

Regular meeting of the Commissioners, Lyndonville Joint Fire District was held on Thursday April 13, 2023, at the Lyndonville Village Hall. The meeting opened at 6:00 PM

PRESENT: Commissioners: Scott Goetze
John Flanagan
James Hydock
Edward Jay - Absent
Terry M. Woodworth

Secretary-Treasurer Teri M. Woodworth
Fire Dept Chief Michael Heideman
Fire Dept President David Hydock
Attorney Mark C. Butler- Absent
Public:

APPROVAL OF THE MINUTES

ON MOTION of Commissioner Flanagan seconded by Commissioner Hydock, to accept the minutes of the March 8, 2023 regular meeting.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

PRIVILEGE OF THE FLOOR

- Nothing

Report – Attorney Butler

- Nothing

Report – Fire Department Chief Heideman

- Chief Heideman provided the March 2023 – 27 Call for the Year 2023, 4 Calls for March (3 – EMS Town and 1 – Lift assist Village)
- Chief Heideman provided the Commissioners with another truck proposal from Mr. Tabor.

Report – Fire Department President Hydock

- President Hydock noted he spoke with Mr. Tabor regarding the proposal and that we could piggyback on Brockport Fire District’s bid. President Hydock noted Mr. Tabor is willing to have the Lyndonville Joint Fire District Commissioners and Line Officers to come look at their truck. The Commissioners discussed going to the Brockport Fire District to tour the new truck they just purchased as it would be the same as the proposal.

Report – Secretary-Treasurer Woodworth

- Secretary-Treasurer Woodworth informed the Commissioners accounts have been setup at Galls, Home Depot and Carquest.
- Secretary-Treasurer Woodworth noted she’s still working getting some account setup correctly with tax exempt, Lyndonville Joint Fire District name, address etc.
- Secretary-Treasurer Woodworth noted she needs to train the Commissioners on their monthly audit duties and provided a rotating schedule.
- Secretary-Treasurer Woodworth noted Attorney Butler would like to do a 30-minute video conference regarding Sourcewell documents with regards to purchasing of apparatus. Secretary-Treasurer Woodworth will send new proposal to Attorney Butler. Commissioner Hydock presented a new truck proposal put together by Commissioner Jay.
- Secretary-Treasurer Woodworth presented the Commissioners with the monthly statement from The Law Offices of Mark C. Butler, PLLC.
- Secretary-Treasurer Woodworth noted she’s created a log to track the adoption on the policies for the district. Secretary-Treasurer Woodworth will need to attend/train the members on all new policies being adopted.
- Secretary-Treasurer Woodworth noted payroll has been setup, payroll has been processed for January, February and March and the quarterly returns have been filed.
- Secretary-Treasurer Woodworth noted she needs office space at the Fire Hall. The Commissioner’s discussed some options. President Hydock noted there is room in the garage for some file cabinets. Commissioner Goetze

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will check with Whipple Realty to see if its an option to rent office space. Secretary-Treasurer Woodworth noted we did not budget for renting office space in 2023.

- Vouchers – Abstract A3-1 – A4 - #43 - #69 to be paid for 2023
General \$ 9,457.22
Grand Total \$ 9,457.22

RESOLUTION NO 2023-32
VOUCHERS TO BE PAID FOR ABSTRACTS A3-1 – A4

ON MOTION of Commissioner Flanagan seconded by Commissioner Hydock, to authorize Secretary-Treasurer Woodworth pay Abstracts A3-1 – A4 #43 – #69.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

Report – Commissioner Flanagan

- Commissioner Flanagan commented he’d like to see things move forward on the purchase of a truck and to get a notice out to the public about it.

Report – Commissioner Woodworth

- Commissioner Woodworth presented the Commissioners with an email from Attorney Butler with regards to transferring of the assets from the Lyndonville Fire Company Inc over to the Lyndonville Joint Fire District. Commissioner Woodworth noted he’d like to work with President Hydock and Chief Heideman to list the items specifically for Appendix A and the Lyndonville Fire Company Inc and the Lyndonville Joint Fire District have no interest in taking over the Lyndonville Fire Company Inc’s monetary portion.

Report – Commissioner Hydock

- Commissioner Hydock noted he received a call from Melissa Davis and she’s no longer interested in cleaning the Fire Hall at this time. Commissioner Hydock will continue looking into another service.
- Commissioner Hydock presented three quotes to replace the windows in the meeting room at the Fire Hall.

RESOLUTION NO 2023-33
REPLACEMENT OF WINDOWS IN THE MEETING AT THE FIRE HALL – COUNTRY CONTRACTING

ON MOTION of Commissioner Woodworth seconded by Commissioner Flanagan, to approve the quote from Country Contracting pending all the prevailing wage and insurance requirements are met.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

- Commissioner Hydock noted inventory of the Fire Hall has been started.
- Commissioner Hydock noted the District should adopt a policy for reimbursement for training/mileage for district members and Lyndonville Fire Company members. Secretary-Treasurer Woodworth emailed Attorney Butler requesting a draft policy for the Commissioner’s to review.
- Commissioner Hydock noted the back overhead door is going to need some brick replace/repaired soon.
- Commissioner Hydock asked the Commissioners for approval to purchase the new Lyndonville Joint Fire District logo as stickers to be placed on the Lyndonville Fire Company’s members vehicles. He noted they are a \$1.00 each.

RESOLUTION NO 2023-34
LYNDONVILLE JOINT FIRE DISTRICT LOGO STICKERS

ON MOTION of Commissioner Flanagan seconded by Commissioner Woodworth, to authorized the purchase of 50 Lyndonville Joint Fire District logo stickers at \$1.00 each.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

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Report – Commissioner Jay

- Commissioner Jay – Nothing - Absent

Report – Commissioner Goetze

- Commissioner Goetze inquire about truck manufactures, wondered if 4 guys fire trucks has ever been heard of and they offer financing. President Hydock noted he was aware of the company and that all fire truck manufactures offer financing for the most part.

OLD BUSINESS:

- Clean Services Agreement – Nothing at this time.
- Shared Services Agreement – Generator – Commissioner Woodworth presented the Commissioners with the proposed Intermunicipal Agreement with the Village of Lyndonville for the shared backup generator.

RESOLUTION NO 2023-35

INTERMUNICIPAL AGREEMENT STANDBY GENERATOR

ON MOTION of Commissioner Flanagan seconded by Commissioner Hydock, to approve the Intermunicipal Agreement Standby Generator with the Village of Lyndonville pending the review and approval of the Village of Lyndonville Attorney and Village Board.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

- Policies:
 - FOIL Policy –

POLICY STATEMENT

It is the policy of the Lyndonville Joint Fire District (“Fire District”) to comply with the requirements of Article 6 of the Public Officers Law, the Freedom of Information Law (“FOIL”). The Fire District hereby adopts this Policy as and for the rules and regulations required by Public Officers Law section 87(1) and otherwise.

PURPOSE

It is the intent of this Policy to enhance access to public records and compliance with the Freedom of Information Law of the State of New York.

DESIGNATION OF RECORDS ACCESS OFFICER

The Board of Fire Commissioners of the Fire District (“Board”) hereby designates the Fire District Secretary both the Records Management Officer of the Fire District pursuant to Arts and Cultural Affairs Law section 57.19 and the Records Access Officer of the Fire District pursuant to 12 NYCRR 1401.2.

The Records Access Officer shall have such duties as described in 12 NYCRR 1401.2(b) including, but not limited to the following, together with such other duties as may be assigned by the Board:

- (1) Maintain an up-to-date subject matter list.
- (2) Assist persons seeking records to identify the records sought, if necessary, and when appropriate, indicate the manner in which the records are filed, retrieved or generated to assist persons in reasonably describing records.
- (3) Contact persons seeking records when a request is voluminous or when locating the records sought involves substantial effort, so that Fire District personnel may ascertain the nature of records of primary interest and attempt to reasonably reduce the volume of the records requested.
- (4) Upon locating the records, take one of the following actions:
 - (i) make records promptly available for inspection; or
 - (ii) deny access to the records in whole or in part and explain in writing the reasons therefor.
- (5) Upon request for copies of records:
 - (i) make a copy available upon payment of established fees pursuant to this Policy; or
 - (ii) permit the requester to copy those records. Fire District copying equipment is not permitted to be used by non-Fire District personnel. A requester may use a cell phone or other hand-held device to copy or scan documents.
- (6) Upon request, certify that a record is a true copy.

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- (7) Upon failure to locate records, certify that:
- (i) the Fire District is not the custodian for such records; or
 - (ii) the records of which the Fire District is a custodian cannot be found after diligent search.

SUBJECT MATTER LIST

The Record Retention and Disposition Schedule LGS-1, Public Safety section, as it applies to Fire Districts, and as may be supplemented and amended from time to time by the Board of Fire Commissioners, shall constitute the Fire District's subject matter list.

LOCATION

Fire District records shall be available for public inspection and copying at the office of the Fire District Secretary, 148 North Main Street, Lyndonville, New York 14098. The Fire District Secretary does not maintain regular office hours, and may be contacted by email at secretary-treasurer@lyndonvillejfd.com or by telephone at 585-319-6371 to arrange an appointment.

All Fire District records may not be maintained or stored at such location but only that they are made viewable at that location.

This Policy does not require that all requests for inspection of records be complied with upon submission, but as dictated by this Policy.

HOURS FOR PUBLIC INSPECTION OR ACCESS TO VIEWING RECORDS

Fire District records shall be available for public inspection and copying at the office of the Fire District Secretary during hours publicly designated by the Fire District Secretary.

The Fire District is an emergency response agency and does not have hours that it is regularly open for business. However, the Fire District Secretary shall accept requests for public access to records and produce records during all hours the Fire District Secretary is present at the Fire District offices for the conduct of Fire District business apart from emergency responses.

A person may request an appointment with the Fire District Secretary to inspect and copy records. Such person may contact the Fire District Secretary at P.O. Box 471, Lyndonville, New York 14098. The Fire District Secretary does not maintain regular office hours, and may be contacted by email at secretary-treasurer@lyndonvillejfd.com or by telephone at 585-319-6371 to arrange an appointment.

RESPONSES TO REQUESTS FOR RECORDS

The Fire District requires that all requests for records be made in writing.¹

The Records Access Officer or the Officer's designee shall respond to a request within five business days of the receipt of a request by:

- (1) informing a person requesting records that the request or portion of the request does not reasonably describe the records sought, including direction, to the extent possible, that would enable that person to request records reasonably described;
- (2) granting or denying access to records in whole or in part;
- (3) acknowledging the receipt of a request in writing, including an approximate date when the request will be granted or denied in whole or in part, which shall be reasonable under the circumstances of the request and shall not be more than twenty business days after the date of acknowledgment, or if it is known that circumstances prevent disclosure within twenty business days from the date of such acknowledgement, providing a statement in writing stating the reason for inability to grant the request within that time and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part; or
- (4) if the receipt of request was acknowledged in writing and included an approximate date when the request would be granted in whole or in part within twenty business days of such acknowledgement, but circumstances prevent disclosure within that time, providing a statement in writing within twenty business days of such acknowledgement stating the reason for the inability to do so and a date certain within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part.

In determining a reasonable time for granting or denying a request under the circumstances of a request, the Records Access Officer shall consider the volume of a request, the ease or difficulty in locating, retrieving or generating records, the complexity of the request, the need to review records to determine the extent to which they must be disclosed, the number of requests received by the Fire District, and similar factors that bear on the Fire District's ability to grant access to records promptly and within a reasonable time.

DENIAL OF ACCESS TO RECORDS

Denial of access to any Fire District records shall be in writing made by the Record Access Officer or the Officer's designee, stating the reason therefor and advising the person denied access to their right to appeal.

¹ Pursuant to 21 NYCRR § 1401.5(a)

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All appeals shall be made in writing to the Chair of the Board of Fire Commissioners at Lyndonville Joint Fire District, P.O. Box 471, Lyndonville, New York 14098 within thirty days of any denial.

Denials shall be sent by regular mail to the address provided by the requester and shall be deemed received when mailed. The appeals period shall commence on the date of mailing of the denial when such is placed in a postage paid envelope addressed to the requester and deposited in a US Postal Service mailbox.

The Chair of the Board of Fire Commissioners or the Chair's designee shall determine appeals regarding denial of access to records under FOIL.

The Chair shall cause a copy of any appeal, upon receipt, to be sent to the "Committee on Open Government, Department of State, One Commerce Plaza, 99 Washington Ave., Suite 650, Albany, N.Y. 12231."

The appeal shall be determined within ten business days upon receipt of a written appeal identifying and which shall contain:

- (1) the date and location of the request for records;
- (2) a description, to the extent possible, of the records that were denied; and
- (3) the name and return postal address of the requester/appellant.

An appeal may be determined by either granting access to the records sought or fully explaining the reasons for further denial in writing.

The Chair of the Board of Fire Commissioners or the Chair's designee shall inform the requester/appellant and the Committee on Open Government of the determination in writing within ten business days of the Chair's receipt of the appeal.

FEES

Fees for records shall be charged as provided in 21 NYCRR 1401.8 excepting however, that records not exceeding 9 by 14 inches the fee shall be 25 cents per page for photocopies.

All fees for copying or reproducing a record shall be paid in advance of the preparation of such copy. No records shall be provided unless such fees have been paid. All fees shall be paid in cash, official bank draft, certified check or money order payable to the Fire District.

In the event that any requester, individually or on behalf of an organization or other person, has failed to pay fees for any request for records, such person(s) or organization shall be prohibited from any further request under FOIL until such prior request fees have been paid.²

PUBLIC NOTICE

A notice containing the title and business address of the Records Access Officer and appeals person and the location where records can be seen or copies obtained shall be posted in a conspicuous location and/or by publication in a newspaper of general circulation within the Fire District and shall comply substantially with the following:

PUBLIC NOTICE
YOU HAVE A RIGHT TO SEE
PUBLIC RECORDS

The Freedom of Information Law gives you access to many public records.

The Lyndonville Joint Fire District has adopted a policy governing where records shall be made available for inspection and copying. The Records Access Officer for the Fire District is the Fire District Secretary, P.O. Box 471, Lyndonville, New York 14098. Fire District records may be examined during designated hours or by appointment at the Lyndonville Joint Fire District, 148 North Main Street, Lyndonville, New York 14098.

Any person denied access to a record has a right to appeal, which appeal shall be addressed to: Chair, Lyndonville Joint Fire District, P.O. Box 471, Lyndonville, New York 14098 and marked "FOIL Appeal" on the outside of the envelope.

NO REQUIREMENT TO CREATE RECORDS

The official form of all Fire District documents is in paper format. Nothing requires the Fire District to prepare any record not possessed or maintained by the Fire District. If the document does not exist, the Fire District will notify the person making the request that the Fire District does not maintain the document.

REVIEW AND AMENDMENT

This Policy shall be reviewed annually by the Board of Fire Commissioners.

The Board of Fire Commissioners may amend this Policy from time to time in accordance with law.

² Committee on Open Gov't FOIL-AO-9659; FOIL-AO-16638.

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RESOLUTION NO 2023-36

FOIL POLICY

ON MOTION of Commissioner Flanagan seconded by Commissioner Woodworth, to adopt the FOIL policy as presented.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

- Document Retention and Destruction Policy

POLICY STATEMENT

1. It is the policy of the Lyndonville Joint Fire District (“Fire District”) to (a) ensure that records are retained as long as needed for administrative, legal and fiscal purposes; (b) ensure that state and federal record retention requirements are met; (c) ensure that records with enduring historical and other research value are identified and retained permanently; and (d) encourage and facilitate the systematic disposal of unneeded records.

AUTHORITY

2. The authority for this Policy is 8 NYCRR Part 185; Arts and Cultural Affairs Law Article 57-A and as otherwise provided by law.

RECORDS MANAGEMENT OFFICER

3. The Board of Fire Commissioners of the Fire District (“Board”) has designated the Fire District Secretary the Records Management Officer of the Fire District pursuant to Arts and Cultural Affairs Law section 57.19 as part of its FOIL Policy.

RECORDS RETENTION AND DISPOSITION SCHEDULE LGS-1

4. The Fire District shall dispose of applicable records in accordance with NYS Department of Education Retention and Disposition Schedule for New York Local Government Records 2020, (“LGS-01”) and as promulgated by the NY State Archives as such applies to Fire District records pursuant to Arts and Cultural Affairs Law 57.25(2).

RECORDS CREATED BEFORE 1910

5. Disposition of records created before 1910 requires specific written approval from the New York State Commissioner of Education pursuant to 8 NYCRR 185.6(c). State Archives shall be contacted to determine appropriate action as to such records. This provision shall also apply to the disposition of original records predating 1910 which have been reproduced by microphotography or other means.

RECORDS NOT LISTED IN LGS-1

6. For records not listed in Schedule LGS-1 the Records Management Officer, or the custodian of the record, shall contact State Archives to determine if it is indeed covered by Schedule LGS -1 and if a legal minimum retention period has been established. If not, State Archives will assist local governments and officials and advise the Fire District on the disposition of the records.

RECORDS OF HISTORICAL OR OTHER SIGNIFICANCE

7. The fire service is filled with rich historical and other traditions which can be important reference points for the community generally and the fire service specifically. Such history and tradition may be present in records which might otherwise be disposed or destroyed under this Policy. As a result, special care and consideration should be given by the Records Management Officer determining which records shall be destroyed even when authorized by Schedule LGS -1.
8. Prior to the destruction of any record, the Records Management Officer shall advise the Board of Fire Commissioners of the pending destruction of such record in order to provide an opportunity to evaluate whether such record holds any historical or other intrinsic value to the Fire District.
9. Where the Board finds that such is the case, the record shall be preserved as determined by the Board. Otherwise, the Board shall order the destruction of such record in a manner approved herein or as otherwise ordered by the Board.
10. A determination by the Board as to the historical or other significance of any particular record shall not bind the future destruction of other records.

RETENTION AND DESTRUCTION

11. The Records Management Officer of the Fire District shall annually review the records of the Fire District and shall, by February 15th of each year, identify those Fire District records for disposal pursuant to this Policy.

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12. Where a record is required to be retained by the LGS -1 schedule or as otherwise provided by law or this Policy, it shall be done in a manner so as to protect the integrity of the record for the life of the record under such schedule or otherwise.
13. Where a record has been authorized for destruction, it shall be physically destroyed by shredding or other method to protect the information in such destroyed record from further use or identification.

AMENDMENT

14. The Board of Fire Commissioners may amend this Policy from time to time in accordance with law.

RESOLUTION NO 2023-37

DOCUMENT RETENTION AND DESTRUCTION POLICY

ON MOTION of Commissioner Flanagan seconded by Commissioner Woodworth, to adopt the Document Retention and Destruction policy as presented.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

- Workplace Violence Policy

Authority: Labor Law § 27-b; 12 NYCRR 800.6

POLICY

The Lyndonville Joint Fire District (“Fire District”) is committed to preventing workplace violence and providing a safe work environment. The Fire District prohibits and does not tolerate violent acts or threats of violence against volunteers, employees, visitors, guests, community members or other individuals within its facilities or during any fire district/fire company related activity (including off duty periods).

The Board of Fire Commissioners will review this policy together with any reports of workplace violence on an annual basis and either revise the policy to address new matters or re-adopt the policy at its annual organizational meeting.

For purposes of compliance with the above-cited law and regulation, the Fire District has less than twenty full time permanent employees.

TRAINING

All Fire District personnel whether paid or volunteer will review and become familiar with this policy as a condition of commencing employment and will review this policy on an annual basis thereafter. The training will address risks of occupational assaults and homicides, workplace risk factors, actions employees can take to protect themselves and a review of this policy. The Fire District will provide such other and additional training as may be warranted or requested.

DEFINITIONS

Violence may be described as verbal or physical threats, intimidation, and/or aggressive physical contact. Prohibited conduct includes, but is not limited to the following:

- Intimidation, harassment, assault, stalking, or other conduct that causes a person to reasonably believe that he or she is under threat of bodily injury or death.
- Threatening, attempting, or inflicting injury or damage to another person (member), member’s family or property.
- Possessing a dangerous weapon such as firearm (except as permitted by law enforcement personnel), explosive or hazardous device, or using an object as a weapon on Fire District property or during a Fire District/Fire Company related activity.
- Using obscene or abusive language or gestures in a threatening manner.

Because of the potential for misunderstanding, joking about any of the above conduct is also prohibited. Members are also expected to refrain from fighting, “horseplay” or other conduct that may be dangerous to others.

RISK EVALUATION AND DETERMINATION

The Fire District has reviewed records relevant to identifying patterns in the types and causes of injuries and has evaluated the prevalent workplaces where employees of the Fire District customarily work and are subject to risks. The Fire District has considered assessed relevant administrative risk factors including the existing policies, work practices, and work procedures that impact the risks and workplace safety. While Fire District fire stations are typically secure with restricted access by the public, the nature of the fire service in providing firefighting and emergency services to the public mandates that a majority of the Fire District’s work be performed off-site, in areas of uncontrolled public access and personal residences during all

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hours of the day, in locations and under circumstances beyond the control of the Fire District. In virtually all instances of out-of-station work, law enforcement personnel are already on or responding to the scene. It is the policy of the Fire District that its employees not enter potentially dangerous scenes or work environments until after law enforcement personnel are present on scene and have made the scene safe from threats, assaults, or similar perils.

RESTRAINING ORDERS

Any member who obtains a restraining order against any person should immediately notify Fire District management. The Fire District has made a commitment to provide a safe workplace and can only do so if it receives information concerning individuals who have been ordered to maintain a distance from its facilities and/or members.

WARNING SIGNS OF POTENTIAL VIOLENCE

There are often signs serving as a warning that violence in the workplace may occur. Please review the following list of early warning signs that an individual may act out violently, keeping in mind that demonstration of one or many of the actions on the below list does not automatically point to certain violence. However, activities should be noted and the Fire District will assist in detecting and defusing a potential workplace incident.

- Increase in use of alcohol or using drugs.
- History of violent or aggressive behavior or frequent physical fighting off or on duty.
- Displaying a loss of control, (i.e. loss of temper on a frequent basis, frequently for unsubstantiated reasons or over minor issues).
- Either joking or making serious direct or veiled threats.
- Physically, verbally or emotionally intimidating others or instilling fear, for example harassing phone calls, emails and/or stalking.
- Being obsessed with one's job and having no other outside interests.
- Being a loner and/or expressing a strong desire for a personal or romantic relationship with a co-worker. Under these circumstances, the co-worker may feel threatened and report the unwanted attention.
- Obsession with weapons or militia, particularly if this is new behavior for a member.
- Feeling constantly disrespected, demonstrating a "me versus the world" attitude. Experiencing difficulty with authority, for example feeling discriminated against, harassed, or intentionally targeted. Does not accept criticism well and commonly harbors resentment.
- Expressing desperation, significant frustration or depression over recent professional, personal, or financial problems.
- Fascination with other recent incidents of violence and approval of the use of violence.
- Disregard for safety, thus presenting a risk to self or others.
- Demonstrates a lack of conscience and/or abuse towards other persons or animals.
- Vandalism or property damage.
- Failing to acknowledge the feelings or rights of others.
- Having been a victim of violence or bullying.
- Blaming others for one's personal, family, or professional problems.

WHAT TO DO

If you witness a potentially violent situation or are dealing with a threatening or violent person, do not place yourself in danger or try to intercede. You should not attempt to challenge or disarm the individual. If possible, escape the scene and immediately contact local law enforcement authorities. Tips proven to be effective in this type of situation are as follows:

- Try to remain calm;
- Keep a distance of 4-6 feet; if engaged in verbal discussion;
- Do not touch the threatening or violent individual;
- Make constant eye contact, but do not try to "stare down" the threatening or violent person;

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- Actively listen and respond to the individual;
- Ask the person making the threats or acting violently for solutions;
- If a supervisor, other appropriate authority, or other personnel can be safely notified of the need for assistance without endangering your safety or that of others, do so. Otherwise, cooperate and follow the instructions given. Please see reporting procedures below.

A reportable incident can be an act or threat from Fire District/Fire Company members, as well as others from the public and includes threats or acts that may be perceived, actually experienced, or witnessed. When reporting an act or threat of violence, you should be as specific and detailed as possible. Members must also report all threats or violent acts they witness or experience while on duty away from the Fire District premises or during any Fire District/Fire Company related activity, or which related to the member or legitimate business interest of the Fire District/Fire Company.

REPORTING PROCEDURES

Members are encouraged to contact the appropriate law enforcement authorities without first informing their immediate supervisor if they reasonably believe that imminent danger to their own safety or that of others exists. All threats of (or actual) violence, both direct and indirect, **MUST BE IMMEDIATELY REPORTED TO A SUPERVISOR**. The term “Supervisor” includes or any Fire District Officer (i.e. Chief Officer, Commissioner, Secretary, Treasurer), Line Officers, or Company Officers. All matters reported to Company, Line, or Chief Officers shall be relayed to a Fire Commissioner as soon as possible in order that the Board may convene and take action if necessary.

The identity of the individual making a report will be protected as much as is practical. If there is a specific privacy concern identified by the reporting party or the Fire District, such reasonable efforts as necessary to address the privacy concern will be taken by the Fire District. In order to maintain workplace safety and the integrity of its investigation, the Fire District may suspend members suspected of violence or threats of violence, either with or without pay, pending investigation.

In no instance will a member be disciplined, retaliated against or discharged for good faith reporting of any reasonably perceived act or threat of violence. Anyone reasonably believed to have engaged in retaliation of any kind will be subject to disciplinary action up to and including termination of employment or membership, and prosecution for any criminal behavior linked to retaliatory activity. False or intentionally misleading reports are unacceptable and will be deemed to be “misconduct” and will be handled through Fire District personnel procedures regarding disciplinary measures up to and including employment termination.

All acts of, or threats of violence will be thoroughly investigated and disciplinary action and/or legal prosecution to the fullest extent possible will be pursued against members, and non-members, for violating this policy.

Any individual who is not satisfied with the Fire District’s response to a reported incident may also make a report to the New York State Commissioner of Labor pursuant to 12 NYCRR 800.6 (j)(3).

RECORD KEEPING

A Workplace Violence Incident Report (“Report”) in the format attached hereto should be prepared by the reporting individual(s) and submitted to a Chief Officer or to a Commissioner or other the Fire District Officer to document the circumstances of the complained of conduct in conformance with 12 NYCRR 800.6 (i)(3). Notwithstanding any immediate action taken in response to a report, all such reports of perceived or actual violence will be retained by Fire District as part of the Fire District’s workplace violence reporting system and such reports will be reviewed annually by the Board of Fire Commissioners. All such reports will be maintained for a minimum of five years or as may otherwise be provided for in the Fire District’s document retention schedule.

TRAINING

All members/employees and officers of the Fire District including volunteers are instructed to become familiar with this policy at the time of their initial assignment or appointment and shall review the policy on a yearly basis as part of annual workplace violence training. A copy of this policy is available to all members in the Fire District Policy binder. Individual copies of this policy will be provided upon request. If any employee feels that he or she needs more training with regard to workplace violence prevention than the Fire District is currently providing, such additional training for the individual as may be warranted will be provided by the Fire District. Because there are no Authorized Employee Representatives, all members and employees of the Fire District and Fire Department are encouraged to suggest changes and improvements to the scope and implementation of this policy to the Board of Fire Commissioners.

RESOLUTION NO 2023-38 **WORKPLACE VIOLENCE POLICY**

ON MOTION of Commissioner Flanagan seconded by Commissioner Woodworth, to adopt the Workplace Violence policy as presented.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

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NEW BUSINESS:

- Commissioners Training – Commissioner Hydock presented the Commissioners with an email from Attorney Butler to hold the required commissioners training at the Lyndonville Fire Hall with various fire district’s commissioners to attend as well.
- Bonadio & Co., LLP – Secretary-Treasurer Woodworth presented the Commissioners with a quote from the Bonadio & Co., LLP for their services to assist with any accounting, reconciliation, reporting and review needed or required by the State.

RESOLUTION NO 2023-39

BONADIO & CO., LLP

ON MOTION of Commissioner Flanagan seconded by Commissioner Hydock, to approved hiring the Bonadio & CO., LLP not to exceed \$2,500.00.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

ON MOTION of Commissioner Flanagan, seconded by Commissioner Hydock, to adjourn the regular meeting of the Lyndonville Joint Fire District at 7:56PM.

Vote: 4 Ayes (Flanagan, Goetze, Hydock, Woodworth); 0 Nays; 0 Abstain

Teri M. Woodworth
Secretary-Treasurer
Lyndonville Joint Fire District