

GOSHEN BOARD OF SELECTMEN
REGULAR MEETING

Tuesday, January 4, 2022 – 5:00 P.M.

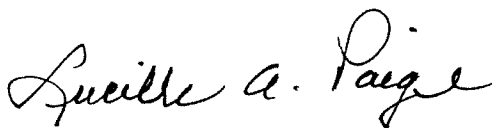
**This meeting will be held in-person at the Town Hall Conference Room
and via Zoom Conference call**

Zoom Conference Link: <https://us02web.zoom.us/j/86791292084>

Meeting ID #: 867 9129 2084

Option 2: Dial-in number: 1-929-205-6099

1. Call to order
2. Approve the Minutes of the December 28, 2021 Regular Meeting
3. Matters Arising out of the Minutes
4. Approval of the Payroll and Warrant January 6, 2022
5. Public Comment:
6. First Selectman's Report:
7. Correspondence:
8. Old Business:
 - 8a. Appointments:
9. New Business:
10. Other Business:
11. Adjournment:



Lucille A. Paige, First Selectman's Aide

Received Dec. 30, 2021 @ 9:44 A.M.

Attest Barbara Z. Brag
Goshen Town Clerk

Town of Goshen
BOARD OF SELECTMEN

REGULAR MEETING

Tuesday December 28, 2021

This meeting held in-person and recorded via Zoom.us and is available as a recording

PRESENT: Todd M. Carusillo, Mark S. Harris, Dexter S. Kinsella

OTHERS: Peter Kujawski; Jim Withstandley; Cindy Barrett; Scott Olson; Henrietta Horvay

1. Call to order: Todd M. Carusillo called the meeting to order at 5:02 p.m.

2. Approval of the minutes of the meeting of December 21, 2021:

In a **motion** made by Dexter S. Kinsella, seconded by Mark S. Harris, it was **voted** to approve the minutes of December 21, 2021 as submitted. Voted unanimous.

3. Matters Arising Out of the Minutes: None

4. Approval of the Payroll and Warrant – December 30, 2021

In a **motion** made by Mark S. Harris, seconded by Dexter S. Kinsella, it was **voted** to approve the total warrant and payroll of December 30, 2021 in the amount of \$48,584.76. Included in this warrant were the payroll in the amount of \$16,335.45, and the warrant in the amount of \$32,249.31. Voted unanimous. Items of note: Connecticare (health insurance)-\$16,335.23; MIRA (recycling)-\$12,670.35; Supreme Forest Services -\$1,600.00.

5. Public Comment: Henrietta Horvay did not see in the minutes where Town Attorney John Letizia was officially approved. In a **motion** made by Mark S. Harris, seconded by Dexter S. Kinsella, it was **voted** to hire Attorney John Letizia as Goshen's labor attorney. Voted unanimous. In addition, she would like a copy of the Official Housing Plan 2022-2027. Todd will forward a copy to her.

6. First Selectman's Report:

COVID-19 has risen to 27 cases in Litchfield County Hospitals. To this end, Todd Carusillo has reinstated the rule that all departments and entrants into Goshen Town Hall must wear a mask. The reinstatement of this rule is in place until further notice.

A limited number of COVID-10 Test Kits have been made available to Town. Distribution will take place this Thursday, December 30, 2021, from 12:00 noon to 4:00 p.m., in the Town Hall parking lot - while supply lasts. Each recipient must show Goshen resident identification.

Todd reported the monthly fuel usage report received from Dime Oil Company, LLC.
Gasoline 48%; Heating Oil 9%; Diesel 51.2%.

Todd announced that a Commission Clerk has been hired for several boards. Ms. Varonne "Ronnie" Loggins will serve the EDC and Broadband Committee.

BOARD OF SELECTMEN

December 28, 2021

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8. Old Business:

8a. Appointments:

In a **motion** made by Mark S. Harris, seconded by Dexter S. Kinsella, it was **voted** to appoint Gary Stango Jr to serve on the *Broadband Advisory Committee*. Voted unanimous.

9. New Business:

9a. Drug & Alcohol-Free Workplace Policy and Testing Procedures:

This is the second reading of the subject policy. In a **motion** made by Dexter S. Kinsella, seconded by Mark S. Harris, it was **voted** to change item C. to read: *"Questions regarding the meaning or application of this policy should be directed to First Selectmen, Todd M. Carusillo at (email or phone or both) as contained in the Drug & Alcohol-Free Workplace Policy and Testing Procedure. Voted unanimous.*

In a **motion** made by Dexter S. Kinsella, seconded by Mark S. Harris, it was voted to add to the agenda under **10 Other Business; 10a. Executive Session for discussion of Ordinance Title 25-25A and discussion of change of personnel**. Voted unanimous.

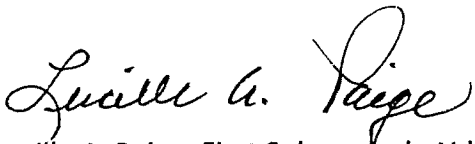
10. Other Business,

10.a Executive Session for discussion of Ordinance Title 25-25A and discussion of change of personnel. The Board moved into executive session at 5:17 p.m.

The Board moved out of Executive Session at 5:47 p.m. No action was taken.

11. Adjournment:

In a **motion** made by Dexter S. Kinsella, seconded by Mark S. Harris, it was **voted** to adjourn the meeting at 5:48 p.m. Voted unanimous.



Lucille A. Paige, First Selectman's Aide

Received Dec. 30, 2021 @ 9:45 A.M.
Attest Brian Z. Blum
Geeshen Town Clerk

TOWN OF GOSHEN

DRUG AND ALCOHOL-FREE WORKPLACE POLICY AND TESTING PROCEDURE

I. Statement of Purpose

- A. The Town of Goshen has a vital interest in ensuring safe, healthy and efficient working conditions for our employees and the citizens we serve. The unlawful or improper presence or use of alcohol, marijuana (recreational or medical), controlled substances, or illegal drugs in the workplace presents a danger to everyone. For these reasons, we have established, as a condition of employment and continued employment with the Town, this Drug Free Workplace Policy and Testing Procedure.
- B. The Town maintains a policy of non-discrimination and will endeavor to make reasonable accommodation to assist successfully recovering addicts and those having a medical history reflecting treatment for substance abuse conditions as long as they continue to work at an acceptable level. We encourage employees to seek assistance before their dependency renders them unable to perform or impairs their ability to perform successfully all of their job duties or potentially jeopardizes the health and safety of themselves, fellow employees or the citizens we serve.
- C. This policy was designed to try to protect individual privacy, but most importantly, to ensure employees are not impaired while working or on Town property in light of the Town's overriding obligation to ensure a safe workplace and the safety of all of our citizens. Questions regarding the meaning or application of this policy should be directed to First Selectman Todd Carusillo at **[email or phone or both]**. This policy is a guideline and is not what the Town will follow in every situation.
- D. This policy applies to employees, volunteers and interns.

E. Reasonable Suspicion Testing and Other Testing

1. "Reasonable Suspicion Drug Testing" means a test for alcohol, marijuana (recreational and medical), controlled substances and illegal drugs that may occur when an employee is suspected of being under the influence of alcohol, marijuana, controlled substances or illegal drugs, which adversely affects or could adversely affect the employee's job performance.
2. "Under the Influence" means that an individual has a concentration of a controlled substance, illegal drugs, alcohol or marijuana (recreational or medical) in his/her system which impairs or is likely to impair her/his ability to perform all of their job responsibilities safely and completely at an acceptable level. The symptoms of use are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty maintaining balance.
 - Please note, an employee may be impaired and in violation of this policy even though they may not be violating any criminal laws.

3. "Controlled substance" is generally a drug, including alcohol and marijuana, whose manufacture, possession or use is regulated by the government.
4. "Unauthorized legal medication" means a prescription medication that is not prescribed for the employee but for another (e.g., a spouse's Percocet prescription).
5. "Abuse of an authorized medication" includes the use of a medication above the authorized dosage, which is also prohibited under this policy.
6. "Random Testing" The Town will continue to perform random testing where required or allowed by law, such as the random testing of employees in Federal Department of Transportation positions.

II. Substance Abuse Policy

- A. The unlawful or unauthorized manufacture, distribution, dispensation, possession or use of alcohol, marijuana (recreational or medical) or any prescribed medication which could or does adversely affect an individual's performance is prohibited while an employee is working and while on Town property, in Town vehicles, and while engaged in Town activities (e.g., attending seminars paid for by the Town).

- B. Prohibition Against Working or Reporting to Work "Under the Influence"

No employee shall work, report to work or be present on Town premises while "under the influence" of alcohol, marijuana or prescribed medication that may or does adversely affect performance.

1. An employee under the influence of a substance that could compromise job performance or safety has an obligation to inquire and determine whether the legal and authorized substance he/she is taking may or will affect his/her ability to safely and efficiently perform his/her job duties.
2. The decision to require a reasonable suspicion drug test shall be based on a reasonable and objective belief that the employee through direct observation or conversation that the employee is under the influence. That determination will be based on specific, contemporaneous, physical, behavioral or performance indicators.
3. The circumstances that may trigger a reasonable suspicion drug test include, for example, evidence of repeated errors on the job, Town rule violations, "dizzy," "bizarre" or erratic behavior slurring of speech, glassy eyes, smell, or breath.
4. Work Restrictions Due to Medication. If the employee is taking a prescribed medication that may affect the employee's ability to perform any of his/her job duties, the employee is required to obtain a written statement of any work restrictions from his/her treating physician.

5. Any such restrictions due to prescribed medication must be reported to the employee's immediate supervisor prior to commencing work under the influence of the medication. There is no obligation to disclose the underlying medical condition being treated.

III. Enforcement Procedure

1. Pre-employment Drug Screen

All applicants seeking employment to whom the Town has extended a conditional offer of employment will be required to successfully complete a pre-employment urinalysis test to determine the presence of controlled substances, alcohol and marijuana or illegal drugs, as a condition of employment. The Town will notify the applicant of where and when the test must be taken and pay for the test. Failure to take the test where and when directed is likely to result in the withdrawal of the conditional offer or termination of employment, if work has started.

2. Reasonable Suspicion Testing of Current Employees – The Process

- a. Whenever the Town has reasonable suspicion that an employee is under the influence which adversely affects or could adversely affect such employee's job performance, the Town will require that the employee undergo a urine test for the presence of any controlled substances or illegal drugs.
- b. Approval must be obtained from a supervisor or above before requiring the employee to undergo a reasonable suspicion drug test.
- c. The Town shall provide for transporting the employee to a collection site for the collection of the appropriate sample. The employee is required to complete and sign any forms requested by the testing facility as well.
- d. The employee must submit to testing when and where requested to do so by the Town.
- e. When possible, the observing Town employee will have a clinical license or law enforcement background.
- f. Any employee who refuses to take a reasonable suspicion drug test or sign any form or document as requested at the testing site will likely be suspended or have their employment terminated.
- g. If the employee refuses to be tested, the supervisor or above will proceed as follows:
 - i. Arrange to have the employee taken home;

- ii. Advise the employee that he/she will be contacted at a later date with regard to his/her employment status and disciplinary action with possibility of termination of employment; and
 - iii. Do not allow the employee to drive. If he/she insists on driving, notify the employee you will be contacting the police and proceed with contacting the local police only after approval of the _____ or _____; notifying the state police that the employee appears unfit to drive and why.
3. Opportunity to Justify a Positive Test Result
- a. All confirmed positive test results will be reviewed by the _____.
 - b. Individuals testing positive will be given the opportunity to explain any legitimate reasons for testing positive. A legitimate explanation may include, for example, a valid prescription medication (that was not supposed to affect work performance) which may trigger a positive test result.
 - c. It is within the sole discretion of the Town to accept the applicant's or employee's reason(s) and decide what action should be taken, depending on the circumstances, including any voluntary disclosure and whether the substance was authorized, the employee will likely be disciplined, up to termination of employment.
 - d. Employees who disclose a drug or alcohol problem before being observed or requested to perform a reasonable suspicion drug test will be treated more leniently if they did not cause any potential or actual harm to another and did not work under the influence of an authorized or unauthorized prescription, illegal narcotics, marijuana or alcohol.
4. As soon as possible after the situation has been brought under control, the supervisor or above should prepare a detailed account of all actions, observations, statements and other pertinent facts. Date, time of day, location and witnesses to the incident should be included. A copy of this report should be delivered to the _____ as soon as reasonably possible.
5. Limited Confidentiality. The results of any test will remain confidential and only disclosed as needed for the Town to fulfill its obligations to maintain a safe workplace, the obligations to our citizens and to address the employment situation.