

A regular Town Board meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, 6100 South Park Avenue, Hamburg, New York on the 24th day of September 2018.

TOWN BOARD MEMBERS PRESENT:

James M. Shaw	Supervisor
Elizabeth Farrell	Councilman
Thomas Best, Jr.	Councilman
Michael Petrie	Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Erika B. Rettig, Deputy Town Clerk; Steve Walters, Town Attorney; Christopher Hull, Director of Community Development; Michael Quinn, Engineering Consultant; Ted Casey, Highway Superintendent; Samantha Tarczynski, Director of Administration and Finance; Ken Farrell, Town Attorney; Ted Casey, Highway Superintendent; Jerry Giglio, Traffic Safety Coordinator and Health and Safety Coordinator; Gregory Wickett, Chief of Police; Martin Denecke, Director of Youth, Recreation and Senior Services.

Supervisor Shaw opens the Town Board Meeting at 8:05 P.M.

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

6.

On a motion of Councilman Best, seconded by Councilman Farrell, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

RESOLVED, the Town Board adopt the minutes of the following meetings:

09/10/2018 Work Session
09/10/2018 Town Board Meeting

7.

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

RESOLVED, that the Town Board approve the membership of the following into the Scranton Volunteer Fire Company, Inc.:

Cesar A. Gutierrez
5288 Electric Avenue
Hamburg, NY 14075



Scranton Volunteer Fire Company, Inc.

5395 Scranton Road, Hamburg, N.Y. 14075

(716) 648-4563 phone

(716) 648-3531 fax



September 13th, 2018


To the Members of the Hamburg Town Board,

The members of the Scranton Volunteer Fire Company have recently voted in Cesar A. Gutierrez, residing at 5288 Electric Ave., Hamburg, NY 14075.

We are asking for the Town Board's approval for his membership.

If there are any questions, please contact Michael Mosier at (716) 989-8864.

Thank you,


Michael Mosier

Corresponding Secretary
Scranton VFC

"smoke detectors never sleep"

8.

On a motion of Councilman Best, seconded by Supervisor Shaw, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

RESOLVED, the Town Board, in the interest of an Inter-Municipal Agreement, with benefit to both parties, extends the Agreement between the NFTA and the Town of Hamburg Police Department for use of the Town's Firearms Range by the NFTA to expire September 15, 2023. The Niagara Frontier Transportation Authority in return for the extension of the Agreement will contribute \$4,000.00 toward improvements to the Range and structures on property.

COPY

AGREEMENT

This Agreement is made as of 6/20, 2014, by and between the Town of Hamburg, with a business address of 6100 South Park Avenue, Hamburg, New York 14075 (the "Town") and the Niagara Frontier Transportation Authority, a public benefit corporation with a business address of 1404 Main Street, Buffalo, New York 14209 ("NFTA").

WHEREAS, the Town owns and operates the Town of Hamburg Police Department Firearms Range (the "Range"); and

WHEREAS, the NFTA wishes to use the Range for department qualification firearms sessions.

NOW THEREFORE, in consideration of the terms, conditions, and covenants contained in this Agreement, and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the parties agree as follows:

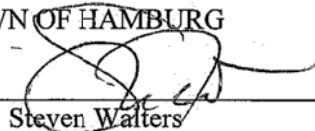
1. The Town grants the NFTA the use of the Range, on a recurring basis, as scheduling allows, during the summer and fall of 2014 for the sole purpose of conducting department qualification firearms sessions, and no other purpose.
2. The NFTA agrees that the use of the Range is subject to the following conditions and restriction:
 - A. The schedule for the dates and times of any department qualification firearms sessions activity is subject to the prior written approval of the Town.
3. The term of this Agreement shall commence on July 1, 2014, and shall terminate on September 15, 2014.
4. The NFTA shall pay and discharge, and shall protect, defend, indemnify and hold the Town, its members, agents and employees harmless from and against all causes of action, claims, damages, liabilities, losses, costs, expenses (including reasonable attorneys' fees, expenses and litigation costs), or judgments or fines of any nature arising or alleged to arise from or in connection with the NFTA's and their agents, employees, guests, invitees or licensees use of the Range and the conduct of the department qualification firearms session, but only to the extent that such losses are

caused by or result from the negligence of the NFTA or non-negligent acts or omissions on the part of the NFTA. The NFTA's obligations under this paragraph shall survive the expiration of this Agreement.

IN WITNESS WHEREOF, the parties have executed the Agreement as of the date first written above.

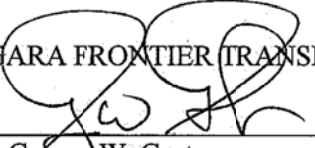
TOWN OF HAMBURG

BY: _____


Steven Walters
Supervisor

NIAGARA FRONTIER TRANSPORTATION AUTHORITY

BY: _____


George W. Gast
Chief of Police

9.

On a motion of Councilman Petrie, seconded by Councilman Farrell, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

BE IT RESOLVED, that the Town Engineer’s report on the completion and acceptance of the DEER SPRINGS SUBDIVISION PART 4 PHASE 2D street light installation work performed under Public Improvement Permit No. 1031 be received and accepted, and that the Supervisor is authorized to sign the report.

BE IT FURTHER RESOLVED, that the Town Board authorize National Grid to connect fourteen (14) 70-watt high pressure sodium luminaries in accordance with the existing rate tariff, and

BE IT FURTHER RESOLVED, that two certified copies of this resolution are provided to the Engineering Department for transmittal to National Grid, and that this resolution becomes effective on the day the report is signed by the Supervisor.

10.

On a motion of Councilman Farrell, seconded by Councilman Petrie, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

RESOLVED, that the Town Board approve the termination in the Buildings and Grounds Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	4242	KRAUSE, ROBERT		Laborer/EW7250.100			\$10.40	9/10/2018
2	4849	PATTON, MARK		Laborer/EW7250.100			\$10.40	9/10/2018

11.

On a motion of Councilman Farrell, seconded by Councilman Petrie, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

WHEREAS, the Town Board recognizes the need to periodically revise adopted policies such as the Workplace Violence Prevention Policy and,

WHEREAS, the Human Resource Officer, the Town Safety Coordinator, and the Town Safety Committee collaborated to draft a revised policy and all stakeholders including Town Board members were provided the opportunity for review and input on this revised policy,

THEREFORE BE IT RESOLVED that the Town Board adopt the attached Workplace Violence Prevention Policy effective immediately.

Town of Hamburg

Workplace Violence Prevention Policy and Program

Revision Date: September 2018

Town of Hamburg

Workplace Violence Prevention Program (“WVPP”)

Policy Statement

Purpose Statement: The personal safety and welfare of our employees, as well as the general public, is a primary and continuing concern of the Town of Hamburg. It is our goal to prevent and minimize the hazards of workplace violence to every Town of Hamburg employee with a workplace that is free from the potential for serious physical harm or health impairment.

The Town of Hamburg has a policy of **ZERO TOLERANCE** to incidents of workplace violence. All Town of Hamburg Department Heads, supervisors and employees are responsible for implementing and maintaining our WVPP.

The Town of Hamburg requires prompt and accurate reporting of ALL violent incidents whether or not physical injury has occurred.

The Town of Hamburg will not discriminate against victims of workplace violence.

All Town of Hamburg employees, including supervisors and Department Heads, shall adhere to work practices that make the workplace safe and more secure and shall not engage in verbal threats or physical actions which create a security hazard for others in the workplace.

All Town of Hamburg employees, including Department Heads and supervisors, are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe and secure work environment.

Town of Hamburg is responsible for ensuring that all safety and health policies and procedures involving workplace security are clearly communicated and understood by employees. Department Heads and supervisors are expected to enforce the rules fairly and uniformly.

The WVPP policy is an evolving plan subject to revision as new circumstances and safety concerns are raised, best practices adopted, and changes in New York State or Federal laws and regulations may require.

A copy of this policy statement and our WVPP program shall be readily available to all Town of Hamburg employees and posted in all departments.

The Town of Hamburg WVPP will be reviewed and updated annually or more often if necessary by the Town of Hamburg Safety Committee which is delegated the responsibility for the adoption of a legally compliant program tailored to the needs of the Town of Hamburg.

(JAMES M. SHAW, Town Supervisor)

Workplace Violence Prevention Program

Introduction

Workplace violence presents a serious occupational safety hazard for workers. In recent years, the incidence and severity of workplace violence has been increasing in all workplaces generally and in the Town of Hamburg particularly.

Examples of higher risk workplaces include, but are not limited to, public sector duties involving contact with members of the public (clerks; inspectors; recreation), duties involving the exchange of money (Town Clerk's Office; recreational facilities; court), health care settings (paramedics; police), criminal justice duties (police; court personnel) working alone or in small numbers (inspectors; police) working in community based (community development, inspectors; recreation) settings and working at night.

New York State Labor Law Section 27-b requires public employers such as the Town of Hamburg to perform a workplace evaluation of each worksite. The evaluation is intended to identify factors which may place the workforce at risk to occupational assaults or homicides. The results of the evaluation and the risk factors found should be shared with employees; this information should be reviewed initially and annually thereafter. The Town of Hamburg is required to develop a written Workplace Violence Prevention Program.

This document is designed to assist the Town and its employees to more effectively reduce the potential problem of violence in the workplace.

What Is - Workplace Violence?

Workplace violence is any physical assault, acts of aggressive behavior or other threatening behavior or verbal abuse occurring where an employee performs any work-related duty in the course of his or her employment, including, but not limited to:

- a. Any attempt or threat, whether verbal or physical, to inflict physical injury upon an employee.
- b. Any intentional display of force which would give an employee reason to fear or expect bodily harm
- c. Intentional or wrongful physical contact with a person without his or her consent that entails some injury
- d. Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee.
- e. Any non-specific threats of violence by employee
- f. Specific threats of violence by employee
- g. Threats of violence directed against an employee by a non-employee
- h. Violent confrontation by a spouse or significant other with an employee over a personal/domestic dispute
- i. Threats or threatening conduct by disgruntled or ex-employees
- j. Violent altercations between two employees or employee and supervisor
- k. Assaults by intruder
- l. Intentional destruction or threat of destruction of Town property or another person's personal property.
- m. Any other act which has the potential to escalate into a threatening or violent incident.

WHAT CAN BE DONE TO PREVENT WORKPLACE VIOLENCE?

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

INJURY AND ILLNESS PREVENTION PROGRAM FOR WORKPLACE VIOLENCE

Town of Hamburg Safety Program addresses the hazards known to be associated with the three major types of workplace violence.

Type I involves a violent act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.

Type II involves a violent act by a recipient of a service provided by the Town such as a client, patient, customer, passenger, a criminal suspect or prisoner.

Type III involves a violent act by a current/former employee, department head or supervisory personnel, or other person who has some employment-related involvement with our establishment, such as an employee's spouse or lover, an employee's relative or friend, or another person who has a dispute with one of our employees.

Workplace Violence Prevention Program (WVPP)

Town of Hamburg WVPP addresses the hazards known to be associated with the three major types of workplace violence.

1. An act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act.
2. A violent act by a recipient of a service provided by our establishment, such as client, customer, passenger or a criminal suspect or prisoner.
3. A violent act by a current/former employee, department head or supervisory personnel, or other person who has some employment-related involvement with our establishment, such as an employee's spouse or lover, an employee's relative or friend, or another person who has a dispute with one of our employees.

RESPONSIBILITY

The Program Administrator for workplace security is, the Safety Committee and has the authority and responsibility for implementing the provisions of this program for the Town of Hamburg.

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

Communication

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

Record Keeping and Review

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

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

- Department of Labor Illness and Injury Logs (SH 900)
- Workplace violence incident reports
- Workplace Survey
- Accident Investigations
- Training Records
- Grievances

The records review will be performed at least annually.

Training and Instruction

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

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

- Explanation of the Workplace Violence Prevention Program including measures for reporting any violent acts or threats of violence.
 - Recognition of workplace security hazards including the risk factors associated with the three types of violence.
 - Methods to defuse hostile or threatening situations.
 - Measures to summon others for assistance.
 - Employee routes of escape.
 - Notification of law enforcement authorities when a criminal act may have occurred.
 - Emergency medical care provided in the event of any violent act upon an employee.
 - Post-event trauma counseling for those employees desiring such assistance.
 - Crime awareness
 - Location and operation of alarm systems, panic buttons and other protective devices.
 - Communication procedures.
-
- Proper work practices for specific workplace activities or assignments.
 - Self protection.
 - Dealing with angry, hostile or threatening individuals.
 - Using the "Buddy" system or other assistance from co-workers.
 - Awareness of indicators that lead to violent acts by service recipients.
 - Employee assistance programs.
 - Review of anti-violence policy and procedures.
 - Managing with respect and consideration for employee well-being.

- Role playing a violent event.

Incident Investigation

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

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

APPENDIX

1. Workplace Violence Hazard Assessment Survey
2. Workplace Violence Assessment Report
3. Workplace Violence Major Incident Report Form
4. Workplace Violence Minor Incident/Concern Report Form
5. Training Hand-Outs
 - a. Personal conduct to minimize violence
 - b. Five warning signs of escalating behavior

Appendix 1

Town of Hamburg Workplace Violence Hazard Assessment Survey

Date: _____

Department _____

Location _____

Please assess your department over the last year. Circle YES (Y), NO (N) or NOT SURE (?)
Thank you for your honest assessment.

Management Commitment and Employee Involvement			
Y	N	?	Do the employees generally feel "safe" at work?
Y	N	?	Are employees familiar with the Town's Workplace Violence prevention policy?
Y	N	?	Are violence/threats accepted as "part of the job" by Department Heads, supervisors and/or employees?
Y	N	?	Do employees feel they are treated with dignity and respect by other employees and management?
Y	N	?	Do you believe the Town is doing enough to ensure your safety?
Comments:			
Potential Risk Factors			
Y	N	?	Do employees do not work in high-crime areas?
Y	N	?	Do employees work with cash?
Y	N	?	Do employees work with patients or clients who have a history of violent behavior or behavioral disorders? (Paramedics, Police)
Y	N	?	Do employees work in isolated work areas?

Comments:			
Hazard Prevention and Control			
Y	N	?	Does the department have adequate lighting to, from and within the worksite?
Y	N	?	Are alarm systems (such as panic alarm buttons, silent alarms, or personal electronic alarm systems) being used for security assistance and appropriately located and being tested annually?
Y	N	?	Are employees able to locate emergency equipment (such as fire alarm boxes, extinguishers and panic buttons)?
Y	N	?	Are all exits accessible and clearly marked?
Y	N	?	Do employees that work in the field have cell phones and/or radios accessible for emergency communication?
Y	N	?	Are reference manuals, reports and policies up-to-date and available to employees?
Y	N	?	Is there is a grievance policy available to employees.
Y	N	?	Is there a Safety Committee available as a resource to staff for any hazard concerns?
Comments:			
Training			
Y	N	?	Have employees received training on the Town's Workplace Violence Prevention Program?
Y	N	?	Have employees been trained to recognize and handle threatening, aggressive, or violent behavior?

Y	N	?	Have employees been trained in verbal de-escalation techniques?
Comments:			
Incidents and Reporting			
Y	N	?	Has this work location experienced violent behavior, assaults or threats from clients or customers, employees or strangers? If yes, please specify below.
Y	N	?	Has this work location experienced domestic violence issues?
Y	N	?	Are employees required to report incidents or threats of violence regardless of injury or severity?
Y	N	?	Are medical and psychological counseling services offered to employees who have been assaulted or threatened?
Comments:			

Remarks/Comments/Suggestions _____

Town of Hamburg Workplace Violence Assessment Report

Locations: _____ Assessment Date: _____

In order to reduce the risk of workplace violence, the following measures have been recommended:

Engineering Controls and Building or Work Area Design:

Workplace Practices:

Management has instituted the following as a result of the workplace violence hazard assessment and the recommendations made by the Workplace Violence Prevention Group:

These changes were completed on *(date)*.

Policies and procedures developed as a result of Safety Team recommendations:

Assessment Made By: _____ Date: _____

Assessment Reviewed By: _____ Date: _____

Appendix 3

**Town of Hamburg
Workplace Violence Major Incident* Report Form**

*To report incidents involving police response or incidents with injuries to an employee or citizen.

EMPLOYEE REPORTING

Name
Department

INCIDENT

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

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

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

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

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

IF THREATENED, answer next 3 questions

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

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

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

LAW ENFORCEMENT INFORMATION

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

MANAGER ACTIONS

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

NOTIFICATION DATES

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

RECOMMENDATIONS

What can be done to prevent future incidents?

Appendix 5-a

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

<p>questions.</p> <ul style="list-style-type: none">❖ Ask for his/her recommendation. Repeat back to him/her what you feel he/she is requesting of you.❖ Arrange yourself so that a visitor cannot block your access to an exit.	<ul style="list-style-type: none">❖ Take sides or agree with distortions.❖ Invade the individual's personal space. Make sure there is a space of three feet to six feet between you and the person.
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Appendix 5-b

Five Warning Signs of Escalating Behavior

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

12.

On a motion of Councilman Best, seconded by Supervisor Shaw, the following resolution was

ADOPTED	Ayes	4	Shaw, Best, Farrell, Petrie
	Noes	0	

RESOLVED, that the Town Board accept the low bid, from Telco Construction, 500 Buffalo Road, East Aurora, NY in the amount of \$25,000.00 for court facility renovations and improvements, monies were awarded from the Justice Court Assistance Program (JCAP) Grant.

Money is available in account A1110.0450

13.

On a motion of Councilman Best, seconded by Councilman Farrell, the following resolution was

ADOPTED	Ayes	4	Shaw, Best, Farrell, Petrie
	Noes	0	

BE IT RESOLVED the Town Board approve a budget amendment that would allow the Recreation Department to use surplus funds from the Golf Enterprise account for improvement projects. The amount requested from the fund balance is \$8,000 and will be used for the following:

Gazebo Roof -	\$5,500
<u>Tournament Board and landscaping</u>	<u>\$2,500</u>
Total	\$8,000

Fund balance money would be transferred to account # ER7251.451

14.

On a motion of Supervisor Shaw, seconded by Councilman Best, the following resolution was

ADOPTED	Ayes	4	Shaw, Best, Farrell, Petrie
	Noes	0	

WHEREAS, On August 29, 2018 the Department of Community Development advertised the bid for the purpose of completing the 2018 Village of Blasdell - Maple Avenue Infrastructure project, and

WHEREAS, the bids were opened on Wednesday, September 19, 2018 at 11:00 a.m. and subsequently reviewed by the Department of Community Development, representatives of the Village of Blasdell and their engineering firm, Wendel and

WHEREAS, the following contractors submitted bids for the project:

E&R General Construction, Inc.	\$98,650.00
Northeast Paving	\$129,935.00
Milherst Construction	\$141,450.00

NOW THEREFORE BE IT RESOLVED that the based upon the recommendation of the Department of Community Development, the Village of Blasdell and their engineering firm, that the Hamburg Town Board authorize the Department of Community Development to accept the bid of and enter into a contract with E & R General Construction, Inc. to complete the 2018 Village of Blasdell – Maple Avenue Infrastructure project. Funding for the contract in the amount of \$98,650 is to be split between \$70,000 in CDBG funds (CD 44 8662.354) and \$28,650 from Village of Blasdell funds.

15.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

WHEREAS, On August 29, 2018 the Department of Community Development advertised the bid for the purpose of completing the 2018 Village of Hamburg - Huntington Court Waterline project, and

WHEREAS, the bids were opened on Wednesday, September 19, 2018 at 10:00 a.m. and subsequently reviewed by the Department of Community Development, representatives of the Village of Hamburg and their engineering firm, GHD, and

WHEREAS, the following contractors submitted bids for the entire scope of the project:

716 Site Construction	\$366,286.00
E & R General Construction, Inc.	\$420,580.00
Fairway Construction	\$475,298.00
Pinto Construction	\$786,090.00

NOW THEREFORE BE IT RESOLVED that the based upon the recommendation of the Department of Community Development, the Hamburg Village Board and their engineering firm, that the Hamburg Town Board authorize the Department of Community Development to accept the bid of and enter into a contract with 716 Site Construction to complete the 2018 Village of Hamburg – Huntington Court Waterline Project. Funding for the contract in the amount of \$366,286 is to be split between \$70,000 in CDBG funds (CD 44 8662.355) and \$296,286 from Village of Hamburg funds.

16.

On a motion of Supervisor Shaw, seconded by Councilman Best, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

WHEREAS, the Department of Community Development had applied for and received a \$175,000 grant via the “Zombie” and Vacant Properties Remediation and Prevention Initiative issued by LISC (Local Initiative Support Corporation), and

WHEREAS, the administration of this grant continues and has progressed to the point where specific computer technology can be an effective tool in the furtherance of this cooperative work within the town and villages, and

WHEREAS, in June, 2018, the Department of Community Development applied for additional grant funds from the “Zombie” and Vacant Properties Remediation and Prevention Initiative through LISC for specific technology assistance utilizing the “Building Blocks” software program recommended for the town’s program, and

WHEREAS, the Department of Community Development has been notified of an additional award of grant funds in the amount of \$36,000 to specifically purchase and utilize the “Building Blocks” technology program which will further our efforts with the “Zombie” and Vacant Properties Remediation and Prevention Initiative.

NOW THEREFORE BE IT RESOLVED THAT the Hamburg Town Board authorizes the Department of Community Development to accept, receive, and administer this grant and to complete all required cooperative work.

17.

On a motion of Supervisor Shaw, seconded by Councilman Best, the following resolution was

TABLED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

BE IT RESOLVED, that the Town Board approve on the recommendation of Town Justice Gerald P. Gorman and Town Justice Carl W. Morgan along with Brigid Lavelle, Court Administrator, to promote Valerie Butera to the vacant full-time position of Senior Clerk Typist. Ms. Butera is on the promotional Senior Clerk Typist list #31-255, with a start date of Monday, October 1, 2018, salary is \$22.35 per hour.

18.

On a motion of Councilman Best, seconded by Councilman Farrell, the following resolution was ADOPTED
 Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

BE IT RESOLVED that the Town Board approve the termination and hiring of personnel in the Youth, Recreation and Senior Services Department as follows:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/temp hourly rate	Termination Date
1	4796	Agate, William		Lifeguard-ET7180				9/25/2018
2	4908	Bartosz, Matthew		Rec Attd-EW7251				9/25/2018
3	4798	Boganowski, Natalie		Lifeguard-EW7251				9/25/2018
4	4915	Bohen, Ryan		Rec Attd-EW7251				9/25/2018
5	4644	Bojdak, Katherine		Lifeguard-EW7251				9/25/2018
6	4730	Casey, Quinn		Rec Attd-EW7251				9/25/2018
7	4910	Delmont, Jason		Rec Attd-EW7251				9/25/2018
8	4887	Duffy, Paige		Lifeguard-ET7180				9/25/2018
9	4562	Evancho, Paige		Rec Attd-EW7251-Seas				9/15/2018
	4562	Evancho, Paige	R	Rec Attd-A7310-P/T	9/16/18		\$13.00	
10	4846	Fadale, Thomas		Rec Attd-EW7251				9/25/2018
11	4800	Feuerstein, Julia		Lifeguard-ET7180				9/25/2018
12	4805	Giglio, Angelina		Rec Attd-EW7251				9/25/2018
13	4669	Gunning, Daniel		Rec Attd-EW7251				9/25/2018
14	4723	Hall, Kirstie		Rec Attd-EW7251				9/25/2018
15	4609	Ljungberg-Hardick, Gayle		Rec Attd-A7310-P/T				8/25/2018
	4609	Ljungberg-Hardick, Gayle	R	Rec Attd-A7310-Seas	8/26/18		\$12.00	
16	4653	Hietanen, Andrew		Lifeguard-EW7251				9/25/2018
17	4704	Hite, Taylor		Lifeguard-EW7251				9/25/2018
18	4711	Hollfelder, Evan		Lifeguard-EW7251				9/25/2018
19	4806	Jarosz, Kelsey		Rec Attd-EW7251				9/25/2018
20	4885	Jackson, Jake		Lifeguard-ET7180-Seas				9/15/2018
	4885	Jackson, Jake	R	Lifeguard-A7310-P/T	9/16/18		\$11.25	
21	4753	Johnston, Emily		Rec Attd-EW7251				9/25/2018
22	4734	Kabza, Ashley		Lifeguard-EW7251				9/25/2018
23	4654	Kaznowski, Taylor		Rec Attd-EW7251				9/25/2018
24	4886	Kent, Bailey		Lifeguard-ET7180-Seas				9/15/2018
	4886	Kent, Bailey	R	Lifeguard-A7310-P/T	9/16/18		\$11.25	
25		Lease, Evan	N	Rec Attd-A7310-P/T	9/17/18		\$11.00	
26	4343	Lease, Ryan		Rec Attd-ER7251-Seas				9/2/2018
	4343	Lease, Ryan	R	Rec Attd-ER7251-P/T	9/3/18		\$10.40	
27	4912	Linsley, Parker		Rec Attd-EW7251				9/25/2018
28	4836	MacDonald, Marissa		Lifeguard-ET7180-Seas				9/25/2018
29	4544	Madden, Timothy		Lifeguard-ET7180-Seas				9/25/2018
30	4726	McEwen, Jamie		Rec Attd-EW7251				9/25/2018
31	4315	Mead, Karla		Rec Attd-EW7251				9/25/2018
32	4387	Morris, Mark		Rec Attd-EW7251				9/25/2018
33	4857	Moscato, Eric		Rec Attd-EI7265-Seas				9/15/2018
	4857	Moscato, Eric	R	Rec Attd-A7310-P/T	9/16/18		\$10.40	
34	655	Nelson, Gay Lynn		Rec Attd-A7310-Seas				9/15/2018
	655	Nelson, Gay Lynn	R	Rec Attd-A6772-P/T	9/16/18		\$14.00	
35	4629	Nitsche, Lindsay		Lifeguard-EW7251				9/25/2018

36	4939	Nitsche, Aubrey		Lifeguard-ET7180-Seas				9/15/2018
	4939	Nitsche, Aubrey	R	Lifeguard-A7310-P/T	9/16/18		\$11.25	
37	4903	O'Brien, Connor		Lifeguard-ET7180				9/25/2018
38	4625	Ott, Megan		Rec Attd-EW7251				9/25/2018
39	4813	Pasquerella, Paige		Lifeguard-EW7251				9/25/2018
40	4478	Pezzino, Dana Rose		Rec Attd-EW7251				9/25/2018
41	4801	Piniewski, Ryan		Lifeguard-ET7180				9/25/2018
42	4771	Ross, Victoria		Rec Attd-A7310-P/T				9/1/2018
	4771	Ross, Victoria	R	Rec Attd-A7310-Seas	9/2/18		\$10.50	
43	3726	Scharlock, Matthew		Rec Attd-ER7251-Seas				9/1/2018
	3726	Scharlock, Matthew	R	Rec Attd-ER7251-P/T	9/2/18		\$11.00	
44	4811	Scheffler, Kate		Lifeguard-ET7180				9/25/2018
45	4946	Schafer, Madeline		Rec Attd-EW7251				9/25/2018
46	4549	Skorma, Kelly		Rec Attd-A7310-Seas				9/9/2018
	4549	Skorma, Kelly	R	Rec Attd-A7310-P/T	9/10/18		\$12.00	
47	4812	Sterns, Olivia		Lifeguard-EW7251				9/25/2018
48	4727	Szpila, Alexandria		Rec Attd-EW7251				9/25/2018
49	4728	Szpila, Zachary		Rec Attd-EW7251				9/25/2018
50	4889	Tripp, Maggie		Lifeguard-EW7251				9/25/2018
51	4890	Tripp, Elizabeth		Lifeguard-EW7251				9/25/2018
52	4200	Walter, Lauren		Rec Attd-EW7251				9/25/2018
53	4550	Winder, Brice		Lifeguard-EW7251				9/25/2018
54	4729	Woods, Melissa		Rec Attd-EW7251				9/25/2018
55	4802	Wright, Addison		Lifeguard-ET7180				9/25/2018
56	4934	Youngberg, Sydney		Rec Attd-EW7251				9/25/2018
57	4667	Zahm, Chloe		Rec Attd-EW7251				9/25/2018
58	4926	Andrzejczak, Allison		Rec Attd-A7310				9/25/2018
59	4844	Aroune, Mary		Rec Attd-A7310				9/25/2018
60	4620	Gambino, Karlie		Lifeguard-A7310				9/25/2018
61	4820	Głowacki, Jordan		Rec Attd-A7310				9/25/2018
62	4733	Gorman, Meghan		Rec Attd-A7310				9/25/2018
63	4821	Haberman, Heather		Rec Attd-A7310				9/25/2018
64	4823	Mecca, Emily		Rec Attd-A7310				9/25/2018
65	4827	O'Connor, Cassidy		Rec Attd-A7310				9/25/2018
66	4825	Page, Grace		Rec Attd-A7310				9/25/2018
67	4548	Porto, Paige		Rec Attd-A7310				9/25/2018
68	4918	Reardon, Madison		Rec Attd-A7310				9/25/2018
69	4839	Schneider, Erin		Rec Attd-A7310				9/25/2018
70	4840	Thurnherr, Paige		Rec Attd-A7310				9/25/2018
71	4737	Touris, Matthew		Rec Attd-A7310				9/25/2018
72	4914	Vogl, Bryce		Rec Attd-A7310				9/25/2018
73		Wojtaszczyk, Darlene	N	Rec Attd-A6780-P/T	9/25/18		\$11.00	

19.

On a motion of Councilman Best, seconded by Supervisor Shaw, the following resolution was ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie Noes 0

BE IT RESOLVED that the Town Board approve the hiring of personnel in the Town Clerk’s Office as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	4238	BRAUN, SHARON	R	P/T CLERK SEASONAL	10/1/2018		\$15.00	
2		HULTQUIST, MARY JO	N	P/T CLERK SEASONAL	10/1/2018		\$15.00	

20.

On a motion of Supervisor Shaw, seconded by Councilman Best, the following resolution was TABLED Ayes 4 Shaw, Best, Farrell, Petrie Noes 0

WHEREAS, on January 25, 2016, Brigit Reynolds was terminate from her position of Senor Clerk in the Hamburg Town Justice Court, and

WHEREAS, an Article 78 was commenced on May 20, 2016, Index number 2016-76, alleging that the termination had been improper, and

WHEREAS, on October 12, 2017, Judge Donna Siwek issued a decision that the termination had been “a result of political retaliation and said abolition was unlawful and in bad faith”, and

WHEREAS, on August 20, 2018, following settlement discussions, Judge Siwek issued an order requiring the town to reinstate Reynolds to “her previous employment with the Town of Hamburg in the position of Senior Clerk,” and

NOW THEREFORE BE IT RESOLVED, in compliance with Judge Siwek’s order, the Town Board hereby transfers Brigit Reynold to the position of Senor Clerk in Town Justice Court.

Funds are available in account A1110.100

21.

On a motion of Councilman Best, seconded by Councilman Farrell, the following resolution was

ADOPTED	Ayes	4	Shaw, Best, Farrell, Petrie
	Noes	0	

BE IT RESOLVED, that the Town Board approve Martin Denecke and Nicole Dayka to attend the 2018 Association of NYS Youth Bureaus Youth Development Conference. The event is scheduled for October 24 and 25 in Terrytown, NY. Expenses for the conference include the following:

Registration :	\$125 (1 st is free)
Lodging:	\$400 (1 Scholarship)
Meals:	\$180 (some included)
Tolls:	\$45
Transportation:	\$363 (726x\$.50 per mile)
Total:	\$1,113.00

Funds are available in Account # A.1970.492

22.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, the following resolution was

ADOPTED	Ayes	4	Shaw, Best, Farrell, Petrie
	Noes	0	

RESOLVED, that the Town Board approve the membership of the following into the Big Tree Volunteer Firemen’s Co., Inc.:

John Heffle
 1 Brush Drive
 Hamburg, NY 14075



Organized - 1936

Big Tree Volunteer Firemen's Co., Inc.

Hamburg Town Board
Hamburg Town Hall
6100 South Park Ave.
Hamburg, New York 14075

September 6, 2018

Dear Board Members,

We respectfully request permission of the Town Board to accept the following applicant into the membership of the Big Tree Volunteer Fire Company, Inc. during the year of 2018.

John Heffle
1 Brush Drive
Hamburg, 14075

Thank you for your cooperation.

Sincerely,

Carol R. Covert
Carol R. Covert
Secretary

FILED IN THE TOWN
CLERK'S OFFICE
HAMBURG, N.Y.
2018 SEP 20 P 4: 08
TOWN CLERK

23.

On a motion of Supervisor Shaw, seconded by Councilman Best, the following resolution was

ADOPTED	Ayes	4	Shaw, Best, Farrell, Petrie
	Noes	0	

RESOLVED, the Town Board authorize Detective Sergeant Paul Randall and Police Officer Jeffrey Bullard to attend the Gracie Survival Tactics (GST) Military/Law Enforcement Instructor Certification Course, to be held in Livingston County, Michigan, October 15 – 19, 2018.

Registration:	\$ 1,590.00
Lodging: 5 nights	\$ 507.60
Meals: 6 days @ \$40.00 x 2	\$ 480.00
Tolls: (approximately)	<u>\$ 100.00</u>
TOTAL:	\$2,677.60

Use of unmarked Police vehicle for transportation is requested.

Money is available in account B3120.492.

24.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, the following resolution was

ADOPTED	Ayes	4	Shaw, Best, Farrell, Petrie
	Noes	0	

BE IT RESLOVED, upon recommendation of the Town of Hamburg Traffic Safety Advisory Board, and in accordance with the Federal, and New York State Manual of Uniform Traffic Control Devices that the Buildings and Grounds Department be directed to install and maintain the following.

W2-3C Intersection sign with a W16-2aP supplemental warning plaque“300” feet on the east side of Bayview road, 300 feet in advance of the Lake Erie Blvd. intersection

25.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie
 Noes 0

RESOLVED, that the Town Board approve the Audit of Cash Disbursements as follows:

TOWN BOARD AUDIT OF CASH DISBURSEMENTS - September 24, 2018			
			VOUCHER #'S
OPERATING FUND:			
BATCH #			
BATCH #	128	\$7,562.42	98123-98150
BATCH #	129	\$29,272.94	98151-98209
BATCH #	130	\$42,860.05	98210-98250
BATCH #	131	\$192.59	98251
BATCH #	132	\$752,287.08	98252-98307
BATCH #	133	\$21,931.90	98308
BATCH #	134	\$8,082.65	98313-98342
BATCH #	135	\$99.27	98344
BATCH #	136	\$255,189.60	98345-98407
BATCH #	137	\$7,871.78	98409
BATCH #	138	\$67,709.43	98410-98441
BATCH #	139	\$913.92	UNPROCESSED
TOTAL OPERATING FUND DISBURSEMENTS:			\$1,193,973.63
TRUST AGENCY			
BATCH #			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$0.00
CAPITAL FUND DISBURSEMENTS:			
BATCH #	14	\$248.16	98309-98312
BATCH #	15	\$29,989.00	98343
BATCH #	16	\$1,450.00	98408
BATCH #			
TOTAL CAPITAL FUND DISBURSEMENTS:			\$31,687.16
PAYROLL:			
PR #	19	\$705,619.85	
TOTAL PAYROLL DISBURSEMENTS:			\$705,619.85
PETTY CASH			
			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$1,931,280.64

Reports from Department Heads

Michael Quinn, Engineering Consultant, comments he will make arrangements for a representative from Assembly Ryan's Office to attend the next Work Session.

Samantha Tarczynski, Director of Administration and Finance, states that the Supervisor's budget will be filed by this Friday as required. The New York State Office of the State Comptroller is currently auditing the Town and a report will be forthcoming in the next couple of months.

Catherine A. Rybczynski, Town Clerk, states her office continues to collect school taxes. She made her first wire transfer to the four school districts on Friday and she will continue to do that every Friday until her office is done collecting school taxes at the end of November. This will be the last week doe permits will be issued.

Christopher Hull, Director of Community Development, thanks the Town Board for passing the Block Grant resolutions for their annual projects for the two villages. They still have three public hearings left in their fall hearing schedule. The next hearings are October 17th at 6:30 P.M. at the Blasdell Village Hall and October 22nd and October 29th at 5 P.M. and 6:30 P.M. in the lobby at Town Hall.

Town Board Reports

Councilman Farrell comments that October 17th the Domestic Violence Chicken Barbeque fundraiser will be held here at the Town Hall. There a number of activities that have been taking place throughout the Town sponsored by a variety of groups to raise awareness and concerted effort regarding our opioid crisis. The Southtowns Drug Free Coalition is hoping to unveil a website that will involve some comprehensive ways to get information, resources, and immediate help.

Supervisor Shaw thanks Councilman Best for conducting the meetings and for helping out with the day to day operations while he was out sick. He thanks Samantha Tarczynski, Director of Administration and Finance, for the fantastic job she has done completing the 2019 Budget.

Reports from the Floor

Darren Eggleston, Down the Drain Plumbing, and Supervisor Shaw discusses there being a resolution regarding a waiver of examination with reciprocity for Master Plumbers. Supervisor Shaw will follow up with Kurt Allen, Supervising Code Enforcement Officer, regarding the resolution and he will get the resolution on the October 15, 2018 Agenda.

26.

On a motion of Supervisor Shaw, seconded by Councilman Best, the following resolution was

ADOPTED Ayes 4 Shaw, Best, Farrell, Petrie

 Noes 0

RESOLVED, that the Town Board move back into Executive Session at 8:26 P.M.

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.

Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Catherine A. Rybczynski, R.M.C.
Town Clerk