
July 3, 2014	January 5, 2015
July 21, 2014	

Meeting time will be 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road.

Motion carried: Aye 4 Nay 0

**ZONING BOARD OF APPEALS MEETING DATES – 2014**

**RESOLUTION NO. 9-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve the 2014 meeting dates for the Parma Zoning Board of Appeals as follows:

January 16, 2014	July 17, 2014
February 20, 2014	August 21, 2014
March 20, 2014	September 18, 2014
April 17, 2014	October 16, 2014
May 15, 2014	November 20, 2014
June 19, 2014	December 18, 2014
	January 15, 2015

Meeting time will be 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road.

Motion carried: Aye 4 Nay 0

**CONSERVATION BOARD MEETING DATES – 2014**

**RESOLUTION NO. 10-2014**

Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the 2014 meeting dates for the Parma Conservation Board as follows:

January 7, 2014	July 1, 2014
January 21, 2014	July 15, 2014
February 4, 2014	August 5, 2014
February 18, 2014	August 19, 2014
March 4, 2014	September 2, 2014
March 18, 2014	September 16, 2014
April 1, 2014	October 7, 2014
April 15, 2014	October 21, 2014
May 6, 2014	November 5, 2014 (Wednesday)
May 20, 2014	November 18, 2014
June 3, 2014	December 2, 2014
June 17, 2014	December 16, 2014

Meeting time will be 7:00 p.m. at the Parma Town Hall, 1300 Hilton Parma Corners Road.

Motion carried: Aye 4 Nay 0

**STANDARD WORKDAYS ESTABLISHED FOR RETIREMENT PURPOSES  
FOR THE TOWN OF PARMA**

**RESOLUTION NO. 11-2014**

Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the 2014 standard workday as follows:

A 7-hour workday will be established for retirement purposes for the following positions:

Assessment Clerk	Assessor
Assistant Assessor	Building Inspector
Civil Defense Administrator	Clerk to Town Justice
Conservation Board Member	Councilperson
Court Attendant	Deputy Supervisor
Deputy Town Clerk	Deputy Town Clerk/Receiver of Taxes
Director of Finance	Director Parks and Recreation
Dog Control Officer	Fire Marshal PT
Food Service PT	Historian PT
Laborer	Library Director
Library Page	Library Trainee
Lifeguard-Seasonal	Office Clerk PT
Office Clerk III	Office Clerk IV
Office Clerk IV-Seasonal	Planning Board Member
Principal Library Clerk	Receiver of Taxes/Assessments

Recreation Assistant	Recreation Director
Registrar of Vital Statistics PT	Secretary to Planning Board
Secretary to Zoning Board	Secretary to Supervisor
Senior Library Clerk	Supervisor
Town Justice	Town Clerk
Town Council Members	Zoning Board Member
Zoning Investigator PT	

A 7.5 hour workday has been established for retirement purposes for the following positions:

Assistant Recreation Director	Recreation Leader
Senior Citizen Program Specialist	

An 8 hour workday has been established for retirement purposes for the following positions:

Deputy Superintendent of Highways	Highway Superintendent
Heavy Motor Equipment Operator	Laborer-Highway/Building & Grounds
Laborer PT-Highway/Building & Grounds	Maintenance Mechanic III
Motor Equipment Operator	Parks Foreman
Head Grounds Equipment Operator	

Motion carried: Aye 4 Nay 0

**TOWN OF PARMA HOURS OF OPERATION**

**RESOLUTION NO. 12-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the Town of Parma hours of operation as follows:

Town Hall	Monday –Friday	8:00 A.M.- 4:00 P.M.
Parks Department	Monday –Friday	7:00 A.M.- 3:30 P.M.
Recreation Department	Monday –Friday	8:00 A.M.- 4:30 P.M.
Highway Department	Monday –Friday	7:00 A.M.- 3:30 P.M.

In addition the Parks Department has summer hours when there are Park attendants on into the evening and on Saturday and Sunday. There are certain circumstances where these hours may need to be modified with the Department Head or the Supervisor’s approval.

Motion carried: Aye 4 Nay 0

**TOWN OF PARMA OFFICIAL HOLIDAYS – 2014**

**RESOLUTION NO. 13-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the Town of Parma legal Holidays for 2014 as follows:

Wednesday, January 1, 2014	New Year's Day
Monday, January 20, 2014	Martin Luther King Day
Monday, February 17, 2014	Presidents' Day
Friday, April 18, 2014	Good Friday
Monday, May 26, 2014	Memorial Day
Friday, July 4, 2014	Independence Day
Monday, September 1, 2014	Labor Day
Monday, October 13, 2014	Columbus Day
Tuesday, November 11, 2014	Veteran's Day
Thursday, November 27, 2014	Thanksgiving Day
Friday, November 28, 2014	Thanksgiving Holiday
Thursday, December 25, 2014	Christmas Day

Motion carried: Aye 4 Nay 0

**BOARD AND COMMISSION APPOINTMENTS**

**PLANNING BOARD**

Supervisor Smith explained this Board reviews and approves site plans and subdivisions; review and provide advisory reports on applications; review proposed modifications to the Comprehensive Plan; review development proposals, and make recommendations to the Town Board; make investigations and reports relating to the planning and development of the Town. This is a five person Board having five year terms.

**RESOLUTION NO. 14-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve the appointments to the Town of Parma Planning Board as they have been presented for 2014.

Steve Aprilano	Term Jan 1, 2014 to Dec 31, 2018
Maureen Werner, Sec.	Term Jan 1, 2014 to Dec 31, 2014

Motion carried: Aye 4 Nay 0

**ZONING BOARD OF APPEALS**

This Board reviews applications for special permitted use permits; hear and decide appeals and interpretive matters before that Board and authorize variances as deemed appropriate. This is a five person Board.



**RESOLUTION NO. 15-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the appointments to the Town of Parma Zoning Board of Appeals as they have been presented for 2014.

Timothy Thomas	Term Jan 1, 2014 to Dec 31, 2018
Carrie Webster, Sec.	Term Jan 1, 2014 to Dec 31, 2014

Motion carried: Aye 4 Nay 0

Supervisor Smith noted there is an alternate for this Board. The current alternate has tendered his resignation because of his work schedule. There will be interviews held by a committee existing of the Zoning Board Chairman, representative(s) from the Building Department and the Town Board liaison for that Board. There was discussion on whether this there were enough qualified candidate applications to make a decision. Mr. Barton was asked to review the applications that we have on file and determine if there needs to be further advertisement. It was noted by Councilperson Roose that it was advertised as part of the recent Board opening position.

### **CONSERVATION ADVISORY BOARD**

**RESOLUTION NO. 16-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the appointments to the Town of Parma Conservation Advisory Board as presented for 2014.

Don Harter	Term Jan. 1, 2014 to Dec. 31, 2015
Greg Pacelli, Chairperson	Term Jan. 1, 2014 to Dec. 31, 2015
Michael Ingham	Term Jan. 1, 2014 to Dec. 31, 2015
Diane Brisson, Secretary	Term Jan. 1, 2014 to Dec. 31, 2014

Motion carried: Aye 4 Nay 0

### **LIBRARY BOARD**

Supervisor Smith explained this Board oversees the budgeting and general operating of the Library. Library Board Trustees act under New York State law in the administration of the library. They serve as advocates for the library in every possible manner while working with the Library Director to provide the highest quality of service to the community. They serve five year terms.

**RESOLUTION NO. 17-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve the appointment to the Library as presented for 2014.

Frank Thomas	Term Jan. 1, 2014 to Dec. 31, 2018
--------------	------------------------------------

Motion carried: Aye 4 Nay 0

**ASSESSMENT REVIEW BOARD**

Supervisor Smith explained that individuals have the option of appealing their assessment to this Board if they are not satisfied after having met with the Assessor. This is a five person Board and the terms are for five years.

**RESOLUTION NO. 18-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the appointments to the Town of Parma Assessment Review Board as presented for 2014.

Jeff Forberg Term Oct. 1, 2013 to December 31, 2018

Motion carried: Aye 4 Nay 0

**RECREATION COMMISSION**

This is an eight person Board with four members appointed by the Village Trustees and four by the Town Board for four year terms.

**RESOLUTION NO. 19-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the appointment to the Recreation Commission as presented for 2014.

Carol Lennon Term Jan. 1, 2014 to Dec. 31, 2017

Motion carried: Aye 4 Nay 0

**FARMLAND AND OPEN SPACE PRESERVATION COMMITTEE**

Supervisor Smith noted this committee serves for two year terms. They help develop guidelines with the primary function of preserving farmland and the right to farm. They also look at determining sensitive open space areas and how to protect them.

**RESOLUTION NO. 20-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve the appointments to the Town of Parma Farmland and Open Space Preservation Committee as presented for 2014.

Linda Judd Term Jan 1, 2014 to Dec 31, 2015  
Timothy Thomas Term Jan 1, 2014 to Dec 31, 2015  
Donald Green Term Jan 1, 2014 to Dec 31, 2015

Motion carried: Aye 4 Nay 0

**LIAISON ASSIGNMENTS FOR TOWN DEPARTMENTS, BOARDS  
AND COMMISSIONS FOR 2014**

The following are the Liaison Assignments for 2014:

Supervisor Smith Personnel  
Union Negotiations

	Library Village of Hilton Historian
Councilperson Comardo	Parks Department Union Negotiations Farmland and Open Space
Councilperson Roose	Dog Control Recreation Special Police
Councilperson Brown	Assessor Planning Board Conservation Board
Councilperson Mullen	GIS Zoning Board Zoning Enforcement Officer

In the past there have been liaisons for the North Greece Fire and Spencerport Fire Districts. The last few years they have been sending copies of their meeting minutes to us. They will let us know if there is a need to have someone present should there be a matter that requires our attention.

**RESOLUTION NO. 21-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the Liaison Assignments for Town Departments, Boards and Commissions as presented for 2014.

Motion carried: Aye 4 Nay 0

#### **ELECTION EXPENSES FOR 2014**

**RESOLUTION NO. 22-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the following for 2014 for Election Inspectors:

Hourly rate of pay	\$10.00
Pay for Review/Training/Testing (one-time fee)	\$25.00

Amount to be paid to site chairman will be based on Board of Election formula.

Motion carried: Aye 4 Nay 0

#### **PETTY CASH APPROVALS**

**RESOLUTION NO. 23-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose to approve the following petty cash amounts for the following departments for 2014:

Finance Department	\$100.00
--------------------	----------

Highway Department	\$100.00
Town Clerk	\$340.00
Library	\$100.00

Motion carried: Aye 4 Nay 0

**TOWN OF PARMA PAVILION RENTAL AND VFW RENTAL FEES FOR 2014**

**RESOLUTION NO. 24-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the following per event rental fees for 2014 effective January 1, 2014:

<b>Pavilion Rentals:</b>	Resident	\$ 75.00
	Non-resident	\$150.00
<b>Cancellation Fee:</b>		\$ 30.00

**VFW Rentals:** Rentals for the VFW property will be available pending final contract signatures.

Motion carried: Aye 4 Nay 0

**ATTORNEYS FOR THE TOWN FOR 2014**

**RESOLUTION NO. 25-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to name the official Attorneys for the Town of Parma for the year 2014 as Lacy Katzen, LLP; Sercu & Sercu, LLP; Bond, Schoeneck & King, CLLP, Harter Secrest & Emery, LLP, and Knauf Shaw, LLP.

Motion carried: Aye 4 Nay 0

**APPOINTMENT OF SPECIAL PROSECUTORS**

**RESOLUTION NO. 26-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose,

WHEREAS, the Town Board of the Town of Parma, Monroe County has been advised that in order to properly prosecute certain violations of the Town of Parma Ordinances and Local Laws, it is necessary to obtain the appointment of the Attorneys' for the town as Special Prosecutor; and

WHEREAS, the Town Board desires the Assistant Counsel for the Town, Lara Badain, Esq., be appointed as Special Prosecutor for this purpose; and,

WHEREAS, the Town Board desires the Assistant Counsel for the Town, Peter Rodgers, Esq., be appointment as Special Prosecutor for this purpose; and,

WHEREAS, the Town Board, once it has so appointed the Attorney for the Town, would ask the District Attorney of the County of Monroe to approve the appointment and take

whatever steps are necessary to authorize the Assistant Counsel for the Town to act as Special Prosecutor for these purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Parma hereby appoints Attorneys for the Town Lara Badain, Esq. and Peter Rodgers, Esq. to act as a Special Prosecutor for the purpose of prosecuting any alleged violations of or offenses against the Ordinances, Local Laws and Code of the Town of Parma, in and for the Town of Parma, in the County of Monroe and requests the District Attorney of the County of Monroe to approve the appointment made herein and take whatever steps are necessary to properly authorize Lara Badain, Esq. and Peter Rodgers, Esq. to act as a Special Prosecutor as set forth herein.

Motion carried: Aye 4 Nay 0

**ENGINEERING FIRMS FOR THE TOWN OF PARMA FOR 2014**

**RESOLUTION NO. 27-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to name Larsen Engineers and Chatfield Engineers as engineering firms for the Town of Parma for 2014.

Motion carried: Aye 4 Nay 0

**OFFICIAL ELECTRICAL INSPECTION AGENCIES FOR 2014**

**RESOLUTION NO. 28-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to name Common Wealth and Middle Department as electrical inspection agencies for the Town of Parma for 2014.

Motion carried: Aye 4 Nay 0

**DOG CONTROL OFFICER COVERAGE FOR 2014**

**RESOLUTION NO. 29-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to have Michael Ingham provide coverage for the Dog Control Officer when he is out of town during the 2014 calendar year. A fee of \$25.00 will be paid for each call he responds to.

Motion carried: Aye 4 Nay 0

**DOG CONTROL KENNEL FOR 2014**

Supervisor Smith noted this agreement has worked well for the Town in that it has eliminated some expense and fees when we needed to use Lollipop Farm. The Hamlin Kennel has a phenomenal record of getting the dogs adopted.

**RESOLUTION NO. 30-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve Hamlin Dog Kennel as the official

kennel for the Town of Parma and Lollipop Farms as the secondary kennel for the year 2014. Kennel fees will be \$25.00 per day

Motion carried: Aye 4 Nay 0

Supervisor Smith noted the current agreement with Hamlin expires on February 28, 2014 and we would like to see the contract run on a calendar year basis.

**RESOLUTION NO. 31-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to authorize changing the term dates for the kennel agreement between the Town of Parma and the Town of Hamlin to run on a calendar year.

Motion carried: Aye 4 Nay 0

#### **DOG FINES FOR 2014**

**RESOLUTION NO. 32-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve the dog fines for 2014 as follows:

Penalties for dog ordinances in the Town of Parma for 2014 will be subject to community service and/or a fine of not less than \$250.00 and no more than \$1,000.00 for each offense.

Motion carried: Aye 4 Nay 0

#### **STATEMENT OF NON-COLLUSION**

**RESOLUTION NO. 33-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the Statement of Non-Collusion.

Motion carried: Aye 4 Nay 0

***\*\* See end of Minutes for Statement of Non-Collusion***

Supervisor Smith noted the next group of policies are included in the appendix and have or will be posted on the website. Town Board members have been asked to review each of the policies.

#### **EMPLOYEE REIMBURSEMENT/CREDIT CARD POLICY**

Supervisor Smith summarized this policy. (*See end of Minutes for the Employee Reimbursement/Credit Card Policy*)

**RESOLUTION NO. 34-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the Town of Parma Employee Reimbursement/Credit Card Policy.

Motion carried: Aye 4 Nay 0

### **TOWN OF PARMA INVESTMENT POLICY**

Supervisor Smith reviewed highlights of the policy. (*See end of Minutes for Investment Policy*)

**RESOLUTION NO. 35-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to approve the Town of Parma Investment Policy as submitted.

Motion carried: Aye 4 Nay 0

### **PROCUREMENT POLICIES AND PROCEDURES FOR THE TOWN OF PARMA**

Supervisor Smith reviewed this policy and the thresholds for approval of purchases were reviewed. (*See end of Minutes for Procurement Policies*)

**RESOLUTION NO. 36-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to approve the Procurement Policies and Procedures for the Town of Parma for 2014.

Motion carried: Aye 4 Nay 0

### **WHISTLE BLOWER POLICY**

Supervisor Smith explained this policy. (*See end of Minutes for Whistle Blower Policy*)

**RESOLUTION NO. 37-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to approve the Town of Parma Whistle Blower Policy for 2014.

Motion carried: Aye 4 Nay 0

### **ANNUAL REVIEW OF WORKPLACE VIOLENCE POLICY**

Supervisor Smith summarized this policy. (*See end of Minutes for Workplace Violence Policy*)

**RESOLUTION NO. 38-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, that the Town Board has reviewed and accepted the Workplace Violence Policy for the Town of Parma for 2014.

Motion carried: Aye 4 Nay 0

### **GUIDELINES FOR PUBLIC COMMENT POLICY**

Supervisor Smith noted this policy is new and is intended to deal with the large controversial meetings so that everyone has an opportunity to speak their mind and not feel intimidated. He expressed that people should familiarize themselves with the policy. (*See end of Minutes for Guidelines for Public Comment Policy*)

**RESOLUTION NO. 39-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, that the Town Board has reviewed and accepted the Guidelines for Public Comment Policy for the Town of Parma for 2014.

Motion carried: Aye 4 Nay 0

**TOWN OF PARMA ACTIVE EMPLOYEE LIST FOR 2014**

**RESOLUTION NO. 40-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to accept the Active Employee List for the year 2014 as presented.

Motion carried: Aye 4 Nay 0

**HIGHWAY SUPERINTENDENT APPOINTMENT FOR 2014**

Highway Superintendent Speer informed the Town Board of the following appointment for 2014.

Deputy Highway Superintendent Al Leone

That concluded the Organizational portion of the meeting and the regular Town Board meeting continued.

**MINUTES – DECEMBER 17, 2014**

**RESOLUTION NO. 41-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to accept the Minutes of the December 17, 2014 meeting.

Motion carried: Aye 4 Nay 0

**MINUTES – DECEMBER 21, 2014**

**RESOLUTION NO. 42-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to accept the Minutes of the December 21, 2014 meeting.

Motion carried: Aye 4 Nay 0

**MINUTES – DECEMBER 30, 2014**

**RESOLUTION NO. 43-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to accept the Minutes of the December 30, 2014 meeting.

Motion carried: Aye 4 Nay 0



### **TOWN CLERK REPORT**

The Town Clerk report for December has been submitted and filed. The Year-End Report has been submitted to the Supervisor.

A copy of Bruce Barnhart's letter of retirement has been received in the Town Clerk's office. The Board was asked to do a resolution under miscellaneous business to accept.

Recreation Department Phone System – After the last meeting, Matrix was contacted as being the selected vendor for the new phone system. They revised the price of the contract from \$3,500 to \$3,200. This was an adjustment for the battery backup. The Clerk was thanked for following up on getting the adjustment.

Newly appointed and elected officials who participate in the NYS Retirement System will be receiving their time tracking packets before the next meeting. A three month time span will be tracked, a resolution done and reported to the State for retirement purposes.

The Association of Towns has sent their Annual meeting and training sessions notice, requesting that it be provided to the Board. A list of the training offerings and proposed legislation for the annual meeting in New York City in February was included.

### **HIGHWAY DEPARTMENT REPORT**

Supt. Speer reported the department is handling all the snow so far. The loader is still not operable. He hopes to have back soon.

Notice of retirement for Bruce Barnhart was received and his last day was Friday and Dan Lemcke has also given his retirement notice effective a week from Friday. He would like to hire for the positions. Supervisor Smith asked that he advertise to fill the positions and any applications received be provided to him and the Town Clerk for records management purposes. Supervisor Smith suggested a possible short term fix of having someone part time with a CDL license. It was noted a part time person would have to be paid from the part time line and there will not be enough funding in that line. It was acknowledged that a transfer would have to be done. Supervisor Smith acknowledged a job well done under tough conditions

### **BUILDING DEPARTMENT REPORT**

Mr. Barton reported the monthly and year end reports for the department have been completed and filed. During December, 84 inspections were done. Supervisor Smith shared that Mr. Barton will be retiring in April 2014 and expressed his appreciation for his years of experience and for the amount notice given.

### **RECREATION DEPARTMENT REPORT**

Mr. Fowler did not have anything specific to report.

## **BUSINESS ITEMS**

### **APPOINT TOWN MARRIAGE OFFICER**

Supervisor Smith noted that besides Justices of the Peace, we have had other elected officials act as Marriage Officer.

**RESOLUTION NO. 44-2014** Motion by Supervisor Smith, seconded by Councilperson Comardo, to appoint Donna K. Curry, Town Clerk as a Marriage Officer for the Town of Parma pursuant to Domestic Relations Law Article 3 Section 11-c for a term which runs concurrent with the Town Clerk elected position that expires December 31, 2017.

Motion carried: Aye 4 Nay 0

### **ACKNOWLEDGEMENT OF ACCEPTANCE OF POSITION DIRECTOR OF PARKS AND RECREATION**

**RESOLUTION NO. 45-2014** Motion by Councilperson Roose, seconded by Councilperson Brown, to acknowledge that Thomas Venniro has accepted the civil service provisional position of Director of Parks and Recreation effective January 15, 2014.

Motion carried: Aye 4 Nay 0

### **FIRST QUARTER EMPLOYER CONTRIBUTION TO HSA ACCOUNTS**

**RESOLUTION NO. 46-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to authorized the Finance Director to disburse the first quarterly installment to employee health savings accounts in the amount of \$46,170.04.

Motion carried: Aye 4 Nay 0

### **AUTHORIZATION TO SIGN VFW AMMENDED AGREEMENT**

**RESOLUTION NO. 47-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to authorize the Supervisor of the Town of Parma to execute the Amendments to the original agreement of December 2002 between the Town of Parma and the Hilton-Parma Memorial Post 6105 Veterans of Foreign Wars of the USA as resolved by the Parma Town Board in Resolution 303-2013 on December 17, 2013

Motion carried: Aye 4 Nay 0

### **PURCHASE OF HIGHWAY DUMP TRUCK**

Supervisor Smith stated it is his intent to ask the Board for approval to enter into a three

year lease agreement for the purchase of a ten wheel dump truck with plow equipment; assuming we can get all the necessary steps in place so that this can be done.

**BUDGET TRANSFERS**

BUDGET TRANSFERS			Dec-13			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
LOO574741021000	OFFICE EQUIPMENT	3,335.00	LOO574741041000	OFFICE SUPPLIES	2,759.05	KIRK
LOO574741041500	JANITORIAL SUPPLIES	581.89	LOO574741042200	EQUIP REPAIR/RENTAL	700.00	KIRK
LOO574741041800	POSTAGE	336.85	LOO574741042600	MECHANICAL REPAIR	703.65	KIRK
LOO574741042500	MAINTENANCE SUPPLIES	200.00	LOO574741043000	EDUC & PROF EXPENSES	120.00	KIRK
LOO574741044200	TELEPHONE	393.29	LOO574741044100	GAS & ELECTRIC	550.54	KIRK
LOO574741044400	WATER	26.36	LOO574741046000	CONTRACTED SERVICES	95.14	KIRK
LOO574741045000	PERSONAL CAR	177.50	LOO574741048000	MISC EXPENSES	17.77	KIRK
LOO574741049100	CLEANING SERVICES	1,103.84	LOO574741049000	BOOKS	10,049.50	KIRK
LOO574741049200	VISITING ARTIST	762.03				KIRK
	A APPROPRIATED FUND	8,078.89				KIRK
LOO574903081000	SOCIAL SECURITY	6.00	LOO574904081000	WORKERS COMPENSATION	6.00	GAVIGAN
AOO550513244400	WATER	517.21	AOO550513246000	CONTRACTED SERVICES	617.21	SPEER
AOO550513241000	OFFICE SUPPLIES	100.00	DAO550514248000	MISC EXPENSES	1,630.00	SPEER
DAO550514246000	CONTRACTED SERVICES	1,745.00	DAO550514248100	CLOTHING ALLOWANCE	115.00	SPEER
AOO570798949006	NUTRITION	1,185.00	AOO570731549003	BASEBALL TEAM	60.00	VOLKMAR
			AOO570702012000	ASST DIRECTOR	250.00	VOLKMAR
			AOO570702014000	REC LEADER	475.00	VOLKMAR
			AOO570798911006	KITCHEN HELP	400.00	VOLKMAR
AOO51111043000	EDUC & PROF	325.00	AOO51111046000	CONTRACTED SERVICES	47.50	SPEER
AOO511111046100	CONTRACTED SERVICES	390.00	AOO511111015000	BALIFF	500.00	SPEER
AOO511116546100	CONTRACTED SERVICES	1,500.00	AOO511111015000	BALIFF	1,245.00	SPEER
AOO511111021000	OFFICE EQUIPMENT	1,200.00	AOO511111013000	OFFICE CLERK 4	500.00	SPEER
AOO511111043100	BOOKS/SUBSCRIPTIONS	77.50	AOO511111013000	OFFICE CLERK 4	1,200.00	SPEER
	UNAPPROPRIATED FUND	17,160.00	AOO511111049000	DISTRIBUTION FINES	17,160.00	SPEER
AOO589809043000	EDUC & PROF	150.00	AOO510101043000	EDUC & PROF EXPENSES	150.00	GAVIGAN
AOO513131045000	PERSONAL CAR	127.00	AOO510101041000	OFFICE SUPPLIES	127.00	GAVIGAN
AOO514141043000	EDUC & PROF	145.00	AOO514141041000	OFFICE SUPPLIES	145.00	CURRY
AOO570702013000	RECREATION SR COORDIN	131.00	AOO570702012000	ASST DIRECTOR	91.00	GAVIGAN
			AOO570702014000	REC LEADER	40.00	GAVIGAN
AOO516162049000	TOWN HALL IMPROVEMENT	75.00	AOO516142047300	LEGAL/BUILDING	75.00	GAVIGAN
AOO516162046000	CONTRACTED SERVICES	1,240.00	AOO516162044100	GAS & ELECTRIC	1,161.00	GAVIGAN
			AOO516162044200	TELEPHONE	79.00	GAVIGAN
AOO516162042200	EQUIPMENT REPAIR	2,360.00	AOO516168046000	CONTRACTED SERVICES	58.00	GAVIGAN
			AOO516191047600	LIABILITY INSURANCE	2,302.00	GAVIGAN
AOO535351046000	CONTRACTED SERVICES	413.00	AOO535351011000	DOG CONTROL OFFICER	413.00	GAVIGAN
AOO550513248000	MISC EXPENSE	1.00	AOO550513246000	CONTRACTED SERVICES	1.00	GAVIGAN
AOO516167049000	LEGAL NOTICE	260.00	AOO576752048000	MISC EXPENSES	260.00	GAVIGAN
BOO580801046000	CONTRACTED SERVICES	357.00	BOO580801011000	EXECUTIVE SECRETARY ZONIN	357.00	GAVIGAN
AOO571711015000	LABORER SEASONAL	2,400.00	AOO571711011000	PARKS FOREMAN	1,372.00	GAVIGAN
AOO571711016000	LABORER GATES	320.00	AOO571711012000	ASST PARKS FOREMAN	660.00	GAVIGAN
			AOO571711014000	GROUNDSPERSON	637.00	GAVIGAN
			AOO571711018000	LABORER	51.00	GAVIGAN
	A APPROPRIATED FUND	51,285.00	AOO516142047200	LEGAL/LABOR	10,051.00	GAVIGAN
			AOO516142047400	LEGAL/TOWN	33,047.00	GAVIGAN
			AOO590904081000	WORKERS COMPENSATION	2,955.00	GAVIGAN
			AOO590905081000	UNEMPLOYMENT INSURANCE	1,086.00	GAVIGAN
			AOO513131043000	EDUC & PROF EXPENSES	435.00	GAVIGAN
			AOO513132047100	AUDITOR	3,711.00	GAVIGAN
AOO571711046100	UNIFORMS	222.40	AOO571711042500	MAINTENANCE SUPPLIES	222.40	DOOL
AOO571711046100	UNIFORMS	284.08	AOO571711046000	CONTRACTED SERVICES	284.08	DOOL
AOO571711049000	PARK IMPROVEMENTS	171.76	AOO571711042200	EQUIPMENT REPAIRS	171.76	DOOL
AOO571711016000	LABORER GATES	987.96	AOO571711045100	GASOLINE	987.96	DOOL
		100131.56			100131.56	

**RESOLUTION NO. 48-2012** Motion by Councilperson Comardo, seconded by Councilperson Brown, to approve the Budget Transfers as presented.

Motion approved: Aye 4 Nay 0

**INTERFUND TRANSFERS**

INTERFUND TRANSFERS			Dec-13			
ACCT #	FROM DESCRIPTION	AMT.	ACCT #	TO DESCRIPTION	AMT.	REQUESTED
S00599990190000	INTERFUND TRANSFER	5,502.28	DB4995031.02	DRAINAGE REVENUE	5,502.28	SPEER
S01599990190000	ALL SEASONS	3,269.08	DB4995031.04	SEWER REVENUE	24,452.79	SPEER
S02599990190000	COUNTRY VILL	4,260.64				
S09599990190000	MERCY FLIGHT	4,277.12				
S10599990190000	PAYNE BEACH	2,989.47				
S11599990190000	SALMON CREEK	2,122.08				
S17599990190000	WILDER ESTATES I & II	3,503.50				
S18599990190000	WILDER ESTATES III	1,642.50				
S19599990190000	WILDER ESTATES IV	821.25				
S20599990190000	WILDER ESTATES V	821.25				
S21599990190000	WILDER ESTATES 6-10	745.90				
	B APPROPRIATED FUND	17,467.45	DBO550513045200	VEHICLE MAINT	9,164.14	SPEER
			DBO550513046000	CONTRACTED SERVICES	6,819.40	SPEER
			DBO550904081000	WORKERS COMP	1,368.35	SPEER
			DBO550906081000	MEDICAL INSURANCE	115.56	SPEER
		47,422.52			47,422.52	

**RESOLUTION NO. 49-2012** Motion by Councilperson Roose, seconded by Councilperson Comardo, to approve the Budget Transfers as presented.

Motion approved: Aye 4 Nay 0

**MISCELLANEOUS**

**ESTABLISH VFW HALL RENTAL RATES FOR 2014**

**RESOLUTION NO. 50-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo, to establish the following rates for rental of the VFW for 2014:

**VFW Rentals:**

Regular-Full Day	\$225.00	+ \$50.00 Non-refundable cleaning fee	+ \$100 Security Deposit
Active VFW Member	\$50.00	+ \$50.00 Non-refundable cleaning fee	+ \$100 Security Deposit
Inactive VFW Member	\$75.00	+ \$50.00 Non-refundable cleaning fee	+ \$100 Security Deposit

Informational notes: half of the Regular Full Day rental fee goes to the VFW and half goes to the Town (\$112.50 each); Active and Inactive VFW members fees go to the VFW; the entire cleaning (key keeper fee) stays with the Town; security deposit is returned to the renter if the building is left in the condition received after inspection.

**Cancellation Fees:** \$30.00 for VFW rentals

Motion carried: Aye 4 Nay 0

### **RETIREMENT – BRUCE BARNHART**

**RESOLUTION NO. 51-2014** Motion by Councilperson Comardo, seconded by Councilperson Roose, to accept the letter of retirement from Bruce Barnhart effective January 10, 2014 with regrets.

Motion carried: Aye 4 Nay 0

### **ESTABLISH VENDORS FOR THE RECORDS MANAGEMENT GRANT**

The Town Clerk summarized the grant received through the Local Government Records Management Improvement Fund (LGRMIF). The process to determine who would provide the services took much longer than expected. During the bid process we became aware that we needed to follow the State Procurement Policy which required us to meet with NYSID, a preferred source with New York State, to determine if this was a service they could fulfill for the project. Four of the vendors who provided bids, indicated they were NYSID members or partners. In meeting with NYSID it was determined that Rochester Rehabilitation was suited to better meet our needs. NYSID selected them as their provider. It was noted two of the vendors were from Syracuse and one from Buffalo. The amount quoted by Rochester Rehabilitation was at the lower end of the bids. It was important to both the Town and the Village that the records remain local.

During the preparation stage of the process, the Village opted to have their address record files filed by Address and Tax ID number. The Town had selected to use those fields but also to break the records down further into how they are currently filed (building permits, fire marshal, code enforcement, planning board and zoning board records). The structure for the Town is in more detail and depth and can be completed entirely by the Laserfiche software. The majority of this work has already been completed.

The archival feature is a product provided by NanoArk which we used last time. They are the sole source provider in that they are the only company in the country that has this product. We were pleased with what we received with the last grant project. General Code has the unique ability to put our records in exactly the format we need to import it into our software; whereas, Rochester Rehabilitation can do part of it but not all of the work. The part of the project completed by them will need to have additional work done by project staff in order insert it into the product the way we need it. This may necessitate a change to the budget for the grant by moving funds from the services portion to the staff portion of the project.

After meeting with the three vendors, it was determined that Rochester Rehabilitation would be given the Village records and the capital projects from the Town. General Code would be best suited to be given the Town's property records. This will also allow us to have two vendors working on the project at the same time so we can make up the

lost time at the beginning of the project. This way we can still make the June 30<sup>th</sup> deadline so the funding is not lost.

**RESOLUTION NO. 52-2014** Motion by Councilperson Brown, seconded by Councilperson Comardo,

**WHEREAS**, a Local Government Records Management Improvement Fund (LGRMIF) grant was secured by the joint application by the Town of Parma (Town) and the Village of Hilton (Village) for a Records Management Document Conversion and Access project which includes scanning, indexing, merging with the Town and Village's current records management software Laserfiche and converting to the archival format of waferfiche; and

**WHEREAS**, the Town worked with NYSID in determining if there was a local preferred source which could do the project or a portion of the project according to the form, function and utility requirements of the Town and Village. NYSID selected Rochester Rehabilitation – One Source Solutions, 1357 University Avenue, Rochester, NY 14607 as the vendor they felt could do this project; and

**WHEREAS**, the Town and Village use the services of General Code, 781 Elmgrove Road, Rochester, NY 14624 who is the sole provider in this area for the records management software used by the Town and Village, is the most familiar with this product, can meet the Town and Villages exact specifications for form, function and utility and has the means to complete the project with no other additional work to be done by the Town and the Village for completing the project; and

**WHEREAS**, the Town and Village use the services of NanoArk Corporation, 125 Tech Park Drive, Rochester, NY 14623 who is the sole source of the waferfiche technology which the Town and the Village has already begun to use as the archival form for their records management programs; and

**WHEREAS**, during the review process, the Records Management Officer, Town Clerk met with all three providers and determined that not all areas of the project could be provided in the form, function and utility needs of the Town and Village by Rochester Rehabilitation – One Source but portions of it could be.

**NOW, THEREFORE, BE IT RESOLVED** that Supervisor Smith is hereby authorized to contract with these three companies for the Town of Parma (Town) and the Village of Hilton (Village) for a Records Management Document Conversion and Access project for an amount not to exceed \$114,467.00.

Motion carried: Aye 4 Nay 0

**APPEAL OF FOIL REQUEST DENIAL -- EDWARD ARNOLD**

Supervisor Smith noted a FOIL request was made by Mr. Arnold. He requested the names of the applicants for the open Town Board position and was originally denied. Mr. Arnold decided he would appeal the decision. Those names were provided this evening during the meeting and will be provided in writing to Mr. Arnold. Mr. Arnold indicated he did not get all the information. The Clerk noted that he was sent an email today as noted in the original response. Mr. Arnold stated he did not receive his email. The email was in response to the second part of his request, which was for the criteria

used to select the candidate. Today's email response stated that the same criterion was used for the interviewed candidates as was used for determining who would be interviewed (the third portion of the request). The rating form used was included again with today's response. He asked why it was now ok for it to be on the record. Supervisor Smith stated that we received information from the Committee on Open Government suggesting that the interviews should have been conducted in public. Mr. Freeman was contacted and asked if they are still valid and he indicated yes and make the names public. Mr. Arnold wanted it to be known that this came as a result of his FOIL request.

The Clerk noted the candidates who were not selected for interviews were not noted earlier in the meeting. Those individuals were part of Mr. Arnold's request, therefore their names should also be provided. Those individuals were Ed Arnold, Robert Christ and Mark Bernreuther. The clerk noted this completes the request.

### **LIAISON REPORTS**

\*\*Councilperson Brown had nothing specific to report.

\*\*Councilperson Comardo reported the Zoning Board of Appeals approved three area variances during their last meeting.

\*\*Councilperson Roose noted there was nothing of significance to report from the Planning Board meeting.

\*\*Supervisor Smith reported the room divider door has been pulled shut. It cannot be opened. The Court Clerk was contacted and felt it would not pose a problem for the Court. There could potentially be a problem for some of the Historical Society meetings.

Town Hall HVAC Boiler Update – More in depth quotes were sought for the Town Hall Boiler repair. A couple of vendors have given us fairly extensive quotes (\$10,000 range) and input which included that this was the original boiler and it is not very efficient. In that it is working and not in need of immediate repair, we will be looking to apply for a grant with Mr. Fowler's assistance. It was felt that it does not make sense to invest that kind of money into the boiler and then have to replace it in a few years. In talking with the Parks Department, there is no immediate need for repairs so any work will be deferred until the spring.

### **PUBLIC FORUM**

Supervisor Smith asked if there was any citizen who would like to address the Town Board with any concerns.

Edward Arnold asked if the new appointment for the Deputy Supervisor would have voting privileges. The Supervisor responded no. Mr. Arnold asked what the duties would be. Supervisor Smith responded the position would chair the Board if he was not in town, sign any documents if he was out of town or incapacitated and keep the flow of

Town government seamless if the Supervisor is unable to do those duties. Mr. Arnold asked if this would now become an elected position. The Supervisor responded no. It is a position that serves at the pleasure of the Supervisor. It was noted that many larger Towns have full time Deputy Supervisors. They are not voting members and are part of the operating staff. Mr. Arnold wanted to know if this was a new position. It was noted that it is not a new position and in the past it has not always been a member of the Town Board. During a period a previous Supervisor's term, Mr. Reinschmidt was appointed as Deputy Supervisor and he was not a member of the Town Board at that time.

Mr. Arnold expressed that he would like the decision made during the March 5, 2013 Town Board meeting to hold the public forum at the end of the meeting changed back to the beginning of the meeting. He felt this removed the opportunity for citizens to discuss anything that may be coming up in front of the Town Board. Supervisor Smith felt this could be reconsidered in that we have just put into place rules for open forums and public hearing but would likely not occur until February.

Kyle Mullen asked if the Whistleblower, Workplace Violence and the other policies were new. It was noted that some were and some were not. The draft on line for the Workplace Violence Policy still has the prior Supervisor's name. Supervisor Smith will see that this is changed.

Tammy Mullen stated that she felt the public should be able to speak prior to the Board voting. She also inquired if the Deputy Supervisor position is a paid position. Supervisor Smith responded that there was a \$1,500 stipend. She also wanted to know if health insurance would be extended to the position. Supervisor Smith responded that he could buy into the health insurance program by paying the entire employee portion. There would be some expense to the Town that would come out of the Supervisor's budget in the A Fund. Supervisor Smith will see that she gets information on this. She felt the public should have had the opportunity to speak on this before a decision was made and that this money may have been better spent on the boiler or offsetting future tax increases. She inquired who on the Board may have handled the job. Supervisor Smith responded when he held the position he was retired and available seven days a week. Mr. Carmestro is in Town all week and the existing Board members have fulltime jobs. He felt this would work out best if there was a need to respond quickly.

Mr. Arnold asked if it would build up for time toward the health insurance at retirement benefit. Supervisor Smith responded this would be for one year only; would assist him with having health insurance and help the Supervisor in getting through the transition. Supervisor Smith acknowledged that Mr. Carmestro has worked very hard for the Town and part of the decision was to help him out.

Ken Mullen inquired why there was not a resolution done for the appointment of the Deputy Highway Superintendent position. It was noted one is not needed as this is Superintendent Speer's appointment not the Town Board's.

Mr. Mullen asked why there were still only two electrical inspection agencies. Supervisor Smith responded that the question was posed to the Building Department if



there was a value to add a third inspection agency. It was felt the two agencies they have, have been working very well. He did not wish to micro manage the situation. Mr. Mullen felt since electricians have inspectors they would like to use, it would not make any difference. Since underwriters are not assigned, why limit who can do the inspections in the Town. Mr. Barton noted they are contacted by electricians new to the area and homeowners. He noted for years the Town only had one. It opened up to two about ten years ago, one of the companies went out of business, and there have been no problems with the two current agencies. The department is comfortable with the two they have and there have been no complaints on those two companies.

Fritz Gunther stated he gave a presentation earlier in the year and that he provided inspections in the Town when he worked for another company. He stated that his company is requested to do inspections in the Town and he has to turn them away. He did not have problems when he did inspections for the other company. He indicated that he does not disagree that the two approved companies are good companies. He would like the opportunity to show what his company can do. He felt it was no detriment to the Town and would like to be on the list.

Supervisor Smith indicated to Mr. Barton that they would talk about it further. Mr. Barton noted the Board can appoint additional agencies, if needed. If one were to drop out then there would be a need.

There being no further business before the Town Board, Councilperson Comardo made a motion to adjourn the meeting at 8:35 p.m., seconded by Councilperson Roose.

Respectfully submitted,

Donna K. Curry  
Parma Town Clerk

### **EMPLOYEE REIMBURSEMENT /CREDIT CARD POLICY**

The Town of Parma authorizes the use of individual store credit cards. The store credit card account will be open with the authorization of the finance department.

- Finance office and department heads have custody of the credit cards
- Cards are to be used for purchases related to Town business ONLY
- The original itemized receipt must be attached to a voucher, signed by the department head and submitted for approval by the Town Board at the next bill paying session

- If reimbursement is for more than one person (ex.-two or three individuals attend a luncheon) each person should be noted on voucher and/or receipt.
- Authorized store credit cards are:

Lowes	Credit Limit - \$8,000.00
Sam's Club	Credit Limit - \$3,000.00
Staples	Credit Limit - \$5,000.00

Local government officials and employees are prohibited from using government credit cards for making personal charges. All billing statements are to be reconciled to supporting documentation that adequately identifies ALL charges as being valid and proper municipal expenses. Government entity is to seek repayment from those responsible for incurring unauthorized or inappropriate charges.

When an employee makes a purchase related to Town business and pays out of pocket, using cash, personal credit card or store Town Credit Card, they must follow the following procedure for reimbursement:

- Any purchases not for town business will be paid personally by employee
- Any employee personal credit card used for Town purchases will require the same procedures listed above to be followed

### **TOWN OF PARMA INVESTMENT POLICY**

#### **A. Investment Policy**

The objectives of the Investment Policy of the Town of Parma are to minimize risk, to insure that investments mature when the cash is required to finance operations and to insure a competitive rate of return. The Town Board would like to maximize interest income on all funds not immediately needed for payment of obligations. Investments of excess funds shall be governed by the regulations contained in the Town Law, General Municipal law and Local Finance law. The priorities for investment of funds shall be:

1. To conform with all applicable federal, state and other legal requirements
2. To adequately safeguard principal
3. To provide sufficient liquidity to meet all operating requirements
4. To obtain a reasonable rate of return

#### **B. Delegation of Authority for Investing Town Money**

The Town Board delegates the authority to make the day to day investment decisions within the guidelines and limitations of this policy to the:

1. Town Supervisor as Chief Fiscal Officer
2. Director of Finance

C. Investment Regulations

The custodial agreement shall provide that securities held by the bank or agent of and custodian for the local government will be separate and apart from the general assets of the custodial bank and will not in any circumstances be co-mingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

As authorized by General Municipal Law, Section 11, the Town of Parma authorizes the chief fiscal officer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Certificates of deposit
- Special time deposit accounts
- Obligations of the United States of America
- Obligations of the State of New York

All investment obligations shall be payable or redeemable at the option of the Town of Parma within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Parma within two years of the date of purchase.

Banks authorized for the deposit of monies up to the following maximum amount are:

Manufacturers & Traders Trust (M&T)	\$8,000,000.00
First Niagara Bank	\$3,000,000.00

D. Investment Security

The primary objective of this policy is to enhance the safety and availability of any Town funds invested. Regulations of the Federal Deposit Insurance Corporation state that each

official custodian of funds of any country, municipality of political subdivision depositing such funds in an insured bank located in the same State shall be insured up to \$100,000.00 for the time and savings accounts per bank and up to \$100,000.00 for demand deposits per bank. (12 Code Federal Regulations Section 330.8)

The Finance Department, with Supervisor's approval should determine on a regular basis whether:

- The transactions are recorded on the books of the custodial bank.
- The proper obligations have been pledged and whenever possible such obligations should be delivered to a bank or trust company other than the institution with which the investment is made.
- The obligations have an adequate market value to cover the deposits / investments.
- The obligations have been segregated either physically or by appropriate book entry.
- The fiscal officer's written consent is required for the release and substitution of the pledged obligations.

#### E. Bonding Policy

All Town employees who are involved with the transactions of the Town funds are bonded through the Town's insurance program. This program should be reviewed and updated annually.

## **PROCUREMENT POLICIES AND PROCEDURES FOR THE TOWN OF PARMA**

This document sets forth the policies and procedures of The Town of Parma to meet the requirements of General Municipal Law, Section 104-b.

### **Purpose**

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the Parma Town Board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be pursuant to the competitive bidding requirements of the General Municipal Law, Section 103 or of any other general, special or local law.

### **Procedures for Determining Whether Procurements are Subject to Bidding**

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determination that competitive bidding is not required by law is as follows:

**Formal Bids – Purchases over \$20,000 and \$35,000 for Public Works**

General Municipal Law 103 provides that all purchase contracts involving expenditures in excess of \$20,000 and all contracts for public work involving expenditures in excess of \$35,000 be awarded through the competitive bidding process for political subdivisions. Although not defined in General Municipal Law 103, the Office of the State Comptroller has expressed the opinion that the term “purchase” applies to the procurement of commodities, while the term “contract for public work” encompasses contracts for services, labor or construction. In determining the necessity for competitive bidding, the cumulative amount to be expended for an item or commodity in a fiscal year must be considered.

**Formal Bid Procedures:**

- A. The Department Head must receive approval from the Town Board for the bid process to start.
- B. Formal bids are processed and published by the Town Clerk’s office with direct assistance from the using departments in the preparation of technical specifications, plans and drawings where required.
- C. Formal bids will be received and opened publicly at the specified date, time and place set forth in the bid documents.
- D. All bids received will be tabulated and given to the using department. The using department will prepare a report for the Town Board containing their recommendations for the award to the lowest and best responsible bidder meeting the Town’s specifications. A resolution is passed at the next Town Board meeting.
- E. The Town Clerk is responsible for securing and filing all bids, legal notices, and resolutions. Every transaction should fall within the provisions of applicable law and regulations and should be completely documented for subsequent bid inspection by Town auditors, federal and state agencies, the bidders or any interested citizens.

**Non-Bid Procurements (see chart at end)**

Purchases under \$10,000 are subject to approvals specified on the chart at the end of the policy. Each Department Head is responsible for compliance with the purchasing procedures adopted in this policy. The procedure for standard purchasing is as follows:

- A. The Department Head determines whether the purchase is a bid or non bid purchase.

- B. The Department Head receives the correct number of quotes or approvals for the dollar amount of the purchase. Every attempt should be made to purchase locally providing the costs are competitive. The documentation for the two verbal quotes should be kept by the department and filed.
- C. Any quotes that will be reviewed by the Town Board should be submitted to the Town Clerk to put in the Town Board minutes and to be filed in the Town Clerk's office.
- D. After approvals, a voucher is created with a copy of the vendor's invoice and signed by the Department Head. This is forwarded to the Finance office.
- E. The appropriate departmental General Ledger account should have sufficient funds available. If not, a budget transfer form should be submitted to the Finance office for approval by the Town Board before the bill is paid.

### **State Pricing Contracts**

The State of New York and other governmental entities establish contracts that are extended to all New York municipalities. A list and details of the contracts can be obtained through the Internet. Such procurements shall be regarded as noncompetitive transactions.

### **Statutory Exceptions from these Policies and Procedures**

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances.

- A. Through county contracts – General Municipal Law 103(3)
- B. Through state contracts – General Municipal Law 104
- C. Through agencies for the blind or severely handicapped – State Finance Law Section 175-b
- D. Through articles manufactured in correctional institutions – Correction Law Section 186
- E. Sole source situation Personal service contracts – accountants, engineer, architect or attorney
- F. Emergency purchases

### **Adequate Documentation**

A good faith effort shall be made to obtain the required number of written (3) or verbal (2) quotes. All written quotes are to be filed with the Town Clerk. Verbal quotes are the responsibility of the Department Head to keep adequate records.

### **Awards to Other Than the Lowest Bidder**

The lowest proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the lowest bidder.

**Items Excepted From Policies and Procedures by the Board**

The Parma Town Board will decide whether to solicit bids or quotes for professional services based on their needs at the time and whether it is in the best interest of the Town of Parma.

**Input from Officers**

Comments concerning the policies and procedures shall be solicited from officers of the political subdivision or district therein involved in the procurement process to the enactment of the policies and procedures, and will be solicited from time to time hereafter.

**Annual Review**

The Parma Town Board shall annually review these policies and procedures. The Parma Town Supervisor shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

**Unintentional Failure to Comply**

The unintentional failure to fully comply with the provisions of the General Municipal Law, Section 104-b shall not be grounds to void action taken or give rise to a cause of action against the Town of Parma or any officer or employee thereof.

**The Quotation Process**

The Town and all departments will adhere to the following table for stimulating competitive pricing for small purchases up to \$10,000.

**Standard Purchases**

Dollars	Department Head	Supervisor	Town Board	Quotes Required
0 - \$1,999	Yes			
\$2,000 - \$4,999	Yes	Yes		2 Written
\$5,000 - \$9,999	Yes	Yes	Yes	3 Written
>\$10,000	Subject to Bid			

\* The Highway Superintendent may approve highway purchases between \$2,000 – \$4,999\*

**Pre Approved Projects**

Dollars	Department Head	Supervisor	Town Board	Quotes Required
0 - \$1,999	Yes			
\$2,000 - \$4999	Yes			2 Written
\$5,000 - \$9,999	Yes	Yes	Yes	3 Written
>\$10,000	Subject to Bid			

**TOWN OF PARMA WHISTLE BLOWER POLICY**

**POLICY:**

The primary duty of all Town employees is to the public whom we serve. If you observe what you believe to be an act of fraud, waste, abuse, misconduct, illegal activity or other violation of the Town ‘s Code of Ethics by a Town officer or employee, you have a duty to report it. This policy is a safeguard against retaliatory actions that could be taken against a Town officer or employee for such a report made in good faith.

**Provisions:**

1. **IMPROPER CONDUCT:** If you believe action taken by the Town, or a Town officer or employee in the performance of his/her official duties, violates a federal, state or local law, rule or regulation, or the Town’s Code of Ethics, you have a duty to report it.
2. **GOOD FAITH:** A good faith report means you have reasonable grounds to believe the conduct constitutes improper governmental action and is true, even if the belief should later prove to be unsubstantiated.
3. **REPORTING:** In most cases, your immediate supervisor is in the best position to address an area of concern; therefore, you should make the good faith report to your Department Head. However, it is understood that the circumstances will dictate the appropriate avenue to follow. Here is the preferred reporting order:
  - Your Department Head
  - Director of Finance
  - Town Supervisor
  - Town Board

Your Department Head or the director of Finance will report the conduct to the Town Supervisor.



4. **ANONYMITY / CONFIDENTIALITY:** Your report can be made anonymously. Your report will be kept confidential to the best extent possible, consistent with the need to make a fair and complete investigation.
5. **RETALIATION:** The Town shall take no retaliatory action against you because you made a good faith report of any information regarding fraud, waste, abuse, misconduct, or any alleged prohibited or illegal activity in violation of any law, rule or regulation governing officers and employees of the Town. If you feel you have been retaliated against, in violation of this policy, report it immediately using the steps outlined above.

Supervisor's Procedures for Implementation:

1. **RECEIVING THE REPORT:** Supervisors should make no judgment upon the merits of the report when receiving it from the employee. Treat the report seriously and if not anonymous, assure the employee it will be treated confidentially within the constraints outlined in step 4.
2. **FORWARDING THE REPORT:** Forward the report to the Director of Finance, Supervisor or Town Board as circumstances dictate.
3. **RETALIATION:** Employees who make a complaint in good faith will not be retaliated against or penalized in any manner. If you observe retaliation or receive a report of retaliation, report it using the steps outlined in step 3.

**MCMWCP  
Town of Parma**

**Workplace Violence  
Prevention Program**

**Revision Date:**  
**August 2012**

Town of Parma Workplace Violence Prevention  
Policy & Incident Reporting

The Town of Parma is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the Town of Parma property or work sites 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, 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 was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to 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. Town of Parma has identified response personnel that include a member of management and an employee representative. If appropriate, the Town of Parma will provide counseling services or referrals for employees.

All Town of Parma 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: James Smith

Title: Town of Parma Supervisor

Department: Supervisor

Phone: (585) 392-9462

Location: 1300 Hilton Parma Corners Road Hilton NY 14468

# Workplace Violence Prevention

## Introduction

Workplace violence presents a serious occupational safety hazard for workers; during the last decade homicide was the third leading cause of death of all workers and the leading cause of occupational death for women workers.

Examples of high risk workplaces including healthcare settings, social services, working alone or in small numbers, service workers, public transportation drivers and many other types of public employment.

New York State requires public employers (with the exception of employers as defined in section twenty-eight hundred one-a of the education law) to perform a workplace evaluation of each worksite. The evaluation is intended to identify factors which may place the workforce at risk to occupational assaults or homicides. The results of the evaluation and the Risk Factors found should be shared with employees; this information should be reviewed initially and annually thereafter. Employers who have 20 or more full time employees are required to develop a written Workplace Violence Prevention Program.

***Workplace violence is physical assault, threatening behavior or verbal abuse occurring in the work setting.***

As listed below:

- Verbal or physical harassment
- Verbal or physical threats directed toward an employee by another employee or non-employee
- Non-specific threats of violence by employee
- Specific threats of violence by employee
- Display or possession of any weapon
- Violent confrontation by a spouse of significant other with an employee over a personal/domestic dispute
- Violent altercations between two employees or employee and supervisor
- Any other behavior that causes others to feel unsafe (e.g. bullying, sexual harassment, etc)

## **WHAT CAN BE DONE TO PREVENT WORKPLACE VIOLENCE?**

Any preventive measure must be based on a thorough understanding of risk factors associated with the various types of workplace violence. And, even though our understanding of the factors which lead to workplace violence is not perfect, sufficient information is available which, if utilized effectively, can reduce the risk of workplace violence. However, strong management commitment, and the day-to-day involvement of department heads, supervisors, employees and labor unions, is required to reduce the risk of workplace violence.

### **FOUR TYPES OF WORKPLACE VIOLENCE**

Prevention programs include all forms of violence. To help sort out the different types of workplace violence, specialists agree that workplace violence falls into four broad categories. They are:

**TYPE 1:** *Violent acts by criminals who have no other connection with the workplace but enter to commit robbery or another crime.*

Type 1 acts of violence account for the vast majority—nearly 80 percent—of workplace homicides. In these incidents, the motive is usually theft, and in a great many cases, the criminal is carrying a gun or other weapon, increasing the likelihood that the victim will be killed or seriously wounded. This type of violence falls heavily on particular occupational groups whose jobs make them vulnerable. This includes taxi drivers (the job that carries by far the highest risk of being murdered), late-night retail or gas station clerks, as well as others who are on duty at night, who work in isolated locations or dangerous neighborhoods, and who carry or have access to cash.

Type 1 preventive strategies include an emphasis on physical security measures, special employer policies, and employee training. Because the outside criminal has no other contact with the workplace, the interpersonal aspects of violence prevention that apply to the other three categories are normally not relevant to Type 1 incidents.

**TYPE 2:** *Violence directed at employees by customers, clients, patients, students, inmates, or any others for whom an organization provides services.* In general, the violent acts occur as workers are performing their normal tasks. In some occupations, dealing with dangerous people is inherent in the job, as in the case of a police officer, correctional officer, security guard, or mental health worker. For other occupations, violent reactions by a customer or client are unpredictable, triggered by an argument, anger at the quality of service or denial of service, delays, or some other precipitating event.

Employees experiencing the largest number of Type 2 assaults are those in healthcare occupations—nurses in particular, as well as doctors and nurses aides who deal with

psychiatric patients; members of emergency medical response teams; and hospital employees working in admissions, emergency rooms, and acute care units.

***TYPE 3:*** Violence committed by a present or former employee against coworkers, supervisors, or managers.

***TYPE 4:*** Violence committed in the workplace by someone who doesn't work there, but has a personal relationship with an employee—an abusive spouse or domestic partner.

Types 3 and 4 are no less or more dangerous, or damaging, than any other violent act. But when the violence comes from an employee or someone close to an employee, there is a much greater chance that some warning sign will have reached the employer in the form of observable behavior. That knowledge, along with the appropriate prevention programs, can at the very least mitigate the potential for violence or prevent it altogether.

## **RESPONSIBILITY**

The Program Administrators for workplace security are the HR Director and Department Heads. They have the authority and responsibility for implementing the provisions of this program for the Town of Parma

All Department Heads and supervisors are responsible for implementing and maintaining this program in their work areas and for answering employee questions about the program. A copy of this program is available from your department head.

It's the responsibility of all employees to report all threatening behavior to management immediately. The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents are to be reported ***within the first 24 hours.***

Management, supervisors, and all safety personnel are responsible for the observation of all personnel and identification of potential workplace violence exposures. All matters reported and/or identified are to be fully investigated. Findings will be presented to management and an action plan developed to minimize and eliminate the potential threat.

## **THE ROLE OF THE EMPLOYER**

The Town of Parma does promote a work environment free from threats and violence and, in addition, can face economic loss as the result of violence in the form of lost work time, damaged employee morale and productivity, increased workers' compensation payments, medical expenses, and possible lawsuits and liability costs

The Town of Parma will adopt a workplace violence policy and prevention program. The Town will be responsible for communicating the policy and program to the employees as well as:

- Supporting, not punish, victims of workplace or domestic violence.
- Adopting and practicing fair and consistent disciplinary procedures.
- Fostering a climate of trust and respect among workers and between employees and management.
- When necessary, seeking advice and assistance from outside resources, including threat-assessment psychologists, psychiatrists and other professionals, social service agencies, and law enforcement.
- Providing regular training in preventive measures for all new/current employees, supervisors and managers.

## **THE ROLE OF THE EMPLOYEES**

Employees have the right to expect a work environment that promotes safety from violence, threats, and harassment. They can actively contribute to preventive practices by doing the following:

- Accept and adhere to an employer's preventive policies and practices.
- Become aware of and report violent or threatening behavior by coworkers or other warning signs.
- Follow procedures established by the workplace violence prevention program, including those for reporting incidents.
- Go to HR Director or Department Head if uncomfortable.

## **Communication**

Town of Parma recognizes that to maintain a safe, healthy and secure workplace we must have open, two-way communication between all employees, including supervisors and department heads, on all workplace safety, health and security issues. Town of Parma has a communication system designed to encourage a continuous flow of safety, health and security information between management and our employees without fear of reprisal and in a form that is readily understandable.

## **Record Keeping and Review**

In reviewing records, care must be taken to ensure appropriate confidentiality of medical and personnel records.

Periodic updates and reviews of the following workplace violence reports and records will be made.

- Department of Safety and Health (OSHA) 300 logs
- Workplace violence incident reports
- Workplace Survey
- Accident Investigations
- Training Records
- Grievances

The employer, with the Authorized Employee Representative, shall evaluate the effectiveness of the WVPP, annually or after serious incidents. The employer should attempt to describe within their WPP the triggering event that will initiate a review. The review should focus on the incident trends and the effectiveness of the control measures. The review should also assess whether the reporting and record keeping systems have been effective in collecting all relevant information.

## **Training and Instruction**

All employees, including Department Heads and supervisors, shall have training and instruction on general and job-specific workplace safety and security practices. Training and instruction shall be provided when Workplace Violence Prevention Program is first established and annually thereafter. Training shall be provided promptly after hiring all new employees and to other employees for whom training has not been previously provided. It shall also be provided to all employees, supervisors and Department Heads given new job assignments for which specific workplace security training for the job assignments has not previously been provided. Additional training and instruction will be provided to all personnel whenever management is made aware of new or previously unrecognized security hazards.

General workplace violence and security training and instruction include, but are not limited to, the following:

- Explanation of the Workplace Violence Prevention Program including measures for reporting any violent acts or threats of violence.



- Recognition of workplace security hazards including the risk factors associated with the four types of violence.
- Methods to defuse hostile or threatening situations.
- Measures to summon others for assistance.
- Employee routes of escape.
- Notification of law enforcement authorities when a criminal act may have occurred.
- Emergency medical care provided in the event of any violent act upon an employee will include First Aid, CPR and/or calling 911.
- Post-event trauma counseling for those employees desiring such assistance.
- Crime awareness
- Location and operation of alarm systems, panic buttons and other protective devices.
- Communication procedures.
- Self Protection
- Dealing with angry, hostile or threatening individuals.
- Using the “Buddy” system or other assistance from co-workers.
- Awareness of indicators that lead to violent acts by service recipients.
- Managing with respect and consideration for employee well-being.

## **Reporting and Incident Investigation**

Procedures for reporting incidents and investigation of incidents for workplace violence – threats and physical injury – include:

### **Employees are responsible for:**

- Reporting their concerns to their immediate Supervisor.
- Employees are encouraged to fill out an incident report which can be obtained from management.
- Employee is required to request assistance if necessary.

### **Employers are responsible for:**

- Reviewing and investigating the incident and report findings.
- Reviewing all previous incidents.
- Visiting the scene of an incident as soon as possible.
- Interviewing threatened or injured employees and witnesses.
- Examining the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the offender.
- Determining the cause of the incident.
- Taking corrective action to prevent the incident from recurring.
- Recording the findings and corrective actions taken.

**Appendix 1**

**Workplace Violence Incident Report Form**

**EMPLOYEE REPORTING**

Name
Department

**INCIDENT**

Name of Assaulter/Threatener	Category of Assaulter/Threatener <input type="checkbox"/> Employee <input type="checkbox"/> Customer <input type="checkbox"/> Vendor <input type="checkbox"/> Other-Please explain:
Date of Assault/Threat      Time	Location of Assault/Threat
Assault/Threat was: <input type="checkbox"/> Personal Confrontation <input type="checkbox"/> Written <input type="checkbox"/> Telephone Conversation <input type="checkbox"/> Electronic <input type="checkbox"/> Physical with Injury <input type="checkbox"/> Physical without Injury <input type="checkbox"/> Other – Please explain:	
Were there witnesses? <input type="checkbox"/> yes <input type="checkbox"/> no   If Yes, how many? _____ Provide information below and attach witness statements.	

**WITNESSES** (If additional witnesses, provide information on attached sheet of paper)

Witness 1 – Name	Telephone Work _____ Home _____
Address (street, city, state, zip)	Category of Witness <input type="checkbox"/> Employee <input type="checkbox"/> Customer <input type="checkbox"/> Vendor <input type="checkbox"/> Other – Please Explain
Witness 2 – Name	Telephone Work _____ Home _____
Address (street, city, state, zip)	Category of Witness <input type="checkbox"/> Employee <input type="checkbox"/> Customer <input type="checkbox"/> Vendor <input type="checkbox"/> Other – Please Explain
Witness 3 – Name	Telephone Work _____ Home _____
Address (street, city, state, zip)	Category of Witness <input type="checkbox"/> Employee <input type="checkbox"/> Customer <input type="checkbox"/> Vendor <input type="checkbox"/> Other – Please Explain

**IF ASSAULTED**, answer next 6 questions. **IF THREATENED**, go to next section

1. What started the assault?
2. What did the assaulter say when you were assaulted?
3. What was used to hit/strike/injure you?
4. What injuries did you sustain? Was medical treatment necessary?
5. How did the assault end?
6. How did you leave the assault site?

**IF THREATENED**, answer next 3 questions

1. As closely as possible, what were the words used?
2. Was "threatener" in a position to carry out the threat immediately?
3. How serious do you believe the threat was and why?

**EMPLOYEE RELATED ACTIONS** (Employee must complete next two questions whether a threat or assault)

1. What actions were taken by the employee? (e.g. filed workers' compensation, obtained medical treatment, used sick leave/vacation, etc.)
2. What specific actions from Employer does employee request related to assault/threat? If none, so indicate.

**LAW ENFORCEMENT INFORMATION**

Law Enforcement Agency Contacted – Name of Person/Officer	Date Contacted	Telephone Number
Was a written report completed? ___yes ___ no (Attach copy of Police report when possible)		
What action was promised?		

**MANAGER ACTIONS**

Directions given to Employee (i.e. go home, go to hospital, etc.)
Department Head Recommendation: ___ Prosecution ___ Restraining Order ___ Letter to Threatener ___ Other, please specify _____

**NOTIFICATION DATES**

Received by Department Head	Employee notified of Chosen Action
Received by Personnel Director	

**RECOMMENDATIONS**

What can be done to prevent future incidents?
---

**Appendix 2**

<b>Personal Conduct to Minimize Violence</b>	
Follow these suggestions in your daily interactions with people to de-escalate potentially violent situations. If at any time a person's behavior starts to escalate beyond your comfort zone, disengage.	
<b>Do</b>	<b>Do Not</b>
<ul style="list-style-type: none"> <li>❖ Project calmness, move and speak slowly, quietly and confidentially.</li> <li>❖ Be an empathetic listener: Encourage the person to talk and listen patiently.</li> <li>❖ Focus your attention on the other person to let them know you are interested in what they have to say.</li> <li>❖ Maintain a relaxed yet attentive posture and position yourself at a right angle rather than directly in front of the other person.</li> <li>❖ Acknowledge the person's feelings. Indicate that you can see he/she is upset.</li> <li>❖ Ask for small, specific favors such as asking the person to move to a quieter area.</li> <li>❖ Establish ground rules if unreasonable behavior persists. Calmly describe the consequences of any violent behavior.</li> <li>❖ Use delaying tactics which will give the person time to calm down. For example, offer a drink of water (in a disposable cup).</li> <li>❖ Be reassuring and point out choices. Break big problems into smaller, more manageable problems.</li> <li>❖ Accept criticism in a positive way. When a complaint might be true, use statements like "You are probably right" or "It was my fault." If the criticism seems unwarranted, ask clarifying questions.</li> <li>❖ Ask for his/her recommendation. Repeat back to him/her what you feel he/she is requesting of you.</li> <li>❖ Arrange yourself so that a visitor cannot block your access to an exit.</li> </ul>	<ul style="list-style-type: none"> <li>❖ Use styles of communication which generate hostility such as apathy, brush off, coldness, condescension, robotism, going strictly by the rules or giving the run-around</li> <li>❖ Reject all of a client's demands from the start.</li> <li>❖ Pose in challenging stances such as standing directly opposite someone, hands on hips or crossing your arms. Avoid any physical contact, finger pointing or long periods of fixed eye contact.</li> <li>❖ Make sudden movements which can be seen as threatening. Notice the tone, volume and rate of your speech.</li> <li>❖ Challenge, threaten, or dare the individual. Never belittle the person or make him/her feel foolish.</li> <li>❖ Criticize or act impatiently toward the agitated individual.</li> <li>❖ Attempt to bargain with a threatening individual.</li> <li>❖ Try to make the situation seem less serious that it is.</li> <li>❖ Make false statements or promises you cannot keep.</li> <li>❖ Try to impart a lot of technical, or complicated information when emotions are high.</li> <li>❖ Take sides or agree with distortions.</li> <li>❖ Invade the individual's personal space. Make sure there is a space of three feet to six feet between you and the person.</li> </ul>

**Appendix 3**

## Five Warning Signs of Escalation Behavior

Warning Signs	Possible Responses
<b>Confusion</b>	
Behavior characterized by bewilderment or distraction. Unsure or uncertain of the next course of action.	<ul style="list-style-type: none"> <li>▪ Listen to their concerns.</li> <li>▪ Ask clarifying questions.</li> <li>▪ Give them factual information.</li> </ul>
<b>Frustration</b>	
Behavior characterized by reaction or resistance to information. Impatience. Feeling a sense of defeat in the attempt of accomplishment. May try to bait you.	<ul style="list-style-type: none"> <li>▪ See steps above.</li> <li>▪ Relocate to quiet location or setting.</li> <li>▪ Reassure them.</li> <li>▪ Make a sincere attempt to clarify concerns.</li> </ul>
<b>Blame</b>	
Placing responsible for problems on everyone else. Accusing or holding you responsible. Finding fault or error with action of others. They may place blame directly on you. <b>Crossing over to potentially hazardous behavior.</b>	<ul style="list-style-type: none"> <li>▪ See steps above.</li> <li>▪ Disengage and bring second party into the discussion.</li> <li>▪ Use teamwork approach.</li> <li>▪ Draw client back to facts.</li> <li>▪ Use probing questions.</li> <li>▪ Create "Yes" momentum.</li> </ul>
<b>Anger-Judgment call required</b>	
Characterized by a visible change in body posture and disposition. Actions include pounding fists, pointing fingers, shouting or screaming. <b>This signals very risky behavior.</b>	<ul style="list-style-type: none"> <li>▪ Utilize venting techniques.</li> <li>▪ Don't offer solutions.</li> <li>▪ Don't argue with comments made.</li> <li>▪ Prepare to evacuate or isolate.</li> <li>▪ Contact supervisor and/or security office.</li> </ul>
<b>Hostility – Judgment call required</b>	
Physical actions or threats which appear imminent. Acts of physical harm or property damage. Out-of-control behavior signals they have crossed over the line.	<ul style="list-style-type: none"> <li>▪ Disengage and evacuate.</li> <li>▪ Attempt to isolate person if it can be done safely.</li> <li>▪ Alert supervisor and contact security office immediately.</li> </ul>