

TOWN OF BEEKMAN
TOWN BOARD MEETING - Agenda
September 20, 2017

7:00PM

- Meeting called to order
- Pledge of Allegiance
- Administrative Announcement--Fire Exits

PRESENTATION

- Sandi Park – Sylvan Lake Surrounding Properties Transformation
- CAC Presentation to Present a Framed Hudsonia Map

REPORTS

- Comptroller Report
- Highway Report

REGULAR TOWN BOARD MEETING

- Public Comment on Agenda Items and Resolutions

RESOLUTIONS

1. Approval of September 6, 2017 Town Board Minutes
 2. Approve Fixed Asset Policy
 3. Accept an Offer of Cession/Dedication and Consenting to the Dedication of Pine Street Extension-Maple Farms Estate - **PULLED**
 4. Approve Fee Schedule for Fire Inspections
 5. Accept Receiver of Taxes Audit
 6. Seek Bids for 2018 Highway Materials
 7. Sale of Highway Equipment
 8. SEQRA Determination for Local Law No. 3 of 2017, Adding Regulations Pertaining to Solar and Wind Energy Systems to the Town's Zoning Code
 9. Set Public Hearing to Amend and Add to Chapter 155, Zoning
 10. Lease Agreement for Truck Purchase
 11. Award Bids for Town Clean-Up
 12. Reverse Road Name Change
 13. Approve Entertainment for Fall Festival
 14. Set Public Hearing for Abandoned Properties
 15. Create Drainage District for Alania Estates - **PULLED**
 16. Payment of Claims
- Other Town Board Business
 - Accept Deed to Melanie Lane in the Martin Road Development Subdivision for Dedication as a Town Road
 - General Public Comment
 - General Board Comment
 - Executive Session
 - Next Town Board Meeting: Wednesday October 4, 2017 at 7:00PM

RESOLUTION NO. 09:20:17 – 1
RE: Approval of Past Town Board Minutes

_____ offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the September 6, 2017 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 September 6, 2017 Town Board Meeting.

Seconded _____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 2
RE: Approve Fixed Asset Policy

_____ offers the following and moves for its adoption:

WHEREAS, the Town Board of the Town of Beekman authorizes the purchase of fixed assets through the budget process; and

WHEREAS, the Town Board recognizes the importance of identifying and accounting for capital items to be purchased and donated; and

WHEREAS, the Town Board believes it is in the best interest to have a policy in place to give guidance for the monitoring of assets; and

WHEREAS, the Comptroller has offered the attached guide from the Office of the New York State Comptroller; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does adopt the policies of the attachment; and be it further

RESOLVED, that the Town Clerk is to be named as the Fixed Asset Representative, to maintain an inventory of the capital and fixed assets for the Town of Beekman.

Seconded _____

ROLL CALL VOTE:
Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17-3 - PULLED
RE: ACCEPT OFFER OF CESSION/DEDICATION
AND CONSENTING TO THE DEDICATION OF
PINE STREET EXTENSION - MAPLE FARMS ESTATES

_____ offers the following and moves for its adoption.

WHEREAS, Nicolosi Buildings, Inc, a New York corporation having an office at 21 Cambridge Street, Highland, New York 12528 (“Grantor”) is the owner of a certain subdivision in the Town of Beekman (the “Town”) known as Maple Farms Estates; and

WHEREAS, Grantor previously has received Conditional Subdivision Approval for the Maple Farms Estates subdivision (the “Subdivision”), conditioned upon Grantor offering to cede to the Town a roadway and/or portion of a roadway depicted as the extension of Pine Street (the “Pine Street Extension”) on the Subdivision map, which map has been filed with the Dutchess County Clerk as Map No. 11783; and

WHEREAS, this offer is memorialized in a certain document captioned “Irrevocable Offer of Cession,” executed by Grantor and dated September ____, 2017, which document has been reviewed and approved by the Town Attorney and a copy of which has been provided to the Town Board for review; and

WHEREAS, Grantor has provided to the Town certain of those items set forth in §130-38(g) of the Town Code of the Town of Beekman, specifically, a recent abstract of title showing clear title and a recent tax lien search, which showed no liens against the property to be offered for dedication, and said items have been reviewed by the Town Attorney and found to be acceptable; and

WHEREAS, the Town Engineer has reviewed a survey of the property to be dedicated found it to be acceptable; and

WHEREAS, in accordance with Town Code §130-38(g)(4), the Town Engineer has provided a written review of the property to be dedicated, found no issue therewith; and

WHEREAS, in accordance with Town Code §130-38(g)(4), the Town Highway Superintendent has provided a written review of the property to be dedicated; and

WHEREAS, the Town Board acknowledges that it previously passed a resolution that it would not accept the dedication of any roads in the Town after September 15th of any year, but finds that a waiver of this policy in this instance is warranted, since the subdivision has been in existence for more than a decade, the road to be dedicated is only a portion of an existing road, and is already paved and otherwise improved, and the waiver is only for a period of five (5) days; and

WHEREAS, Grantor has agreed to promptly file the Irrevocable Offer of Cession with the Dutchess County Clerk; and

WHEREAS, as a condition of the acceptance of the Offer of Cession, Grantor also has agreed to post a maintenance bond in the amount of \$11,000, which amount is equal to ten (10) percent of the original performance bond total, the proceeds of said bond to be used to repair the defects or issues, if any, found in the Pine Street Extension, that may arise in the year following the dedication. Said maintenance bond is

to remain in effect for a period of one (1) year following the Grantee's acceptance of the road extension and related improvements; and

WHEREAS, the Town Board finds that it is in the interest of the Town of Beekman and its residents that the Irrevocable Offer of Cession of the Pine Street Extension be accepted by the Town, and further finds that it is in the interest of the Town of Beekman and its residents that the Town Board Consent to the Dedication of the Pine Street Extension.

NOW THEREFORE BE IT RESOLVED, that the foregoing WHEREAS paragraphs are incorporated herein by reference and adopted; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Beekman finds that there has been substantial compliance with §130-38 of the Town Code of the Town of Beekman concerning the dedication of roads; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Beekman further finds that it is in the interest of the Town of Beekman and its residents that the Irrevocable Offer of Cession of the Pine Street Extension be accepted by the Town; and

BE IT FURTHER RESOLVED, that the Irrevocable Offer of Cession of the Pine Street Extension by Grantor in favor of the Town be, and hereby is, accepted; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Beekman further finds that a five-day waiver of the prohibition on the dedication of any roads after September 15th of any year is warranted in this instance for the reasons set forth above, and hereby waives said requirement for this resolution; and

BE IT FURTHER RESOLVED, that upon all of the foregoing, Town Board of the Town of Beekman hereby gives its consent to the Town Superintendent of Highways to make an order laying out the lands described in said Irrevocable Offer of Cession, to wit, the Pine Street Extension, for highway purposes, in accordance with the provisions of the Highway Law and other statutes applicable thereto, subject to and strictly conditioned upon, the condition set forth above, and authorizes the Town Supervisor to execute a Consent of the Town Board to Highway Dedication for the Pine Street Extension, similar in form and substance to the draft consent attached hereto.

Seconded _____

ROLL CALL VOTE:
Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 4
RE: Approve Fee Schedule for Fire Inspections

_____ offers the following and moves for its adoption:

WHEREAS, the fee schedule for fire inspections was approved on May 19, 2010; and

WHEREAS, fire inspections began to take place on September 7, 2016 without the implementation of the approved fees, now therefore be it

RESOLVED, that the fees for the fire inspections as per the attached take effect January 1, 2018 and be it further

RESOLVED, that the Fire Inspector, in conjunction with the building department, administer fees with all entities at the time of the fire inspection and be it further

RESOLVED, that the Fire Inspector submit monthly reports to the Town Board and the Comptroller.

Seconded _____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 5
RE: Accept Receiver of Taxes Audit

_____ offers the following and moves for its adoption:

WHEREAS, Section 124 of Town Law requires that the Receiver of Taxes provide their financial records to be examined and audited and that fact be entered into the minutes of the board's proceedings; and

WHEREAS, the Town Comptroller has audited the statements, books, and records of the Beekman Receiver of Taxes and prepared her findings for review; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby accept the audit of the Receiver of Taxes.

Seconded _____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 6
RE: Seek Bids for 2018 Highway Materials

_____ offers the following and moves for its adoption:

WHEREAS, the Highway Superintendent has requested that the Town Board authorize the Highway Department to seeks bids for highway materials for the year 2018; now therefore be it

RESOLVED, that the Town Clerk is hereby authorized to seek bids for the highway materials; and be it further

RESOLVED, that prior to publication, bid documents are to be reviewed by the Town Engineer and the Town Attorney, and be it further

RESOLVED, that the request for bids shall be in accordance with the Town of Beekman Procurement Policy.

Seconded_____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 –7
RE: Sale of Highway Equipment

_____ offers the following and moves for its adoption:

WHEREAS, the Town Board accepted garage equipment from Ezio Battaglini on June 7, 2017;
and

WHEREAS, the 120 gallon Piston Air Compressor, the 80 gallon rotary air compressor, and the
air dryer system are of no use for the Highway garage; and

WHEREAS, Ezio Battaglini has been notified of this and approved of the sale of these items;
now therefore be it

RESOLVED, that the Highway Superintendent is hereby authorized to list the 120 gallon Piston
Air Compressor, the 80 gallon rotary air compressor and the air dryer system with Auctions
International.

Seconded _____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 8

RE: SEQRA Determination for Local Law No. 3 of 2017, Adding Regulations Pertaining to Solar and Wind Energy Systems to the Town's Zoning Code

_____ offers the following and moves for its adoption:

WHEREAS, the Town Board of the Town of Beekman has the ability to adopt local laws and to amend the zoning code; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQRA") of the Environmental Conservation Law, the Town Board is obligated to conduct an environmental review and assess the environmental impact of amending the zoning code as proposed; and

WHEREAS, the Town Board is desirous of becoming the lead agency for purposes of this environmental review; and

WHEREAS, the Town Board has determined that there are no other interested or involved agencies, as those terms are defined in the SEQRA regulations; and

WHEREAS, the Town Board has determined that the proposed action is an unlisted action under the SEQRA regulations; now therefore be it

RESOLVED, that the Town of Beekman finds that there are no other interested or involved agencies, as those terms are defined in the SEQRA regulations; and be it further

RESOLVED, that the Town of Beekman declares itself to be the lead agency for the SEQRA determination for this project; and be it further

RESOLVED, that the Town of Beekman finds that this is an unlisted action; and be it further

RESOLVED, that the Town of Beekman finds that no adverse environmental impacts will occur as a result of the proposed action and accordingly adopts the attached negative declaration

Seconded _____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 9
RE: Set Public Hearing to Amend and Add to Chapter 155, Zoning

_____ offers the following and moves for its adoption:

WHEREAS, the Town of Beekman has the ability to amend local laws; and

WHEREAS, the Town Board is desirous in amending Chapter 155 and adding regulations pertaining to solar energy systems and wind energy systems; and

WHEREAS, the Town Attorney has provided regulations pertaining to solar energy systems and wind energy systems in conjunction with New York State; now therefore be it

RESOLVED, that a public hearing to gather resident input on the solar energy systems and wind energy systems will be held on October 18, 2017 at 7:00 pm at Beekman Town Hall 4 Main Street Poughquag, NY and that notice of time and place of such hearing be posted and published once on or before the 8th day of October in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman and that such notice be posted on the bulletin board in the Town Clerk's Office and be posted on the Town of Beekman website.

Seconded _____

ROLL CALL VOTE:
Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 10
RE: Lease Agreement for Truck Purchase

_____ offers the following and moves for its adoption:

WHEREAS, financing of a new truck to be used by the Highway Department will be through a tax exempt municipal lease enabling the Town to own the vehicle at inception of the lease term, as well as spread the payments over five (5) years; and

WHEREAS, the first year payment will be included in the 2018 budget; now therefore be it

RESOLVED, that the Town Board hereby accepts the proposal from M&T Bank at a five (5) year annual rate not to exceed 3.25%; and be it

RESOLVED that the Supervisor is hereby authorized to execute the municipal lease purchase agreement with M&T Bank.

Seconded_____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 11
RE: Award Bids for Town Clean-Up

_____ offers the following and moves for its adoption:

WHEREAS, Town clean-up day has been scheduled for Saturday October 21, 2017 between the hours of 7:00am and 2:00pm in the Town Hall parking lot; and

WHEREAS, bids were received for services as described in the legal published notice and opened and read publicly by the Town Clerk on September 13, 2017 at 10:00am; now therefore be it

RESOLVED, that Royal Carting be awarded the contract for clean-up day; and be it further

RESOLVED, that the Supervisor be and hereby is authorized to execute any and all documents necessary to carry out the services.

Seconded_____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 12
RE: Reverse Road Name Change

_____ offers the following and moves for its adoption:

WHEREAS, Stonegate Drive was approved as a private road name on July 5, 2017; and

WHEREAS, Dutchess County Real Property Tax Service Agency noted this to be a conflict with another road in the 12533 zip code; and

WHEREAS, the owners of this private road would like to name their private road; and

WHEREAS, Dutchess County Real Property Tax Service Agency, Dutchess County 911 and the Building Inspector have considered and approved the name of Stonecrest Court; now therefore be it

RESOLVED, that the private road be named Stonecrest Court; and be it

RESOLVED, that Dutchess County 911, Beekman Highway Department, Beekman Fire Department, Beekman Planning Board and Beekman Zoning Board be duly notified of this change.

Seconded _____

ROLL CALL VOTE:
Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 13
RE: Approve Entertainment for Fall Festival

_____ offers the following and moves for its adoption:

WHEREAS, the 2017 Budget included funding for entertainment for the annual Fall Festival for October 14, 2017; now therefore be it

RESOLVED, that the following expenditures for the Fall Festival are hereby authorized as per the contract:

Partytime Rental for \$520
Pied Piper Ponies for \$675

Seconded _____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 14
RE: Set Public Hearing for Abandoned Properties

_____ 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:

173 Andrews Road, HSBC Bank, 6559-00-979661
21 Underhill Road North, Robert and Dawn Maselli, 6759-03-407069
47 Stowe Drive, Joseph and Denise Massa, 6859-02-553565
23 Main Street, Red Cardinal Properties. 6758-02-843689.

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 October 4, 2017 at 7:00 pm at the 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; and be it further

RESOLVED, that the time and place of such hearing and setting for the proposed amendment, or describing in general terms the proposed change, be published once in the Poughkeepsie Journal, a newspaper with a general circulation in the Town of Beekman, on or before the 24th day of September 2017.

Seconded _____

ROLL CALL VOTE:
Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 15 - PULLED
RE: Create Drainage District for Alania Estates

_____ offers the following and moves for its adoption:

Seconded _____

ROLL CALL VOTE:
Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017

RESOLUTION NO. 9:20:17 – 16
RE: Payment of Claims

_____ 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	\$27,386.40
Claims to be paid from the DA-Highway Fund	\$18,103.50
Claims to be paid from the SS – Dover Ridge Sewer District Fund	\$ 3,170.48
Claims to be paid from the SW – Dover Ridge Water District Fund	\$13,458.04
Claims to be paid from the T-Trust & Agency Fund	<u>\$ 2,030.00</u>
	\$59,344.83

Payroll 19	Paid 9/21/17	\$ 62,198.99
General Fund	\$41,372.94	
Highway Fund	\$20,826.05	

Seconded _____

ROLL CALL VOTE:
Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 6, 2017

RESOLUTION NO. 9:20:17 – 17

**RE: Accept Deed to Melanie Lane in the Martin Road Development Subdivision for
Dedication as a Town Road**

_____ offers the following and moves for its adoption:

WHEREAS, a certain parcel of land designated as Melanie Lane has been offered for dedication to the Town of Beekman for highway purposes by Toll NY III, LP, the owner of said land as shown on a plot for the Martin Road Development Subdivision; and

WHEREAS, the Town Highway Superintendent has recommended acceptance of said parcel for dedication for highway purposes having indicated that the road has been completed in accordance with the Town of Beekman specifications; and

WHEREAS, the Town Engineer has also reviewed the request for acceptance of the dedication and consents to same with the condition that a performance bond in the amount of \$59,161.69 be posted with the Town Clerk to guarantee any maintenance and repairs required to said roadway by the Town for a period of one (1) year after said road is accepted by the Town; and

WHEREAS, the Town Attorney has reviewed the proposed Title Report for the road to be issued in favor of the Town; now therefore be it

RESOLVED, by the Town Board of the Town of Beekman in regular session duly convened that upon the filing of the above noted performance bond, the Town Board agrees to accept the deed of dedication on the said road, to be known as Melanie Lane and directs the Town Attorney to record the same in the Dutchess County Clerk's Office.

Seconded _____

ROLL CALL VOTE:

Councilwoman Covucci
Councilman Stiegler
Councilman Del Vecchio
Councilman Battaglini
Supervisor Zulauf

Dated: September 20, 2017