

MEETING NO. 16
REGULAR NO 16

REGULAR BOARD MEETING

AUG. 17, 2009
7:00 PM

The Regular Meeting of the Alden Town Board was held in the Town Hall at 3311 Wende Road on Monday, August 17, 2009 at 7:00 PM. Supervisor Smith called the Meeting to Order. Councilwoman Riddoch led in the Pledge of Allegiance. Invocation by Paul Loehr. The roll call was taken by the Deputy Town Clerk.

PRESENT: Ronald Smith, Supervisor
Mary Riddoch, Councilwoman
William Weber, Councilman
Ronald Snyder, Councilman
Arlene Cooke, Councilwoman
RECORDING SECRETARY: Debra A. Crist, Deputy Town Clerk
OTHERS PRESENT: Jennifer Strong, Town Attorney
Martin Dugan, CEO
Michael Metzger, Town Engineer
Michael Fleming, Planning Board
Colleen Rogers, Supervisor's Assistant

Councilman Snyder moved and Councilwoman Cooke seconded the Motion to approve the Minutes & Synopsis of the Regular Meeting of August 3, 2009. Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILWOMAN COOKE AND SECONDED BY COUNCILMAN SNYDER TO WIT;

ACCOUNT	ABST #1	ABST #2	TOTAL
GENERAL FUND "A"	18,892.26		18,892.26
HGHWY FUND "DA/DB"	99,038.77		99,038.77
PARTTOWN FUND "B"	7,200.94		7,200.94
WD#2 FUND "WB"	375.20		375.20
WD#3 FUND "WC"	2,063.60		2,063.60
WD#4 FUND "WD"	1,299.80		1,299.80
SP FIRE PROT "SF"	9,353.71		9,353.71
SD#2 FUND "SA"	1,732.51		1,732.51
TRUST & AGCY FUND "T"	1,167.50		1,167.50
SP REFUSE FUND "SR"	68,327.60		68,327.60
ST LIGHTING FUND "SL"	6,365.67		6,365.67
PERIWINKLE LTG DIST "SL1"	32.65		32.65
GRANTS	8,539.90		8,539.90
TOTAL	224,390.11		224,390.11

UPON ROLL CALL VOTE THE FOREGOING WAS UNANIMOUSLY ADOPTED.

BUSINESS FROM THE FLOOR

There was no business from the floor

COMMUNICATIONS

Councilwoman Riddoch reported receiving a request from Alden Central High School Principal for use of soccer fields in the R.O. Smith Park for JV soccer season. She would like this put on the Work Session for Monday.

Councilman Weber received a phone call from a resident whose property had stone washed onto his front yard during the storm last week. Hwy. Supt. Milligan is aware of this.

Councilwoman Cooke attended a meeting with the State DOT and County officials at Peters Corners property.

Supervisor Smith received approved Village of Alden Board minutes for July 23, 2009 and also received from Rural Metro their monthly compliance report for July/2009; they had a compliance performance of 70.2% for the month. This makes three months in a row they have had a compliance of under 80%. Supervisor Smith will draft a letter to Rural Metro, Councilwoman Cooke will check out why the performance has been so poor lately before he sends it out.

NEW BUSINESS

Councilwoman Riddoch moved and Councilman Weber seconded the Motion to renew the HOP for Daniel CarderIII/1220 Lambert Dr. Unanimously carried.

Councilman Weber moved and Councilwoman Riddoch seconded the Motion to transfer \$214.27 from A.7110.0434 Parks Landscaping Materials into A.7110.0456 Parks, Unanimously carried.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN SNYDER WHO MOVED ITS ADOPTION, SECONDED BY COUNCILWOMAN COOKE TO WIT;

WHEREAS, the New York State Law now requires that the Town of Alden adopt a Workplace Violence Prevention Statement.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, THAT:

1. The Town Board hereby adopts the attached workplace Violence Prevention Statement
2. The Town Clerk is hereby directed to send a copy of the Statement to all Town Employees who must acknowledge their receipt of the Statement; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on August 17, 2009 and was unanimously adopted.

TOWN OF ALDEN WORKPLACE VIOLENCE PREVENTION STATEMENT

It is the policy of the Town of Alden to ensure a safe workplace and to reduce the risk of violence to our employees and citizens. It is a shared obligation of all employees and citizens, individually and collectively, to prevent and/or defuse actual or implied violent behavior (verbal or physical) at work.

Any person who engages in a violent or threatening manner, either verbal or physical in nature, will be removed from the premises as quickly as safety permits.

At the Town's discretion, employees and/or the public may be barred from the Town's premises pending the outcome of an investigation. Any employee who engages in such behavior may be subject to disciplinary action up to and including termination, criminal penalties, or both.

DEFINITION

Violent behavior on the job includes, but is not limited to:

1. Causing or attempting to cause physical injury to another person;
2. Intentional destruction or threat of destruction of Town property or another person's personal property;
3. Expressing intent to cause physical harm or emotional duress;

4. Acting in a hostile manner through unwelcome words, actions or physical contact not resulting in physical harm to another person.
5. Surveillance or stalking;
6. Possession of a weapon while on Town Property or while on Town business without proper authorization
7. Veiled threats of physical violence
8. Expression of suicidal or homicidal intent or thoughts; and
9. Unusual agitation or excitement, which may be accompanied by incoherent and/or irrational behavior or harassment.

PROCEDURES

Reporting Procedures

A. Law enforcement officials will be notified as soon as possible of any situation that has the potential for immediate danger to the safety of an employee or any other person.

B. All employees are responsible to inform their department head and to file the attached workplace violence Incident Report of any condition or behavior that the employee experiences or witnesses and believes places the employee and/or others at risk of injury. Such actions may include, but are not limited to:

- i. Causing or attempting to cause physical injury to another person;
- ii. Possession of a weapon while on Town property or while on Town business without proper authorization
- iii. Expressing an intent to cause immediate physical harm; and
- iv. Intentional destruction or threat of immediate destruction of Town property or another person's personal property.

C. Once notified a Department Head will report all employee concerns to the Town Supervisor who will:

- i. Take immediate action to end the dangerous or harassing behavior, and
- ii If appropriate, take appropriate disciplinary action.

D. The Town Supervisor will assure that a full investigation is made and will assist the Department Head in resolving the issue.

Reports should be made regardless of whether the potentially dangerous person is a co-worker or a non-employee. Reports or incident warranting confidentiality will be handled appropriately, and information will be disclosed to others on a "need to know" basis. This policy does not prevent employees from directly notifying law enforcement officials of the problems.

E. Emergency Situations – It is recommended that employees who are confronted by or who encounter an armed or dangerous person not attempt to challenge or disarm the individual the employee should use his/her best judgment under the circumstances to avoid injury to him/her or others. If the employee is able to contact the Police or emergency assistance safety, then the employee should do so immediately or as soon as possible.

F. Enforcement – Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Reports to law enforcement officials will be made as appropriate. Non-employees engaged in violent acts in or affecting the work place will also be reported to the proper authorities the Town will cooperate full with law enforcement authorities during any investigation.

G. Eligibility for Rehire – Employees terminated for violating a provision of this policy shall not be eligible to rehire with the Town in any capacity.

SUPERVISOR SMITH POLLED THE BOARD AND WITH NO OBJECTION THE FOLLOWING WAS ADDED:

Supervisor Smith moved and Councilman Snyder seconded the motion to approve the HOP for Douglas Swingle/12049 Genesee St. Unanimously Carried.

THERE WAS NO UNFINISHED & TABLED BUSINESS

REPORTS OF COMMITTEES, OFFICIALS AND PERSONNEL

Councilman Weber commented on the new store in the Alden Village Plaza, he would like to think that it is partly due to the Town's participation in the Alden Economic Committee, along with the Village, the Chamber and individual members of the community. The Tractor Supply store is up and running and it is good to see lights on in a previously vacant space.

Attorney Strong said that she continues to work with the State DOT and CSX on the Reinhardt Rd. closure, she would like to talk about this on the Work Session. She is working with Eng. Metzger in drawing up the Chris Snyder waterline agreement; she would also like this on the Work Session.

Councilman Snyder reported that the garage at the Town Hall is completed. He is waiting for the garage door openers to be installed and then the Building Inspector and the Sheriff's cars will be able to park inside. Councilman Snyder has not heard from the engineer about the structural problems at the community center.

Supervisor Smith has been notified by the State DOT that the long anticipated closing of Reinhardt Rd. should occur sometime next week. Signs will be posted tomorrow or Wednesday to that effect. As reported by Councilwoman Cooke, we met last week and are still discussing improvements to the Peters Corners Rd. crossing. The time table runs to the end of September, they hope to have it completed at that point, they will notify the school district and the emergency services of exactly when the closure will take place, should be some time next week. Negotiations with the Teamsters will begin with regards to the Highway Dept. contract next Wednesday evening. Master Plan Committee meeting is scheduled for 7:30 P.M. tonight.

Supervisor Smith adjourned the Meeting at 7:11 P.M. with a Minute's silence in Memory of Cheryl Kratzke, William Landgon, Ruth Sonker, Donna Deitzman, Edith Bensley.

Debra A. Crist
Deputy Town Clerk