

**VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES
REGULAR MEETING AGENDA 5:30PM
Monday August 27, 2018
Roberts Rules of Order will be in Effect for this Meeting**

A. CALL TO ORDER PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. AUDITING

- a. Pay Vouchers
- b. Approve Minutes 8-13-2018

D. PUBLIC COMMENT PERIOD

E. CORRESPONDENCE – Park Use -90 Miler Brian McDonnell

F. ITEMS FOR BOARD ACTION

BILL	87	2018	Permanently Appoint Nikolas Pelletieri WWTP Operator Trainee
BILL	88	2018	Adopt Update to Policies
BILL	89	2018	Begin Hiring Process for Police Officer

G. OLD BUSINESS

H. NEW BUSINSS

I. ITEMS FOR DISCUSSION

J. MOTION TO ADJOURN

**RULES FOR PUBLIC HEARING COMMENTS AND
PUBLIC COMMENT
PERIOD OF MEETINGS**

- 1. Anyone may speak to the Village Board of Trustees during the public comment period of a public hearing or the public comment period of the meeting.**
- 2. As a courtesy we ask each speaker to give their name and address.**
- 3. Each speaker must be recognized by the chairperson before speaking.**
- 4. Individual public comment is limited to 5 minutes and may be shortened by the meeting chairperson.**
- 5. When a meeting is attended by a group of people who share the same or opposing views on a public comment topic, the chair may require that the group(s) designate not more than two spokespersons and limit the total time public comment to 5 minutes for each point of view or side of an issue.**
- 6. Individual time may not be assigned/given to another.**
- 7. A public hearing is meant to encourage resident comment and the expression of opinion, not a direct debate, nor should a commenter be intimidated by a village board rebuttal, therefore public hearings are limited to public comment and should a village response be asked by individuals the response shall be generally given after the public hearing during the village board regular meeting, or subsequently, by telephone or letter, unless factual in nature where the facts are fully known by staff, in which case a village official may respond.**
- 8. All remarks shall be addressed to the board as a body and not to any individual member thereof.**
- 9. Interested parties or their representatives may address the board at any time by written or electronic communications.**
- 10. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.**

Please note- During the course of regular business, discussion and commentary is limited to board members and village staff only. We ask for this courtesy, for the board and staff to conduct their business and discussion without interruption. All village board members and staff are available after the conclusion of a meeting for one on one discussion.

REGULAR MEETING OF THE BOARD OF TRUSTEES
August 13, 2018

ROLL CALL FOR REGULAR MEETING: Present: Mayor Clyde Rabideau
Trustees: Melinda Little, Paul Van Cott, Richard Shapiro and Patrick Murphy.

Also present: Village Manager, John Sweeney, Village Treasurer, Elizabeth Benson
and Village Clerk, Kareen Tyler.

Everyone stood for the pledge of allegiance.

AUDITING:

Chair Rabideau called for a motion to approve payment for the 2019 budget
\$ 173,881.08 voucher number 11039471 to 11039604
complete detail of these vouchers is attached and made part of these minutes.

Motion: Little Second: Murphy

Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

APPROVAL OF MINUTES:

Chair Mayor Rabideau called for a motion to approve minute of 7-23-2018 and
7-26-2018

Motion: Van Cott Second: Murphy

Roll Call: Little yes Murphy yes Shapiro abstain Van Cott yes

CORRESPONDENCE: Police Department monthly reports for July and August.
Chair Rabideau called for motion to accept and place on file the above referenced
correspondence.

Motion: Van Cott Second: Murphy

Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

PUBLIC COMMENT PERIOD:

No one spoke

ITEMS FOR BOARD ACTION:

Bill 83-2018 SEQR Sewer Plant Improvements

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.

Motion: Little Second: Murphy

Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 84-2018 Bond Resolution Sewer Plant Improvements

A copy of the bill is attached and made part of these minutes
Chair Mayor Rabideau called for a motion.

Motion: Van Cott Second: Little

Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 85-2018 Authorize \$2.00 Reminder Letter for Unpaid Taxes

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Van Cott Second: Murphy

Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Bill 86-2018 Begin Hiring Process Water Waste Water Maintenance Helper

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Little Second: Shapiro

Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

OLD BUSINESS:

No old business

NEW BUSINESS:

Trustee Shapiro abandon vehicle discussion

ITEMS FOR DISCUSSION:

No items for discussion

MOTION TO ADJOURN

Chair Mayor Rabideau called for a motion

Motion: Van Cott Second: Murphy

Roll Call: Little yes Murphy yes Shapiro yes Van Cott yes

Respectfully submitted,
Kareen Tyler, Village Clerk

**VILLAGE OF SARANAC LAKE
EVENT/PARK USE REQUEST FORM**

Name of Organization:

Adirondack Watershed Alliance

Contact Person:

Brian McDonnell

Address:

PO Box 111 Paul Smiths NY 12970

Telephone: (work) 518 891-2744 home: _____ (cell) _____

Email address brian@macs canoe.com

Classification (FOR PROFIT (FP) or NOT FOR PROFIT (NFP)) FP

Name of Event:

Adirondack Canoe Classic - The 90 Miles

Event Description:

3 Day Canoe event From Old Forge to Saranac Lake

Park Requesting

River front Park

Road Closure: Parking Lane From Main St → NBT Bank

Hours of Operation for Event:

Set Up Date(s): Sept 9 Hours: 8 AM
Hours: 10 AM

Event Date(s): Sept 9 Hours: 10
Hours: 5

Cleanup / Takedown: Sept 9 Hours: 5 -
Hours: 7

Will there be food concessions or merchandise vendors? Yes No

If yes, please describe and attach certification from Health Department for food vendors

Kuwano - Chicken Dinner

Village of Saranac Lake, 39 Main St, 2nd floor, Saranac Lake NY 12983
Telephone 518-891-4150

Will you require electricity? Yes No

If yes, for what use? (Additional fee may be applicable for "For Profit Events")

Sound system

Will you utilize a music or voice amplification system? Yes No

If yes, please describe:

2 Speakers - 1 mic

Please attached a certificate of insurance? To use the parks in the Village of Saranac Lake the Village must receive a certificate of insurance naming the Village of Saranac Lake additional insurance, \$1,000,000 per occurrence/\$2,000,000 aggregate.

on file attached

CERTIFICATION: I have read and understand the Guidelines for Event/Park Use and agree to abide by those regulations and to make every effort to assure that the public is aware and remains compliant with these guidelines to maintain a safe, orderly and enjoyable event. I understand that this application must be approved by the Village Board of Trustees. I further understand that failure on my part, personally or on the part of the organization which I represent, to abide by these guidelines constitute sufficient cause to stop this event and deny use of Village facilities in the future.


SIGNATURE

8/24/18
DATE

OFFICE USE ONLY

- Recommendations: Police Patrols
 Traffic Control
 Extra Trash Pick-up (Additional Fee associated)
 Other

Special Conditions:

- Approved: Director of recreation _____ (initials) _____ (date)
 Village Manager _____ (initials) _____ (date)
 Police Chief _____ (initials) _____ (date)
 Mayor _____ (initials) _____ (date)

Rejected:
Rejected (reason):

Base Fee: \$ _____ plus Other Services from Rate Chart \$ _____ =
\$ _____

Damage/Cleanup Fee: \$ _____

Total paid: \$ _____ Date: _____

Event Follow-up Comments:

Return of Damage/Clean-up Deposit: \$ _____ Date: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/09/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER McKay Insurance Agency, Inc. 106 East Main Street P O Box 151 Knoxville IA 50138	CONTACT NAME: Megan Stanley PHONE (A/C No, Ext): (641) 842-2135 E-MAIL ADDRESS: mstanley@mckayinsagency.com	FAX (A/C No): (641) 828-2013
	INSURER(S) AFFORDING COVERAGE	
INSURED Sports & Recreation Providers Assn Risk Management, Inc. Adirondack Watershed Alliance PO Box 111 Paul Smiths NY 12970	INSURER A: United States Fire Insurance Co	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** CL185954254 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR		POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
		INSD	WVD					
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR Includes Athletic Participants GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	N	SRPGAPML-101-0717	05/12/2018	09/23/2018	EACH OCCURRENCE	\$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$							COMBINED SINGLE LIMIT (Ea accident)
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE	
	Accident Medical			BINDER-ADIRONDACK-2018	05/12/2018	09/23/2018	Excess	\$25,000
							Deductible \$100	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
2018 Events - Round' the Mountain Canoe/Kayak Race: May 12, 2018; Adirondack Canoe Classic: September 7-8, 2018; Long Lake Long Boat Regatta: September 22, 2018. Certificate holder is an additional insured but only with respect to liability arising out of the operations of the above named insured.

CERTIFICATE HOLDER Village of Saranac Lake 39 Main Street Saranac Lake NY 12983	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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HOLD HARMLESS AGREEMENT

Adirondack Watershed Alliance
(NAME OF EVENT/ORGANIZATION)

AWA (referred to herein as "User") does hereby covenant and agree to defend, indemnify and hold harmless the Village of Saranac Lake, NY (referred to herein as "Village"), to the fullest extent permitted by law in connection with the actual or proposed use of Village facilities, as identified in the associated Village of Saranac Lake Park Use Plan and/or the participation in the event known as The 90 Miles

User agrees to indemnify and hold harmless the Village, its representatives, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses, including legal fees and all court costs and liability (including statutory liability) arising in whole or in part and in any manner from injury and/or death of person or damage to or loss of any property resulting from the acts, omissions, breach or default by or of User, his/her family and/or invitees and friends, in connection with spectators, observing and/or participating in or of the activities, functions, events, affairs or proceedings of the _____ except as to those claims, suits, liens, judgments, damages, losses and expenses that were caused by the negligence of Village.

User will defend and bear all costs of defending any actions or proceedings brought against the Village, its officers, directors, agents and employees, arising in whole or in part out of any act, negligence, omission, breach or default of or by User. The foregoing indemnity shall include injury or death of the User or members of his/her family, friends, invitees, agents, or representatives and shall not be limited in any way by an amount or type of damage, compensation, or benefits payable under any applicable workers compensation, disability benefits or other similar employees benefit act.

User hereby expressly permits the Village to pursue and assert claims against the _____ for indemnity, contribution and common law negligence arising out of claims _____ for death and personal injury.

Dated: 8/24/18

Village of Saranac Lake

(Print Name)



User

Brian McDonnell

(Print Name)

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Permanent Appointment of Nikolas Pelletieri Date: 8-27-2018

DEPT OF ORIGIN : Village Manager BILL # 87-2018

DATE SUBMITTED: EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney Village Administration

EXPENDITURE REQUIRED: \$	AMOUNT BUDGETED: \$	APPROPRIATION REQUIRED:
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SUMMARY STATEMENT

Permanently appoint Nikolas Pelletieri to water/waste water operator trainee.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE LITTLE _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

**RESOLUTION TO PERMANENTLY APPOINT
NIKOLAS PELLETIERI TO WATER/WASTE WATER OPERATOR TRAINEE**

WHEREAS, The Village of Saranac Lake is committed to the proper staffing of all departments of the Village for the well being of village residents and visitors alike and,

WHEREAS, The Village of Saranac Lake has an open waste water treatment plant operator trainee position and,

WHEREAS, The position will follow all guidelines of civil service and the SEIU Union contract, will be given benefits as outline in the handbook, and,

WHEREAS, Nikolas Pelletieri was appointed provisionally on July 23, 2018 and has since scored in the top three on the civil service examination, and

NOW, THEREFORE BE IT RESOLVED, Nikolas Pelletieri is appointed permanently to WATER/WASTE WATER TREATMENT PLANT OPERATOR TRAINEE.

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Adopt Update to Policies

Date: 8-27-2018

DEPT OF ORIGIN : Village Manager

BILL # 88-2018

DATE SUBMITTED:

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED: \$

AMOUNT
BUDGETED: \$

APPROPRIATION
REQUIRED:

SUMMARY STATEMENT

Adopt Updates to Anti-Discrimination, Harassment and Work Place Violence Policies

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE LITTLE _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

**RESOLUTION TO UPDATE ANTI-DISCRIMINATION,
HARASSMENT AND THE WORK PLACE VIOLENCE POLICIES**

WHEREAS, The Village of Saranac Lake is committed to the safety and security of our employees, and,

WHEREAS, Discrimination, Harassment and Workplace Violence present serious occupational safety hazards to our staff, community and citizens, and

WHEREAS, The Workplace Violence Prevention Act was passed in 2006 to ensure that the risk of workplace assaults and homicides is evaluated by affected public employers, and,

WHEREAS, Governor Cuomo signed into law new measures aimed at preventing sexual harassment in April of 2018, and,

WHEREAS, The Board of Trustees of the Village of Saranac Lake in adopting this resolution will update guidelines for reporting and investigating incidents of workplace violence, and discrimination and harassment, and

WHEREAS, The Village Labor Attorneys present annual training and updating of the village's policies and training for staff and,

NOW, THEREFORE BE IT RESOLVED, The Village of Saranac Lake Board of Trustees adopts the updates to the Anti-Discrimination, Harassment and Work Place Violence policies and training program.



Village of Saranac Lake
Capital of the Adirondacks TM

**VILLAGE OF SARANAC LAKE
ANTI-DISCRIMINATION AND HARASSMENT POLICY**

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Village of Saranac Lake
Anti-Discrimination and
Harassment (Including Sexual Harassment) in the Workplace

I. POLICY STATEMENT

It is the policy of the Village of Saranac Lake to promote a productive work environment and to prohibit conduct by any employee that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Village of Saranac Lake is committed to educate employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such harassment from the workplace. Any conduct that discriminates against, denigrates or shows hostility or aversion towards a person on the basis of gender (including gender identity or transgender status), race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, genetic predisposition, sexual orientation, or any other protected status is strictly prohibited.

In short, the Village will not tolerate any form of harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such harassment the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of harassment, including sexual harassment, without any risk of repercussion to an employee who, in good faith, files such complaint.

II. APPLICABILITY OF POLICY

This policy applies to all Elected Officials, employees, interns, volunteers, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, whether elected or appointed and regardless of compensation level, and all personnel in a contractual relationship with the Village. This policy also applies to "non-employees" as that term is defined pursuant to State law to include contractors, vendors or consultants or other persons providing service to the Village pursuant to a contract or those who are employees of the contractor, vendor or consultant. Depending on the extent of the Village's exercise of control, this policy may be applied to the conduct of non-Village employees with respect to harassment of Village employees in the workplace.

III. SUPERVISORY RESPONSIBILITY

Department Heads and supervisory personnel are responsible for ensuring a work environment that is free from harassment including sexual harassment. Supervisors must take immediate and appropriate corrective action when instances of harassment come to their attention in order to assure compliance with this policy.

IV. PROHIBITED ACTIVITY

No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any person. Employees shall not make offensive or derogatory comments based on race, color, sex, religion, national origin, or any other protected status either directly or indirectly to another person. Employees shall not produce offensive or inappropriate written materials (e.g. letters, email message, or graffiti.) These are examples of harassment that are a prohibited form of discrimination under State and Federal employment law and also considered misconduct subject to disciplinary action by the Village; it is not intended to be a comprehensive list and does not limit the Village's ability to take disciplinary action in other appropriate instances.

V. DEFINITION OF SEXUAL HARASSMENT

This policy places special attention on the prohibition of sexual harassment in the workplace. Sexual advances that are not welcome, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a) i. Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment; OR

ii. Submission to such conduct is made either explicitly or implicitly a term or condition of work for the Village as a consultant, vendor or contractor or an employee of the consultant, vendor or contractor; OR
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual; OR
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment refers to behavior that is not welcome, that is personally and objectively offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with an employee's work performance and/or effectiveness or creates an intimidating, hostile or offensive working environment. Exposure to such

conduct that serves to alter the terms and conditions of employment is prohibited by this policy and state and federal law.

VI. FORMS OF SEXUAL HARASSMENT

Specific forms of behavior that the Village of Saranac Lake considers sexual harassment and which are prohibited include, but are not limited to the following:

- a) Quid pro quo threats or promises by a supervisor (loss of job or promise of job, promotion, or other employment benefit).
- b) Verbal harassment of a sexual nature related to an employee's gender, including sexual innuendoes, slurs, sexual slurs, suggestive, derogatory, insulting or lewd comments or sounds, whistling, jokes of a sexual nature, sexual propositions and/or threats.
- c) Sexually oriented comments about an employee's body that are unwelcome and/or unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment.
- d) Any sexual advance that is unwelcome or any demand for sexual favors.
- e) Sexually suggestive written, recorded or electronically transmitted material, showing or displaying pornographic or sexually explicit objects or picture, graphic commentaries leering or obscene gestures in the workplace such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.
- f) Physical contact of any kind which is not welcome, including touching, grabbing, hugging, fondling, jostling, petting, pinching, coerced sexual intercourse or sexual relations, assault or intentional brushing up against a person's body.

VII. REPORTING OF HARASSMENT (including Sexual Harassment)

Employees, interns and non-employees are encouraged to report incidents of harassment (including sexual harassment) to their Department Head and/or Village Manager as soon as possible after their occurrence. If the Department Head is believed to be involved in the incident, the report should be made directly to the Village Manager. If the Village Manager is the source of the alleged harassment, the individual should report the problem to the Mayor or any Village Board member. An individual who believes they have been harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board. Employees who work during off-hours are encouraged to contact their

supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board at home if these individuals do not work during the employee's shift.

VIII. WORKPLACE HARASSMENT (Including Sexual Harassment) COMPLAINT FORM

To ensure that all harassment complaints are managed appropriately, effectively and in accordance with the Village's policy, harassment complaints, including sexual harassment complaints, will be recorded in writing by using the Village sanctioned Workplace Harassment Complaint Form. These forms can be obtained from the Village Manager's Office. If needed, additional guidance can be obtained from the Village Manager's Office.

IX. CONFIDENTIALITY AND DISCLOSURE

Complaints of harassment will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Village to third parties or to anyone within the Village employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law. Under State law, the terms of any settlement or other resolution are subject to disclosure **UNLESS** the complaining party seeks confidentiality. Note that this request for confidentiality may be revoked within a certain time frame as may be established by law.

X. INVESTIGATION OF COMPLAINT

The Village Manager will determine the appropriate individual (s) to conduct the investigation. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. The particular facts of the allegation will be examined individually, with a review of the nature of the behavior and the context in which the incident(s) occurred. Any complaints received will be investigated promptly, thoroughly, and in as impartial a manner as possible. All employees, interns, volunteers, non-employees and others covered by this policy are required to cooperate in an investigation, if so directed.

XI. EMPLOYEE OR ELECTED OFFICIAL DEFENSE

Any employee or Elected Official charged with sexual harassment will be afforded a full and fair opportunity to offer and present information in their defense. Such information will be confidential to the extent possible.

XII. EMPLOYEE RIGHTS

Nothing in this policy should be construed as in any way limiting employees' rights to use the Dispute Resolution Procedure as described in the Village of Saranac Lake Employee Handbook or any grievance procedure contained in a collective bargaining agreement. Employee also have the right to file a formal complaint with appropriate state or federal agencies responsible for administering anti-discrimination laws.

XIII. DISCIPLINARY ACTION

Any employee or official who is found to have committed an act of workplace harassment including sexual harassment will be subject to disciplinary action, up to and including termination of employment, as provided by Village operating procedures including Civil Service Law Section 75 or the disciplinary procedures contained in a collective bargaining agreement, whichever is applicable. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the Village is empowered to take such action.

XIV. PROHIBITION AGAINST RETALIATION

Intimidation, coercion, threats, reprisal or discrimination against any employee who in good faith brings a written or verbal complaint or who assists or aids in the investigation of such a complaint is prohibited. Any employee who participates in the procedure may do so without fear of retaliation. Retaliation against any employee who has filed a discrimination or harassment complaint is prohibited and may result in disciplinary action up to and including termination of employment.

XV. REIMBURSEMENT

Any employee who has been subject to a judgement of personal liability for intentional wrongdoing in connection with a claim for sexual harassment shall reimburse the Village for any monies it paid to a complainant for what was found to be the employee's proportionate share of said judgement.

These reimbursements must be made within ninety (90) days from payment by the Village to the Complainant. A failure to reimburse will result in the sum being withheld directly from the employee's compensation or through enforcement of a money judgement.



Village of Saranac Lake
Capital of the Adirondacks TM

**VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE POLICY**

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VILLAGE OF SARANAC LAKE WORKPLACE VIOLENCE PREVENTION PROGRAM

I. POLICY STATEMENT

The Village of Saranac Lake 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 Village of Saranac Lake property will be thoroughly investigated and appropriate action will be taken. Individuals who engage in this behavior may be removed from Village of Saranac Lake's property and are subject to disciplinary and/or personnel action up to and including termination, consistent with Village of Saranac Lake policies, rules and collective bargaining agreements, Civil Service Law, and/or referral to law enforcement authorities for criminal prosecution. The Village Board of Trustees, officials, department heads, staff, volunteers, vendors, contractors, consultants, and others, who do business with the Village are expected to maintain a working environment free from violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property and to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements.

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. The Village of Saranac Lake has identified response personnel that include a member of management and an employee representative. If appropriate, the Village of Saranac Lake will provide counseling services or referrals for employees.

All Village of Saranac Lake 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.

Additionally, personnel are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. The Village of Saranac Lake

Designated Contact Person:

Village Manager: John Sweeney

(518) 891-4150

II. DEFINITIONS:

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, or the Village's ability to provide services to the public.

III. INITIAL EVALUATION AND DETERMINATION OF WORKPLACE VIOLENCE RISKS:

The Village of Saranac Lake determines that the following are some of the factors or situations in the Village workplaces that might place employees at risk:

1. Duties that involve the handling or exchange of monies
2. Duties that involve mobile workplace assignments
3. Working with unstable or volatile persons in criminal justice settings.
4. Working in community-based settings.
5. Working in rural or sparsely populated areas.
6. Working in a poorly lit environment.
7. Working alone.

IV. METHODS VILLAGE OF SARANAC LAKE WILL USE TO PREVENT INCIDENTS OF WORKPLACE VIOLENCE

1. All Village employees shall possess Village-issued identification.
2. Several Village departments are locked and secured preventing the general public from access unless they are authorized or accompanied by a Village of Saranac Lake employee.
3. The hierarchy of controls to which the program shall adhere is as follows: engineering controls, work practice controls and finally personal protective equipment
4. All employees will attend annual work place violence training.

TRAINING At a minimum will include:

1. The requirements of the 12 NYCRR Part 800.6 regulation and the risk factors that were identified in the risk evaluation and determination;
2. Measures that the employees can take to protect themselves from the identified risks including specific procedures that the employer has implemented to protect employees, such as incident alert and notification procedures, appropriate work practices, emergency procedures and use of security alarms and other devices;

3. The location of the written workplace violence prevention program and how to obtain a copy.

V. REPORTING OF INCIDENTS

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any Village employee. Workplace violence should be promptly reported to the supervisor or one in authority as well as completing and filing the Incident Report Form (Appendix A) with the Village Manager. The Village Manager will contact the Workplace Violence Advisory Team. Additionally, Village employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. It is important that all employees take this responsibility seriously to effectively maintain a safe working environment.

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.

VI. RESPONSIBILITIES

A. Elected Officials and Department Heads

Elected officials and department heads shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administration and supervisors are aware of their responsibilities under this policy through internal communication and training.

B. Supervisory Staff

Each employee designated with supervisory responsibility (hereinafter "Supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report, to the Village Manager, any complaint of workplace violence made to him/her and any other incidents of workplace violence which he/she becomes aware or reasonably believes to exist.

C. Village Manager

The Village Manager is responsible for ensuring new employees have a copy of the Workplace Violence Prevention Program and appropriate training. The Village Manager will also be responsible for annually disseminating this policy to Village personnel, as well as posting the policy appropriately throughout County buildings and locations.

The Village Manager will assist Department Heads and the Workplace Violence Advisory Team in responding to workplace violence; and consulting with, as necessary, counseling services to secure professional intervention.

The Village Manager (or designated department heads) will offer periodic (annual) opportunities for training in the prevention and awareness of workplace violence.

The Program will be reviewed in its entirety at least annually (tentatively April of each year).

VII. The Workplace Violence Advisory Team

The Workplace Violence Advisory Team will consist of the Village Manager, the Department Head (where the incident arose), and a Union Representative (as applicable).

This team will assist in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the Village's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention intervention and interviewing techniques in responding to workplace violence.

VIII. CONFIDENTIALITY

The Village shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. The Village will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that safety and well-being of Village employees would be served by such action.

IX. RETALIATION

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline up to and including termination, and referral to law enforcement in aggravated circumstances.

**APPENDIX A
VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE INCIDENT REPORT**

Workplace violence is that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights or expression, or disrupts the workplace, or Village's ability to provide services to the public.

A reportable violent incident is defined as any physical assault, threatening behavior or verbal abuse in any location where an employee performs a work-related duty whether directly involved or observed, except as other statutes cover Work Place Violence in reference to the Police Department; Complete this form and forward the original to:

Village Manager
39 Main Street Suite 9
Saranac Lake, NY 12983

Victim's Name or individual Reporting Incident: _____

Job Title: _____

Address: _____

Home (or contact) Telephone: _____

Incident Date: _____

Incident Time: _____

Incident Location: _____

Work Location (if different): _____

Type of Incident: Verbal Physical Other

Specifics: _____

Were injuries sustained: Yes No

If yes, please specify your injuries and the location of any treatment:

Was Law Enforcement contacted? Yes No

Did the police respond to the incident: Yes No

What Police Department: _____

Was a police report filed: Yes No Report Number: _____

Was your supervisor notified: Yes No

Supervisor's Name and Title: _____

Was any action taken by Employer: (specify) _____

Aggressor/Assailant's Name/Address/Age (if known): _____

(If employee, include Job Title) _____

Briefly describe the incident: _____

Did the incident involve a weapon: Yes No Specify: _____

Were you alone when the incident occurred: Yes No

Did anyone witness the incident: Yes No

If yes, please list witness (es) name, address (if known):

Did you have reason to believe an incident might occur: Yes No

Why: _____

Has this type or similar type incident (s) happened to you or your co-workers previously?

Yes No Specify: _____

Have you had any counseling or support since the incident: Yes No

Specify: _____

Was the aggressor involve in previous incidents that you are aware of:

Yes No Specify: _____

Has corrective action been taken: Yes No

Specify: _____

Additional Comments: _____

Date of Report

Signature of Individual Filing Report

**VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE PREVENTION PROGRAM**

ACKNOWLEDGEMENT

(To be placed in the Employee's personnel file)

I hereby acknowledge that I have received, read and understand the Village of Saranac Lake's Workplace Violence Prevention Program and agree to review any changes or modifications to this policy.

Signature: _____ Date: _____

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Begin Hiring Process Date: 8-27-2018

DEPT OF ORIGIN : Village Manager

BILL #89-2018

DATE SUBMITTED:

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED: \$

AMOUNT
BUDGETED: \$

APPROPRIATION
REQUIRED:

SUMMARY STATEMENT

Authorize Village Manager and Police Chief to begin hiring process for police officer

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE LITTLE _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE VAN COTT _____

**RESOLUTION TO BEGIN PROCESS TO HIRE
A POLICE OFFICER**

WHEREAS, The Village of Saranac Lake is committed to maintaining a full staff in the Police Department for the well-being of village residents and visitors alike and,

WHEREAS, the Village has received the resignation of Travis Farmer, Police Officer, and,

WHEREAS, The Village of Saranac Lake staff is authorized to work through Franklin County Civil Service for a list of qualified candidates and,

WHEREAS, This position is a member of the PBA Union and will begin with all the benefits of a starting union member and,

NOW, THEREFORE BE IT RESOLVED, The Village Manager, the Chief of Police are authorized to begin the recruiting and hiring process to replace the police officer, and,