

**Village Board of Trustees
Meeting Minutes of October 2, 2012**

Present: Mayor Lee, Trustees Gates, Speer, Bimmler and Fowler
Village Manager, Janet SurrIDGE
Superintendent of Public Works, Mike McHenry
Asst. Superintendent, Keith Brown
Village Clerk, Shari Pearce
Code Enforcement Officer, Mike Lissow

Guests: Carm Carmestro, Shannon Zabelny

Mayor Lee called the meeting to order at 5:00 p.m. with the pledge of allegiance to the flag.

Public Forum

Mayor Lee opened the meeting for public comments at 5:00 p.m. There were no public comments and the Mayor closed the public portion of the meeting at 5:01 p.m.

Code Enforcement

- Proposed shared salt facility: Mike Lissow explained that the two properties at 40 Grove Street and 100 Henry Street must be merged into one property to accommodate the new salt storage building. However, these two properties are zoned differently: 40 Grove Street is zoned residential and 100 Henry Street is zoned Industrial. In order to move forward with this project, a public hearing must be scheduled to rezone and re-subdivide the two lots. Mike Lissow recommended the following resolutions:

Resolution to hold a joint public hearing on November 13th with the Zoning Board of Appeals for the following action items: 1) Rezoning of #40 Grove Street from Residential to Industrial; 2) Re-subdivision application from the Town of Parma to combine #40 Grove Street and #100 Henry Street into one lot. Trustee Gates made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

Resolution to acknowledge that the Town of Parma will be the lead agent for the proposed Hilton Parma Shared Salt Facility for the purposes of SEQR. Motion made by Trustee Gates, seconded by Trustee Fowler. Carried unanimously 5-0.

- Eagle Scout: Mike Lissow reported Mike Johnson has completed his Eagle Scout project by labeling catch basins in the north west area of the Village and advising residents about the dangers of disposing chemicals in the catch basins. He also went door to door to about 500 homes dropping off literature regarding storm water and catch basins. Mike Lissow remarked what a nice job he did.

Superintendent's Report

- **Pink Refuse Carts:** Keith Brown, Assistant Superintendent was present and said he was asked by the Mayor to investigate the idea of selling pink refuse totes to Village residents. After general discussion, his recommendation is not to sell them as he feels the Village should not support one cause (breast cancer) over another. If Village residents would like to purchase pink totes they can do so on their own. The board agreed with his recommendation.
- **Community Center:** Mike McHenry noted last month the board approved \$9,500.00 to obtain quotes and replace the power handicap door that exits out onto the newly replaced ramp. It has come to his attention that the basement locker exit door is damaged and it is not repairable. He is requesting an additional \$900.00 to replace that door as well.

Resolution to authorize the Superintendent to replace the basement locker door at the Community Center for a cost of \$900.00 and that the total project for both doors shall not exceed \$10,400.00. Trustee Fowler made the motion, seconded by Trustee Speer. Carried unanimously 5-0.

- **2012 Sanitary Sewer Update:** Mike McHenry stated the project has been completed. The budget for the project was \$106,850.00 and he anticipates the project should not exceed \$95,000.00.
- **Department of Labor Inspection:** Mike McHenry reported all facility violations have been completed. Training for all the employees regarding the new policies is being implemented.

Clerk's Report

- **Part-time office help:** Shari Pearce requested authorization to hire a part time employee for up to twelve weeks at a rate of \$9.00 to cover for an office employee's sick leave.

Resolution to hire a part-time office person for up to twelve weeks at a rate of \$9.00 per hour, total cost not to exceed \$3,240.00. Be it further resolved that the 2012-2013 budget is hereby amended to charge the contingency account for this expense. Trustee Speer made the motion, seconded by Trustee Bimmler. Carried unanimously 5-0.

- **Social Media Policy:** At the fall training school this year, one of the classes centered on social media devices and how prevalent it is in today's technology and that each municipality should have a policy established. Shari Pearce recommended approving the following Social Media Policy.

Resolution to adopt the following Social Media Policy. Motion made by Trustee Bimmler, seconded by Trustee Speer. Carried unanimously 5-0.

Social Media Policy

The Village of Hilton has in place policies that govern use of its own electronic communications systems, equipment, and resources which employees must follow. The Village of Hilton may also have an interest in your electronic communications with co-workers, residents, vendors, suppliers, competitors, and the general public on your own time. Inappropriate communications, even if made on your own time using your own resources, may be grounds for discipline up to and including immediate termination. We encourage you to use good judgment when communication via blogs, online chat rooms, networking internet sites, social internet sites, and other electronic and non-electronic forums (collectively “social media”). The following is a general and non-exhaustive list of guidelines you should keep in mind:

1. Make it clear that the views expressed in social media are yours alone. Do not purport to represent the views of the Village of Hilton in any fashion.
2. Do not disclose confidential or proprietary information regarding the Village of Hilton or your coworkers. Use of copyrighted or trademarked Village of Hilton information, trade secrets, or other sensitive information may subject you to legal action. If you have any doubt about whether it is proper to disclose information, please discuss it with the personnel director.
3. Do not disclose information that could subject the Village of Hilton to legal liability. Data about certain financial transactions, information about medical and health records, and other disclosures may be restricted by state or federal laws. IF the Village of Hilton is subjected to government investigation or financial liability based on your disclosures, the Village of Hilton may seek to hold you personally responsible.
4. Do not use Village of Hilton logos, trademarks, or other symbols in social media. You may not use the Village of Hilton’s name to endorse, promote, denigrate or otherwise comment on any product, opinion, cause or person.
5. Be respectful of the privacy and dignity of your co-workers. Do not use or post photos of coworkers without their express consent.
6. Harassing, obscene, defamatory, threatening, or other offensive content must be avoided. Harassing or discriminatory comments, particularly if made on the basis on the gender, race, religion, age, national origin, or other protected characteristic, may be deemed inappropriate even if the Village of Hilton name is not mentioned. If social media communications in any way may adversely affect your relationships at work or violate Village of Hilton policy, you may be subject to discipline up to an including immediate termination under various Village of Hilton policies.
7. Engaging in social media is not allowed while on duty.
8. Social Media and similar communications have the potential to reflect on both you and the Village of Hilton. We hope you show respect for our employees and residents.

Manager's Report

- **Make A Difference Day:** Janet Surrige informed the board that Wegman's Food Market donated all the food and beverages for the volunteers, so there is no need for the Town or Village to contribute the \$500.00. Our check issued last month has been voided.
- **Community Center, Daycare Room:** Janet Surrige explained that the owners of Hilton Community Child Care have approached her requesting to remove room 4B from their lease agreement. The reason being is they have reduced the number of before/after school children that attend the daycare, therefore, alleviating the need for that room. This will also help to reduce their rent. Discussion followed.

Resolution to grant the request from the Hilton Community Child Care to remove room 4B from their lease agreement and to authorize the Village Manager to amend their rent schedule accordingly. This change will be effective November 1, 2012. Motion made by Trustee Speer, seconded by Trustee Fowler. Carried unanimously 5-0.

- There was a general discussion on how to use room 4B in the future; no decision was made.
- **NYS Dept of Labor:** Janet Surrige stated that the Village was given a citation for not having a written Work Place Violence policy. She presented a proposed policy which the Board discussed.

Resolution to adopt the following Work Place Violence Policy. Trustee Speer made the motion, seconded by Trustee Fowler. Carried unanimously 5-0.

Village of Hilton Workplace Violence Prevention Policy & Incident Reporting

Village of Hilton 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 Hilton property or work sites will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

Per 12 NYCRR PART 800.6 Workplace Violence is defined as:

Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- (ii) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- (iii) Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- (iv) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

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

All Village of Hilton personnel are responsible for notifying the contact persons 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.

Designated Contact Persons:

Names: Michael McHenry	and	Shari Pearce
Titles: Supt of Public Works		Village Clerk
Departments: Highway		Office & Community Center
Phone: 585-392-9632		585-392-4144 ext. 102
Location: 59 Henry Street, Hilton NY		

- **Resolution** to adopt the following Whistleblower Policy: Motion made by Trustee Fowler, seconded by Trustee Bimmler. Carried unanimously 5-0.

“No Officer, Director, Employee, Volunteer or Agent of the Village of Hilton, shall take any harmful action with the intent to retaliate against any person, including interference with employment or livelihood, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any offense. Nor will any Officer, Director, Employee, Volunteer or Agent of the Village of Hilton take any harmful action with intent to retaliate against any Officer, Director, Employee, Volunteer or Agent of the Village of Hilton for reporting to the President of the Board of Directors the suspected misuse, misallocation or theft of any Hilton Local Development resources. Consistent with this policy, Village of Hilton’s Officers, Directors, Employees, Volunteers or Agents are encouraged to come forward with credible information on illegal practices or violations of adopted policies of Village of Hilton by providing such information to the President, or their designee”

- Electric program for 2013: Janet Surridge stated after detailed analysis, the electric team is recommending that we offer the same fixed price for another year at \$.5990/kw for the calendar year 2013. The team is also recommending that the Board should not seek a “Contract For Differences” with Constellation Commodities Group Inc for calendar year 2013. Discussion Followed.

Resolution to set the fixed price of electricity for 2013 at \$.5990 and to not seek a Contract For Differences. Motion made by Trustee Bimmler, seconded by Trustee Fowler. Carried unanimously 5-0.

Minutes

Resolution to approve the meeting minutes of September 4, 2012 as submitted. Motion made by Trustee Bimmler, seconded by Trustee Speer. Carried unanimously 5-0.

Vouchers

Resolution to approve the abstract of vouchers with the following additions: Hilton Napa, \$201.86, Hilton Central, \$460.35, American Legion, \$258.00, Mary Lissow, \$700.00, Shari Pearce, \$29.42, HSBC, \$29.14. Totals as follows:

General fund	\$	81,166.47
Water fund	\$	31,369.59
Sewer fund	\$	1,226.12
Gas&Electric	\$	10,872.85
Prepaid	\$	75,591.08
T&A	\$	15,650.35
Total	\$	215,872.85

Motion made by Trustee Speer, seconded by Trustee Gates. Carried unanimously 5-0.

Bond Anticipation Note

Resolution:

BOND RESOLUTION OF THE BOARD OF THE VILLAGE OF HILTON, MONROE COUNTY, NEW YORK AUTHORIZING PAYMENT OF A BOND ANTICIPATION NOTE DUE ON OCTOBER 17, 2012 TO PARTIALLY PAY FOR THE CONSTRUCTION OF AN ADDITION TO THE PUBLIC WORKS FACILITY IN HILTON, NEW YORK AND APPROVING A GENERAL OBLIGATION RENEWAL SERIAL BOND AND BOND ANTICIPATION NOTE IN CONTEMPLATION THEREOF IN AN AMOUNT NOT TO EXCEED \$85,000.00

WHEREAS, the Village Board (“Board”) of the Village of Hilton (the “Village”) having previously authorized the issuance of General Obligation renewal serial bond and Bond Anticipation Note in contemplation thereof to finance the construction of an addition (the “Addition”) to the Public Works Facility in the Village of Hilton for the Village’s use in the aggregate principal amount of \$100,000.00 (the “\$100,000 BAN”) pursuant to a bond resolution adopted by the Board on October 4, 2011, a copy of which is attached hereto; and

WHEREAS, the \$100,000 BAN will mature on October 17, 2012,

NOW, THEREFORE, IT IS HEREBY

RESOLVED, by the Village Board of the Village of Hilton, located in the County of Monroe, New York, as follows:

Section 1. The Treasurer of the Village shall pay the balance of \$100,000 BAN plus interest due to HSBC Bank USA, N.A. (“HSBC”) on October 17, 2012 and shall renew the Bond Anticipation Note for the Addition with FIRST NIAGARA BANK, N.A. for a term of one (1) year. The renewal serial bond amount shall be \$85,000 and shall mature on October 16, 2013.

Section 2. This Resolution shall take effect immediately upon its adoption. Motion made by Trustee Gates, seconded by Trustee Speer. Carried unanimously 5-0.

Executive session

Motion made by Trustee Gates to enter into executive session at 6:15 p.m. to discuss a personnel matter. Trustee Fowler seconded the motion. Carried unanimously 5-0.

Motion made by Trustee Speer to exit out of executive session at 7:30 p.m. Trustee Speer seconded the motion. Carried unanimously 5-0.

The Walt Horylev Civic Beautification Award

After considering nominations made for this award, the Board selected the following:

Resolution to award the “Walt Horylev Civic Beautification Award” to TOPS Friendly Markets and Joe and Sue Fertitta for the year 2012. Motion made by Mayor Lee, seconded by Trustee Fowler. Carried unanimously 5-0.

There being no further business, the meeting was adjourned at 7:35 p.m.

Respectfully Submitted,

Shari Pearce, Village Clerk