

**TOWN OF NEVERSINK TOWN BOARD  
SPECIAL TOWN BOARD MEETING  
NOVEMBER 15, 2017**

**CALL TO ORDER**

The Special Meeting of the Town of Neversink Town Board was called to order at 7:30 pm by Supervisor Chris Mathews with the Pledge of Allegiance.

**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
Assistant Town Attorney Ken Klein	PRESENT

**GUESTS**

Chris Gozza	Dave Goldstein
Randy McGregor	Tony Siciliano

The purpose of the meeting is to discuss Farmstead Drive and any other business that may legally come before the Board.

- **Farmstead Drive** is currently a private road that has been brought up to comply with the Town's current road specs. The only issue remaining is that the survey map shows that a small portion of the lands of three property owners located around the diameter of the cul-de-sac is encroaching into the right-of-way. The land in question is located in the ten foot area beyond the 60 foot paved cul-de-sac. There is currently a ten foot utility easement located along the edge of both sides of the entire road including the cul-de-sac. The Town does not fall under the afore mentioned utility easement. Assistant Town Attorney Ken Klein indicated that either an easement of right-of-way or a lot improvement needs to be done in order to remedy the problem. After discussion it was decided to have the three property owners do an easement of. All Town Board members are in favor of the easement. Land Surveyor Tony Siciliano will prepare the descriptions and upon receipt Assistant Town Attorney Ken Klein will prepare the instruments and documents for recording and/or filing. The following motion was made to allow Supervisor Chris Mathews to move forward once all the necessary documents are completed and filed:

A motion was made by Councilman Michael Brooks, seconded by Councilman Keith Zanetti for the Town of Neversink to accept the dedication of Farmstead Drive subject to the prevision of the necessary documentation acceptable in form to the Supervisor and Assistant Town Attorney to establish not only the fee ownership of the highway as depicted on the Siciliano survey map 3.09 but also to obtain the additional ten foot

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easement and right-of-way from the three property owners adjoining the cul-de-sac, put to a vote and UNANIMOUSLY CARRIED.

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

**HIGHWAY SUPERINTENDENT**

1. Highway Superintendent Preston Kelly informed the Town Board that he has contacted the Town of Fallsburg Highway Department concerning the offering of the old **Paver and Roller for \$45,000**. Fallsburg has **accepted the offer**. The following motion was made:

A motion was made by Councilman Keith Zanetti, seconded by Councilman Scott Grey to sell the Town's used paver and roller to the Town of Fallsburg for the amount of \$45,000 put to a vote and UNANIMOUSLY CARRIED.

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

2. Preston has the money in fund balance and would like permission to go ahead and **order the new roller** off state bid contract. With the extended warranty the cost of the new roller will be **\$129,000**. The following motion was made:

A motion was made by Councilman Scott Grey, seconded by Councilman Keith Zanetti authorizing Highway Superintendent Preston Kelly to order the new roller with extended warranty to be purchased off state bid contract with the funds to be taken from fund balance, put to a vote and UNANIMOUSLY CARRIED.

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

3. Highway is just about done with the grass removal under the fences at the **Route 42 Community Park**. Ketchum Fencing will be contacted about coming to put the fencing back up after the stone dust is put down.
4. Preston questioned about plowing Farmstead Drive should it snow. Ken will contact Chris when all the documents have been recorded by the title company and Chris will give Preston the okay to begin maintaining the road.

**SUPERVISOR**

1. Supervisor Mathews and the Board reviewed and discussed whether the Town wants to provide **Paid Family Leave Coverage to employees in 2018**. After discussion the Board decided to "opt out" of providing Paid Family Leave Coverage to employees in 2018. The following resolution was presented for the Board's consideration:

**TOWN OF NEVERSINK  
RESOLUTION NO. 22 OF 2017  
NY PAID FAMILY LEAVE**

**WHEREAS**, New York Paid Family Leave is an employee paid benefit that will mandate up to 12 weeks of job-protected paid leave to address family related issues; and

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**WHEREAS**, these family related issues including bonding with a newborn, adopted or foster care child during the first twelve months after birth or placement, caring for a seriously ill family member or addressing important needs related to a family member's military service; and

**WHEREAS**, in order for an employee to be eligible for this program they must work at least 20 hours a week for at least 26 consecutive weeks or work less than 20 hours a week for at least 175 days; and

**WHEREAS**, as a public employer the Town of Neversink has the option to either opt in or opt out of this program; and

**WHEREAS**, if the Town of Neversink decides to opt into the Paid Family Leave program it is required to submit an application and plan to the New York State Workers' Compensation Board, along with providing notice to its employees at least 90 days before collecting employee contributions through payroll dedications (0.126%); and

**WHEREAS**, any collective bargaining units may negotiate with the Town of Neversink to offer Paid Family Leave benefits if their membership wishes to participate in this program.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Neversink hereby elects not to participate in the New York Paid Family Leave program at this time; and be it further

**RESOLVED** that the Town Clerk is hereby directed to send a certified copy of this resolution to the Workers' Compensation Board and the Disability Insurance Carrier (Shelter Point); and be it further

**RESOLVED** that the Town Supervisor is hereby directed to notify each employee of the Town's decision to not opt into this program at this time.

**Moved by:** Councilman Scott Grey

**Seconded by:** Councilman Keith Zanetti

**And Adopted on Motion:** November 15, 2017

**ADJOURN OR RECESS**

On motion by Councilman Keith Zanetti, seconded by Councilman Scott Grey put to a vote and UNANIMOUSLY CARRIED the meeting was adjourned at 8:20 pm.

Respectfully Submitted,

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Lisa Garigliano, Town Clerk