

**TOWN OF BEEKMAN
TOWN BOARD MEETING AGENDA
October 9, 2019**

7:00 PM

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

PUBLIC HEARING CONT'D - Dover Ridge Water System Improvements

Public comment - 3 Minute Limit

TOWN BOARD MEETING

Public comment on Agenda Items and Resolutions - 3 Minute Limit

RESOLUTIONS

1. Approval of Past Special Town Board Minutes
 2. Approval of Past Town Board Minutes
 3. Public Interest Order In the Matter of the Dover Ridge Water District
 4. Authorizing the Issuance of \$400,000 Bonds to Pay the Cost of the Improvements to the Dover Ridge Water District
 5. Award Bid for the Improvement to the Dover Ridge Water System
 6. Award Bid for Cleanup Day
 7. Authorizing the Supervisor to sign an Estoppel Certificate for the Beekman Library
 8. Approve Entertainment for Senior Halloween Party
 9. Authorize Sale of Highway Equipment at Auction
 10. Accept donation of File Cabinets from Dutchess County Storeroom
- Other Town Board Business
 - General Board Comments
 - Upcoming Town Board Meetings:
 - **Next Town Board Meeting: Wednesday, October 19, 2019 at 7:00 PM**
 - General Public Comments – 3 Minute Limit

RESOLUTION NO. 10:09:2019 – 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 Special Town Board Meeting held on October 2, 2019 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 2, 2019 Special Town Board Meeting.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 2
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 18, 2019 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 18, 2019 Town Board Meeting.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini
Councilman Stiegler
Councilman Swartz
Councilwoman Wohrman
Supervisor Covucci
Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 3

At a regular meeting of the Town Board of the Town of Beekman, Dutchess County, New York, held at the Town Hall, 4 Main Street, in Poughquag, New York in said Town, on October 9, 2019, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilwoman

| | |
|---|-----------------------|
| In the Matter of The Increase and Improvement of Facilities of the Dover Ridge Water District in the Town of Beekman, Dutchess County, New York | PUBLIC INTEREST ORDER |
|---|-----------------------|

WHEREAS, the Town Board of the Town of Beekman, Dutchess County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of the Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, consisting of the replacement of the deteriorated hydro pneumatic tank and booster pumps with variable

frequency drive pumps, including necessary piping, fittings, electronic controls, and incidental items and expenses in connection therewith, at a maximum estimated cost of \$400,000 and

WHEREAS, at a meeting of said Town Board duly called and held on September 18, 2019, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of the Dover Ridge Water District in said Town at a maximum estimated cost of \$400,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Poughquag, New York, in said Town, on October 2, 2019, at 7:00 o'clock P.M., Prevailing Time and on October 9, 2019, at 7:00 o'clock P.M., Prevailing Time;

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Beekman, Dutchess County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of the Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, consisting of the replacement of the deteriorated hydro pneumatic tank and booster pumps with variable frequency drive pumps, including necessary piping, fittings, electronic controls, and incidental items and expenses in connection therewith, at a maximum estimated cost of \$400,000.

Section 2. This Order shall take effect immediately.

Seconded:

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

Councilman Battaglini
Councilman Stiegler
Councilman Swartz
Councilwoman Wohrman
Supervisor Covucci
Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 4

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF THE TOWN OF BEEKMAN, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE DOVER RIDGE WATER DISTRICT, IN THE TOWN OF BEEKMAN, DUTCHESS COUNTY, NEW YORK.

offers the following and moves for its adoption:

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of the Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, at a maximum estimated cost of \$400,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Beekman, Dutchess County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, consisting of the replacement of the deteriorated hydro pneumatic tank and booster pumps with variable frequency drive pumps, including necessary piping, fittings, electronic controls, and incidental items and expenses in connection therewith, there are hereby authorized to be issued \$400,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$400,000 and that the plan for the financing thereof is by the issuance of the \$400,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Beekman, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year s to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Dover Ridge Water District in the manner provided by law as applicable, there shall

annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Wohrman

Supervisor Covucci

Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 5
RE: AWARD BID FOR DOVER RIDGE WATER SYSTEM IMPROVEMNTS

offers the following and moves for its adoption:

WHEREAS, the Town of Beekman solicited bids for Dover Ridge Water System Improvements; and

WHEREAS, two bids were received by the Town deemed responsive and complete; and

WHEREAS, the bids were opened and read publicly on July 29, 2019 at 10:00 am; and

WHEREAS, the Town has determined that the lowest responsive bid received was from Eventus Construction Company, Inc. in the amount of \$350,000; and

WHEREAS, this bid was reviewed by the Town Engineer, and his recommendations are attached; now therefore be it

RESOLVED, that the bid from Eventus Construction Company, Inc. at a cost not to exceed \$350,000 be accepted for the Dover Ridge Water System Improvements.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 6
RE: AWARD BID FOR CLEAN-UP DAY

offers the following and moves for its adoption:

WHEREAS, Town clean-up day has been scheduled for Saturday October 26, 2019 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 legally published notice and opened and read publicly by the Town Clerk on October 1, 2019 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:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 9, 2019

RESOLUTION NO. 10:09:2019-7

Resolution Authorizing the Supervisor to sign an Estoppel Certificate for the Beekman Library

offers the following and moves for its adoption:

WHEREAS; the Town of Beekman is the owner of certain property located at 11 Town Center Boulevard in the Town of Beekman which property is leased to The Beekman Library Association for the sole purpose of operating a public library; and

WHEREAS, the Beekman Library Association is desirous of refinancing an existing leasehold mortgage; and

WHEREAS, pursuant to the leasehold agreement The Beekman Library Association is permitted to mortgage its interest in the property with the consent of the Town of Beekman for which such consent should not be unreasonably withheld; and

WHEREAS, the Estoppel Certificate has been reviewed by the Town Attorney and found to be acceptable as to form and substance; now therefore be it,

FURTHER RESOLVED, that the Town Board of the Town of Beekman hereby authorizes the Supervisor to execute the Estoppel Certificate and Non-Disturbance Agreement in substantially the same form and substance as attached hereto.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Wohrman

Supervisor Covucci

Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 8
RE: APPROVE ENTERTAINMENT FOR SENIOR HALLOWEEN PARTY

offers the following and moves for its adoption:

WHEREAS, the Senior Center is having a Halloween Party scheduled for Thursday, October 31, 2019; and

WHEREAS, the costs will be covered by the fees collected for parties, now therefore be it

RESOLVED, that the following expenditure for the Halloween Party be authorized, John Harrah's Mobile Music Services for an amount not to exceed \$200.00.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 9
RE: AUTHORIZE SALE OF HIGHWAY EQUIPMENT AT AUCTION

offers the following and moves for its adoption:

WHEREAS, The Highway Department has surplus equipment listed below:

FS90R Weed Wacker
Stihl Pro Series HT75 Pole Saw
Stihl HT107 Pole Saw
Jonsered 670 Chainsaw
John Deere Chainsaw
HT131 Pole Saw
MS 211 Chainsaw
MS360 Chainsaw
Yamaha EF6000 Generator
Eastwood Sand Blasting Cabinet

; and WHEREAS, the Town Board is desirous in disposing of this equipment; now therefore be it

RESOLVED, that the Town Board hereby authorizes Tony Coviello, Highway Superintendent, to place these items for sale at DPW Auctions.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini
Councilman Stiegler
Councilman Swartz
Councilwoman Wohrman
Supervisor Covucci
Dated: October 9, 2019

RESOLUTION NO. 10:09:2019 – 10
RE: ACCEPT DONATION OF FILE CABINETS

offers the following and moves for its adoption:

WHEREAS, the Town Clerk has received 2 File Cabinets for the Vault from the Dutchess County Storeroom; and

WHEREAS, Town Board resolutions are required to accept all donations, now therefore be it

RESOLVED, that the Town Board does hereby accept this donation and in doing so, does express it's gratitude to Dutchess County and be it further

RESOLVED, that the record of this donation will be forwarded to the Town Clerk for her record of donations.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 9, 2019