

**Minutes of a Regular Meeting** of the Town Board of the Town of Thompson held at the Town Hall, 4052 State Route 42, Monticello, New York on **February 18, 2014.**

**ROLL CALL:**

**Present:** Supervisor William J. Rieber, Jr., Presiding  
Councilman Richard Sush  
Councilman John A. Pavese  
Councilman Peter T. Briggs  
Councilman Scott Mace

**APPROVED**

**Also Present:** Marilee J. Calhoun, Town Clerk  
Michael B. Mednick, Attorney for the Town  
William D. Culligan, Water & Sewer Superintendent  
Gary J. Lasher, Comptroller  
Logan E. Ottino, Building Dept. /Code Enforcement Officer

**PUBLIC HEARING: PROPOSED LOCAL LAW NO. 02 OF 2014 – WORKFORCE VIOLENCE PREVENTION POLICY**

Supervisor Rieber opened the Public Hearing at 7:30 PM.  
Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on February 07, 2014 with same being posted at the Town Hall on January 27, 2014.

Supervisor Rieber explained the proposed local law, which is to establish a Workforce Violence Protection Policy for all Town employees.

Supervisor Rieber asked if the Board had any comments. The Board commented as follows:

Councilman Mace would like to see the discipline program be more centralized and not be departmentalized. The program needs to be uniform between all employees and there needs to be some oversight on it to remain consistent.

Councilman Sush agrees, but said that there is a sentence that states that Department Heads shall also report any and all incidents of work related violence to the designated Human Resource Officer of the Town.

Councilman Mace said that it is reported, but who is making the final decision. Whoever is going to make the investigation needs to be someone who does not have anything to do with the situation. Attorney Mednick needs to be involved and in charge of who is doing the investigation. It should be someone impartial who is familiar with the rules and regulations.

Further discussion ensued between the Town Board and Town Attorney regarding this matter as well as how it would affect Civil Service Employees and Regulations and Procedures. Supervisor Rieber referred to Page 2, Section 3-C states that the Human Resource Officer must notified the Town Board if an incident occurs. There were other areas of the proposed local law referred to. This proposed local law is to have better communication with the Town employees so that everyone understands what the expectations and the policies are of the Town.

Councilman Mace wants to be assured that the Town Employees are protected, which is the reason for this law. Nothing should be ignored all issues should be taken care of the same way each and every time. Do not departmentalize, always to be consistent regardless of the situation. The Town Board should always be aware of the situation.

Attorney Mednick said that every situation is different and would be handled differently depending upon the situation/incident at hand. This local law is just setting generalized rules and regulations that the specific behavior will not be tolerated and can be subject to further disciplinary proceedings. It is also setting down a pattern of training and what the do's and don'ts are.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. The following public comments were made:

Roger Betters of Monticello stated that the Board should be more concerned about the possibility of things not being reported because of collusion or pressure by others, which could result in incidents not being addressed. This could have the Board hear of situations third hand, which is not acceptable. Supervisor Rieber said that he is aware of that; however the law does state that if an incident occurs it must be reported.

Councilman Mace asked Attorney Mednick if there is a policy in place where the Department has to report an incident, but they don't would that leave the employee or department head on the hook or the Town as a whole on the hook?

Attorney Mednick said that for Town liability purposes having a Workplace Violence Prevention Policy in place by setting procedures for all of the employees to follow is a good thing, which kind of retracts from the Town's ultimate liability since the Town is taking steps to put procedures in place that should be followed. If an employee intentionally does not follow it is hard to pin it back to the Town for the intentional action of a particular employee. If the employee does not follow the rules each employee will be subject to disciplinary proceeding, which would involve the Town Board.

Councilman Mace asked Attorney Mednick how much of this policy is duplicating State Law and is the Town required to have a policy? Attorney Mednick is not sure how it mirrors the State Law requirements. Supervisor Rieber said that the Department of Labor would regulate if a policy is required.

Marcia Icler on behalf of Leadership Sullivan asked who the gentleman was that the Town Board is addressing. Supervisor Rieber advised that his name is Michael B. Mednick and he is the Town Attorney.

Councilman Mace said that the law should be fine-tuned moving forward, but it is a great start in the right direction.

After an opportunity for all persons to be heard Supervisor Rieber entertained a motion that the public hearing be closed.

A motion to close the Public Hearing at 7:46 PM was made by Councilman Sush and seconded by Councilman Briggs.

### **PUBLIC HEARING: PROPOSED LOCAL LAW NO. 03 OF 2014 – CONSERVATION ADVISORY COUNCIL CHANGES**

Supervisor Rieber opened the Public Hearing at 7:30 PM.

Town Clerk, Marilee J. Calhoun read the legal public notice and stated that she had an original affidavit of publication. Notice of said hearing was duly published in the Sullivan County Democrat on February 11, 2014 with same being posted at the Town Hall on February 06, 2014.

Supervisor Rieber explained that the proposed local law is to reduce the number of members on the Conservation Advisory Council from (9) to (5) members and also to change when the meetings are to be held. The meetings will be held on an as-needed basis upon the request of the Town Board, Planning Board and Zoning Board of Appeals when deemed necessary. This is a Board that seldom meets and does not always have a reason to meet, but would like to preserve the Board so that it can meet if the Town requires it to. This would allow the Board to perform a more in-depth/direct study when necessary.

Supervisor Rieber asked if the Board had any comments. There were no comments made by the Board, but they were all in favor of the Proposed Local Law.

Supervisor Rieber asked if anyone from the public would like to be heard on this matter. There was no public comment made.

After an opportunity for all persons to be heard Supervisor Rieber entertained a motion that the public hearing be closed.

A motion to close the Public Hearing at 7:49 PM was made by Councilman Briggs and seconded by Councilman Pavese.

### **REGULAR MEETING – CALL TO ORDER**

Supervisor Rieber opened the meeting at 7:50 PM with the Pledge to the Flag. He welcomed the Participation in Government Students to the meeting.

**APPROVAL OF MINUTES:**

On a motion made by Councilman Briggs and seconded by Councilman Pavese the minutes of the February 4<sup>th</sup>, 2014 Regular Town Board meeting was approved as presented.

Vote: Ayes 5            Rieber, Pavese, Briggs, Sush and Mace  
      Nays 0

**PUBLIC COMMENT:**

There was no public comment given.

**CORRESPONDENCE:**

Supervisor Rieber reported on correspondence that was sent or received as follows:

- 1) Letter dated 02/03/2014 from Mark E. Lewis, Environmental Program Specialist 1 for NYS DEC Region 3, Division of Water to Supervisor Rieber and Town Board regarding annual compliance inspection report for Kiamesha Lake WWTP. Supt. Culligan reported on the status of the report.
- 2) Letter dated 02/06/2014 from Jonathan Drapkin of Hudson Valley Pattern for Progress to Supervisor Rieber regarding 2014 Membership Renewal and Appreciation.
- 3) Legal Notice: Town of Mamakating Notice of Public Hearing on Introductory Local Law entitled "Moratorium on Residential Development Approvals", hearing to be held on February 18, 2014 at 7PM.
- 4) Letter dated 02/11/2014 from Jen Flad VP, Govt. Affairs & Business Development, County of Sullivan IDA to Supervisor Rieber regarding the 2014 Distribution of the PILOT Payments along with Check # 3588 dated 02/11/2014 made payable to Town of Thompson in the amount of \$7,102.06 for three projects. The three projects are as follows: MG Catskill LLC \$1,295.58, Regency Manor Senior Housing, LLC/Regency Manor Limited Partnership \$824.15 and Holiday Mountain Fun Park, Inc. \$4,982.33. The Distribution Calculation forms for each project were provided.
- 5) Letter dated 02/03/2014 from the Town of Thompson Planning Board to (8) Other Interested or Involved Agencies with a copy of the Notice of Intent to Serve as Lead Agency Under SEQRA for the Yeshiva Viznitz Phase II PUD #4 (KL Housing Corp. (Owner)) project located along North End of Gaffen Lane, Kiamesha Lake. Attached was a copy of the Full SEQRA Form for the project along with a site map for the Boards review.

**AGENDA ITEMS:**

**1. ACTION: PROPOSED LOCAL LAW NO. 02 OF 2014 – WORKFORCE VIOLENCE PREVENTION POLICY**

**The Following Resolution Was Duly Adopted: Res. No. 85 of the Year 2014.**

At a regular meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 Route 42, Monticello, New York on February 18, 2014

**RESOLUTION TO ENACT LOCAL LAW NO. 02 OF 2014**

WHEREAS, proposed Local Law No. 02 of the year 2014 entitled, "A local law amending Chapter 48 entitled "Personnel Rules and Regulations" of the Town of Thompson Code to enact a Workplace Violence Prevention Policy" was introduced to the Town Board at a meeting held on January 21, 2014, at the Town Hall, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard, and

WHEREAS, said local law was duly adopted after a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Thompson, New York, does hereby enact and adopt Local Law No. 02 for the year 2014, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof.<sup>1</sup>

Moved by: Councilman Peter T. Briggs

Seconded by: Councilman Richard Sush

Adopted on Motion February 18, 2014

Supervisor WILLIAM J. RIEBER, JR.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman PETER T. BRIGGS	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman RICHARD SUSH	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman SCOTT MACE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman JOHN A. PAVESE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**2. ACTION: PROPOSED LOCAL LAW NO. 03 OF 2014 – CONSERVATION ADVISORY COUNCIL CHANGES**

<sup>1</sup> ATTACHMENT: A COPY OF ENACTED LOCAL LAW NO. 02 OF 2014.

**The Following Resolution Was Duly Adopted: Res. No. 86 of the Year 2014.**

At a regular meeting of the Town Board of the Town of Thompson held at the Town Hall, 4052 Route 42, Monticello, New York on February 18, 2014

**RESOLUTION TO PRELIMINARILY APPROVE LOCAL LAW NO. 03 OF 2014  
SUBJECT TO PERMISSIVE REFERENDUM**

**WHEREAS**, proposed Local Law No. 03 of the year 2014 entitled, "A local law amending Chapter 6 entitled "Conservation Advisory Council" of the Town of Thompson Code" was introduced to the Town Board at a meeting held on February 04, 2014, at the Town Hall, Monticello, New York, to consider said proposed local law and notice of public hearing having been duly published and posted as required by law, and said public hearing having been held and all persons appearing at said public hearing deeming to be heard having been heard, and

**WHEREAS**, said local law was duly preliminarily adopted after a public hearing, subject to final approval after a permissive referendum.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Thompson, New York, does hereby preliminarily approve the passage of Local Law No. 03 for the year 2014, Town of Thompson, State of New York, which local law is annexed hereto and made a part hereof and is subject to a permissive referendum and final approval.<sup>2</sup>

Moved by: Councilman Richard Sush

Seconded by: Councilman John A. Pavese

Adopted on Motion February 18, 2014

Supervisor WILLIAM J. RIEBER, JR.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman PETER T. BRIGGS	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman RICHARD SUSH	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman SCOTT MACE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Councilman JOHN A. PAVESE	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<sup>2</sup> ATTACHMENT: A COPY OF THE PRELIMINARILY APPROVED LOCAL LAW NO. 03 OF 2014.



Resolved, that the bid of Sullivan County Glassworks, Inc., for the Replacement of Three Dark Bronze Anodized, Thermally Broken Aluminum Window Frames, with Bronzed Solar Ban 60 Low E Insulated Glass Units, in the amount of \$5,013.00, be, and the same hereby is, accepted, and the Town Clerk be, and he hereby is, directed to notify the successful bidder of the award thereof.

Moved by: Councilman Pavese                      Seconded by: Councilman Briggs

Vote: Ayes 5              Rieber, Pavese, Briggs, Sush and Mace

Nays 0

#### **5. AWARD BIDS: A USED 2000 YEAR OR NEWER CASE 9010B EXCAVATOR FOR TOWN-WIDE USE**

Councilman Pavese reported that there was (1) bid received in from Benjamin Excavating for \$40,000.00 and Pine Bush Equipment Co., Inc. advised that they are unable to bid this piece of equipment. Councilman Pavese said that both he and Superintendent Culligan inspected the particular piece of equipment that Mr. Benjamin has and it appears to be in great condition. Councilman Pavese mentioned several additional options that the equipment has. Supt. Culligan spoke with Ken Boniface of Pine Bush Equipment who originally sold the equipment to Mr. Benjamin and he advised that the price was good. He said that if the Town does not purchase the equipment he might be interested in purchasing it back. Supt. Culligan said that the equipment would be shared 50/50 between the Highway Department and Water and Sewer Department and that the purchase price would also be split 50/50 between both equipment line items. Councilman Pavese confirmed that the Town Highway Department has the capability to move and transport the equipment. Councilman Pavese recommended awarding the bid to Benjamin Excavating to purchase the equipment. He said that it would be a benefit to the Town.

#### **The Following Resolution Was Duly Adopted: Res. No. 89 of the Year 2014.**

Resolved, that the bid of Benjamin Excavating, for the purchase of a used 2000 year or newer Case 9010B excavator for town-wide use, in the amount of \$40,000.00, be, and the same hereby is accepted, and the Town Clerk be, and she hereby is, directed to notify the successful bidder of the award thereof.

Moved by: Councilman Pavese                      Seconded by: Councilman Briggs

Vote: Ayes 5              Rieber, Pavese, Briggs, Sush and Mace

Nays 0

#### **6. INSURANCE RISK CONTROL RECOMMENDATIONS**

Comptroller Gary J. Lasher reported on the Risk Control Audit that was recently performed by HCC Public Risk on behalf of the Towns Insurance Carrier. After meeting with Comptroller Lasher, Superintendent Benjamin and Superintendent Culligan and according to their letter dated 01/29/2014 there are four recommendations for the Towns consideration. The four recommendations briefly are: 1) Professional Certification Training and Testing, 2) Develop and Implement Employee Manual on Town policies related to personnel management and relations. Some of the items that they suggested be included were listed and discussed. 3) Establish a Written





Councilman Briggs reported on the Association of Towns Conference that was just attended. He said that there were several Planning and Zoning Board Members that attended this year, which was good to see.

Councilman Mace also reported on the Association of Towns Conference, which he obtained information from several vendors who provide digital scanning services. He also reported on several current Planning Board and Zoning Board of Appeals approvals and activities including the status of new members. Several of the development projects reported on were Viera Lifestyles, Cappelli Property for Racino and Harness Track and China City. He also said that the new Town Assessor Van B. Krzywicki seems to be working out well.

Councilman Sush also commended the Highway Department for the great job that they did during this last major snow storm. He said that we received more snow than the Town has seen in recent years. He also reported on two upcoming events that will be listed at the end of these minutes under Announcements, Reminders & For Your Information. He also mentioned that the 2<sup>nd</sup> Town Board Meeting in April falls on the first day/evening of Passover and the Board may wish to change or cancel that meeting to accommodate those observing. The Town Board will consider cancelling the April 15<sup>th</sup> Town Board meeting closer to time.

**OLD BUSINESS:**

There was no old business reported on.

**NEW BUSINESS:**

**NYSERDA GRANT AVAILABILITY**

Councilman Mace reported on \$2,500.00 to \$5,000.00 in grant funding that is available through NYSERDA for creating and adopting a Standardized Residential Permit Form for Solar Energy Projects. He contacted NYSERDA to inquire about the grant funding. He has not received a response back, but he said that he will look further into the details.

**PUBLIC COMMENT:**

There was no public comment given.

**ANNOUNCEMENTS, REMINDERS & FOR YOUR INFORMATION**

- March 4<sup>th</sup>: Town Board Work-Session at 6:30 PM – Discussion regarding Proposed Local Laws for Accessory Buildings and Interim Permit Amnesty Program.
- February 22<sup>nd</sup>: Black History Month Celebration to be held at the Ted Stroebele Recreation Center from 3PM to 5PM. This event will be hosted by the Sullivan County NAACP in collaboration with the Monticello Interfaith Council. This event is open to all who would like to attend.
- March 3<sup>rd</sup>: Ribbon Cutting Ceremony at the new Ciao Bella's Restaurant at the former Buona Fortuna Restaurant location at 5PM to 7PM.

**EXECUTIVE SESSION**

On a motion made by Councilman Sush and seconded by Councilman Mace the Town Board entered into Executive Session at 8:31 PM with Town Attorney Michael B. Mednick to discuss two litigation proceedings involving the Oster Lawsuit and the Frontier Building.

On a motion made by Councilman Briggs and seconded by Councilman Sush the Town Board returned from Executive Session and reconvened the Town Board meeting at 9:11 PM. No further action was taken.

**MEETING RECESSED**

On a motion made by Councilman Mace and seconded by Councilman Sush the meeting was recessed at 9:12 PM until Tuesday, March 4<sup>th</sup>, 2014 at 6:30 PM for a Work-Session to discuss (2) Proposed Local Laws involving Accessory Buildings and Interim Permit Amnesty Program.

**Respectfully Submitted By:**



**Marilee J. Calhoun, Town Clerk**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Thompson

Local Law No. 02 of the year 2014

A local law amending Chapter 48 entitled "Personnel Rules and Regulations" of the Town of Thompson Code to enact a Workplace Violence Prevention Policy

Be it enacted by the Town Board of the

Town of Thompson

- 1. Chapter 48 of the Code of the Town of Thompson entitled "Personnel Rules and Regulations", is hereby amended to include:

**§48-23. Workplace Violence Prevention Policy.**

**A. Purpose.**

The Town of Thompson will take all reasonable steps to provide a safe and secure work environment for all employees. Every department member of the Town of Thompson has a duty to maintain a safe workplace. To ensure a safe workplace and to reduce the risk of violence, intimidation, assaults, stalking, harassment, and/or coercion, including threats of violence, direct or implied, by or against its employees, which occur on Town of Thompson property, will not be tolerated. For all Town employees, violation of this policy may lead to disciplinary action up to and including termination from employment. Violations of this policy may also be reported to law enforcement authorities, as appropriate, or may subject violators to other legal action.

**B. Policy.**

This policy is designed to meet the requirements of New York State Labor Law 27b. This policy applies to all members of every Town of Thompson department and any location where members of the Departments work. This includes the workplace, on Town property and at Town sponsored events and activities. The workplace is any location, either permanent or temporary, where an employee performs any work-related duty. This includes but is not limited to buildings and the surrounding perimeters, including parking lots. It includes all Town owned, leased or donated space, including vehicles, and any location where Town business or sponsored activity is conducted.

**C. Responsibilities.**

All department employees are expected to adhere to this workplace violence policy and are expected to treat each other with courtesy and respect. All department employees have the responsibility to be familiar with our workplace violence policy and be proactive in the prevention of workplace violence. Specific responsibilities are as follows:

**1. Employees - All employees shall:**

- a. Seek assistance to resolve personal issues that may lead to acts of violence in the workplace.
- b. Remove themselves from threatening situations as soon as possible. Alert other at-risk employees if safely possible and the situation permits.
- c. Obtain emergency police intervention or medical response if required.
- d. Report to managers and supervisors any dangerous or threatening situations that occur in the workplace if they are the victim of, or witness to, an act of violence or other violation of this policy.
- e. Document the assault or threat (in writing) as soon as possible after the incident occurs.
- f. Within 24 hours, complete and forward to the Human Resources Department an injury report if any injury was sustained related to workplace violence. If the employee is unable to complete the form, the supervisor is responsible for its completion.
- g. Employees must cooperate with any subsequent investigation of workplace violence incidents.

**2. Department Heads and Superintendents –** Department Heads and Superintendents are responsible for assessing situations, making immediate judgments on the appropriate response, and then responding to reports of, or knowledge of, violence and for initiating the investigation process. Department Heads shall also report any and all incidents of workplace violence to the designated Human Resource Officer of the Town as designated by the Town Board.

- a. Obtain emergency police intervention or medical response if required.
- b. Notify the Town's designated Human Resource Officer.
- c. Obtain written statements from witnesses after the situation has been brought under control.
- d. If an injury to an employee occurs, forward the completed *Employee Injury Report* to Human Resources within 24 hours of the occurrence.
- e. Assist in, or cooperate with, subsequent investigations of workplace violence incidents.
- f. Assist in identifying potentially dangerous situations and the development of procedures to address those situations.

**3. Human Resources -** The Human Resource Officer shall be appointed by the Town Board and shall be responsible for:

- a. Establishing avenues of support for employees who experienced prohibited conduct.
- b. The communication of this policy and administrative procedures to employees, managers and supervisors.
- c. Reporting incidents of workplace violence to the Town Board.

**D. Training.**

The Town of Thompson will provide relevant training and education on the following:

- a. Incident reporting and documentation procedures
- b. Workplace Violence Awareness
- c. Risk Factors

- d. Warning Signs
- e. Types of possible violent offenders
- f. De-escalation strategies
- g. Results of Completed Workplace Violence Risk Assessments

Training curriculums may be subject to change as necessary. Training will be offered to employees, including new hires, on an annual or basis and all employees will be required to participate. Our goal is to promote the safety and well-being of all people in our workplace.

## **E. Procedures.**

### **1. Threats or Acts of Violence Defined:**

The Town of Thompson will not tolerate any type of workplace violence committed by or against any Town employees. Members of each Department are prohibited from making threats or engaging in violent activities. Threats or acts of violence include conduct against persons or property that is sufficiently severe, offensive, or intimidating to alter the conditions of employment, or to create a hostile, abusive, or intimidating work environment for one or more employees and/or business partners.

### **2. Definition of Workplace Violence:**

Workplace violence is defined as all threats or acts of violence occurring on Town property or in the workplace, as defined in the policy scope, regardless of the relationship between the Department and the individual involved in the incident. This list of behaviors while not all inclusive, provides examples of conduct that is prohibited:

- a. Aggressive or hostile behavior that creates an objective reasonable fear of injury to another person or subject another individual to emotional distress;
- b. Intentionally damaging employer property or property of another employee;
- c. Hitting or shoving an individual with any part of one's body and/or object;
- d. Threatening to harm an individual or his/her family, friends, associates, or their property;
- or
- e. The intentional destruction or threat of destruction of property owned, operated, or controlled by the Town.
- f. Making harassing or threatening phone calls, or sending such letters in regular mail or electronic form.
- g. Intimidating or attempting to coerce an employee to do wrongful acts as defined by law, policy, or administrative rule;
- h. Willful malicious and repeated following of another person, also known as stalking.
- i. Committing acts of violence motivated by or related to race, age, color, religion, gender, sexual orientation, disability, sexual harassment, or domestic violence.
- j. Violent behavior also consists of threats and acts of aggression i.e. remarks of revenge, abusive or obscene statements in an attempt to intimidate, inflict harm or destroy property.

### **3. Warning Signs, Symptoms and Risk Factors:**

While the Town of Thompson does not expect employees to be skilled at identifying potentially dangerous persons, employees are responsible to exercise good judgment and notify the appropriate Supervisor of any threats which they have witnessed or received. Employees should also notify the appropriate personnel regarding any member of their Department who exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior may include, but is not limited to:

- a. Bringing illegal weapons to the workplace;
- b. Displaying overt signs of extreme stress, resentment, hostility, or anger;
- c. Making threatening remarks;
- d. Sudden or significant deterioration of performance;
- e. Displaying irrational or inappropriate behavior;
- f. Making intimidating statement like: "You know what happened at the Post Office," "I'll get even" or "You haven't heard the last of me.";
- g. Having a romantic obsession with a co-worker who does not share that interest;
- h. Intense anger or lack of empathy; or
- i. History of interpersonal conflict; domestic problems, and/or unstable/dysfunctional family.

Supervisors should be alerted to and aware of these indicators. If an employee exhibits such behavior, those observing the behavior should advise their chain of command regarding their concerns and the employee should be monitored and such behavior should be documented.

### **F. Types of Workplace Violence.**

There are four types of workplace violence identified by the Occupational Safety and Health Administration in which workplace violence incidents are categorized.

#### **1. Violence by Strangers.**

In this type of incident a stranger commits the violence. This stranger has no legitimate personal or business relationship to the worker or workplace and enters the workplace, usually on the pretence of being a customer, to commit a robbery or other violent act. Also, workers may be victimized by strangers outside the "traditional" workplace, but while acting within the course and scope of their employment.

#### **2. Violence by Customers/Clients.**

In these incidents, the violence is committed by someone who receives a service provided by a business, such as a current or former customer, client or patient, a passenger, a criminal suspect or a prisoner. The violence can be committed in the workplace or outside the "traditional" workplace with service providers, while performing a job related function.

Violence of this category is divided into two sub-types.

- a. The first type involves people who may be inherently violent such as prison inmates, mental health service recipients, or other client populations.
- b. The second type involves people who are not known to be inherently violent, but are situationally violent. Something in the situation induces an otherwise non-violent customer or client to become violent. Typically, provoking situations are those, which are frustrating to the client or customer, such as denial of needed or desired services or delays in receiving such services.

### **3. Violence by Co-workers.**

In co-worker incidents, the perpetrator has an employment relationship with the workplace. The perpetrator can be a current or former employee, a prospective employee, a current or former supervisor, manager, or contractor. Co-worker violence that occurs outside the workplace, which resulted or arose from the employment relationship, is also included in this category. This type can again be divided into two types; 1) Violence between supervisors and subordinates, 2) Violence between worker at the same level.

### **4. Violence by Personal Relations.**

In personal relationship incidents, the violence is committed by someone who has a personal relationship with the worker, such as a current or former spouse or partner, a relative or friend. Also included in this category is the perpetrator who has a personal dispute with the worker and enters the workplace to harass, threaten, injure or kill. Such incidents are referred to as domestic violence in the workplace.

### **G. Employee Acknowledgement.**

All employees of the Town of Thompson shall be provided with a copy of this Workplace Violence Prevention Policy and will sign an acknowledgement confirming receipt thereof which acknowledgement shall be maintained in each employee's personnel file.

2. Except as herein specifically amended, the remainder of Chapter 48 of such code shall remain in full force and effect.
3. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.
4. Except as herein otherwise provided penalties for the violation of this local law, any person committing an offense against any provision of the chapter of the Code of the Town of Thompson shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, of such Code.

5. This local law shall take effect immediately.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. 02 of 2014 of the Town of Thompson was duly passed by the Town Board on February 18, 2014 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer\*)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2014 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2014 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 2014, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2014 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2014 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 2014, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2014 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2014 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2014 in accordance with the applicable provisions of law.

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\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. 02 of 2014 of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of sections 36/37 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at a special/general election held on \_\_\_\_\_ 2014 became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2014 of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_ 2014, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

*Mailee O. Colkoun*

Clerk of the county legislative body, city, town, village clerk or officer designated by local legislative body

Date: February 19, 2014

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK  
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: February 19, 2014



Attorney for Town of Thompson

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Thompson

Local Law No. 03 of the year 2014

A local law amending Chapter 6 entitled "Conservation Advisory Council" of the Town of Thompson Code

Be it enacted by the Town Board of the

Town of Thompson

- 1. Chapter 6 of the Code of the Town of Thompson entitled "Conservation Advisory Council" is hereby amended as follows:

§6-3 A. shall be replaced with the following:

**§6-3. Membership.**

- A. The Council shall consist of five members, of whom five shall be appointed by the Town Board and shall serve at the pleasure of said Town Board. Persons residing within the Town of Thompson who are interested in the improvement and preservation of the environmental quality shall be eligible for appointment as a member of the Council. Vacancies on the Council shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of term of office shall be filled only for the remainder of the unexpired term. Not more than one person in the sixteen to twenty-one year old age group may be appointed.

§6-4 shall be amended to include the following:

**§6-4. Officers; meetings; records; attendance.**

- E. Meetings of the Conservation Advisory Council shall be scheduled on an as-needed basis upon the request of the Town Board, Planning Board or Zoning Board of Appeals should certain issues arise that said Board(s) wants advisory opinions on.

The Conservation Advisory Council Chairman shall have the authority within his or her discretion to schedule meetings of the Advisory Council on an as-needed basis should same be deemed necessary.

- 2. That this local law is subject to a permissive referendum pursuant to and in accordance with the provisions of Sections 64(17) and 90 of the Town Law.
- 3. Except as herein specifically amended, the remainder of Chapter 6 of such code shall remain in full force and effect.

4. If any clause, sentence, paragraph, subdivision, section or part thereof this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this local law shall not be affected thereby and shall remain in full force and effect.
5. Except as herein otherwise provided penalties for the violation of this local law, any person committing an offense against any provision of the chapter of the Code of the Town of Thompson shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, of such Code.
6. This local law shall take effect immediately upon filing with the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto, designated as local law No. 03 of 2014 of the Town of Thompson was duly passed by the Town Board on \_\_\_\_\_, 2014 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer\*)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 2014 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2014 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 2014, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 2014 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2014 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 2014, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_ of 2014 of the County/City/Town/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 2014 and was (approved) (not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 2014 in accordance with the applicable provisions of law.

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5. (City local law concerning Charter revision proposed by petition.)

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6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_ of 2014 of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_ 2014, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

\_\_\_\_\_  
~~Clerk of the county legislative body, city, town,  
village clerk or officer designated by local legislative  
body~~

Date: \_\_\_\_\_, 2014

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

STATE OF NEW YORK  
COUNTY OF SULLIVAN

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: \_\_\_\_\_, 2014

\_\_\_\_\_  
Michael B. Mednick, Esq.  
Attorney for Town of Thompson

**TOWN OF THOMPSON - BUDGET TRANSFERS & AMENDMENTS  
PRESENTED - TOWN BOARD MEETING FEBRUARY 18, 2014  
FISCAL YR 12/31/2014**

Prepared by: Gary J. Lasher, Comptroller

2/18/2014

PAGE#1

Be it resolved that the following budgetary transfers and or amendments be made within the following funds, for the purpose of supplementing the items in each account as stated below.

GENERAL FUND A TOWN WIDE: BUDGET TRANSFER

<u>TO</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>
A.1220.120	SUPERVISOR CONF SECTRY	\$ 29,000.00	A.1315.120	COMPTROLLER CLERK	\$ 29,000.00
A.1220.120	SUPERVISOR CONF SECTRY	\$ 6,600.00	A.9060.800	HEALTH INSURANCE	\$ 6,600.00
		\$ 35,600.00			\$ 35,600.00
	42000/26=1616X4=6464			42000-6464=35536	

GENERAL FUND B. TOWN OUTSIDE: BUDGET TRANSFERS

<u>TO</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>

GENERAL FUND DA. TOWN WIDE HIGHWAY : BUDGET TRANSFERS

<u>TO</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>

GENERAL FUND SSG TOWN WIDE: BUDGET AMENDMENT

<u>INCREASE</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>

GENERAL FUND SSH TOWN WIDE: BUDGET AMENDMENT

<u>INCREASE</u>			<u>FROM</u>		
<u>Acct #</u>	<u>Description</u>	<u>Amount</u>	<u>Acct#</u>	<u>Description</u>	<u>Amount</u>