

## **BEEKMAN TOWN BOARD – REGULAR MEETING – July 16, 2014**

The Regular Meeting of the Beekman Town Board was called to order at 7:00PM with Supervisor Barbara Zulauf presiding. The Meeting was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR BARBARA ZULAUF  
COUNCILMAN EZIO BATTAGLINI  
COUNCILMAN MICHAEL DEL VECCHIO  
COUNCILMAN WERNER STIEGLER  
COUNCILMAN MICHAEL MORAN – arrived at 7:41PM

ALSO PRESENT: TOWN ATTORNEY, MICHAEL VARBLE

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.

### **PRESENTATION: YOUTH FOR RESTORATION – VIRAJ KUMAR**

Youth for Restoration is a group of high school students that are looking to restore local sights. Last year they restored the Cemetery on Gardner Hollow Road, Viraj Kumar spoke this evening about their upcoming project to restore the Mill House. They have been working with a NYS representative to have the Mill House placed on the National Historical Register. They plan to sort and catalog the artifacts inside and also clean the second floor. They will be working on this project the weekend of July 26<sup>th</sup> & 27<sup>th</sup> and August 2<sup>nd</sup> & 3<sup>rd</sup>. Viraj encouraged residents to stop by his booth this Saturday at Community Day. Any donations are greatly appreciated.

### **REPORTS:**

#### **SUPERVISOR:**

Supervisor Barbara Zulauf began her report by stating she met with Comptroller Andrew Forman and Town Clerk Rachael Rancourt regarding our records retention policy. We will meet again next month with Linda Bull from NYS Archives so that she can assist in our records retention procedure. Last night she attended a Public Hearing with Town Engineer Dan Koehler and County Legislature Gerry Hutchings regarding the re-paving of Beekman Road (County Route 9) from the Taconic to Sylvan Lake Road. The County is hopeful to begin this project in 2015 and complete it in 2018. This afternoon all Department heads met with Comptroller Andrew Forman to review the upcoming budget process. In the next month each Department will meet with the Comptroller to discuss their line item budgets.

Supervisor Zulauf read the Town Board's statement in reference to a resident who brought forward some personal issues involving Town Attorney, Michael Varble at the last meeting. The issues have been investigated by the appropriate attorney disciplinary bodies and no further action has been taken by those bodies. The board will not have any further comment on this matter.

#### **TOWN BOARD:**

**Councilman Stiegler** had nothing new to report since the last meeting.

**Councilman Battaglini** attended the CAC, MS4 and Fire District meeting where they conducted business as usual.

**Councilman Del Vecchio** attended the Recreation Commission, it was business as usual. He reminded the public to obey all the rules posted at the Rec since it is for your safety.

#### **COMPTROLLER REPORT:**

Town Comptroller, Andrew Forman, gave us a six month overview of the Town finances for 2014. He distributed spreadsheets breaking down revenues & expenses for the General Fund and the Highway Fund.

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**PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:**

There was no public comment this evening.

**RESOLUTIONS:**

**RESOLUTION NO. 07:16:14 – 1 (116)**  
**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 July 2, 2014 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 July 2, 2014 Town Board Meeting.

Seconded COUNCILMAN BATTAGLINI

**ROLL CALL VOTE:**

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

Dated: July 16, 2014

**RESOLUTION NO. 08:16:14 – 2 (117)**  
**RE: To Authorize the 2014 Beekman Senior Picnic**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Town of Beekman has in years past held its own Senior Picnic, for the enjoyment of the many senior citizens within our town, and in so doing has opted out of the picnic organized by the County;

WHEREAS, many senior citizen residents of the Town have expressed the hope and desire that the Town should again this year hold its own Senior Picnic; and

WHEREAS, funds were allocated in the adopted 2014 budget for this purpose and not to exceed \$2,400; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Supervisor, in consultation with the Town’s Recreation Director and Senior Coordinator, to set a date of September 18, 2014 and organize the Senior Picnic here in Beekman; and be it further

RESOLVED, that the Supervisor is authorized to engage vendors for the provision of food and entertainment, provided in all events that the amounts thus committed do not exceed the amounts budgeted therefore.

Seconded COUNCILMAN STIEGLER

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ROLL CALL VOTE:

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

Dated: July 16, 2014

**RESOLUTION NO. 07:16:14 – 3 (118)**

**RE: To Set Public Hearing to Amend Disclosure of Interest Statement in Personnel Manual**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, Section 19-9 of Town code requires the completion of a disclosure of interest; and

WHEREAS, in order to obtain more accurate and complete information, the Ethics Board has proposed a new version of the Disclosure of Interest Form, Appendix A of Section 19-9 of the Town Code; now therefore be it

RESOLVED, that a public hearing on the proposed change to the Town Code of the Town of Beekman be held on the 6<sup>th</sup> day of August 2014 at 7:00pm, Town Hall, 4 Main Street, Poughquag, NY and that notice of the time and place of such hearing be posted and published once on or before the 19<sup>th</sup> of July in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman as well as the Town of Beekman Website; and be further

RESOLVED, that the Beekman Town Board will also accept written public comments until August 6, 2014.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: July 16, 2014

**RESOLUTION NO. 07:16:14 – 4 (119)**

**RE: Approve Information and Security Breach Notification Policy**

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

WHEREAS, new computers were recently purchased for the offices at Town Hall, and

WHEREAS, the Town Board is desirous to provide rules of conduct and guidelines for appropriate and efficient use of computers and other information systems used by Town Employees; and

WHEREAS, these policies are in conformance with New York State General Business Law 899-aa; now therefore be it

RESOLVED, that the attached Information and Security Breach Notification Policy be hereby adopted and have an effective date of July 16, 2014; and be it further

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RESOLVED, that each employee will sign receipt of the Information and Security Breach Notification Policy before using their assigned computer.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: July 16, 2014

**RESOLUTION NO. 07:16:14 – 5 (120)**  
**RE: Authorizing a Bond Release for Recreation Park Improvements**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, RT & sons has requested a Performance Bond release for the Recreation Park Improvement project; and

WHEREAS, RT & Sons Performance Bond MA#212560.20 has been posted in the amount of \$40,515.00 for the Recreation Park Improvement project; and

WHEREAS, Morris Associates has reviewed the request and has recommended a release of the entire \$40,515.00 bond; now therefore be it

RESOLVED, that the Town Board hereby authorizes a Performance Bond release of the entire \$40,515.00 for the, the Recreation Park Improvement project, closing it out completely.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: July 16, 2014

**RESOLUTION NO. 07:16:14 – 6 (121)**  
**RE: Set Public Hearing for Abandoned Properties**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the following properties have been posted with notices in accordance with §114-5 of the Beekman Town Code:

**294 Greenhaven Road Andersen , Lynne 6658-00-829462**

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**19 Main Street Bank of New York Mellon 6758-02-852700**  
**15 Short Court HSBC Bank USA National Assn 6758-00-117093**  
**77 Beyer Drive Thompson , James and Carol 6858-00-211867**  
**770 Route 216 Harrison , Ethan S 6757-05-192953**  
**11 Martin Road Doyle , Thomas P 6658-02-818743**

WHEREAS, the respective homeowners have failed to comply with these notices and their duties to maintain property as required by Chapter 114 of the Beekman Town Code; now therefore be it

RESOLVED, that a Public Hearing will be held on August 6<sup>th</sup>, 2014 at 7:00pm at Beekman Town Hall to determine whether the Town should order and direct the owner or person in control to perform abatement, remediation, removal or extermination, as the case may be, within sixty (60) days of the Public Hearing, or alternatively, to determine whether the Town Board should instead order and direct that the subject abatement, remediation, removal or extermination be performed or undertaken by the Town or its agents without need for additional time to be afforded to the owner, tenant, occupant or person in control; and be it further

RESOLVED, that the cost of the publication and mailing of this notice and any costs incurred by the Town in connection with any remedial action undertaken by the Town or its designated agent, shall be assessed to the record owner of the property in accordance with §114-6(B) of the Town Code.

Seconded SUPERVISOR ZULAUF

**\*\*Supervisor Zulauf made a friendly amendment to change the time of this public hearing to 7:15pm on the 6<sup>th</sup> of August, 2014 and that notice of the time and place of such hearing be posted and published once on or before the 19<sup>th</sup> of July in the Poughkeepsie Journal, a newspaper circulating the Town of Beekman as well as the Town of Beekman Website; and be further resolved, that the Beekman Town Board will also accept written public comments until August 6, 2014. Seconded by Councilman Del Vecchio.\*\***

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	NO
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: July 16, 2014

**RESOLUTION NO. 07:16:14 – 7 (122)**  
**RE: Authorize Town Engineer to Attend Zoning School**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, Association of Towns will be holding a Planning and Zoning School on Tuesday July 29, 2014 in Kingston New York: and

WHEREAS, it would be beneficial for Dan Koehler, Town Engineer to attend: and

WHEREAS, the cost of this school is \$80.00; now therefore be it

RESOLVED, that Dan Koehler is authorized to attend the Planning and Zoning School, with a cost not to exceed \$80.00.

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Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: July 16, 2014

**RESOLUTION NO. 07:16:14 – 8 (123)**

**RE: Approve Recreation Fees for Non-Resident Full Time Employees**

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

WHEREAS, the Recreation Department along with the Town Board set fees for recreation programs; and

WHEREAS, the town Board is desirous in amending the fee schedule for non-resident employees to be considered the same as resident employees for recreation programs; now therefore be it

RESOLVED, that all non-resident employees will pay the same as resident employees for recreation programs.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: July 16, 2014

**RESOLUTION NO. 07:16:14 – 9 (124)**

**RE: Approve Complimentary Waterfront Membership for Town of Beekman Employees**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, the Recreation Department along with the Town Board sets fee schedules for programs at the Recreation Center; and

WHEREAS, the Town Board is desirous in amending the fee for the Town of Beekman employees, both seasonal and permanent to receive complimentary waterfront membership; and

WHEREAS, this new fee would allow the **EMPLOYEE ONLY** to receive this complimentary membership; now therefore be it

RESOLVED, that Town of Beekman employees both seasonal and permanent receive complimentary waterfront membership to the Town of Beekman Recreation Department.

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Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

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**RESOLUTION NO. 07:16:14 – 10 PULLED FROM AGENDA**

**RE: Authorize Town of Beekman Staff's Children to Receive Day Camp Membership-**

**RESOLUTION NO. 07:16:14 – 11 (125)**

**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:	\$ 121,443.34
Claims to be paid from the DA-Highway Fund	\$ 166,966.47
Claims to be paid from the SS-Dover Ridge Sewer	\$ 2,870.55
Claims to be paid from SW-Dover Ridge Water	<u>\$ 1,265.79</u>
	\$ 292,546.15

Payroll 14	Paid 7/3/14	\$ 68,532
General Fund: \$47,583.75		

Highway Fund: \$20,949.05

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

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OTHER BUSINESS:

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There was no other business this evening.

**GENERAL PUBLIC COMMENT:**

Jim Rhoda, Ferris Glen, spoke against Town Attorney, Michael Varble at the last meeting and has done some more research and found more tax liens in Westchester and New York Counties. He again respectfully asked the Board to remove Mr. Varble and look for a replacement.

Len Jerrum, Beyer Drive, had some questions pertaining to the Comptroller's report and would like him to clarify at some point.

Megan Sweeney, spoke in reference to the Fred Knapp situation and the fact that the Town Attorney, Michael Varble is looking into going after him legally, she is concerned if we have explored all options through insurance prior to filing a suit which would be costly to the Town.

**GENERAL BOARD COMMENT:**

Supervisor Zulauf re-read the Town Board's statement in reference to personal issues involving Town Attorney, Michael Varble, for Jim Rhoda because he wasn't present when she read it earlier in the meeting.

In response to Len Jerrum's budget questions, the Supervisor stated that the Town Comptroller will let him know at the next meeting.

Supervisor Zulauf responded to Megan Sweeney stating that the Town has a Crime Policy, the Insurance carrier has been contacted and we are hopeful to collect on it.

There is a Recreation Commission position available, anyone interested please contact the Secretary to the Supervisor, Pam Waltenberg.

Supervisor Zulauf made the motion to move to Executive session to discuss litigation at 7:43pm seconded by Councilman Del Vecchio. All in favor.

Supervisor Zulauf announced the next meeting of the Town Board is Wednesday, August 6th at 7:00pm

At 8:22PM the Board returns from Executive session taking no action.

**ADJOURN:**

At 8:22PM with no further business to conduct Councilman Moran made the motion to adjourn the meeting seconded by Councilman Battaglini. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT  
TOWN CLERK