

BEEKMAN TOWN BOARD – SPECIAL MEETING – May 20, 2013

The Special Meeting of the Beekman Town Board was called to order at 6:36PM 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 – ARRIVED AT 6:45PM

COUNCILMAN RON MANGERI – ARRIVED AT 6:49PM

COUNCILWOMAN BARBARA ZULAUF

COUNCILMAN MICHAEL MORAN

ALSO PRESENT: ATTORNEY DAVID SEARS

Supervisor Matthew D. Kennedy began the Meeting with the Pledge of Allegiance and the administrative announcement regarding the location of fire exits.

Supervisor Kennedy began the meeting stating that Scottsdale Insurance quoted a \$1 million dollar umbrella policy instead of a \$5 million dollar umbrella policy. The resolution that was passed last Wednesday reflected the premium with a \$1 million dollar umbrella policy. Scottsdale Insurance gave an updated quote reflecting the \$5 million dollar umbrella which is still less than Travelers quoted premium.

Supervisor Kennedy moved to enter into a contract with Scottsdale Insurance at the premium of approximately \$100,000. He also requested authority to direct Marshall & Sterling to seek additional quotes from markets not yet approached. Seconded by Councilman Moran. Roll call vote: Councilwoman Zulauf – Aye, Councilman Moran – Aye, Supervisor Kennedy – Aye.

At 6:40PM Supervisor Kennedy moves to executive session to discuss pending litigation seconded by Councilwoman Zulauf, all in favor.

At 7:25PM the Beekman Town Board returns from executive session. Town Attorney, David Sears reads the following:

With respect to the Town Center Park Pavilion and the matter in litigation where the sub-contractor James McGowan Masonry sued the Palombo Group and included the Town of Beekman, be it resolved that the balance of \$99,000 owed to the Palombo Group; the Town will authorize the payment to Atlantic Testing Laboratories in the amount of \$1,583.50, payment to James McGowan Masonry in the amount of \$42,250 subject to James McGowan Masonry performing minor repair work. The Town of Beekman will accept a credit offered by the Palombo Group in the amount of \$4,780 for the cost of completion and repairs. The Town of Beekman will also accept a credit for delay damage in the amount of \$9,000 for the Palombo Group not fulfilling the contract terms. There will be a release of the sub-contractors from the Town and a discontinuance of the action in the Supreme Court instituted by James McGowan Masonry. The Town will reserve any and all guaranties under general conditions of the contract. The Town will be indemnified by the Palombo Group for any other sub-contractors on this job and the Town will withdraw claims against Palombo's Bond Company. The settlement will be drafted by the Town Attorney's office.

Supervisor Kennedy moved for its adoption seconded by Councilman Mangeri. All in favor.

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ADJOURN:

At 7:28PM with no further business to conduct Councilwoman Zulauf makes the motion to adjourn the meeting seconded by Councilman Barton. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT

TOWN CLERK