

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

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 MICHAEL DEL VECCHIO
COUNCILMAN WERNER STIEGLER
COUNCILMAN EZIO BATTAGLINI
COUNCILMAN MICHAEL MORAN – arrived at 8:04PM
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.

7:00PM PUBLIC HEARING – LOCAL LAW TO OVERRIDE THE TAX LEVY FOR FISCAL YEAR 2016

Supervisor Zulauf opened this Public Hearing stating that the Tentative and Preliminary Budgets have come in under the tax cap and there will be no need to pass this law. This is merely a procedural process, the Board has no intention of going over the tax cap. The Public Hearing was opened up to public comment. There was no public comment on this issue tonight. Councilman Del Vecchio closed this Public Hearing at 7:02PM, seconded by Councilman Battaglini. All in favor.

The Board held a brief recess until 7:10PM.

7:10PM PUBLIC HEARING – LOCAL LAW FOR INCREASE LITTERING PENALTIES

Supervisor Zulauf opened this Public Hearing stating the Board is desirous in increasing the littering penalties due to the increase of littering discovered all over Town. This Public Hearing was opened up to public comment. Highway Superintendent, Tony Coviello, spoke stating he is in favor of this Law. He finds debris dumped on the side of the roads throughout Town and wants the public to know that he will pursue littering with the local law enforcement. Len Jerrum, Beyer Drive, questioned how it will be enforced. He was advised, by vehicle plate number or evidence left behind from the litterer. At 7:13PM, Councilman Del Vecchio made the motion to close this Public Hearing seconded by Councilman Stiegler. All in favor.

RECOGNITION

Supervisor Zulauf recognized Cindy Shiels, of Cheesecake Heaven, who recently was awarded the honor of Best of the Hudson Valley for her homemade cheesecakes.

REPORTS: SUPERVISOR

Supervisor Zulauf participated in Town Board road clean up, attended the Fall Festival last Saturday, which was well attended. She thanked Jeanne and her staff for a wonderful event. She announced that the Town is upgrading the light fixtures throughout our buildings which will pose a significant savings on our energy bills. The 2016 Preliminary Budget came under the 0.73 tax cap. We will set the Public Hearing on this budget tonight. In closing, the Supervisor announced that the Town has received \$440,000.00 from the Insurance Company pertaining to the theft of Fred Knapp and she thanked all who were involved.

Councilman Stiegler- reported that the Maintenance Department has been preparing our facilities for winter. Greg Brown, Maintenance Supervisor, will order two loads of clay for the baseball fields and distribute before the

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

year is over. The Beekman Cup soccer tournament over Columbus Day weekend was a huge success with the most teams we have seen thus far.

Councilman Battaglini-attended the regular Fire District meeting. He has been working with the Highway Superintendent regarding the dry hydrants throughout Town and thanked him for the work they do.

Councilman Del Vecchio-attended the Budget workshops which went well. The Recreation Commission met last week, however, they didn't have a quorum. The met with a resident and had discussions pertaining to the volume of traffic over the Columbus Day weekend due to various events taking place. Councilman Del Vecchio participated in road clean-up last weekend. He reminded the public that this Saturday is dump day.

Supervisor Zulauf announced that Councilman Moran is on his way, he had a work commitment and will be arriving late this evening.

HIGHWAY SUPERINTENDENT

Highway Superintendent, Tony Coviello, stated that his men have made blacktop road repairs and fixed various driveway aprons. They have installed drainage pipe on DeForest Road and Gardner Hollow Road. The Highway Department has hauled in over 300 tons of road sand to mix with the salt for this upcoming winter. The electronic salt spreaders have been installed in the trucks. Tony created a list of Highway vehicles and the condition they are in, distributed copies to Town Board members and the Clerk and requested it be added to the minutes. In closing, he announced that the new truck is being delivered tomorrow by noon.

COMPTROLLER

Comptroller, Andrew Forman discussed the revenues and expenses of the Highway Fund for the year thus far.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

Sean Johnston, Chairman of the Planning Board, requested to table resolution number 5 so the Planning Board has an opportunity to review it.

RESOLUTIONS:

RESOLUTION NO. 10:21:15 – 1 (128)
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 October 7, 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 October 7, 2015 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: October 21, 2015

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

RESOLUTION NO. 10:21:15 – 2 (129)

RE: Set Public Hearing for 2016 Preliminary Budget

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Town Board received a copy of the proposed 2016 Tentative Budget; and

WHEREAS, Budgets Workshop meetings were held on October 6th and 8th, 2015, at which meetings Town Board and Town Department Heads all had the opportunity to review and discuss all details of the proposed 2016 Budget; now therefore be it

RESOLVED, that a Public Hearing should be held so the Town Board can receive public comment on the 2016 Preliminary Budget, as amended; and be it further

RESOLVED, that a said Public Hearing will be scheduled for the 4th day of November 2015 at 7:00pm at Beekman Town Hall located at 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 26th of October in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman and that such notice shall be posted on the bulletin board in the Town Clerks Office as well as on the Town of Beekman Website; and be it further

RESOLVED, that the Town Board will also accept written public comments until November 4, 2015.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: October 21, 2015

RESOLUTION NO. 10:21:15 – 3 (130)

RE: Set Public Hearing for Dover Ridge Sewer Assessment Roll

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Assessor to the Town of Beekman has completed and filed the assessment roll for the Dover Ridge Sewer District pursuant to Article 15 of the New York State Town Law; now therefore be it

RESOLVED, that pursuant to §239 of the Town Law a public hearing on such assessment roll shall be held on the 4th of November 2015 at 7:15pm at the Town Hall, 4 Main Street, Poughquag, NY; and be it further

RESOLVED, that the notice shall be published in the Poughkeepsie Journal on or before the 26th of October, stating that the Dover Ridge Sewer District Assessment Roll has been completed and that the Town Board will meet and hear any objections which may be made to the roll at the time and place specified above, and that such notice shall be posted on the bulletin board in the Town Clerks Office and place on the Town of Beekman website; and be it further

RESOLVED, that the Town Board will also accept written public comments until November 4, 2015.

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: October 21, 2015

RESOLUTION NO. 10:21:15 – 4 (131)
RE: Approve Local Law for Grievance Day

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

WHEREAS, a proposed local law change to Chapter 135 “Taxation”, Article 1 “Grievance Day”, § 135-1 “Establish Grievance Day” was introduced before this board on September 16, 2015; and

WHEREAS, a Public Hearing was held on October 7, 2015 at Beekman Town Hall, 4 Main Street, Poughquag, in the Town of Beekman New York, with proper notice of hearing been given therefore, to hear public comments and concerns from members of the public; and

WHEREAS, time was allowed for written public comment; and

WHEREAS, the Town Board had had time to review these comments; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby adopt Chapter 135 “Taxation” Article 1 “Grievance Day”; § 135-1 “Establish Grievance Day”; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to file forthwith a copy of this local law change with the New York Secretary of State.

Seconded SUPERVISOR ZULAUF

*****Friendly amendment, in the 4th WHEREAS paragraph, there were no comments submitted for the Town Board to review*****

ROLL CALL VOTE AS AMENDED:

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

Dated: October 21, 2015

RESOLUTION NO. 10:21:15 – 5 (132)
RE: Approve Hamlet Zoning

THIS RESOLUTION WAS TABLED TO ALLOW TIME FOR PLANNING BOARD REVIEW

_____ offers the following and moves for its adoption:

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

WHEREAS, a proposed local law change to Chapter 155 “Zoning Codes” pertaining to “Hamlets” was introduced before this board on August 5, 2015; and

WHEREAS, a Public Hearing was held on September 16, 2015 and October 7, 2015 at Beekman Town Hall, 4 Main Street, Poughquag, in the Town of Beekman New York, with proper notice of hearing been given therefore, to hear public comments and concerns from members of the public; and

WHEREAS, time was allowed for written public comment; and

WHEREAS, the Town Board had had time to review these comments; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby adopt Chapter 155 “Zoning Codes” pertaining to “Hamlets”; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to file forthwith a copy of this local law change with the New York Secretary of State.

Seconded _____

ROLL CALL VOTE:
Councilman Moran
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf
Dated: October 21, 2015

**RESOLUTION NO. 10:21:15 – 8 (133)
RE: Payment of Claims**

COUNCILMAN STIEGLER 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	\$ 40,935.15
Claims to be paid from the SS – Dover Ridge Sewer	\$ 4,586.80
Claims to be paid from the SW – Dover Ridge Water	<u>\$ 2,143.45</u>
	\$47,665.40

Payroll 20 Paid 10/8/2015 \$ 54,306.71

General Fund \$ 35,369.50
Highway Fund \$ 18,937.21

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:
Councilman Moran ABSENT
Councilman Stiegler AYE
Councilman Del Vecchio AYE

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: October 21, 2015

OTHER BUSINESS

RESOLUTION NO. 10:21:15 – Other Business

RE: Authorize Change Order Request for County Highway Snow and Ice Control Program for 2015-2016

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Town Superintendent of Highways has been requested by the County of Dutchess to continue to participate in the Regional County Highway Snow and Ice Control Program within the boundaries of the Town; and

WHEREAS, the County of Dutchess is requesting that the Town enter into a change order for term change with the existing contract for participation in the County snow and Ice Control Program; and

WHEREAS, the term for this contract is to include October 1, 2015 to September 30, 2016; now therefore be it

RESOLVED, that the Town Supervisor is hereby authorized to sign the change order for the Town’s participation in the County Snow and Ice Control Program for the winter season 2015-2016.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Moran ABSENT

Councilman Stiegler AYE

Councilman Del Vecchio AYE

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: October 21, 2015

RESOLUTION NO. 10:21:15 – Other Business

RE: Authorize Agreement with Dutchess County Department of Health for Dover Ridge Water District for Generator Review

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, Dover Ridge Water District is in need of a generator; and

WHEREAS, Dutchess County Department of Health has suggested the installation of this generator for Dover Ridge Water District; and

WHEREAS, the Town of Beekman Engineer has submitted his review and documentation for a proposal of this generator for Dover Ridge Water District; and

WHEREAS, there is a fee of \$300.00 for Dutchess County Department of Health to review the proposal of the Town Engineer; now therefore be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Dutchess County Department of Health for the generator review, with a fee not to exceed \$300.00.

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Supervisor Zulauf
Dated: October 21, 2015

Supervisor Zulauf read a letter of resignation from James Crisp from the Architectural Review Board. If anyone is interested in filling this vacancy please contact Pam, Secretary to the Supervisor, at 845-724-5300 ext. 232.

Councilman Del Vecchio stated that the Recreation Commission meeting for November will be changed due to it conflicting with Veterans Day.

Supervisor Zulauf announced that we are a collection site for the Thanksgiving Food Drive, please drop your nonperishables at the collection box in the Town Clerk's Office.

Councilman Battaglini announced that his daughter is doing a warm hearts and warm soles sock drive. There will be a collection box in the Town Clerk's Office up through November 22, 2015.

GENERAL PUBLIC COMMENT

Highway Superintendent, Tony Coviello, had concerns regarding the Comptroller's Report of the Highway Fund, he feels there are discrepancies in the expenses. He and the Comptroller will discuss tomorrow.

Tom Mullins, Recreation Commissioner, gave an update on the Recreation season with respect to field usage, lake usage and all new and existing programs. He thanked the entire Town Board for their support when it comes to the Rec and the programs offered there.

Len Jerrum, Beyer Drive, questioned how the money that has been received from the Fred Knapp theft, will be restored, how much to which accounts.

Supervisor Zulauf announced the next Town Board meeting is Wednesday, November 4, 2015 at 7:00PM.

At 8:07PM, Supervisor Zulauf made the motion to move to executive session to discuss pending litigation, seconded by Councilman Stiegler. All in favor.

At 8:44PM, the Board returns from executive session taking the following actions:

Councilman Del Vecchio offers the following and moves for its adoption; whereas the Town incurred a substantial judgement in the matter of Laberge v. Town of Beekman and where the judgement remains unsatisfied with interest accruing. The Town Supervisor is hereby authorized to authorize the Town Attorney, Michael Varble, to engage in settlement negotiations with Laberge Group to satisfy the judgement without further cost to the Town. Supervisor Zulauf seconded. Roll call vote: Councilman Moran – Aye, Councilman Del Vecchio – Aye, Councilman Battaglini – Aye, Councilman Stiegler – Aye, Supervisor Zulauf – Aye.

Councilman Del Vecchio offers the following and moves for its adoption; whereas the Town has previously entered into a gas franchise agreement with Central Hudson. Central Hudson has requested the Town complete a

BEEKMAN TOWN BOARD – REGULAR MEETING – OCTOBER 21, 2015

confidentiality agreement regarding its business practices. The Supervisor is hereby authorized to bind the Town with respect to Central Hudson’s confidentiality agreement in the form submitted by Central Hudson. Supervisor Zulauf seconded. Roll call vote: Councilman Moran – Aye, Councilman Del Vecchio – Aye, Councilman Battaglini – Aye, Councilman Stiegler – Aye, Supervisor Zulauf – Aye.

ADJOURN:

At 8:50PM with no further business to conduct, Councilman Moran made the motion to adjourn the meeting. All in Favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT
TOWN CLERK