

**PUBLIC HEARING LOCAL LAW #2 OF 2018
& TOWN BOARD MEETING**

October 18, 2018

A Public Hearing on Local Law #2 of 2018 and a Town Board meeting were held on Thursday, October 18, 2018 in the Town Hall, 284 Broadway, Ulster Park, NY with the following persons in attendance:

**Supervisor Shannon Harris
Councilperson Gloria Van Vliet
Councilperson Jared Geuss
Councilperson Kathie Quick
Councilperson Chris Farrell**

Administrative Recorder: Holly A. Netter, Town Clerk, RMC

Supervisor Harris called the Public Hearing to order at 7:03 pm.

PLEDGE

PUBLIC HEARING- Local Law #2 of 2018

Local Law #2 of 2018 is proposed to amend Section 32-60 B of the Town of Esopus Code - Eligibility of Medical Insurance Benefits, to include the position of Town Supervisor as eligible for benefits.

The Amendments to Section 32-60 B of the Esopus Code to read as follows:

Elected officials holding the positions of the Town Highway Superintendent, Town Clerk and Town Supervisor provided such individuals work a minimum of thirty five hours per week during normal business hours in such capacities excepting reasonable vacation, holiday and sick time.

Public Comment – None

Councilperson Van Vliet said years ago Supervisors were at Town Hall part time and there was not a lot going on. However, Town government has gotten very complicated and there is a lot to do. Councilperson Van Vliet recognizes Supervisor Harris has been working fulltime at the position and also recognized prior Supervisor Diane McCord for doing the same. Councilperson Van Vliet said she is in favor of any elected officials, who work thirty five hours a week, to receive benefits like the Town employees do. Councilperson Quick also commented that present and past Supervisors spent a lot of time in the field with the residents answering questions, dealing with concerns and emergencies and felt the Amendment was warranted.

A MOTION WAS MADE BY COUNCILPERSON GLORIA VAN VLIET TO CLOSE THE PUBLIC HEARING. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

TOWN BOARD MEETING

A MOTION TO OPEN THE REGULARLY SCHEDULED TOWN BOARD MEETING WAS MADE BY COUNCILPERSON JARED GEUSS AND WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Public Comment: None

HALLOWEEN CURFEW

A MOTION WAS MADE BY SUPERVISOR SHANNON HARRIS TO SET THE HALLOWEEN CURFEW ON OCTOBER 31ST FOR 7 PM. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMEBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Updates

- **Freer Park**

Lowes has a mission to give back to the community in which it operates. The Town of Esopus and the Hudson River Sailing School from the Maritime Museum were chosen for the Lowes Heroes Program. A shed will be erected at Freer Park; materials, time and labor are provided. Municipalities are not usually eligible however partnering with the sailing school made the Town eligible for a shed for joint use with the sailing school.

- **Vacancies:**

- 1 Assessment Board of Review
- 2 Environmental Board
- 1 Port Ewen Water/Sewer Board
- 2 Waterfront Advisory Board

- **Water Chestnut Harvester Volunteers**

Supervisor Harris said volunteers that operated the Water Chestnut Harvester were recognized with certificates at their annual year end party on October 17, 2018. The Town appreciates the volunteers cutting the chestnuts to clear the shoreline.

- **CPC MASTERPLAN**

Councilperson Jared Geuss gave an update on the CPC Master Plan. They are reviewing and receiving a lot of positive feedback from the stakeholders. He said Outreach Coordinator Melanie Marino was working hard following-up with phone calls and sending emails. Supervisor Harris said the Town of Esopus Library felt marginally overlooked in the stakeholder process. Supervisor Harris invited the Library to the meeting and will give 20 minutes for the Library Trustees to present to the CPC, along with the Town consultant, what their goals, objectives and challenges are. The next meeting will be October 22nd at 4 pm.

**ESOPUS TOWN BOARD RESOLUTION
TO ADOPT LOCAL LAW #2-2018 TO AMEND SECTION 32-60 B OF THE TOWN OF ESOPUS CODE
ELIGIBILITY FOR MEDICAL INSURANCE BENEFITS**

WHEREAS, The Town Board introduced Local Law #2-2018 to amend Section 32-60 B, Eligibility For Medical Insurance Benefits, of the Town of Esopus Code at the Town Board Workshop Meeting held on October 2, 2018 to include the position of Town Supervisor as an eligible elected official providing the individual works a minimum of 35 hours per week, and

WHEREAS, the Town Board set a Public Hearing for Local Law #2-2018 for October 18, 2018 at 7:00 pm at the Esopus Town Hall, 284 Broadway, Ulster Park and

WHEREAS, the Town Clerk noticed the Public Hearing in the Daily Freeman, the Town’s official newspaper, on October 4, 2018, and

WHEREAS, the Town Clerk hand delivered a final copy of the Local Law to all Board Members on October 2, 2018, and

WHEREAS, the Public Hearing was held earlier this evening on October 18, 2018 and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Esopus adopts Local Law #2-2018 amending Section 32-60 B of the Town of Esopus Code, said Local Law being annexed hereto.

**RESOLUTION OFFERED BY: COUNCILPERSON KATHIE QUICK
SECONDED BY: COUNCILPERSON CHRIS FARRELL**

Councilperson Gloria Van Vliet	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.

RETAINER HUMAN RESOURCE ATTORNEY LAURA WONG PAN

A MOTION WAS MADE BY COUNCILPERSON JARED GUESS TO AUTHORIZE THE SUPERVISOR TO SIGN A RETAINER AGREEMENT WITH HR ATTORNEY LAURA WONG PAN FOR 3 – 7 HOURS AT \$210 PER HOUR TO DRAFT AND FINALIZE THE NY STATE SEXUAL HARRASSMENT POLICY. THE MOTION WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

**RESOLUTION ADOPTING SEXUAL HARASSMENT
PREVENTION POLICY AND COMPLAINT FORM**

WHEREAS, the State of New York recently enacted New York State Labor Law §201-g requiring every employer in New York to “adopt the model sexual harassment prevention policy or establish a sexual harassment prevention policy to prevent sexual harassment that equals or exceeds the minimum standards,” and to provide such policy to all employees in writing;

WHEREAS, the Town of Esopus previously adopted a harassment policy by resolution on April 20, 2006, and revisions of the harassment policy is necessary to comply with New York State law;

WHEREAS, the harassment policy adopted on April 20, 2006 shall be superseded by the Town of Esopus Sexual Harassment Prevention Policy adopted by this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Esopus as follows:

1. The Town of Esopus Sexual Harassment Prevention Policy, included as Exhibit A to this Resolution, is hereby adopted.
2. The Harassment and Discrimination Complaint Form, included as Exhibit B to this Resolution, is hereby adopted, to be used for all complaints of harassment or discrimination, including sexual harassment.
3. The Town of Esopus Sexual Harassment Prevention Policy shall be distributed to all employees in writing.
4. This Resolution shall take effect immediately.

**RESOLUTION OFFERED BY: COUNCILPERSON JARED GEUSS
SECONDED BY: COUNCILPERSON CHRIS FARRELL**

Councilperson Gloria Van Vliet	AYE
Councilperson Jared Geuss	AYE
Councilperson Kathie Quick	AYE
Councilperson Chris Farrell	AYE
Supervisor Shannon Harris	AYE

ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.

TOWN OF ESOPUS SEXUAL HARASSMENT PREVENTION POLICY

Adopted: October 18, 2018

Introduction

Town of Esopus is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Town's commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Town of Esopus. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.¹

Policy:

- 1. This policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Town of Esopus. In the remainder of this document, the term "employees" refers to this collective group.*
- 2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).*

¹ *While this policy specifically addresses sexual harassment, harassment or discrimination against employees due to age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history, is strictly prohibited.*

3. *Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Town of Esopus will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of Town of Esopus who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees² working in the workplace who believe they have been subject to such retaliation should inform the Town Supervisor or member of the Town Board. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.*
4. *Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject Town of Esopus to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.*
5. *Town of Esopus will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Town of Esopus will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.*
6. *All employees are encouraged to report any harassment or behaviors that violate this policy. Town of Esopus will provide all employees a complaint form for employees to report harassment and file complaints.*
7. *Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Town Supervisor or member of the Town Board.*
8. *This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for*

² *A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the Town.*

example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- *Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;*
- *Such conduct is made either explicitly or implicitly a term or condition of employment; or*
- *Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.*

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- *Physical acts of a sexual nature, such as:*
 - *Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;*
 - *Rape, sexual battery, molestation or attempts to commit these assaults.*
- *Unwanted sexual advances or propositions, such as:*
 - *Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;*
 - *Subtle or obvious pressure for unwelcome sexual activities.*
- *Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.*
- *Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.*
- *Sexual or discriminatory displays or publications anywhere in the workplace, such as:*
 - *Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.*
- *Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:*
 - *Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;*
 - *Sabotaging an individual's work;*
 - *Bullying, yelling, name-calling.*

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- *made a complaint of sexual harassment, either internally or with any anti-discrimination agency;*
- *testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;*
- *opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;*
- *reported that another employee has been sexually harassed; or*
- *encouraged a fellow employee to report harassment.*

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. *Town of Esopus cannot prevent or remedy sexual harassment unless it knows about it. Any employee, intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or Town Supervisor. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or Town Supervisor.*

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

*All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Town Supervisor or a member of the Town Board.*

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

***All** complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner and will be confidential to the extent possible.*

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Town of Esopus will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- *Upon receipt of complaint, the Town Supervisor or other individual designated by the Town Board, will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.*
- *If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.*
- *Request and review all relevant documents, including all electronic communications.*
- *Interview all parties involved, including any relevant witnesses;*
- *Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:*
 - *A list of all documents reviewed, along with a detailed summary of relevant documents;*
 - *A list of names of those interviewed, along with a detailed summary of their statements;*
 - *A timeline of events;*
 - *A summary of prior relevant incidents, reported or unreported; and*
 - *The basis for the decision and final resolution of the complaint, together with any corrective action(s).*
- *Keep the written documentation and associated documents in a secure and confidential location.*
- *Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.*
- *Any disciplinary actions must comply with Civil Service law, including but not limited to Section 75.*
- *Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.*

Legal Protections And External Remedies

Sexual harassment is not only prohibited by Town of Esopus but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at Town of Esopus, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

*Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.*

Complaining internally to Town of Esopus does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. The County of Ulster has a Human Rights Commission, and reports may be made to that agency at 244 Fair Street, Kingston, New York 12401 or calling 845-340-3147.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

DUTCHESS TEKON

There are several questions that need to be answered regarding the contract. Dutchess Tekon will be invited to the next workshop meeting so the Board can get clarification on the use of the computer system and make sure the contract is comparable to the TBS service we now are receiving.

2019 BUDGET PUBLIC HEARING

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO SET A PUBLIC HEARING FOR THE ESOPUS 2019 BUDGET ON NOVEMBER 13, 2018 AT 6:45 PM. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

TRANSFER STATION

A MOTION WAS MADE BY COUNCILPERSON GLORIA VAN VLIET TO REMOVE THE \$250 CONTRACTOR'S FEE FROM THE TRANSFER STATION FEE SCHEDULE. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

**The Town Transfer Station has never used this fee and is not allowed to take commercial construction and demolition (C&D) waste, therefore it was eliminated.

Lenny Liberta had the first comingled recyclable box pulled by the RRA since the new regulations went into effect. The RRA said Esopus did a great job and the box was not contaminated, with the exception of a SHARPS box. Sharps are a hazardous waste and we do not accept them. Signage is posted throughout the Transfer Station yet residents are not complying. Many patrons have not been following the new guidelines set by the RRA. Lenny and his staff have had to sort through and remove the nonconforming items. The Board discussed implementing a contamination fee and installation of camera equipment to catch those not following the rules. Lenny has talked to County Legislator Laura Petit regarding funding or grants for roofs over the recyclable containers.

A MOTION WAS MADE BY COUNCILPERSON GLORIA VAN VLIET TO IMPOSE A \$30 CONTAMINATION FEE EFFECTIVE NOVEMBER 1ST FOR ANYONE WHO DOES NOT COMPLY WITH THE RECYCLING REGULATIONS AND POSSIBLE REVOCATION OF THEIR PERMIT, IF THE PERMIT HOLDER CONTINUES NOT TO COMPLY. FEES WILL BE IMPOSED AT THE DISCRETION OF THE OPERATING MANAGEMENT. THE MOTION WAS SECONDED BY SUPERVISOR HARRIS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

EXECUTIVE SESSION

A MOTION WAS MADE BY SUPERVISOR HARRIS TO ENTER INTO EXECUTIVE SESSION AT 7:58 PM FOR THE PURPOSE OF INTERVIEWING LISA MANCE FOR THE POSITION OF PLANNING AND ZONING BOARD SECRETARY. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. THE BOARD INVITED PLANNING BOARD MEMBER MARC ANDERSON INTO THE SESSION. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE TO COME OUT OF EXECUTIVE SESSION AT 8:35 PM BY COUNCILPERSON CHRIS FARRELL. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

MOTION WAS MADE BY SUPERVISOR HARRIS TO HIRE LISA MANCE AS THE PLANNING AND ZONING BOARD ADMINISTRATIVE ASSISTANT EFFECTIVE IMMEDIATELY AT THE RATE OF \$17.00 PER HOUR. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL.

**** Lisa will meet with Planning Board Chair Roxanne Pecora to review the office hours and set a schedule.**

A MOTION WAS MADE BY COUNCILPERSON CHRIS FARRELL TO ENTER INTO EXECUTIVE SESSION AT 8:38 PM FOR THE PURPOSE OF DISCUSSING THE EMPLOYMENT HISTORY OF 2 PARTICULAR INDIVIDUALS AND THE POTENTIAL EMPLOYMENT OF A SPECIFIC CANDIDATE FOR THE VACANCY AT THE HIGHWAY DEPARTMENT. THE MOTION WAS SECONDED BY SUPERVISOR HARRIS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

A MOTION TO COME OUT OF EXECUTIVE SESSION WAS MADE BY COUNCILPERSON CHRIS FARRELL AT 9:28 PM AND WAS SECONDED BY COUNCILPERSON GLORIA VAN VLIET. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

ACTION:

No decision was made on the first matter.

A MOTION WAS MADE TO APPOINT CHRISTOPHER MARX FULL TIME TO THE HIGHWAY DEPARTMENT AT A RATE OF \$22.80 AND TITLE OF MEO, PER THE UNION CONTRACT. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GUESS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

NO BUDGET ADJUSTMENTS

RESOLUTION AUTHORIZING PAYMENT OF BILLS October 2018

BE IT RESOLVED, by the Town Board of the Town of Esopus, County of Ulster as follows:

WHEREAS, the Town of Esopus has been presented with vouchers for payment and these vouchers have been examined and approved by the Town Board,

THEREFORE, BE IT RESOLVED, that the following vouchers be approved for payment:

GENERAL FUND	181490 - 181549	\$ 74,360.90
HIGHWAY FUND	182250 - 182277	\$ 36,130.83
STREET LIGHTS	186009	\$ 10,616.78
PORT EWEN SEWER FUND	183110 - 183128	\$ 13,398.41
PORT EWEN WATER FUND	184230 – 184251	\$ 24,112.08
CAPITAL	000012	0
TOTAL		\$ 158,619.00

A MOTION WAS MADE TO APPROVE THE PAYMENT OF VOUCHERS.

OFFERED BY: Supervisor Shannon Harris
SECONDED BY: Councilperson Kathie Quick

Councilperson Gloria Van Vliet AYE
Councilperson Jared Geuss AYE
Councilperson Kathie Quick AYE
Councilperson Chris Farrell AYE
Supervisor Shannon Harris AYE

ALL TOWN BOARD MEMBERS PRESENT VOTED IN FAVOR. MOTION CARRIED.

ADJOURNMENT

A MOTION WAS MADE BY COUNCILPERSON GLORIA VAN VLIET AT 9:30 PM TO ADJOURN THE MEETING. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

Respectfully submitted,

Holly A. Netter
 Town Clerk, RMC