

**BEEKMAN TOWN BOARD – REGULAR MEETING – October 17, 2012**

The Regular Meeting of the Beekman Town Board was called to order at 6:39PM 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 6:50 PM  
COUNCILMAN RON MANGERI – arrived at 7:09 PM  
COUNCILWOMAN BARBARA ZULAUF  
COUNCILMAN MICHAEL MORAN

ALSO PRESENT: DAVID SEARS – ATTORNEY TO TOWN  
RON EVANGELISTA – TOWN ENGINEER

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.

REPORTS:

SUPERVISOR:

Supervisor Kennedy reported that he attended last week's Budget Workshop sessions. There were very productive discussions with only a few amendments to the Tentative Budget. Later this evening the Preliminary Budget will be presented. Town of Beekman will hold a special Ceremony for the 75<sup>th</sup> Anniversary of the Fire Department this evening at 8:00 PM.

TOWN BOARD:

Councilwoman Zulauf reported that she attended last week's Budget Workshop sessions.  
Councilman Moran had nothing new to report since the last meeting of the Town Board.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

There was no public comment this evening.

Supervisor Kennedy pulled Resolution #6 from tonight's Agenda to re-visit at the next Town Board Meeting and he set aside Resolution #4 until after the Public Hearing was conducted.

RESOLUTIONS:

**RESOLUTION NO. 10:17:12 – 1 (154)**  
**RE: Approval of 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 October 3, 2012 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 October 3, 2012 Town Board Meetings.

Seconded        SUPERVISOR KENNEDY

ROLL CALL VOTE:

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

Dated: October 17, 2012

**RESOLUTION NO. 10:17:12 – 2 (155)**

RE: To Amend the 2013 Budget

SUPERVISOR KENNEDY        offers the following and moves for its adoption:

**Whereas**, the 2013 Tentative Budget was submitted to the Town Clerk by the Town Supervisor and Town Budget Officer on September 27, 2013, and

**Whereas**, the Town Clerk presented the 2013 Tentative Budget to the Town Board on October 3, 2013, and

**Whereas**, the Town Board conducted budget workshops on October 9, 10 and 11 of 2012, and

**Whereas**, after conducting the budget workshops the Town Board desires to amend the 2013 Tentative Budget, therefore be it

**Resolved** that the following amendments are to be made to the 2013 Tentative and said amendments are to be reflected in the 2013 Preliminary Budget.

Appropriation Line A1440.4 Town Engineer C.E. to be increased by \$5000.00

Appropriation Line A8020.4 Planning C.E. to be increased by \$5000.00

Appropriation Line A1410.4 Town Clerk C.E. to be decreased by \$1500.00

Appropriation Line A1990.4 Contingency to be decreased by \$8500.00

Seconded        COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

Councilman Peter Barton	ABSENT
Councilman Mike Moran	AYE
Councilman Ron Mangeri	ABSENT

Councilwoman Barbara Zulauf        AYE  
Supervisor Matt Kennedy            AYE

Dated: October 17, 2012

**RESOLUTION NO. 10:17:12 – 3 (156)**

RE: To Set a Public Hearing for Approval of 2013 Budget

COUNCILMAN MORAN        offers the following and moves for its adoption:

WHEREAS, the Town Board received a copy of the proposed 2013 Tentative Budget; and

WHEREAS, Budget Workshop Meetings were scheduled for October 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup>, 2012, at which meetings Town Board members, Town department heads, and the Town’s Citizen’s Budget Oversight Committee all had the opportunity to review and discuss all details of the proposed 2013 Budget; now therefore be it

RESOLVED, that a Public hearing should be held so the Town Board can receive public comment on the 2013 Preliminary Budget, as amended; and it is further

RESOLVED, that said public hearing will be scheduled for the 7<sup>th</sup> day of November 2012 at 7:00pm at Beekman Town Hall located at 4 Main Street, Poughquag, NY, and that notice of the time and place of the aforementioned public hearing be posted and published in the Poughkeepsie Journal.

Seconded        COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

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

Dated: October 17, 2012

**RESOLUTION NO. 10:17:12 – 4 (157)**

RE: To Set a Public Hearing to Amend Law pertaining to Dogs and Other Animals

COUNCILWOMAN ZULAUF        offers the following and moves for its adoption:

WHEREAS, Town law presently provides that a dog cannot be at large within the Town of Beekman, unless restrained by a chain or leash;

WHEREAS, the Town will soon be opening its dog park, within the confines of which dogs will naturally be permitted to roam freely;

WHEREAS, the Town Board wishes to amend Town Law, to make clear that the requirement to restrain one’s dog shall not apply within the confines of the dog park;

WHEREAS, the Town Board has received a copy of the proposed Local Law Amending the Dogs and Other Animals Law, and must now schedule a public hearing on the matter; now therefore be it

RESOLVED, that a Public hearing be held so the Town Board can receive public comment on the proposed amendment to Local Law; and be it further

RESOLVED, that said public hearing shall be held on the 7<sup>th</sup> day of November 2012 at 7:15pm at Beekman Town Hall located at 4 Main Street, Poughquag, NY, and that notice of the time and place of the aforementioned public hearing be posted and published in the Poughkeepsie Journal.

Seconded SUPERVISOR KENNEDY

ROLL CALL VOTE:

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

Dated: October 17, 2012

**LOCAL LAW NO. \_\_ OF 2012 AMENDING THE DOGS AND OTHER ANIMALS LAW**

BE IT ENACTED by the Town Board for the Town of Beekman, amending the Town of Ethics Code as follows:

**§ 59-2. Unlawful conduct; leash required.**

**A.** It shall be unlawful for any owner of or any person harboring any dog in the

Town of Beekman to permit or allow such muzzled or unmuzzled dog to:

**(1)** Engage in habitual loud howling or barking or to conduct itself in such a

manner so as to habitually annoy any person other than the owner or owners harboring such dog.

**(2)** Cause damage or destruction to property or to commit a nuisance upon the premises of a person other than the owner or persons harboring such dog.

**(3)** Chase or otherwise harass any person, except on property of its owner, in such manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury.

**(4)** Habitually chase or bark at motor vehicles, motorcycles, bicycles, horses and

other conveyances.

**(5)** Kill, injure or harass domestic animals.

**(6)** Be without a license, as provided in § 109 of the Agriculture and Markets

Law of the State of New York.

**(7)** Chase, run after, injure or kill deer.

**B.** No person owning or having custody of a dog, whether or not tagged or licensed, shall permit such dog to be at large in the Town of Beekman elsewhere than on the premises of the owner or person having such custody and control, unless restrained by a chain or leash not exceeding eight feet in length. **[The requirement of restraining a dog on a leash shall not apply at times the dog is within the confines of the Town of Beekman Dog Park.]**

**RESOLUTION NO. 10:17:12 –5 (158)**

RE: Approval of Payment of Claims

COUNCILMAN BARTON 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:		\$ 85,151.10
Claims to be paid from the DA-Highway Fund:		\$ 12,749.94
Claims to be paid from the SW-Dover Ridge Water Fund:		\$ 2,260.62
Claims to be paid from the SS-Dover Ridge Sewer		\$ 3,674.18
Claims to be paid from the T-Trust & Agency Fund		\$ 8,758.90
Claims to be paid from the CM-Special Recreation Fund		<u>\$ 2,549.48</u>
		\$115,442.22
Payroll 21	PAID	52,670.82
General Fund:	\$ 33,568.40	
Highway Fund:	\$ 19,102.42	

Seconded SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton AYE

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

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OTHER BUSINESS:

Councilman Barton reported that the Highway Department has completed the paving on Clapp Hill from Baker Road to the Union Vale Town line. He thanked the Highway Crew for their hard work and advised the public that the Highway Superintendent will present the 284 Agreement early next month.

Supervisor Kennedy announced that he would like to move forward with the Town bulletin board idea. Councilwoman Zulauf stated that she spoke with the Chairwoman of the All Hazard Mitigation Committee regarding obtaining a grant for that project. The Chairwoman will investigate further and report back to Councilwoman Zulauf.

Councilwoman Zuluaf made an announcement regarding road cleanup that it will be Saturday, October 27<sup>th</sup> at 8:00 AM.

Supervisor Kennedy moves to recess the Regular Meeting at 7:00 PM, Councilman Barton seconds. Roll call vote: Councilman Barton – Aye, Councilman Moran – Aye, Councilwoman Zulauf – Aye, Supervisor Kennedy – Aye

Supervisor Kennedy opens the Public Hearing at 7:01 PM

**BEEKMAN TOWN BOARD – PUBLIC HEARING – October 17, 2012**

The Public Hearing for the Submission of a Community Development Block Grant [CDBG] Application for 2013 funding was called to order at 7:01PM with Supervisor Matthew D. Kennedy presiding. The Public Hearing was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR MATTHEW D. KENNEDY  
COUNCILMAN PETER BARTON - ARRIVED AT 6:50PM  
COUNCILMAN RON MANGERI - ARRIVED AT 7:09PM  
COUNCILMAN MICHAEL MORAN  
COUNCILWOMAN BARBARA ZULAUF

ALSO PRESENT: DAVID SEARS – ATTORNEY TO TOWN  
RON EVANGELISTA – TOWN ENGINEER

**PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Supervisor Kennedy began the Public Hearing by stating that we are here this evening to allow public comment regarding the submission of this Community Development Block Grant application. At this time, he asked if anyone would like to be heard on this topic.

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Hearing no public comment Supervisor Kennedy asked if Ron Evangelista, Town Engineer would like to describe the project.

Ron Evangelista, Town Engineer, stated the maximum eligible amount for this type of grant is \$100,000. The Town has put together a package that totals that amount and focuses on improvements to Recreation Park. The project that is proposed is mainly to improve handicap accessibility. He highlighted the following improvements: pavilion bathroom ADA upgrades, pavilion posts replacements & grading improvements, pavilion gutters & leaders connections to storm system, pavilion access path ADA improvements/replacements, gazebo accessibility improvements, handicap parking space improvements/replacements, drainage improvements around pavilion & gazebo, provide & install handicap accessible playground equipment.

He stated that there are no guarantees we receive this grant due to the fact that there will be more applicants than money available; however, he feels this project will be looked upon favorably by the Dutchess County Planning Department. The application is due this Friday and he is prepared to submit by then.

Supervisor Kennedy asks if in-kind services are refundable if for example we use our own Maintenance or Highway Department. Ron Evangelista stated that is called a force account. If we get awarded this grant we can propose this to the County.

Councilman Moran questioned if the County is able to approve portions of this application if they choose not to approve the application in its entirety. Ron Evangelista stated that the County can modify our request.

At 7:08PM, with no further questions, Supervisor Kennedy moved to close this Public Hearing seconded by Councilman Barton. Roll call vote: Councilman Barton – Aye, Councilman Moran – Aye, Councilwoman Zulauf – Aye, Supervisor Kennedy – Aye.

Supervisor Kennedy opens the Regular Meeting at 7:08 PM

**RESOLUTION NO. 10:17:12 – 6 (159)**  
**RE: To Authorize Submittal of CDBG Application**

**SUPERVISOR KENNEDY** offers the following and moves for its adoption

**WHEREAS**, Morris Associates, the Town Engineering Consultant, in consultation with the Supervisor, has completed the Community Development Block Grant application; and

**WHEREAS**, the grant application calls for grant monies to be disbursed to the Town of Beekman for Improvements of handicap accessibility at the Town Recreation Park and

**WHEREAS**, the Town Board has received a copy of the grant application, a summary of which is attached, and has reviewed its contents and finds it to be consistent with both of the stated goals of the CDBG program, namely, the provision of handicapped accessible facilities and parks and recreation improvements;

**WHEREAS**, the Town Board has received public comment on the application, at a public hearing held this day, and now therefore be it

**RESOLVED**, that the Town Engineer is hereby authorized to submit the CDBG grant application forthwith on behalf of the Town of Beekman.

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

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

Dated: October 17, 2012

**Town of Beekman  
Beekman Recreation Center**

**Proposed 2013 CDBG Improvements to Handicap Accessibility**

The following Recreation Facility Enhancements are Proposed as Improvements at the above Town Recreational Facility:

Pavilion Bathrooms internal Fixture upgrades to meet all ADA Handicap Access requirements, this could include, toilets, sinks, mirrors, dispensers

Pavilion replace 22 wood structure posts/columns as some are rotted at the bottom, and grade lawn away from structure

Pavilion, provide and install gutters and leaders for entire structure with leaders tie-in to storm basin

Replace the entire access path (asphalt) leading from the HC parking spaces (new blacktop) to the Pavilion bathrooms

Improve Accessibility to the Gazebo by regrading and adding a paved ramp to one side entry

Remove pavement at Handicap Parking spaces, install a new base, regrade for improved drainage, repave and restripe & resign the Handicap accessible spaces

This H.C. parking space improvement includes 7 parking spaces around this site

Install Drainage improvements in the area of the Pavilion, the Gazebo, the parking area, to improve the drainage in the area of the accessible path, and tie-into positive drainage system.

Provide and install Handicap accessible playground equipment.

THE MAXIMUM ALLOWABLE COMMUNITY DEVELOPMENT BLOCK GRANT FOR THIS TYPE OF FACILITY IS \$100,000 DOLLARS.

IF SUCCESSFUL AND THE AWARD IS GRANTED, THEN THE WORK SHALL BE ACCOMPLISHED IN 2013.

GENERAL PUBLIC COMMENT:

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Len Jerrum, Beyer Drive, questioned the Town Board if the meetings are posted in the Poughkeepsie Journal. David Sears, Town Attorney answered that we do notify the Poughkeepsie Journal of the day, time and place of the meetings; however they are not required to post. Len Jerrum also asked if the Town would consider passing a law to limit the amount of campaign signs that are posted around Town. He stated if the Town held a debate during a Town Board Meeting with the candidates the residents would have a chance to get to know them. Several Town Board members gave their opinion against holding candidate debates at Town Board Meetings. These Meetings are held to discuss Town business, not the place for a debate. Len Jerrum reminds the public to vote on November 6, 2012. Questioned if anyone attended the Fall Festival on October 13, 2012?

Supervisor Kennedy stated that he attended the Fall Festival; he said it was a great turnout this year. There were many activities for children and the best apple cider he ever tasted. He also attended a lunch at the Community Center hosted by Senator Greg Ball regarding a Senior Nutritional Program between Pawling and Beekman.

**GENERAL BOARD COMMENT:**

Councilwoman Zulauf requested, if possible, for the Agenda to be released the Monday prior to a Town Board Meeting. Supervisor Kennedy states that he will try to do so in the future.

**ADJOURN:**

At 7:23pm with no further business to conduct Councilwoman Zulauf makes the motion to adjourn the meeting seconded by Supervisor Kennedy, Roll call vote: Councilman Barton – Aye, Councilman Moran – Aye, Councilman Mangeri – Aye, Councilwoman Zulauf – Aye, Supervisor Kennedy – Aye.

RESPECTFULLY,

RACHAEL RANCOURT

TOWN CLERK

**CEREMONY HONORING THE BEEKMAN FIRE DISTRICT, ON THE OCCASION OF ITS 75<sup>TH</sup> ANNIVERSARY**

Supervisor Kennedy opens the Ceremony with the Pledge of Allegiance. He then proceeds to state that this day marks the 70<sup>th</sup> Anniversary of the completion of construction of Town Hall which originally was supposed to be the Fire House. The Fire Department originally occupied the lower level of our Town Hall building until 1975 when the Beekman Fire House was constructed and then occupied by them. We are all here tonight to show our gratitude, affection, and appreciation for all they do. The following proclamations were presented:

Paul Curran on behalf of U.S. Senator Kirsten Gillibrand presented a proclamation to William Woltmann.

Councilwoman Barbara Zulauf on behalf of Congresswoman Nan Hayworth presented a certificate to Thomas Kinsley.

Councilman Peter Barton on behalf of Assemblywoman Didi Barrett presented a certificate to John Adams.

Dutchess County Clerk Brad Kendall on behalf of Dutchess County Executive Marcus Molinaro presented a proclamation to Graig Lundy.

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County Legislator Gerry Hutchings presented to Rod Gonzalez.

Dutchess County Historian Will Tatum presented to Bill Wassmuth.

U.S. Senator Greg Ball presented a proclamation to Ezio Battaglini.

Supervisor Matt Kennedy presented a proclamation to Dave Wysocki.

Supervisor Matt Kennedy presented a personal award to Kenneth Mallen for his service to our Country and our Community. He served for over 73 years in the Beekman Fire Department.

Light refreshments were served following the Ceremony closing remarks.