

BEEKMAN TOWN BOARD – REGULAR MEETING – April 3, 2013

The **Workshop Session** of the Regular Meeting of the Beekman Town Board was called to order at 7:13 PM with Supervisor Matthew D. Kennedy presiding. The Meeting was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR MATTHEW D. KENNEDY
COUNCILMAN PETER BARTON
COUNCILMAN RON MANGERI
COUNCILWOMAN BARBARA ZULAUF
COUNCILMAN MICHAEL MORAN

ALSO PRESENT: DAVID SEARS – ATTORNEY TO TOWN

Supervisor Matthew D. Kennedy began the Meeting with the Pledge of Allegiance and a Moment of Silence in Honor of our Troops who have served and those currently serving. He made one administrative announcement regarding the location of the fire exits.

Workshop on Batting Cages at Town Center Park

Matt Novak from the Beekman Athletic Club gave a presentation on proposed batting cages at Town Center Park. The BAC is proposing a total of four batting cages, a triple cage at TCP Field #2/3 and a single cage at TCP Field #1. The approximate cost of this project is \$20,282.00. They have met with Highway Superintendent, Tony Coviello to discuss the ideal location at the Fields so as to not interfere with any drainage areas. They hope to have their approval as soon as possible so they may construct and utilize the batting cages this season. The BAC will fund this project in its entirety, they have been fundraising and are already more than half way there! Phil Toombs, President of the BAC was present and spoke as well. There were some questions asked and were answered by Matt and Phil. Supervisor Kennedy concluded by stating that he will propose a motion in the other business section of this meeting to approve the construction of these batting cages. The Workshop ended at 7:34pm.

The Regular Portion of tonight's meeting began at 7:34 pm

REPORTS:

SUPERVISOR:

Supervisor Kennedy began his report this evening by discussing the water main break in Dalton Farms that occurred Monday night into Tuesday. The Dutchess County Water & Wastewater Authority manages this water district and notified many residents. The Supervisor apologized for any inconveniences this may have caused. He stated that as of this morning all residents affected were restored. Supervisor Kennedy had conversations with Bridget Barclay, Director of DCWWA, pertaining to improving the notification process to all residents.

The Supervisor attended the Recreation Commission meeting where they discussed the TCP concession area. They are in the process of working on a list of specs to outfit the kitchen there. He was happy to report that we are past the review stage and now in the authorization stage of the DASNY funds monies granted to the Town. Supervisor Kennedy attended the tail end of the Citizen's Budget Oversight Committee. Tomorrow he will meet with representatives from O'Connor Davies Accounting Firm, who performed the recent Town audit. The report is expected to be finalized by the end of next week. The Supervisor offered them to speak at one of the next Town Board meetings during a Workshop session.

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Supervisor Kennedy announced that he is pulling resolution #2 from tonight's agenda, he hasn't received all the information necessary as of yet. The resolution pertains to Dover Ridge Water & Sewer District and having an audit conducted. Dutchess County Water & Wastewater Authority is interested in managing this district, however they want to know the breakdown of monies owed previously and going forward prior to taking over.

There is a resolution on the Agenda tonight to approve the Fishing Derby and set a date. Supervisor Kennedy advised that there will be no issues with respect to obtaining the permit for the fish so it looks like it will move forward.

TOWN BOARD:

Councilwoman Zulauf reported that she attended the Fire Commissioners Meeting where they conducted routine business.

Supervisor Kennedy asked Councilwoman Zulauf to put in a good word and ask the Fire Department if they would provide and cook the hot dogs and hamburgers for the Fishing Derby.

Councilman Barton reported that the Highway Department is now on a four day work week. Highway Superintendent, Tony Coviello, will give a further report later this evening.

Councilman Mangeri asked if they could discuss resolution #2 that was pulled from the agenda this evening or if they should wait until the resolution is brought up again in the future. It was decided the discussion could take place when the resolution is put back on the agenda at a future date. Councilman Mangeri commented on the Dalton Farm water main break that occurred this week. He was concerned with the notification process and contacted the Health Department in reference to having the Dutchess County Water & Wastewater Authority make improvements in notifying all customers on this system in a more timely basis. Councilman Mangeri met with Paul Curran pertaining to his concerns with the Solar Farm Project. He is requesting a workshop session at the next Town Board meeting before going forward with the contracts to discuss these concerns with the Town Board. Some other Town Board members had concerns as well and a discussion commenced. Supervisor Kennedy ended the discussion by stating that we will have a workshop session at the next meeting to discuss further.

Councilman Moran asked for an update on Doherty Park. He reported that the Recreation Commission has changed the day of their meetings. They will meet on the 2nd Wednesday of each month beginning in April. He thanked Tony Coviello and the Highway Department for sweeping the streets.

Supervisor Kennedy thanked Tony Coviello and the Highway Department for their work at the library and asked Tony to give an update on that and also Doherty Park.

HIGHWAY SUPERINTENDENT REPORT:

Tony Coviello reported that they plan to cut into the slope at Doherty Park very soon to address the drainage issue there. The Highway Department has been working on Clap Hill recently preparing to pave the remaining two miles. They are also preparing Church Street for paving as well. They did some plowing during the storm a few weeks ago, the men worked long hours and did a great job. They chipped brush at TCP and Doherty Park, began sweeping the roads and repaired several pot holes recently. The Highway Department has been working on the library sidewalk. They are removing the old damaged sidewalk and replacing with new. Tony stated that the Mechanic has been getting the equipment ready for the Spring. He reported that diesel consumption from December through March was 5,400 gallons. The Town has enough road salt leftover from this past Winter to get us through the first month of next year. In closing, he notified the public that the Highway Department is currently on a four day work week.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

There was no public comment this evening.

RESOLUTIONS:

**RESOLUTION NO. 04:03:13 – 1 (50)
To Approve Town Board Minutes**

COUNCILWOMAN ZULAUF offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the March 20, 2013, Town Board Meeting to all members of the Beekman Town Board; and

WHEREAS, Town Board members have had the opportunity to review said minutes, and find same to be in order; now therefore be it

RESOLVED, the Town Board hereby adopts the minutes of the March 20, 2013, Town Board Meeting.

Seconded by SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	ABSTAIN
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	AYE
Supervisor Matt Kennedy	AYE

Dated: April 3, 2013

**RESOLUTION NO. 04:03:13 – 3 (52)
To Authorize Fishing Derby for 2013, and Purchase of Fish**

COUNCILMAN BARTON offers the following and moves for its adoption:

WHEREAS, the Fishing Derby is an annual tradition here in Beekman, and has for years been sponsored and organized by the Poughquag Sportsmen's Club;

WHEREAS, though the Poughquag Sportsmen's Club is no longer able to sponsor or organize the annual Fishing Derby, the Town is desirous of ensuring that this tradition continue; now therefore be it

RESOLVED, that the Town Board does hereby authorize the use of the Recreation Swim Area on Sunday, May 5, 2013, in connection with this event; and be it further

RESOLVED, that the Town will accept monetary donations from individuals, which monies, once received by the Town, shall be earmarked for the purchase of fish, and for expenses related to the fishing derby event; and it is further

RESOLVED, that the Supervisor's Office shall procure the necessary permit from DEC for this event, and is authorized to spend up to \$1500 for the purchase of fish for this event.

Seconded by SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	AYE
Supervisor Matt Kennedy	AYE

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**RESOLUTION NO. 04:03:13 – 4 (53)
To Approve Payment of Claims**

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SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, the Comptroller has audited and approved claims pursuant to Sect. 119 of Town Law as set forth in the attached abstracts; be it

RESOLVED, that the payment, therefore, is hereby authorized as follows:

Claims to be paid from the A-General Fund:	\$163,479.29
Claims to be paid from DA-Highway Fund:	\$ 13,556.25
Claims to be paid from CM-Special Recreation Fund:	\$ 750.44
Claims to be paid from the SS-Dover Ridge Sewer:	\$ 2,870.55
Claims to be paid from the SW- Dover Ridge Water:	\$ 1,131.79
Claims to be paid from the T- Trust & Agency Fund:	<u>\$ 2,638.27</u>
	\$184,426.59

Payroll 7		Paid	\$56,762.91
General Fund:	\$ 33,999.87		
Highway Fund:	\$ 22,763.04		

Seconded By COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	ABSTAIN
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	AYE
Supervisor Matt Kennedy	AYE

Dated: April 3, 2013

OTHER BUSINESS:

Supervisor Kennedy made a motion to pursue the Outdoor Preschool Program with the 12 enrollees and give authorization to continue to proceed with previously agreed upon plans, seconded by Councilman Moran. Supervisor Kennedy amended this motion to state that after the first class if there are no new enrollees, one staff member will be cut from the program, seconded by Councilman Moran. Roll call vote as amended: Councilman Barton – Aye, Councilman Moran – Aye, Councilman Mangeri – Aye, Councilwoman Zualuf – Aye, Supervisor Kennedy – Aye.

Supervisor Kennedy made a motion to approve the BAC to move forward with placement and construction of batting cages at TCP, working with the Highway Department, receiving proper insurance certificates prior to work commencing, referring to the Recreation Commission for recommendations on guidelines, rules and priority of use. Seconded by Councilwoman Zulauf. Roll call vote: Councilman Barton – Aye, Councilman Moran – Aye, Councilman Mangeri – Aye, Councilwoman Zualuf – Aye, Supervisor Kennedy – Aye.

Attorney, David Sears requests a motion to move to executive session. The Board will do so after General Public Comment.

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Councilman Mangeri proposed to create a committee to include the Comptroller and two Town Board members to investigate health insurance policies. Councilman Mangeri requested to be on said committee. Councilman Moran requested to be on said committee. They will have a meeting with the Town's insurance agent and will keep Attorney, David Sears up to date.

RESOLUTION NO. 04:03:13 – Other Business

RE: Adoption of Rules for Beekman Dog Park

COUNCILMAN MANGERI offers the following and moves for its adoption:

WHEREAS, the Town Board has discussed the rules for the Beekman Dog Park at previous Town Board meetings;

WHEREAS, the Town Attorney has reviewed said rules and his recommendations have been added to the rules; therefore be it

RESOLVED, that the Town Board hereby adopts the attached rules as the official rules for the Beekman Dog Park and further be it,

RESOLVED, that said rules shall be posted at the Dog Park, and further be it

RESOLVED, that also copies of the rules shall be available at the Town Clerk's office, the Recreation office and posted on the Town's website.

Seconded by COUNCILMAN BARTON

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	AYE
Supervisor Matt Kennedy	AYE

Dated: April 3, 2013

RESOLUTION NO. 04:03:13 – Other Business

RE: Opening and Use of the Beekman Dog Park

COUNCILMAN MANGERI offers the following and moves for its adoption:

WHEREAS, the Town Board has discussed the opening of The Beekman Dog Park at previous Town Board meetings; and

WHEREAS, there remains unresolved security issues at Doherty Park, and

WHEREAS, the Beekman Dog Park is now ready to use on a limited basis; and

WHEREAS, Beekman Residents should have access to use the Beekman Dog Park; and

WHEREAS, the Town Board desires to limit use of the Beekman Dog Park to those town residents who have licensed their dogs with the Town Clerks office; therefore be it

RESOLVED; the Town Board hereby establishes the official opening date of the Beekman Dog Park to be April 27, 2013, and further be it

RESOLVED, that the Beekman Dog Park official operating hours shall be the same operating hours as Doherty park, and be it further

RESOLVED, that use of the Town of Beekman Dog Park is hereby limited to Town of Beekman residents who have licensed their dogs with the Town Clerks office.

Seconded by COUNCILMAN BARTON

*****Supervisor Kennedy amended this resolution to delete the Second WHEREAS paragraph. Seconded by Councilman Barton.*****

ROLL CALL VOTE AS AMENDED:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	AYE
Supervisor Matt Kennedy	AYE

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GENERAL PUBLIC COMMENT:

Len Jerrum, Beyer Drive commended the Highway Department on sweeping Beyer Drive, specifically the cul-de-sac. He expressed his concern with the public not having an opportunity to comment on workshop sessions. He is not happy with resolutions that are brought up in the other business portion of the meeting rather than on the agenda. He thanked Supervisor Kennedy for answering his question about the Budget and Audit.

GENERAL BOARD COMMENT:

Councilwoman Zulauf made several announcements: Saturday, April 13th at 8am is Town Board road cleanup. April 23rd is a blood drive at the Fire house from 2pm – 8pm. Saturday, April 27th is Open House at the Firehouse from 10am – 2pm.

At 9:10pm Supervisor Kennedy made a motion to move to executive session to discuss proposed, pending and current litigation; and also to discuss matters leading to appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person. Seconded by Councilman Barton. All in favor.

At 11:20pm the Town Board returns from executive session and reads the following resolutions.

RESOLUTION NO. 04:03:13-EXECUTIVE SESSION (A)

SUPERVISOR KENNEDY offers the following and moves for its adoption:

Motion to appoint Thomas Mahar, Esq. of Poughkeepsie, NY, as Hearing Officer to determine disciplinary consequence, if any, of a certain Highway Department employee in accordance with the requirements of the CBA with IBT 456 and §75 of the NY Civil Service Law. In the event Mr. Mahar is not available, then Richard Wolf, Esq. of Poughkeepsie, NY should be appointed in his place and stead.

Seconded COUNCILMAN BARTON

ROLL CALL VOTE:

Councilman Barton	AYE
Councilman Moran	AYE
Councilman Mangeri	AYE
Councilwoman Zulauf	AYE
Supervisor Kennedy	AYE

Dated: April 3, 2013

RESOLUTION NO. 04:03:13-EXECUTIVE SESSION (B)

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SUPERVISOR KENNEDY offers the following and moves for its adoption:

In the matter of Laberge v. Town of Beekman, be it resolved that the Town is authorized to evaluate and pursue appellate process through appropriate appellate counsel.

Seconded COUNCILMAN BARTON

ROLL CALL VOTE:

Councilman Barton	AYE
Councilman Moran	AYE
Councilman Mangeri	AYE
Councilwoman Zulauf	NO
Supervisor Kennedy	AYE

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ADJOURN:

At 11:22PM with no further business to conduct Councilwoman Zulauf made the motion to adjourn the meeting seconded by Supervisor Kennedy. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT

TOWN CLERK