

Minutes

Town of Persia Regular Board Meeting

Reorganization Meeting

8 West Main Street, Gowanda, NY 14070

January 12, 2017

Review Workshop 6:30pm

Supervisor Paula Schueler calls meeting to order at 7:00PM.

***Everyone stands for the Pledge of Allegiance to the Flag**

Today is the first meeting of the New Year, the Honorable Arnold Andolsek will officiate the swearing in ceremony for the Honorable Mark Schindler the newly elected official.

Roll Call:

Supervisor: Paula Schueler: present

Highway Superintendent: Daniel Ackley: present

Councilperson: John Walgus: present

Councilperson: Theresa Girome: present

Councilperson: Gloria Tomaszewski: present

Councilperson: Robert Dingman: present

Town Clerk: Denise Trumpore: present

Others present:

Hon. Arnold Andolsek

Hon. Mark Schindler

Gowanda Press: Phil Palen

Jack Broyles

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PROCLAMATION

TOWN OF PERSIA SCHOOL CHOICE WEEK

WHEREAS, All children in the Town of Persia should have access to the highest-quality education possible; and,

WHEREAS, the Town of Persia recognizes the important role that an effective education plays in preparing all students in the Town of Persia to be successful adults; and,

WHEREAS, quality education is critically important to the economic vitality of the Town of Persia; and,

WHEREAS, the Town of Persia is home to a multitude of excellent education options from which parents can choose for their children; and,

WHEREAS, educational variety not only helps to diversify our economy , but also enhances the vibrancy of our community; and,

WHEREAS, our area has many high-quality teaching professionals who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, I, Paula Schueler do hereby recognize January 22-28, 2017 as Town of Persia SCHOOL CHOICE WEEK, and I call this observance to the attention of all of our citizens.

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Official Reports of Department Heads:

Supervisor Paula Schueler: We have a proclamation that was approved by resolution at last months meeting. * I have processed payroll. * I ask the bills for Abstract #13 for General and Abstract #1 for General and Highway be approved by resolution. * I ask the Supervisors report for December be accepted by resolution. * I need a resolution to accept the financial report for December. * I need a resolution to appoint Gloria to the Ambulance board. * I need a resolution to designate Gowanda Ambulance as our 911 service. * On December 20th I had a meeting with the DEC concerning the Bowers expansion mine. * I sent Mary Dankert an annual animal control/rabies report for her to fill out for the Cattaraugus Co. Health Dept.

Highway Superintendent Daniel Ackley: *Read highway bills. * I met with Jason Opferbeck, Brian Taber, Joe Pillittere and Brian Naples to discuss the \$30,000 funding on Thatcher Brook; so we don't lose that funding we are going to start cutting up debris in the creek into more manageable pieces. Letters will be sent to the property owners. * I have the agreement to spend highway funds that needs to be signed by the board.

Councilperson John Walgus: * I would like to have a workshop next month on February 9th at 6:30 to discuss fiber optics. Bob and met with the City of Jamestown in regards to the railroad corridor

Councilperson Theresa Girome: * The next Comprehensive Plan meeting will be on Monday, January 23rd at 6:30pm.

Councilperson Gloria Tomaszewski: *I attended the annual meeting for the ambulance; there were two new appointees to the board, Anne Merkt of Dayton and Jerry Swanson of Collins Center. I was also reappointed to the board. There are now three ambulances, as well as a fly car, and there are 32 people employed on a full and part-time basis consisting of 16 paramedics, 1 critical care, 4 advanced EMTs, 9 basic EMTs and 2 drivers. Call volume has increased to approximately 1600. * I would like a resolution for Judge Andolsek to attend the Magistrates Conference this year. * The court was awarded \$2.846/79 for the JCAP grant; this will cover outside cameras and part of the AED machine. * I would like a resolution to audit

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the justice books with Theresa. * I have passed out literature that Judge Andolsek received wherein the State is requesting that all arraignments be held in various places in the County and each Judge would preside for that district. More information will be forthcoming. * Judge Andolsek also requested to discuss the hiring of another court officer; after a brief discussion, the matter was tabled.

Councilperson Robert Dingman: * I attended the State of the State address by Governor Cuomo on January 9th. I have a copy of the press release here if anyone is interested. Essentially what I learned is that the Governor is trying to attend to our downstate as he feels fit. * I learned today in a letter from Mayor Teresi of Jamestown that the City of Jamestown supports the railroad corridor project. * I attended the Chamber of Commerce meeting.

Assessor Mary Bailey: * Exemption renewal applications have been come in steadily. I remind all property owners the deadline for exemptions is March 1st.

Town Clerk Denise Trumpore: * I ask the minutes from December 15th be accepted by resolution. * I need a resolution to audit my Town Clerk books for 2016. * The total tax to be collected for 2017 is \$1,447,351.53. I have been collecting the 2017 taxes and if anyone has not received their tax bill as of now, please call the office.

Total transactions for December: 100

Total Collected: \$ 1,267.00

Towns Portion: \$ 572.44

RESOLUTION #1 Audit of Claims

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Girome

The following was

ADOPTED AYES – 5 Tomaszewski, Girome, Walgus, Dingman, Schueler

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NAYS - 0

RESOLVED that the bills contained on abstracts #13 for General and abstract #1 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:

Abstract 13 - General vouchers # 245 to #257 Total = \$ 9,825.90

Abstract 1 - General vouchers # 1 to # 22 Total = \$ 8,556.86

Abstract 1 - Highway vouchers # 1 to # 2 Total = \$ 2,218.17

RESOLUTION #2 Approval of Minutes

On a motion of Councilperson Dingman

Seconded by Councilperson Tomaszewski

ADOPTED AYES - 5 Dingman, Tomaszewski, Girome, Walgus, Schueler

NAYS - 0

RESOLVED that the minutes from December 15, 2016 are approved

RESOLUTION #3 Supervisors report

On a motion of Councilperson Girome

Seconded by Councilperson Walgus

ADOPTED AYES - 5 Girome, Walgus, Tomaszewski, Dingman, Schueler

NAYS - 0

RESOLVED to accept the Supervisors report for December 2016

RESOLUTION #4 Financial Report

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Girome

ADOPTED AYES - 5 Tomaszewski, Girome, Walgus, Dingman, Schueler

NAYS - 0

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RESOLVED to accept the financial report for December 2016.

RESOLUTION #5 Reorganization Meeting

On a motion of Councilperson Dingman

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Dingman, Tomaszewski, Girome, Walgus, Schueler

NAYS – 0

RESOLVED

1. The regular Town Board meetings will be held at 7:00 pm on the second Thursday of each month in the Persia Town Hall at 8 West Main Street.
2. The Community Bank will be designated as the Town's official depository. Coeternal arrangements will be made to secure Town's deposits for amounts over \$100,000.00 by the State Comptroller's guidelines.
3. The official newspaper will be the Dunkirk Observer.
4. The officers will be compensated for the use of their vehicles in the performance of their official duties of obligations at a rate of 50.5 cents per mile.
5. "Official Undertaking" The Town of Persia will enter into an insurance bond (blanket) to cover all employees with a separate bond to cover the Tax Collector & Town Supervisor for the amount of the warrant and a policy to cover any lawsuits against the Town of Persia employees and all elected officials of the Town.
6. Councilperson Gloria Tomaszewski appointed as Deputy Supervisor.
7. Impose a charge of \$20.00 on each check as a service charge to be added to any account owing to the Town of Persia where a check is returned for insufficient funds.
8. James Musacchio, attorney will be contracted by the Town to give professional services and advice, as it is required.
9. Town board entered into terms of engagement with Bahgat, Laurito & Bahgat.
10. Petty Cash for the Town Clerk will be \$100.00. Petty Cash for Tax Collector will be \$100.00.

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11. Town Board authorizes payment of claims for public utilities, postage, credit card, freight and express charges before they are audited.
12. The Assessment Review Board will receive \$60.00 for their one day service, and \$15.00 for schooling plus mileage.
13. Authorize the Town's Highway Superintendent to purchase tools, equipment and implements during the calendar year without prior approval in an amount not to exceed \$1,000.00.
14. Phil Palen as local Historian.
15. No charges will be placed on Taxpayer's tax accounts for the calendar year 2017. This is for the second billing of unpaid taxes that are sent out in March.
16. That bi-weekly payroll checks be paid to full-time employees and monthly payroll checks to part-time employees.
17. Highway employees for the Town of Persia will receive \$11.75 per hour for part-time positions.
18. Appoint Allen Jones as Deputy Highway Superintendent at the rate of \$14.50 per hour.
19. Daniel Ackley, Superintendent of Highways will receive a salary of \$38,633.00.
20. Paula Schueler, Town Supervisor will receive a salary of \$9,520.00.
21. Paula Schueler is appointed Director of Finance and will receive a salary of \$970.00.
22. Council people Robert Dingman, Gloria Tomaszewski, Theresa Girome and John Walgus will receive a salary of \$3,297.00.
23. Town Justices, Arnold Andolsek and Mark Schindler will receive a salary of \$8706.00 each.
24. The Town Justices attend mandatory schooling and may attend Cattaraugus County Magistrate meetings, which are held once a month and be compensated for their meals and mileage.
25. Court Clerks, Denise Trumpore and Cheryl Matern, as part-time employees for the Town Justices will receive a salary of \$5,121.00 each.
26. Appoint Mary Dankert as Dog Control Officer at a salary of \$3,434.00 and
Richard Dankert as Deputy Dog Control Officer at no pay.
27. Denise Trumpore as town cleaner.

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- 28. Appoint Mary Bailey as Town Assessor for 7 years at a salary of \$11,564.00.
- 29. Appoint Mel Shaw as Town Code Enforcement Officer at the salary of \$4,000.00 plus mileage.
- 30. Denise Trumpore, Town Clerk, Tax Collector & Notary Public will receive a salary of \$24,725.00.
- 31. Denise Trumpore, Registrar of Vital Statistics will receive a salary of \$929.00.
- 32. Appoint Louise Hubbard as Deputy Town Clerk & Deputy Tax Collector at the rate of \$11.00 per hour.
- 33. Appoint Laurie Moore and Tom Povhe as Court Officers at the rate of \$10.50 per hour.

(See attached)

33. Highway Benefit Package

34. Code of Ethics

35. Procurement Policy

36. Councilperson Assignments

37. Payroll

38. Zoning & Planning Board

39. Court Security Officer Duties

40. Sexual Harassment Policy

Town of Persia Highway Department
Compensation and Benefit Summary Effective
January 1, 2017

Wages:

Deputy Highway Supervisor: \$14.50 per hour

Full-time: \$14.00 per hour

Part-time/Probation: \$11.75 per hour

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Probation:

New hires are on a four (4) month probation period.

Recognized Holidays:

New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving, Christmas Day, and two(2) floating holidays.

Vacation:

One week after one year of service.

Two weeks after three years of service.

Three weeks after ten years of service.

Sick Days:

Three days per year. May be accumulated for a total of 30 days.

Compensation Time:

May be accumulated up to 240 hours, but must be used prior to December 31, 2017.

Health Insurance:

A full-time employee who elects not to participate in the health coverage offered by the Town may be entitled to a buy-out of \$1,000.

A full-time employee who wishes to participate in the single coverage health insurance coverage shall pay 30% of the premium. The Town will cover 70% of the premium.

Clothing Allowance:

Employees shall be entitled to reimbursement up to \$250.00 for clothing appropriate for the work requirements. Requests for reimbursement shall be submitted to the Highway Superintendent before December 31, 2017 for approval.

Bereavement Leave:

Any employee who has had a death in his immediate family, (mother, father, brother, sister, spouse, child, current mother or father in -law, grandchild, grandparent, current sister or

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brother in-law shall be entitled to three (3) working days off with pay. Employees will be allowed one (1) day off for the purpose of attending the funeral in the event of the death of an aunt, uncle, niece or nephew.

Jury Duty:

While an employee is on jury duty, the Town shall make up the difference between the amounts received by the employee for the jury duty and his regular straight time pay not to exceed a maximum per employee of thirty (30) working days per occurrence, provided:

1. The employee notifies the Highway Supervisor upon receipt of notice to report to jury duty.
2. Provides proof of having performed the jury duty service.

CODE OF ETHICS

TOWN OF PERSIA

2017

ARTICLE I

INTENT OF TOWN BOARD

Section 1. Statement of Legislative Intent.

The Town Board of the Town of Persia recognizes that there are state statutory provisions mandating towns to establish rules and standards of ethical conduct for public officers and employees which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this town as part of our state's important system of local government. It is the purpose of this resolution to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards and to create a Board of Ethics to render advisory opinions to the Town's officers and employees as provided for herein.

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Section 2. Prohibited Acts and Procedures.

The standards, prohibited acts and procedures established herein are in addition to any prohibited acts, conflicts of interest provisions or procedures prescribed by Statute of the State of New York, and, also, in addition to Common Law Rules and Judicial Decisions relating to the conduct of Town Officers to the extent that the same are more severe in their application than this resolution.

ARTICLE II

CODE OF ETHICS

Section 1. Definitions.

As used in this resolution, the term "Town" shall mean any board, commission, district, council or other agency, department or unit of the Government of the Town of Persia.

The term "Town Employee" shall mean any officer or employee of the Town of Persia, whether paid or unpaid, whether serving in a full-time, part-time or advisory capacity.

Section 2. Rule with Respect to conflicts of Interest.

No Town Employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur with the proper discharge of his/here duties in the public interest.

Section 3. Standards.

- A)** No Town employee shall accept other employment which will impair his/her independence of judgment in the exercise of his/her official duties.
- B)** Town Employee shall accept employment or engage in any business or professional activity which will require him/her to disclose confidential information which he/she has gained by reason of his official position or authority.
- C)** No Town Employee shall use or attempt to use his/her official position to secure unwarranted privileges or exemptions for himself/herself or others.
- D)** No town Employee shall engage in any transaction as representative or agent of the Town with any business entity in which he/she has a direct or indirect

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financial interest that might reasonably tend to conflict with the proper discharge of his/her official duties.

- E)** A Town Employee shall not, by his/her conduct, give reasonable basis for the impression that any person can improperly influence him/her or unduly enjoy his/her favor in the performance of his/her official duties, or that he is affected by the kinship, rank, position or influence of any party or person.
- F)** Each Town Employee shall abstain from making personal investments in enterprises which he/she has reason to believe may be directly involved in decisions to be made by him/her or which will otherwise create substantial conflict between his/her duty in the public interest and his/her private interest.
- G)** No Town Employee shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he/she is likely to be engaged in acts that are in violation of his/her trust.
- H)** No Town Employee employed on a full-time basis nor any firm or association of which such employee is a member, or corporation, a substantial portion of the stock which is owned or controlled directly or indirectly by such Employee, shall sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the Town in which such employee serves or is employed.

Section 4. Violations.

In addition to any penalty contained in any other provision of law, any such Town Employee, who shall knowingly and intentionally violate any of the provisions of this resolution, may be fined, suspended or removed from Office or employment in the manner provided by law.

ARTICLE III

ADMINISTRATION

Section 1. Distribution.

Upon the adoption of this resolution, the Town Supervisor shall cause a copy thereof to be distributed to every Town Employee of this Town. Failure to distribute any such copy or failure of any town Employee to receive such copy shall have no effect on the duty of compliance with this Code, nor the enforcement of provisions hereof,. The Town Supervisor shall further cause a copy of this Resolution to be kept posted conspicuously in each public building under the jurisdiction of the Town. Failure to so post this Resolution, shall have no effect on the duty of compliance herewith nor the enforcement provisions hereof.

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Section 2. Adoption.

Within thirty (30) days of the adoption of this Resolution, the Town Clerk shall file a copy thereof in the Office of the State Comptroller.

ARTICLE IV

SEVERABILITY CLAUSE

Section 1.

If any clause, sentence, paragraph, section or part of this Resolution shall be adjudged by any Court of competent jurisdiction to be invalid, such Judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such Judgment shall have been rendered.

2017 Procurement Policy

WHEREAS, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, 103 or any other law: and

WHEREAS, comments have been solicited from those officers of the town involved with procurement:

NOW THEREFORE, be it RESOLVED: That the Town of Persia does hereby adopt the following procurement policies and procedures:

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, 103. Every town officer, board department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file of other documentation supporting the purchase activity.
2. All purchases of (a) supplies or equipment which will exceed \$10,000 in a fiscal year or (b) public works contracts over \$20,000 shall be formally bid pursuant to GML, 103.

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3. All estimated purchases of :

- Less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written /fax quotes from three vendors.
- Less than \$3,000 but greater than \$1,000 requires an oral/fax quote for the goods from two vendors.
- Less than \$1,000 but greater than \$250 is left to the discretion of the purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax or oral quotes have been requested and the written/fax or oral quotes offered.

All information gathered in complying with the procedures of the Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

4. The lower responsible proposal or quote shall be awarded the purchase of public works contract unless – the purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall be documented and filed the record supporting the procurement.
5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar the procurement.
6. Except when directed by the town board, no solicitation or written proposals or quotations shall be required under the following circumstances:
 - Acquisition of professional services
 - Emergencies
 - Sole source situations
 - Goods purchased from agencies for the blind or severely handicapped
 - Goods purchased from correctional facilities
 - Goods purchased from another government agency
 - Goods purchased at auction
 - Goods purchased for less than \$250
 - Public works contracts for less than \$500

7. Authorized to participate in the United States Communities Governmental Purchasing Alliance.

2017 COUNCILPERSON ASSIGNMENTS

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GLORIA TOMASZEWSKI

Deputy Supervisor

Master Plan Committee

Town Court Liaison

Grant Writer

Assessor Liaison

Insurance

Ambulance Liaison

THERESA GIROME

Master Plan Committee

Planning Board and Zoning Board Liaison

Fire and Building Codes

Code Enforcement Liaison

Village Board Liaison

Cable Television

Dog Warden Liaison

ROBERT DINGMAN

Economic Development Committee

Cattaraugus County Watershed

Thatcher Brook Task Force

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Civil Defense

Railroads

Historical Society Liaison

JOHN WALGUS

Highway Liaison

Special Districts (Water/Sewer)

Gowanda Area Redevelopment

Fire Districts

Building Liaison

Economic Development Committee

Thatcher Brook Task Force

Brownfield Opportunity Assessment Steering Committee

2017 TOWN OF PERSIA PAYROLL

ACKLEY, DANIEL	HIGHWAY SUPERINTENDENT	\$38,633.00
ANDOLSEK, ARNOLD	JUSTICE	\$ 8,706.00
BAILEY, MARY	ASSESSOR	\$11,564.00
DANKERT, MARY	DOG CONTROL OFFICER	\$ 3,434.00
DINGMAN, ROBERT	COUNCILPERSON	\$ 3,297.00
GIBBS, MATTHEW	HIGHWAY WORKER	\$14.00/HOUR
GIROME, THERESA	COUNCILPERSON	\$3,297.00

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HUBBARD, LOUISE	DEPUTY CLERK	\$11.00/HOUR
JONES, ALLEN	HIGHWAY WORKER	\$14.50/HOUR
MATERN, CHERYL	COURT CLERK	\$ 5,172.00
MOORE, LAURIE ANN	COURT OFFICER	\$10.50/HOUR
MUSACCHIO, JAMES	PROSECUTOR	\$ 3,606.00
MUSACCHIO, JAMES	ATTORNEY	\$ 3,030.00
POVHE, THOMAS	COURT OFFICER	\$10.50/HOUR
SCHINDLER, MARK	JUSTICE	\$ 8,706.00
SCHUELER, PAULA	SUPERVISOR	\$ 9,520.00
SCHUELER, PAULA	DIRECTOR OF FINANCE	\$ 970.00
SHAW, MELVIN	CODE ENFORCEMENT OFFICER	\$ 4,000.00
TOMASZEWSKI, GLORIA	COUNCILPERSON	\$ 3,297.00
TRUMPORE, DENISE	COURT CLERK	\$ 5,172.00
TRUMPORE, DENISE	TOWN CLERK	\$24,725.00
TRUMPORE, DENISE	REGISTAR OF VITAL RECORDS	\$ 929.00
WALGUS, JOHN	COUNCILPERSON	\$3,297.00

2017

Town of Persia Planning Board

1 year term (ending -1/18): David Allen 9172 Point Peter Road – 532-5020

2 year term (ending -1/19):

3 year term (ending -1/20): Richard Bridges 9840 Broadway Road – 532-2612

4 year term (ending -1/21): William Hojnacki 10333 Skinner Hollow Road – 257-9149

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5 year term (ending -1/22): Joseph Butera 10961 Miller Road – 257-9415

6 year term (ending -1/23): David L. Allen 8997 Persia Road -257-9045

Alternate: Donald Walter 9903 Miller Road – 257-9212 cell – 753-0784

Alternate: Mark Hojnacki 10320 Skinner Hollow Road – 257-9106

Secretary:

Chairperson:

2017

Town of Persia Zoning Board

1 year term (ending -1/18: Mark Hojnacki 10320 Skinner Hollow Road – 257-9106

2 year term (ending -1/19: David Allen 9172 Point Peter Road 257-5020

3 year term (ending -1/20: David L. Allen 8997 Persia Road – 257-9045

4 year term (ending -1/21: Richard Bridges 9840 Broadway Road – 532-2612

5 year term (ending -1/22: David Redman 9795 Broadway Road – 532-2777

Alternate: William Hojnacki 10333 Skinner Hollow Road – 257-9149

Alternate:

Meetings are held on the 3rd Mondays of March, July and November at 7:00pm.

Monday, March 20, 2017

Monday, July 17, 2017

Monday, November 20, 2017

* Members will be paid \$30.00 per meeting attended.

All meetings will be held at the Persia Town Hall 8 West Main Street, Gowanda NY

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TOWN OF PERSIA COURT OFFICER

Town of Persia Court Officers are responsible for maintaining order and providing security in the courtroom and grounds.

Duties may include:

- *Provide security by standing in courtroom and patrolling courthouse.
- *Maintain order by removing or calming individuals, bar entry into courtroom of individuals who are not properly attired or behaved.
- *Physically restrain disruptive individuals.
- *Detain individuals until proper authority arrive.
- *Escort, guard and deliver material to deliberating juries.
- *Operate security equipment including magnetometers and hand-held screening devices.
- *Use established search procedures to assure that no weapons are brought into the courtroom.
- *Report inoperative equipment to supervisor.
- *Provide general information to individuals on court premises.
- *Carry a legal firearm in courthouse and grounds, and meet qualifications and standards.
- *Have peace officer status and powers.

SEXUAL HARASSMENT POLICY

BACKGROUND: Harassment on the basis of a person's sex by a supervisor, coworker or other person is a discriminatory practice, which violates Title VII of the Civil Rights Act of 1964 and regulations passed by the United States Equal Employment Opportunity Commission. Aside from being illegal, sexual harassment undermines the integrity of the individual work relationships and damages the morale of the entire work force.

POLICY: It is the policy of the **TOWN OF PERSIA** that all employees are entitled to work in an environment free from all forms of illegal discrimination, including that which is based upon a person's sex. Accordingly any practice or activity, which constitutes sexual harassment is strictly forbidden within Town work places and shall, if substantiated in accordance with this policy, result in disciplinary action.

PROHIBITED CONDUCT: Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

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Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment; or

Submission to or rejection of such conduct by a person is used as a basis for employment decisions affecting that person, or;

Such conduct creates an intimidation, hostile or offensive work environment.

SANCTIONS: Sexual harassment is a serious violation of the work rules of this government and, if proven, shall be grounds for the imposition of discipline. Potential sanctions for the offense shall range from a minimum of a five (5) day suspension without pay to termination, depending upon the following:

The individual facts of any given case; and

The employment record of the person committing such harassment.

EMPLOYEE RIGHTS: Any employee who believes that another employee is engaging in sexual harassment may file a complaint within a reasonable period of time after the event (normally not more than 180 days).

RETALIATION PROHIBITED: No person filing a complaint under this policy or who legitimately assists another in the prosecution of any such complaint shall be subjected to retribution or retaliation of any kind for doing so.

FILING COMPLAINTS: Complaints filed under this policy shall be promptly and thoroughly investigated by the Fair Practices Manager or an individual designated by the Town Board in the event the Fair Practices Manager is unable to perform this function due to circumstances surrounding the complaint.

Upon completion of the investigation, the Fair Practices Manager shall prepare a comprehensive report addressing all allegations in the complaint and objectively documenting all relevant factual information.

FALSE ACCUSATIONS: Due to the serious and private nature of this offense, false accusations of sexual harassment are, and will be treated, as a disciplinary offense and will result in the same level of punishment as that applied to one who engages in such behavior.

RESOLUTION #6 to appoint Gloria Tomaszewski to the Ambulance Board

On a motion of Councilperson Dingman

Seconded by Councilperson Walgus

ADOPTED AYES – 5 Dingman, Walgus, Tomaszewski, Girome, Schueler

NAYS – 0

RESOLVED to appoint Gloria Tomaszewski to the Ambulance Board.

RESOLUTION #7 911 designated service

Town of Persia Regular Board Meeting
Reorganization Meeting
January 12, 2017
8 West Main Street, Gowanda, New York 14070

On a motion of Councilperson Girome

Seconded by Councilperson Dingman

ADOPTED AYES – 5 Girome, Dingman, Tomaszewski, Walgus, Schueler

NAYS – 0

RESOLVED to designate Gowanda Ambulance as our 911 service.

RESOLUTION #8 Justice audit

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Girome

ADOPTED AYES – 5 Tomaszewski, Girome, Walgus, Dingman, Schueler

NAYS – 0

RESOLVED to audit the Justice books.

RESOLUTION # 9 Clerk audit

On a motion of Councilperson Walgus

Seconded by Councilperson Dingman

ADOPTED AYES – 5 Walgus, Dingman, Tomaszewski, Girome, Schueler

NAYS – 0

RESOLVED to audit the clerk books.

RESOLUTION #10 Fiber Optics Workshop

On a motion of Councilperson Dingman

Seconded by Councilperson Girome

ADOPTED AYES – 5 Dingman, Girome, Tomaszewski, Walgus, Schueler

NAYS – 0

RESOLVED to have a workshop on February 9th at 6:30pm to discuss fiber optics.

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RESOLUTION #11 Magistrates Conference

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Girome

ADOPTED AYES – 5 Tomaszewski, Girome, Walgus, Dingman, Schueler

 NAYS – 0

RESOLVED for Judge Andolsek to attend the Magistrates Conference.

With no further business, and hearing no objection

The meeting adjourned at 8:32pm

Respectfully submitted,

Denise Trumpore

Town Clerk