

BEEKMAN TOWN BOARD – RE-ORGANIZATION MEETING – JANUARY 6, 2016

The Regular Meeting of the Beekman Town Board was called to order at 7:06PM with Supervisor Barbara Zulauf presiding. The Meeting was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR BARBARA ZULAUF
COUNCILMAN MICHAEL DEL VECCHIO
COUNCILMAN WERNER STIEGLER
COUNCILMAN EZIO BATTAGLINI

Supervisor Barbara Zulauf 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. She made one administrative announcement regarding the location of fire exits.

ACKNOWLEDGEMENTS

- OATH OF OFFICE: Barbara Zulauf, Town Supervisor
Rachael Rancourt, Town Clerk
Werner Stiegler, Town Councilman
John Garito, Town Justice
Robert Ferris, Town Justice
Marc Coviello, County Legislator

Town Justices John Garito and Robert Ferris swore in Barbara Zulauf, Rachael Rancourt, Werner Stiegler and Marc Coviello.

APPOINTMENTS

- Supervisor Zulauf appointed Michael Del Vecchio as her Deputy Supervisor and Suzanne Puma as her Secretary
- Town Clerk Rachael Rancourt appointed Melissa McAlley as her Deputy Town Clerk

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

Several members of the audience spoke about the resolution amending the Senior Center fees for non-residents.

RESOLUTIONS:

RESOLUTION NO. 01:06:16 – 1
RE: Approval of Past Town Board Minutes

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the December 16, 2015 Town Board Meeting to all members of the Beekman Town Board; and

WHEREAS, Town Board members have had the opportunity to review said minutes; now therefore be it

RESOLVED, the Town Board hereby adopts the minutes of the December 16, 2015 Town Board Meeting.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: January 6, 2016

RESOLUTION NO. 01:06:16 – 2
RE: Appointment of the Registrar & Deputy Registrar of Vital Statistics

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Town Board is authorized under the Town Law to make appointments and set salaries; now therefore be it

RESOLVED, that the following appointments are hereby authorized and approved:

Registrar of Vital Statistics

Town Clerk \$ 1,500.00 Annual Salary

Deputy Registrar of Vital Statistics

Deputy Clerk \$ 500.00 Annual Salary

And be it further RESOLVED, that the foregoing salary be paid from the General Fund.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: January 6, 2016

RESOLUTION NO. 01:06:16 – 3
RE: Town of Beekman Office Hours and Inclement Weather Policy

SUPERVISOR ZULAUF offers the following and moves for its adoption:

Let it be RESOLVED, that Town Hall shall remain on a four day work week for 2016 until further notice, Monday through Thursday from 8:00 AM until 4:45PM; and be it further

RESOLVED, that the Recreation office hours for the year 2016 shall be Monday through Friday, from 9:00 AM to 4:00 PM and the Maintenance Department 8:00 AM to 4:00 PM; and be it further

RESOLVED, that the Supervisor, Deputy Supervisor, or Town Clerk shall be the individuals named to execute the inclement weather policy and that one or all of the following radio stations will be notified of delayed openings or early closings:

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WPDH (101.5), WRWD (107.3), Pamal Broadcasting which includes WSPK (104.7), WHUD, (100.7), WXPB (107.1), WBPM (92.9), WBNR (1260AM); and be it further

RESOLVED, that notification of delayed openings or early closings can be accessed at www.cancellations.com.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilman Stiegler	NO
Councilman Del Vecchio	AYE
Councilman Battaglini	ABSTAIN
Supervisor Zulauf	AYE

Dated: January 6, 2016

*****MOTION DOES NOT PASS*****

**RESOLUTION NO. 01:06:16 – 4
RE: Newspaper Designation**

COUNCILMAN DEL VECCHIO offers the following and moves for its adoption:

Let it be RESOLVED, that the POUGHKEEPSIE JOURNAL be named the official newspaper for the Town of Beekman.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: January 6, 2016

**RESOLUTION NO.01:06:16 – 5
RE: Designation of Depositories**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, Section 64 of Town Law provides for the Town Board to designate by written resolution the banks in which certain officers shall deposit the monies coming into their hands by virtue of their offices; now therefore be it

RESOLVED, that the following bank is hereby designated the official depositories in which all monies may be deposited and invested:

M & T Bank

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: January 6, 2016

RESOLUTION NO. 01:06:16 – 6
RE: Signature Authorization on Depository Accounts

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

Let it be RESOLVED, that authorization is given to the Town Supervisor and Deputy Town Supervisor to sign signature cards and checks for the Town of Beekman; and be it further

RESOLVED, that authorization is given to Town Clerk, the Comptroller and Bookkeeper to sign signature cards and to countersign checks exceeding \$2,500.00; and be it further

RESOLVED, that two (2) signatures are required on all checks exceeding \$2,500.00, one of which needs to be either the Town Supervisor and/or the Deputy Town Supervisor.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:
Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: January 6, 2016

RESOLUTION NO. 01:06:16 – 7 PULLED
RE: Mileage Compensation

_____ offers the following and moves for its adoption:

WHEREAS, Town Law requires that the Town Board designate mileage compensation for official business; now therefore be it

RESOLVED, that compensation for mileage will be paid at the applicable IRS rate per mile on out of Town business, subject to prior authorization of the Town Board, excepting the Assessor, Assistant to the Building Inspector/Zoning Administrator and Dog Control Officer, who will be compensated for in Town mileage while utilizing their privately owned and insured vehicles for the performance of the duties of their office, and upon submission of the appropriate voucher, and be it further

RESOLVED, that all requests for reimbursement shall be submitted monthly and must be supported by an itemized statement showing the Town business conducted in connection with each request; and be it further

RESOLVED, that all travel expense, transportation, and registration expense will be reimbursed following prior authorization by the Town Board on out of town attendance at meetings.

Seconded _____

ROLL CALL VOTE:

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Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf
Dated: January 6, 2016

RESOLUTION NO. 01:06:16 – 8
RE: Associations of Towns - Naming of Delegate to Town of Beekman

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Annual Association of Towns conference will be held on February 14-17, 2016; now therefore be it

RESOLVED, that the Town Supervisor, be designated as the Delegate of the Town and Andrew Forman, Comptroller, be designated as the alternate delegate.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: January 6, 2016

RESOLUTION NO. 01:06:16 – 9 PULLED
RE: Accept Radio Contract with NYCOMCO

_____ offers the following and moves for its adoption:

WHEREAS, the Highway Department uses radios to communicate while working within the community; and

WHEREAS, there is not a contract for current services for radio usage; and

WHEREAS, a proposal was received and reviewed by the Highway Superintendent for a wireless communications lease agreement; now therefore be it

RESOLVED that the Supervisor is hereby authorized to enter into contract with NYCOMCO for a lease program agreement for radios, as attached; and be it further

RESOLVED that the Mobile Units are not to exceed \$22.00 each per month, the Base Units are not to exceed \$39.00 each per month and the Portable Units are not to exceed \$29.00 each per month.

Seconded _____

ROLL CALL VOTE:

Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf
Dated: January 6, 2016

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RESOLUTION NO. 01:06:16 – 10
RE: Authorizing Entertainment for the 2016 Egg Hunt

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the 2016 Egg Hunt has been scheduled for March 19, 2016; and

WHEREAS, funds have been included in the 2016 Annual Budget to provide entertainment during said event; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with “Two by Two Zoo” for an amount not to exceed \$400.00.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Del Vecchio	ABSTAIN
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: January 6, 2016

RESOLUTION NO. 01:06:16-11
RE: Approve Workplace Violence Policy

COUNCILMAN DEL VECCHIO offers the following and moves for its adoption:

WHEREAS, the Town of Beekman does follow a Workplace Violence Prevention Policy; and

WHEREAS, The Town Board is desirous in revising the “Incident Response Team” section of the Workplace Violence Prevention Policy, now therefore be it

RESOLVED, that the Town Board makes the following revisions to the “Incident Response Team” section of the Workplace Violence Prevention Policy:

Werner Stiegler, Councilman
Michael DelVecchio, Councilman
Ezio Battaglini, Councilman
Andrew Forman, Comptroller

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

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RESOLUTION NO. 01:06:16-12

RE: Adopt Procedure for Reimbursement of Physical and Drug test

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, the Employment Practices Compliance Manual addresses the pre-employment physical and drug test for all new employees; and

WHEREAS, there is a fee associated with the physical and drug test, at the cost of the new employee; and

WHEREAS, the new employee is entitled to reimbursement of this fee once the job has been accepted and the new employee has passed both the physical and drug test; now therefore be it

RESOLVED, that immediately upon passing the physical and drug test and the confirmation of the job acceptance for the new employee, a reimbursement be issued to that particular new employee.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: January 6, 2016

RESOLUTION NO. 01:06:16-13

RE: Authorizing Exclusive Use of the Recreation Beachfront to Beekman Fire Dept.

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Town of Beekman Fire Department requested to reserve the Recreation Park beachfront for their own private use for their annual picnic and celebration; and

WHEREAS, Recreation Park has set aside the first Sunday of August for the Fire Department’s annual “Fire Company Picnic” in years past; now therefore be it

RESOLVED, that the Town of Beekman Fire Department is authorized to reserve the Recreation Park Beachfront on Sunday August 7, 2016 and it shall therefore shall be closed to the public on that day; and be it further

RESOLVED, that the Town of Beekman Fire Department will reimburse the Town of Beekman for the funds required to pay for all staff costs necessary to facilitate this arrangement; and be it further

RESOLVED, that the Town of Beekman Supervisor is hereby authorized to enter into an agreement with the Beekman Fire Department to reserve the Beekman Recreation Park beachfront on August 7, 2016.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE

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Supervisor Zulauf AYE

Dated: January 6, 2016

**RESOLUTION NO. 01:06:16-14
RE: Adopt Personnel Manual Amendments**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Compensation and Benefits Manual and the Employment Practices Compliance Manual were passed by the Town Board on November 18, 2015; and

WHEREAS, after review of these manuals, amendments need to be considered; and now therefore be it

RESOLVED, that the following Sections be Amended:

- To the Employment Practices Compliance Manual 3.3.3 For “Seasonal Recreation Summer Staff”: the required meal period is defined in 3.3.1 and 3.3.2 above will be without pay. Such employees must log out from work at the beginning of the meal period and log in when returning to work.
- To the Compensation and Benefits Manual 3.2.1; 3.2.2; 3.2.4; 3.2.5: Vacation leave has been edited so that it is “Front Loaded”
- 3.3.1; 3.3.2; 3.3.4: Sick leave has been edited so that it is “Front Loaded”

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Del Vecchio AYE

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: January 6, 2016

**RESOLUTION NO. 01:06:16-15
RE: Adopt LENS PROGRAM**

COUNCILMAN DEL VECCHIO offers the following and moves for its adoption:

WHEREAS, NYMIR has recommended to the Town of Beekman, through a survey of existing Policies and Procedures, the Implementation of the “LENS” Program for the Highway Garage & Sheriff’s office; and

WHEREAS, Part 3.8.1 of the Employment Practices Compliance Manual states that employees of the Town of Beekman must possess a valid New York State Driver License if they drive a vehicle owned by Beekman or use their personal vehicle to conduct business on behalf of the town; and

WHEREAS, The Town Board has had the opportunity to review the “LENS” Program and finds this as an opportunity for all employees who drive town vehicles and/or drive personal vehicles for Town Business; now therefore be it

RESOLVED, that all employees provide a copy of their driver license to be submitted to the LENS Program, and kept on file in their personnel file; and be it further

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RESOLVED, that those employees who drive their personal vehicles to conduct town business as per Part 3.7.2 of the Employment Practices Compliance Manual provide proof of liability insurance and proof of liability Coverage for their personal vehicle and complete the Driver and Automobile Insurance Information Forms Attached, to be kept on file in their personnel file.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE

Dated: January 6, 2016

**RESOLUTION NO. 01:06:16-16
RE: Amend Senior Fees**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, the 2016 Beekman Recreation Parks Fee Schedule was adopted on December 2, 2015; and

WHEREAS, after review of these fees by the Town Board, Amendments need to be considered; now therefore be it

RESOLVED, that the following fees be Amended:

- Non-resident and Non Seniors Exercise and Line Dancing \$3.00 down from \$5.00
- Non-resident and Non Seniors Bus Trips \$10.00 down from \$20.00
- Non-resident Senior Center Admission \$1.00 down from \$3.00

And be it further RESOLVED, that the Recreation Department will handle the administration, registration, and payment of fees: and be it further

RESOLVED that the registration and fees will be handled as follows:

- January - May registration and fees will be handled at the beginning of each of these months
- June - August registration and fees will be handled once, at the beginning of June
- September - October registration and fees will be handled once, at the beginning of September
- November - December registration and fees will be handled once, at the beginning of November

And be it further RESOLVED, that these amendments will take effect February 1, 2016.

Seconded SUPERVISOR ZULAUF

***Councilman Del Vecchio made a friendly amendment to add to the first RESOLVED paragraph: RESOLVED, that the following fees be amended with respect to **current** non-resident seniors and non-seniors using the senior center services, exercise classes, line dancing and bus trips; and be it further

RESOLVED, that the fees remain in effect as adopted on December 2, 2015 for **new** users effective February 1, 2016. Councilman Battaglini seconded.

ROLL CALL VOTE AS AMENDED:

Councilman Stiegler AYE
Councilman Del Vecchio AYE

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Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: January 6, 2016

**RESOLUTION NO. 01:06:16 – 17
RE: Payment of Claims**

COUNCILMAN BATTAGLINI 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	\$ 55,667.97
Claims to be paid from the DA-Highway Fund	\$ 6,904.41
Claims to be paid from the SS – Dover Ridge Sewer	\$ 624.80
Claims to be paid from the SW – Dover Ridge Water	\$ 1,583.29
Claims to be paid from the T-Trust & Agency Fund	<u>\$ 1,550.00</u>
	\$ 66,330.47

Payroll	26	12/17/15	Paid	\$ 53,463.08
General Fund	\$ 34,525.99			
Highway Fund	\$ 18,937.09			

Payroll	27	12/31/15	Paid	\$ 52,097.84
General Fund	\$ 32,922.39			
Highway Fund	\$ 19,175.45			

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Del Vecchio AYE

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: January 6, 2016

OTHER BUSINESS

Supervisor Zulauf made an announcement that there is an opening on the Zoning Board of Appeals. If anyone is interested, please contact the Secretary to the Supervisor.

Supervisor Zulauf thanked Barton Orchards for donating the Christmas tree at the Community Center.

GENERAL PUBLIC COMMENT

Many concerned residents spoke about the Gun Shop that is opening up at the corner of County Route 9 and State Route 55.

Tom Chester, Robin Court, wanted an update on the situation with the subdivision he lives in. Supervisor Zulauf stated that she, Tony Coviello and Town Attorney, Michael Varble are setting up a meeting with the developer and his Attorney in Goshen.

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GENERAL BOARD COMMENT

At 8:33PM, Supervisor Zulauf made the motion to move to Executive Session to discuss proposed, pending and current litigation, seconded by Councilman Battaglini and Councilman Del Vecchio. All in favor.

At 9:07PM, the Board returns from Executive Session taking the following action:

Councilman Del Vecchio offered the following and moves for its adoption;

WHEREAS, as a result of misfeasance and malfeasance of prior administrations of this Town, the Town incurred a judgement in the action pending in the Supreme Court Dutchess County entitled LaBerge Engineering and Consulting group against Town of Beekman, index number 2011-1369 and WHEREAS; the amount of that judgement is in excess of \$200,000 after an unsuccessful appeal to the Appellate division second department; Now therefore be it RESOLVED, the Supervisor is authorized to authorize Town Attorney, Michael Varble, to compromise the claim against LaBerge or LaBerge has against us in full and final satisfaction in an amount not to exceed \$215,000 and no cents and make sure all appropriate closing documentation is filed with the Court.

Seconded by Councilman Battaglini. All in favor.

ADJOURN:

At 9:08PM with no further business to conduct, Councilman Del Vecchio made the motion to adjourn the meeting seconded by Supervisor Zulauf. All in Favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT
TOWN CLERK