

**TOWN OF NEVERSINK TOWN BOARD  
REGULAR MEETING  
NOVEMBER 14, 2018**

**CALL TO ORDER**

The regular meeting of the Town Board of the Town of Neversink was called to order at 7:30 P.M. by Supervisor Chris Mathews.

**ROLL CALL**

**Board Members**

Supervisor Chris Mathews	PRESENT
Councilman Keith Zanetti	PRESENT
Councilman Michael Brooks	PRESENT
Councilman Scott Grey	PRESENT
Councilman Richard Coombe Jr.	OUT OF TOWN

**Other Officials**

Highway Superintendent Preston Kelly	PRESENT
Code Enforcement Officer Keith Stryker	PRESENT
Town Attorney Walter Garigliano	PRESENT

**GUESTS**

Jamie Dymond Brooks	Kim Lucak
Walt Zeitschel	Cher Woehl
Brent Gotsch	Henry Lamont
Kevin Young	

- **Kevin Young**, Attorney for CWC, passed out a **resolution** for the **Establishment of the Claryville-Neversink Septic Maintenance District** for the Board's consideration. **Henry Lamont**, Lamont Engineering, displayed the map of the Septic District.

Councilman Michael Brooks **made a motion** to approve Resolution No. 23 of 2018 for the establishment of the Claryville-Neversink Septic Maintenance District, Councilman Keith Zanetti seconded it.

Before the roll call vote, Town Attorney Walter Garigliano requested a discussion. Mr. Garigliano would like to make some **changes to the resolution**. He presented those changes to the Board. The Neversink Town Board and Attorney Kevin Young discussed and approved the changes. The Board tabled the resolution while the Town Clerk and Mr. Garigliano made the said changes to the proposed resolution.

Councilman Michael Brooks and Councilman Keith Zanetti **withdrew their original motion**. Mr. Garigliano presented the **revised Resolution** No. 23 of 2018 for the **Establishment of the Claryville-Neversink Septic Maintenance District**. The **Resolution** was **introduced** by Councilman **Michael Brooks**, **seconded** by Councilman **Keith Zanetti**. The tax map parcels included in the district will be included after the Resolution.

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**TOWN OF NEVERSINK  
RESOLUTION NO. 23 OF 2018  
A RESOLUTION FOR ESTABLISHMENT OF THE CLARYVILLE-NEVERSINK  
SEPTIC MAINTENANCE DISTRICT**

At a meeting of the Town Board (“Town Board”) of the Town of Neversink (“Town”), Sullivan County, New York, held at the Town of Neversink Town Hall, 273 Main Street, Grahamsville, New York 12740, in said Town, on the 14<sup>th</sup> day of November, 2018 at 7:30 p.m. prevailing time.

The meeting was called to order by Supervisor Christopher Mathews and upon roll being called the following were:

	PRESENT	ABSENT
Supervisor Christopher Mathews	X	
Councilman Keith Zanetti	X	
Councilman Michael Brooks	X	
Councilman Scott Grey	X	
Councilman Richard Coombe Jr.		X

The following resolution was introduced by Councilman Michael Brooks who moved for its adoption, and seconded by Councilman Keith Zanetti, to wit:

**WHEREAS**, on October 10, 2018, the Town Board of the Town of Neversink, New York (the “Town”), duly adopted a resolution accepting and adopting the materials needed for the formation of the Claryville – Neversink Septic Maintenance District (“District”), including a description of the proposed District, reciting that the cost of the formation of the District will be fully paid for by the City of New York, through the Community Wastewater Management Program and directing a copy of the Engineer’s Report and Plan, Service Area Map and a detailed explanation of the costs to each residential and non-residential landowner to be placed in the Town Clerk’s office and made available for public inspection,

**WHEREAS**, the Town Board did, on October 10, 2018, duly adopt a resolution specifying that said Town Board shall meet at the Town Hall, Town of Neversink, New York on the 14th day of November, 2018, for the purpose of conducting a public hearing on such proposal to establish the District with the specified improvements and to hear all persons interested in the subject thereof concerning the same,

**WHEREAS**, copies of said resolution and a Notice of the public hearing were duly published and posted according to law, and said Town Board did at, the time and place specified in said resolution, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

**WHEREAS**, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made;

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**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board that it be and hereby is determined as follows:

- (1) The notice of hearing was published and posted as required by law and is otherwise sufficient.
- (2) That all of the property and property owners, within the proposed District are benefitted thereby.
- (3) That all of the property and property owners benefitted are included within the proposed District.
- (4) It is in the public interest to establish the proposed District as hereinafter described; and be it

**FURTHER RESOLVED**, that the Town Board does hereby approve the establishment of a District as hereinafter described to be known as **“Claryville-Neversink Septic Maintenance District”** more particularly described in the Service Area Map identifying the boundaries of the proposed wastewater disposal district a copy of which is on file in the Town Clerk’s office, which shall include the tax map parcels listed on the schedule attached hereto; and be it

**FURTHER RESOLVED**, that the repair, replacement and maintenance of on-site septic systems in said district will be paid for by the fund established for said purpose by the City New York through the Community Wastewater Management Program (“Fund”). The Town will not incur any expense in the formation of the proposed district or the repair, replacement and maintenance of on-site septic systems in said district will be paid from the Fund; and be it

**FURTHER RESOLVED**, the cost for any new systems constructed in the district will not be paid for from the Fund; and be it

**FURTHER RESOLVED**, that this resolution is subject to a permissive referendum in the manner provided in Town Law Article 7 and Town Law § 209-e(3).

**WHEREUPON**, the Resolution was put to a vote, recorded as follows:

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, resulting as follows:

		AYE	NAY	ABSENT
Supervisor Christopher Mathews	Voting	X		
Councilman Keith Zanetti	Voting	X		
Councilman Michael Brooks	Voting	X		
Councilman Scott Grey	Voting	X		
Councilman Richard Coombe Jr.	Voting			X

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The resolution was thereupon declared duly adopted.

Dated: November 14, 2018  
Town of Neversink  
Grahamsville, New York

TAX NUMBER	PROPERTY ADDRESS	OWNER	TYPE	DESCRIPTION
B.-1-10	1094 CLARYVILLE ROAD	MIDORI KURIHANA	RSF	
B.-1-11	1064 CLARYVILLE ROAD	BRENDA MAE HORNBECK	RSF	
B.-1-12	1058 CLARYVILLE ROAD	LIVINGSTON MANOR HOMES, I	RTF	
B.-1-13	1054 CLARYVILLE ROAD	SCOTT WOOLSEY	RSF	
B.-1-14	1050 CLARYVILLE ROAD	MARY CARROLL	RSF	
B.-1-15.1	1076 CLARYVILLE ROAD	PETER JOHN DIMILIA	RSF	
B.-1-15.2	1074 CLARYVILLE ROAD	JOHN PETSCHAUER	CA	Post Office attached to large house
B.-1-15.3	17 ENGLESE DRIVE	ROSS TAUB	RSF	
B.-1-15.4	17 ENGLESE DRIVE	MORTON DELOZIER	RSF	
B.-1-15.5	CLARYVILLE ROAD	VALERIE DELOZIER	V	
B.-1-15.6	20 ENGLESE DRIVE	FRANK RIZZUTO	RSF	
B.-1-15.7	1088 CLARYVILLE ROAD	JAMES LETOHC	RSF	
B.-1-19	834 CLARYVILLE ROAD	FRANK NICOLETTI	RSF	
B.-1-21.1	816 CLARYVILLE ROAD	FRANK NICOLETTI	RSF	
B.-1-21.2	826 CLARYVILLE ROAD	BRIDGET HURWITZ	RA	RES MULTI PURPOSE MULTI STRUC
B.-1-22	39 BUNGALOW BROOK RD	KATHERINE SCHIFFER	RSF	Not sure if it's still there
B.-1-23	37 BUNGALOW BROOK RD	MICHAEL SCHIFFER	RSF	
B.-1-24.1	21 BUNGALOW BROOK RD	PETER ANDRUSZKIEWICZ	RSF	
B.-1-24.2	BUNGALOW BROOK RD	KELLY JONES	V	
B.-1-25	11 BUNGALOW BROOK RD	PETER ANDRUSZKIEWICZ	RSF	
B.-1-26.1	862 CLARYVILLE ROAD	JOHN QUINN	RSF	
B.-1-26.2	CLARYVILLE ROAD	PETER ANDRUSZKIEWICZ	V	Barn?
B.-1-27	868 CLARYVILLE ROAD	ANDREW SCHIFFER	RSF	
B.-1-28.1	896 CLARYVILLE ROAD	JOSEPH WEISE	RSF	
B.-1-28.2	CLARYVILLE ROAD	KATHERINE SCHIFFER	V	
B.-1-28.3	26 BUNGALOW BROOK RD	ROBERT THAYER	RSF	
B.-1-28.6	31 BUNGALOW BROOK RD	MICHAEL SCHIFFER	RSF	
B.-1-28.7	24 BUNGALOW BROOK RD	KELLY JONES	RSF	
B.-1-29	892 CLARYVILLE ROAD	NANCY HARRINGTON	RSF	
B.-1-30	906 CLARYVILLE ROAD	ANDREW FORD	RSF	
B.-1-31	914 CLARYVILLE ROAD	WILLIAM GRIESBECK	RSF	
B.-1-32	918 CLARYVILLE ROAD	GLENN VANDENBERG	RSF	
B.-1-33	932 CLARYVILLE ROAD	GEORGE FELTON	RSF	
B.-1-34	CLARYVILLE ROAD	CLARYVILLE CEMETERY	V	Cemetery
B.-1-35	CLARYVILLE ROAD	CLARYVILLE CEMETERY	I	Cemetery & Church
B.-1-36	947 CLARYVILLE ROAD	REFORMED CHURCH	I	Old Church
B.-1-37.1	978 CLARYVILLE ROAD	RAYMOND KREMER	RSF	?
B.-1-37.2	982 CLARYVILLE ROAD	ANNE-MARIE KREMER	RSF	pottery business is in house
B.-1-37.3	980 CLARYVILLE ROAD	MICHAEL KREMER	RSF	
B.-1-38	994 CLARYVILLE ROAD	ANNE-MARIE KREMER	RSF	
B.-1-39.1	CLARYVILLE ROAD	WELLINGTON LODGE LLC	V	
B.-1-39.3	981 CLARYVILLE ROAD	WELLINGTON LODGE LLC	V	Property line wrong on map?
B.-1-41.1	933 CLARYVILLE ROAD	FRANK NICOLETTI	RSF	Property line wrong on map?
B.-1-41.2	CLARYVILLE ROAD	ALYSSA SECLN	V	?
B.-1-41.3	CLARYVILLE ROAD	FRANK NICOLETTI	V	
B.-1-42.1	64 TANNERY WAY	COL. LESLIE BREHM	RSF	
B.-1-42.2	CLARYVILLE ROAD	ALYSSA HAFNER	V	
B.-1-43	73 TANNERY WAY	GILES HARLOW	RSF	
B.-1-44	67 TANNERY WAY	JOHN GOCHENAUR	RSF	
B.-1-45	53 TANNERY WAY	ROBERT QUACKENBUSH	RA	RES MULTI PURPOSE MULTI STRUC
B.-1-47	37 TANNERY WAY	GILES HARLOW	RA	3 camps?
B.-1-49	21 TANNERY WAY	TANNERY WAY LLC	RSF	
B.-1-5.1	CLARYVILLE ROAD	WELLINGTON LODGE LLC	V	
B.-1-50.1	15 TANNERY WAY	JENNIFER FREEH	RSF	
B.-1-50.2	6 TANNERY WAY	MICHAEL SCHIFFER	RSF	
B.-1-50.3	30 TANNERY WAY	JUDITH HAFNER	RSF	
B.-1-50.4	CLARYVILLE ROAD	JUDITH HAFNER	V	
B.-1-50.5	CLARYVILLE ROAD	JUDITH HAFNER	V	Tannery chimney?
B.-1-51	831 CLARYVILLE ROAD	CHARLES BREINER	RSF	

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B.-1-52.1	CLARYVILLE ROAD	CHARLES BREINER	V	
B.-1-52.2	CLARYVILLE ROAD	CHARLES BREINER	V	
B.-1-53	809 CLARYVILLE ROAD	FRANK CASTELLANO	RSF	
B.-1-54	17 TANNERY WAY	FRANCIS MORLEY	RSF	
B.-1-55	CLARYVILLE ROAD	MICHAEL HAFNER	V	
B.-1-56	CLARYVILLE ROAD	ASH-WA-BE CORP	V	Is any of it in district? Should it be excluded?
B.-1-6	1089 CLARYVILLE ROAD	BRUCE PAPA	CA	Polaris Dealer
B.-1-63.1	CLARYVILLE ROAD	GILES HARLOW	V	
B.-1-7	1107 CLARYVILLE ROAD	JANE WITTHOHN	RSF	
B.-1-8	1102 CLARYVILLE ROAD	JUDY AHRENS	RSF	
B.-1-9	1098 CLARYVILLE ROAD	RHONDA TOOHEY	RSF	
B.-1-4.1	808 CLARYVILLE ROAD	MARGARET DICE	RSF	

	TOTAL CALCULATIONS	
RSF	TOTAL Res. Single Family	45
RTF	TOTAL Res. Two Family	1
C	TOTAL Commercial Businesses	0
CA	TOTAL Commercial Apartments	2
M	TOTAL Municipal	0
V	TOTAL Vacant lots / lands	18
I	TOTAL Institutional	2
IA	TOTAL Institutional w/ Apartments	0
RA	TOTAL Residential Apartments	3
N/A	TOTAL NOT ASSESSED	0
	TOTAL # of items	71

- **Jamie Dymond Brooks, Parks and Recreation Director,** gave a Parks and Recreation update on completed and upcoming events. Supervisor Mathews commended Jamie and the Advisory Board for all their work in organizing and holding the Community Yard Sale at the Tractor Show as it helped to draw more visitors to the event. **Jessica Dymond** offered the use of the **Library Community Room** for the **Elf Workshop**. Jamie indicated she would like to hold the event there. The following **motion** was made to **use** the **Daniel Pierce Library for the Elf Workshop**:

Councilman Scott Grey, seconded by Councilman Michael Brooks, made a motion to hold the Town of Neversink Parks and Recreation Elf Workshop program on December 2, 2018 from 3 to 5 pm at the Daniel Pierce Library in the Community room, put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

- **Cher Wohl** reviewed the schedule for the Annual Tree Lighting and Holiday Festivities with the Board. The Town’s Christmas tree was discussed.
- **Brent Gotsch, ZBA Chairman,** reported that the Zoning Board has an upcoming meeting on November 20<sup>th</sup>, with three items on the agenda.

**MINUTES OF PREVIOUS MEETING (S)**

Minutes of the Regular Meeting held on October 10, 2018 and Public Hearing held on November 7, 2018 were ACCEPTED AS SUBMITTED on motion by Councilman Keith Zanetti, seconded by Councilman Scott Grey, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

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**SUPERVISOR'S RECEIPTS AND DISBURSEMENTS REPORT**

The Supervisor's Report for the month of October 2018 was ACCEPTED AS RECEIVED and filed on motion by Councilman Michael Brooks, seconded by Councilman Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

**TOWN CLERK DECALS AND MONTHLY FEE REPORT**

ACCEPTED AS SUBMITTED for the month of October 2018 to be filed on motion by Councilman Michael Brooks, seconded by Councilman Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

**TOWN CLERK MONTHLY PETTY CASH REPORT**

Month of October 2018/November 2018

No expenditures made.

**CODE ENFORCEMENT OFFICER REPORT**

Monthly Receipts Report and Mileage Log and Inspection Report for the month of October 2018 has been filed with the Town Clerk.

Code Enforcement Officer Keith Stryker:

- Logged 182 Miles and took in \$993.80
- 12 Building Permits, total 93 for year
- 1 Building Permit Renewal, total 3 for year
- 12 Cert of Occupancy/Compliance for the month, total 84 for year
- 0 Complaints, total 0 for year
- 2 Violations, total 5 for year
- 10 Municipal Searches, total 74 for year
- 0 Fire Inspections, total 28 for year
- 0 Junk Yard Permit, total 1 for year
- 0 Mobile Home Park Permit Renewals, total 2 for year
- 0 Temporary Use Permit, total 0 for year
- 0 Special Use Permit, total 1 for year
- 0 CEO Training Hours, total 31 for year

**TOWN ATTORNEY**

Town Attorney Walter Garigliano requested to go into **Executive Session with Highway Superintendent Preston Kelly and the Town Board** to discuss a personnel issue.

**EXECUTIVE SESSION**

The Board **entered** into **Executive Session** at 8:24 pm on motion made by Councilman Keith Zanetti, seconded by Councilman Scott Grey, **to discuss a personnel issue**, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

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The Board **returned** from **Executive Session** at 8:50 pm on motion made by Councilman Keith Zanetti, seconded by Councilman Michael Brooks, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

**HIGHWAY SUPERINTENDENT**

1. Highway Superintendent Preston Kelly is requesting permission to **sell** the older pickup truck **sander** on **Auctions International**. The following motion was made:

A motion was made by Councilman Keith Zanetti, seconded by Councilman Scott Grey, to approve Highway Superintendent Preston Kelly's request to put an older pickup truck sander on Auctions International, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

2. Preston is inquiring if it is still the Board's intent to continue with the **purchase plan** for pick-up trucks being every three years. The Board indicated that it is. Preston will have the information for the next truck to be replaced at the December meeting.
3. Preston filled the Board in on the plow truck fire that occurred on November 13<sup>th</sup>. It was an electrical fire in the wiring harness behind the dashboard. He has been in contact with Oshkosh to try and find a replacement wiring harness.
4. Preston gave a list of **road work** that was **completed in 2018**.

**ZONING BOARD OF APPEALS**

Agenda for November 20, 2018 Meeting and Meeting Minutes for February 20, 2018 (*Draft*) were filed with the Town Clerk.

**FILINGS AND CORRESPONDENCE FILED WITH TOWN CLERK**

1. Voting Machine delivery schedule and Inspector list for the 2018 General Election.
2. Certification of Completion of Continuing Judicial Education Program for Hon. Barbara A. Garigliano
3. Annual Meeting and Training School information for February 17-20, 2019.
4. From Sullivan County Clerk's Office:
  - a. Survey Map for Grey
5. Notification from Sullivan County Division of Planning and Community Development of Phil Coombe III, Dave Forshay and Walt Zeitschel attendance on 10/29/2018 at two training session for Planning and Zoning Board members. Each individual earned 2 credit hours.
6. 2018 Adopted Budgets from:
  - b. Claryville Fire District
  - c. Grahamsville Fire District

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- d. Neversink Fire District
7. Letter from NYS Department of Civil Service approving changes to Health Insurance benefits for Appointed and Elected Officials
- Items were ORDERED LOGGED and FILED on motion by Councilman Keith Zanetti, seconded by Councilman Scott Grey, put to a vote and UNANIMOUSLY CARRIED. VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

**SUPERVISOR**

1. Following two **Resolutions**, one for a **Budget Transfer** and the other for a **Budget Amendment** were presented for the Board's consideration:

**TOWN OF NEVERSINK  
RESOLUTION NO. 24 OF 2018  
BUDGET TRANSFERS**

**Whereas**, appropriations need to be increased in some General and Highway fund accounts,

**Whereas**, in General Fund \$25.00 needs to be transferred from A1620.4 Buildings, Contractual Expense to A6410.4 Publicity, Contractual Exp., 8,500.00 from A7110.1 Park, Personal Services to A7180.1 Playground & Rec., Personal Services, due to the Pool Building repairs, 381.00 from A7310.4 Youth Programs, Contractual Exp. to A7310.1 Youth Programs, Personal Services for Swim Program salaries, and

**Whereas**, in Highway Fund \$500.00 needs to be transferred from DA9030.8 Social Security to DA9010.8 Retirement,

**Now, therefore be it Resolved**, that the Town Board authorizes the Supervisor to do the above transfers and that the following budget amendments be made;

A960 Appropriations-	\$ 8,906.00
A1620.4 Building, Cont. Exp. –	25.00
A7110.1 Park, Personal Services–	8,500.00
A7310.4 Youth Program, Cont. Exp.-	381.00
A960 Appropriations-	\$ 8,906.00
A6410.4 Publicity, Contractual Exp.-	25.00
A7180.1 Spec. Rec. Facilities (Pool), Personal –	8,500.00
A7310.1 Youth Programs, Personal Services -	381.00
DA960 Appropriations-	\$ 500.00
DA9030.8- Social Security-	500.00
DA960 Approprtiations-	500.00
DA9010.8 Retirement-	500.00



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**Moved by:** Councilman Keith Zanetti  
**Seconded by:** Councilman Scott Grey  
**And Adopted on Motion:** November 14, 2018

**TOWN OF NEVERSINK  
RESOLUTION NO. 25 OF 2018  
BUDGET AMENDMENT**

**Whereas,** The Town of Neversink is purchasing a Security System, through NY State Contract #PT-63106.

**Now, therefore be it resolved** that the Town Board authorizes the Supervisor to transfer \$ 16,500.00 from General Fund, Appropriated Fund Balance A599 to Buildings, Equipment A1620.2, and that the following budget amendment be made;

A599 Appropriated Fund Balance-	\$ 16,500.00
A960 Appropriations-	16,500.00
A1620.2 Building, Equipment.-	16,500.00

**Moved by:** Councilman Michael Brooks  
**Seconded by:** Councilman Scott Grey  
**And Adopted on Motion:** November 14, 2018

2. The **Town of Neversink' s 2019 Budget** needs to be **adopted**. The following Resolution was presented:

**TOWN OF NEVERSINK  
RESOLUTION NO. 26 of 2018  
ADOPTION OF FINAL BUDGET FOR 2019**

**WHEREAS,** a Tentative Budget was submitted to the Town Board by the Budget Officer at the Recessed Town Board Meeting held on September 24, 2018 and

**WHEREAS,** at the Recessed Town Board Meeting held on September 24, 2018 the Tentative Budget was reviewed, with minor changes made,

**WHEREAS,** at the Regular Town Board Meeting held on October 10, 2018 the Tentative Budget with the minor changes made, was accepted as the Preliminary Budget and was considered to be suitable and workable for the needs of the Town for the fiscal year beginning January 1, 2019 and

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**WHEREAS**, a Public Hearing was held on November 7, 2018 at which time any persons wishing to be heard in favor of or in opposition to was given the opportunity to do so; and

**WHEREAS**, any and all changes to the budget as presented were duly noted and approved;

**NOW, THEREFORE, BE IT RESOLVED**, that the Preliminary Budget, as presented on November 14, 2018 is hereby adopted as the Final Budget for the fiscal year beginning January 1, 2019.

The foregoing resolution was moved by Councilman Michael Brooks, seconded by Councilman Keith Zanetti and adopted by a roll call vote as follows:

Supervisor Chris Mathews	voting	YES
Councilman Keith Zanetti	voting	YES
Councilman Michael Brooks	voting	YES
Councilman Scott Grey	voting	YES
Councilman Richard Coombe Jr.	voting	absent

The resolution was thereupon declared duly adopted.

Dated: November 15, 2018  
Town of Neversink  
Grahamsville, New York

3. The Board discussed **eCode360 Map Link**. Supervisor Mathews thinks it is a wonderful idea but he feels that right now the money could be spent better elsewhere. Maybe it could be considered in the future.
4. Supervisor Mathews reported that **Mr. Hayes** came in and gave him a report on the **Seeding and Fertilizing Project at the Route 42 Community Park**. He has enough seed and fertilizer for next Springs' application.
5. Janna Walter contacted Supervisor Mathews to inquire about a fellow Public Health Nurse being allowed to park her County Car at the Town Hall when she is not using it. Her personal car would be here during the day when she is working. The Board decided it would be good shared services with the County to allow this.
6. Supervisor Mathews is also working on getting the pool resurfaced and a new roof on the salt shed. Grant money from the State was allocated for this and both projects need to be completed.

**OTHER**

1. Councilman Scott Grey also reported on the status of the **Employee Handbook**. Brenda has been notified by Employee Benefits in Albany that

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the change in the Health Insurance Policy is fine. The following motion was made:

A motion was made by Councilman Scott Grey, seconded by Councilman Michael Brooks to adopt as amended (inserted copy to follow) the Town of Neversink's Health Insurance benefits for Appointed and Elected Officials effective 01-01-2019, put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

**TOWN OF NEVERSINK  
HEALTH INSURANCE  
*Benefits for Civil Service Employees  
And Appointed Employees***

**General Statement** – Effective January 1, 2019, the following conditions apply to **Civil Service Employees and Appointed Employees**:

1. **ELIGIBILITY** – In order to be eligible an employee must:
  - a) work a regular scheduled workweek of 35 hours or more
  - or**
  - b) does not work a regularly scheduled workweek of 35 hours or more, but; is paid at least \$7,200.00 or more per year on an annual salary basis **AND** most recent date of hire with the Town is prior to June 8, 2011
  - and**
  - c) not already be enrolled in NYSHIP as an employee.

2. **DECLINING HEALTH INSURANCE**

Persons qualifying for and refusing Health Insurance must sign a declination form.

3. **COST OF HEALTH INSURANCE**

The Town will pay the full premium for health insurance coverage for each eligible employee who was employed prior to January 1, 2019. All eligible new employees hired January 1, 2019 and thereafter, will contribute 10% minimum or a percentage to be determined annually by the Town Board. Contribution will be through a paycheck deduction.

4. **ELIGIBILITY FOR HEALTH INSURANCE AT RETIREMENT**

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To qualify for health insurance at retirement the employee must meet the eligibility requirements of the State Health Insurance Program

**and**

a) work a regularly scheduled workweek of 35 hours or more with 20 years of service with the Town if the employee's most recent date of hire is **prior to June 8, 2011**

**or**

b) work a regularly scheduled workweek of 35 hours or more with 30 years of full-time service with the Town if the employee's most recent date of hire is **after June 8, 2011**

5. **VESTED STATUS**

a) An enrolled employee who terminates his/her employment before retirement age may continue coverage under the State Health Insurance Program if he/she meets the eligibility and cost requirements of the program

**and**

b) The enrolled employee meets the retirement eligibility requirements of 4 and 4a or 4b above

**and**

c) Has terminated employment within five years of the date on which he or she is entitled to receive a retirement allowance.

6. **COST OF HEALTH INSURANCE AT RETIREMENT**

Provided the employee meets the requirements of 4 and 4a or 4b above and 5a, 5b and 5c in the case of a vested employee, the cost of health insurance coverage in retirement shall be paid 100% by the Town for each eligible employee (and their dependent) whose date of employment was prior to January 1, 2019; eligible employees hired January 1, 2019 and thereafter (and their dependent), will contribute 10% minimum or a percentage to be determined annually by the Town Board toward the cost of health insurance coverage in retirement.

7. **SURVIVOR DEPENDENT COVERAGE**

In the case of death of an employee or retired employee, the enrolled Survivor Dependent(s) may continue coverage. To be eligible, the spouse must have been covered under the employee's medical insurance plan at the employee's date of retirement. In the event the retiree predeceases the eligible spouse, the spouse may continue medical insurance coverage provided the spouse pays the full cost of the premium. If the surviving spouse loses his or her coverage as a result of marriage or dies, any dependent children still eligible, may continue coverage under the State Health Insurance program by paying the full cost of such coverage.

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**TOWN OF NEVERSINK  
HEALTH INSURANCE  
*Benefits for Elected Officials***

**General Statement** – Effective January 1, 2019, the following conditions apply to all **Elected Officials**:

1. **ELIGIBILITY** – In order to be eligible an employee must:

- a) work a regular scheduled workweek of 35 hours or more
- or**
- d) does not work a regularly scheduled workweek of 35 hours or more, but; is paid at least \$8,000.00 or more per year on an annual salary basis **AND** most recent date of employment with the Town is prior to June 8, 2011
- and**
- e) not already be enrolled in NYSHIP as an employee.

2. **DECLINING HEALTH INSURANCE**

Persons qualifying for and refusing Health Insurance must sign a declination form.

3. **COST OF HEALTH INSURANCE**

The Town will pay the full premium for health insurance coverage for each eligible employee who was employed prior to January 1, 2019. All eligible new employees hired January 1, 2019 and thereafter, will contribute 10% minimum or a percentage to be determined annually by the Town Board. Contribution will be through a paycheck deduction.

4. **ELIGIBILITY FOR HEALTH INSURANCE AT RETIREMENT**

To qualify for health insurance at retirement the employee must meet the eligibility requirements of the State Health Insurance Program

- and**
- a) the employee must have at least 20 years of service, not necessarily continuously, with the Town of Neversink if most recent date of employment with the town is **prior to June 8, 2011**
- or**
- b) the employee must have at least 30 years of service, not necessarily continuously, with the Town of Neversink if the most recent date of employment is **after June 8, 2011**

**or**

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- c) the employee must have 20 years of service with one or more public employers working full-time provided the employee has served 12 years working full-time (work a regular scheduled workweek of 30 hours or more) with the Town of Neversink if most recent date of employment with the town is **prior to December 14, 2011.**

5. **VESTED STATUS**

- a) An enrolled employee who terminates his/her employment before retirement age may continue coverage under the State Health Insurance Program if he/she meets the eligibility and cost requirements of the program  

**and**
- b) The enrolled employee meets the retirement eligibility requirements of 4 and 4a or 4b or 4c above  

**and**
- c) Has terminated employment within five years of the date on which he or she is entitled to receive a retirement allowance.

6. **COST OF HEALTH INSURANCE AT RETIREMENT**

Provided the employee meets the requirements of 4 and 4a or 4b or 4c above and 5a, 5b and 5c in the case of a vested employee, the cost of health insurance coverage in retirement shall be paid 100% by the Town for each eligible employee (and their dependent) whose date of employment was prior to January 1, 2019; eligible employees hired January 1, 2019 and thereafter (and their dependent), will contribute 10% minimum or a percentage to be determined annually by the Town Board toward the cost of health insurance coverage in retirement .

7. **SURVIVOR DEPENDENT COVERAGE**

In the case of death of an employee or retired employee, the enrolled Survivor Dependent(s) may continue coverage. To be eligible, the spouse must have been covered under the employee's medical insurance plan at the employee's date of retirement. In the event the retiree predeceases the eligible spouse, the spouse may continue medical insurance coverage provided the spouse pays the full cost of the premium. If the surviving spouse loses his or her coverage as a result of marriage or dies, any dependent children still eligible, may continue coverage under the State Health Insurance program by paying the full cost of such coverage.

- 2. The Employees of the Town of Neversink received the mandatory Sexual Harassment Training as required by New York State. The Town is required to adopt a written anti-sexual harassment policy. The following motion was made to adopt the policy and add it to the employee handbook:

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A motion was made by Councilman Scott Grey, seconded by Councilman Keith Zanetti, to adopt the Town of Neversink Sexual Harassment Policy (inserted copy to follow), put to a vote and UNANIMOUSLY CARRIED.  
VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

**TOWN OF NEVERSINK-SEXUAL HARASSMENT POLICY**

**PURPOSE:** The purpose of this policy is to secure for the Town of Neversink employees the right to a working environment free from sexual harassment and its effects.

**POLICY:**

1. In accordance with applicable laws, the Town of Neversink is strongly committed to a workplace free of sex discrimination, including sexual harassment in all its forms. The United States Equal Employment Opportunity Commission (U.S. EEOC) has issued guidelines on sex discrimination to establish the fact that sexual harassment is a violation of title VII of the Civil Rights Act of 1964. The Town of Neversink is committed to a policy that sexual harassment constitutes illegal behavior and is prohibited in any and every work place in which employees are required to conduct business.

2. The definition of sexual harassment described by the U.S. EEOC is as follows:

A. Sexual advances that are not welcome, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;  
OR
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer or termination, affecting such individual;  
OR
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating hostile or offensive working environment.

B. Sexual harassment refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with a employee's work performance and effectiveness or creates an intimidating, hostile or offensive working environment.

3. This sexual harassment policy includes, but is not limited to, inappropriate forms

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of behavior described by the U.S. EEOC. These forms of behavior are described below:

**A. VERBAL**

Sexual harassment refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale and that therefore interferes with an employee's work performance and effectiveness or creates an intimidating, hostile or offensive working environment. Abusive verbal language related to an employee's sex, including innuendoes, slurs, suggestive or derogatory or insulting comments or sounds, whistling, jokes of a sexual nature, sexual propositions and threats.

**B. NON-VERBAL**

Abusive written language, showing or displaying pornographic or sexually explicit objects or pictures, graphic commentaries, leering or obscene gestures in the workplace, such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

**C. PHYSICAL**

Physical contact which is not welcome, including touching, petting, pinching, coerced sexual intercourse, assault or persistent brushing up against a person's body.

- 4.** The U.S. EEOC Guidelines hold employers accountable for inappropriate conduct by (1) supervisory personnel, (2) between fellow employees, and even by non-employees (for example persons delivering goods) where the employer "knows or should have known" of such conduct.
- 5.** The Town of Neversink recognizes sexual harassment as a form of employee misconduct, and provides affected employees with rights of redress and complaint resolution channels for incidents of sexual harassment. Complaints that cannot be resolved between the involved parties should be recorded by the victim of sexual harassment, and presented orally or in writing to supervisory personnel, and/or the Personnel Committee.
- 6.** The Town of Neversink Personnel Committee will conduct an investigation of all unresolved allegations of sexual harassment in a timely and confidential manner to the extent possible and will prepare follow up reports and enforce



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appropriate sanctions, including disciplinary action.

7. An employee who has filed a sexual harassment complaint will do so without fear of retaliation. Retaliation against any employee who has filed a sexual harassment complaint is illegal and may result in disciplinary action.
8. Nothing in this policy should be construed as in any way limiting employees' rights to utilize the grievance procedure, to file a complaint with the New York State Division of Human Rights or the U.S. Equal Employment Opportunity Commission, or to take any legal action which they may deem advisable.
9. Training for appropriate staff in each department shall be given on a periodic basis regarding the identification of sexual harassment, how to process complaints, and the role and responsibility of supervisory personnel in the prevention of incidents of sexual harassment.
10. Any employee with a grievance or complaint may contact either Town Supervisor.

3. Councilman Michael Brooks reported that he has met with **BAS** concerning their **IT offerings**. BAS made a visit and will getting back to us with a proposal. Mike also met with **TAG Solutions** concerning a **new phone system**.

**PAYMENTS OF CLAIMS AND VOUCHERS**

• Abstract #11	\$ 306,756.37
• Vendor Payments	<u>3,385.40</u>
• Total	\$ 310,141.77

Vouchers, Claims were reviewed by the Board and authorized to be paid on motion by Councilman Scott Grey, seconded by Councilman Keith Zanetti, put to a vote and UNANIMOUSLY CARRIED.

VOTE: AYES 4 NAYS 0 ABSENT 1 (Coombe).

**ADJOURN OR RECESS**

On motion by Councilman Keith Zanetti, seconded by Councilman Scott Grey, the meeting was adjourned at 9:25, put to a vote and UNANIMOUSLY CARRIED.

Respectfully submitted,

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Lisa Garigliano, Town Clerk