

**BEEKMAN TOWN BOARD – REGULAR MEETING – August 7, 2013**

The Regular Meeting of the Beekman Town Board was called to order at 7:15PM with Supervisor Matthew D. Kennedy presiding. The Meeting was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR MATTHEW D. KENNEDY  
COUNCILMAN RON MANGERI  
COUNCILMAN PETER BARTON – arrived at 7:19pm  
COUNCILMAN MICHAEL MORAN  
ABSENT: COUNCILWOMAN BARBARA ZULAUF  
ALSO PRESENT: ATTORNEY, MICHAEL VARBLE

Supervisor Matthew D. Kennedy began the Meeting with the Pledge of Allegiance, a Moment of Silence in Honor of our Troops who have served and those currently serving and a Special Moment of Silence for the father of Peter Skorewicz, Town Videographer, who passed suddenly this evening. He made one administrative announcement regarding the location of fire exits.

**PUBLIC HEARING ON LOCAL LAW #1-2013**

At 7:17pm Supervisor Kennedy moved to open the Public Hearing, seconded by Councilman Mangeri. All in favor.

The Supervisor explained the purpose of Local Law 1-2013 is to extend the term of office for the Elective Position of Highway Superintendent from two years to four years and have it placed on the ballot in the upcoming election on November 5<sup>th</sup>. The Supervisor asked the public if anyone would like to be heard. Several members of the public spoke and gave their opinion of extending the term of office. At 7:34pm with no further public comment, Supervisor Kennedy made a motion to close the public hearing seconded by Councilman Mangeri. All in favor.

**PUBLIC HEARING ON ABANDONED PROPERTIES**

At 7:35pm Supervisor Kennedy moved to open the Public Hearing on Abandoned Properties seconded by Councilman Mangeri. All in favor.

The Supervisor explained that we have two properties up for discussion tonight. Both simply need lawn maintenance. He asked the public if anyone would like to be heard on this topic. There was no public comment on this topic. At 7:40pm Supervisor Kennedy moved to close the public hearing seconded by Councilman Mangeri. All in favor.

Supervisor Kennedy made the motion to direct Town Employees to enter the properties discussed in the public hearing and perform the maintenance necessary, seconded by Councilman Barton. All in favor.

***The Regular Portion of this evenings meeting began at 7:41pm***

REPORTS:

SUPERVISOR:

The Supervisor began his report this evening, commenting on Community Day. He stated due to the inclement weather Community Day was pushed to July 21<sup>st</sup> but was still well attended. He announced that once again he was in the dunk tank this year, the Town won the softball game versus BAC and enjoyed the

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awesome fire work display. He thanked all the sponsors and the entire Community for a huge success. Supervisor Kennedy announced the 25 year time capsule opening ceremony is September 28<sup>th</sup> at 2:00pm. We will have the opportunity to view the items, there will be music and refreshments, and for all 5<sup>th</sup> and 6<sup>th</sup> grade Beekman residents an essay contest.

The Supervisor announced that Olivet University purchased 500 acres in the Town of Dover at the former Harlem Valley Psychiatric Center. They are planning to construct a research and development facility which will create potential jobs.

Supervisor Kennedy stated that we awarded the Community Roof bid to J.C. Millbank and they will begin work on August 19<sup>th</sup>.

In closing, the Supervisor stated we have a resolution for this evening to award the Recreation Improvement Project bid. For this project the Town was awarded a \$100,000 Community Development Block Grant.

TOWN BOARD:

**Councilman Barton** had nothing to report this evening.

**Councilman Mangeri** had nothing to report this evening.

**Councilman Moran** had nothing to report this evening.

HIGHWAY SUPERINTENDENT:

Highway Superintendent, Tony Coviello, thanked everyone for the wonderful comments during the Public Hearing to extend his term. The Highway crew has been removing dead trees and chipping brush. They replaced drainage pipe on Stowe Drive, installed curbing on Palmer Circle to prevent water from entering residents properties. They are still performing roadside mowing and will be paving Clapp Hill on August 26<sup>th</sup>. They also installed pipe on Harden Drive and completed paving Susan Drive. In closing, Tony explained that they fabricated the paving risers in house and saved \$3,500 by doing so as opposed to purchasing them prefabricated.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

Laureen Abbatantuono, Gabriels Path, spoke about the extensive speeding on her road. She is requesting the Town to consider installing speed “humps” to reduce the speed of residents who utilize that road as a cut-through.

Several Board members and the Highway Superintendent spoke regarding this subject and decided to discuss further in Other Business.

RESOLUTIONS:

**RESOLUTION NO. 08:07:13 – 1(97)  
To Approve Town Board Minutes**

COUNCILMAN BARTON

offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the July 17, 2013, Town Board Meeting to all members of the Beekman Town Board; and

WHEREAS, Town Board members have had the opportunity to review said minutes, and find same to be in order; now therefore be it

RESOLVED, the Town Board hereby adopts the minutes of the July 17, 2013, Town Board Meeting.

Seconded

SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 2 (98)  
To Approve the 2013 Fall Clean-Up Day**

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, the Town Board wishes to offer residents the opportunity to dispose of items that cannot be taken to the recycling center or discarded in the general trash; and

WHEREAS, the Town Board desires to designate October 19, 2013 as Fall Clean-Up Day; and

WHEREAS, participation in Fall Clean-Up day shall be solely for Town of Beekman residents who show proof of residency with a valid Driver's License; and

WHEREAS, no garbage, hazardous material, brush or building materials will be accepted, now therefore be it

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to conduct a Town Fall Clean Up Day on October 19, 2013 at the Highway Department Facility.

Seconded COUNCILMAN MANGERI

ROLL CALL VOTE:

Supervisor Matt Kennedy	AYE
Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 3(99)  
To Authorize the 2013 Beekman Senior Picnic**

COUNCILMAN MANGERI 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 2013 budget for this purpose; 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 and organize the 2013 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 therefor.

Seconded SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 4 (100)  
To Amend the General Budget**

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, the Town of Beekman in 2011 authorized the construction of a pavilion at Town Center Park; and

WHEREAS, following a dispute with the Palombo Group, a general contractor on the project, the Town is obligated to pay, in total, the sum of \$85,188.62, after credits for certain delay damages in favor of the Town; now therefore be it

RESOLVED, that the Town Board hereby authorizes and directs the transfer of \$85,188.62 from the Town's General Fund(A) to the Special Recreation Fund (CM) for the purpose of paying the above-stated obligations, as more fully set forth in the attached settlement agreement between the Town of Beekman and the Palombo Group.

Seconded COUNCILMAN MANGERI

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 5 (101)  
To Adopt Local Law Extending Term of Office of Town Highway Superintendent**

COUNCILMAN BARTON offers the following and moves for its adoption:

WHEREAS, a proposed local law, known as "A Local Law Providing for a Four-Year Term of Office for the Elective Office of Highway Superintendent," was introduced before this Board on July 10, 2013 and

WHEREAS, a public hearing was held on the 7<sup>th</sup> day of August, 2013 at 7:00 p.m. at Beekman Town Hall, 4 Main Street, Poughquag, in the Town of Beekman, New York, with proper notice having been given therefor; and

WHEREAS, at this public hearing members of the public were invited to provide comment on the proposed local law; now therefore

BE IT ENACTED, the Town Board of the Town of Beekman does hereby adopt Local Law # 1 for 2013; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to file forthwith a copy of this Local Law #1 with the New York State Secretary of State, and to forward a certified copy of this Local Law #1 to the Dutchess County Board of Elections, with the directive that a proposition should appear on the November 2013 general election ballot, as follows: "*Shall the term of office of the Highway Superintendent be increased from two years to four years with the term of office commencing January 1, 2014, as set forth in Local Law No. 1 of 2013?*".

Seconded SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 6 (102)  
To Request Action from the County Department of Public Works, Highway Division**

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, the portion of Beekman Road abutting Spring Hill Park is now being used for roadside parking, by those swimming in Hidden Lake;

WHEREAS, parking in this area presents safety concerns for passing vehicles and pedestrians, but is also a serious impediment to emergency responders, who in a recent emergency were blocked from access to an injured swimmer, and had difficulty parking their vehicles in the vicinity; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby request and recommend that the Dutchess County Department of Public Works, Highway Division, ban roadside parking, and post the requisite “No Parking” signage, in the area in question on Beekman Road, from just beyond Benton Moore Road; and be it further

RESOLVED, that a copy of this resolution, duly certified, shall be delivered by the Town Clerk forthwith to the Dutchess County Department of Public Works, Highway Division.

Seconded COUNCILMAN BARTON

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 7 (103)**

**To Approve Agreement with Hudson Land Design for Engineering Services to the Town**

COUNCILMAN MANGERI offers the following and moves for its adoption:

Whereas, following a request for proposal, or RFP, process, the Town Board did by resolution dated June 19, 2013 name Hudson Land Design as engineers to the Town;

Whereas, the Town Board desires to conclude a formal agreement with Hudson Land Design, on the terms set forth in the Hudson Land Design proposal; now therefore be it

RESOLVED, that the Supervisor is authorized and directed to execute the agreement attached hereto, providing for the continued services of Hudson Land Design.

Seconded SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 8 (104)**

**To Approve Agreement with Town of Dover for Interim Assessor Services**

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, the Town of Beekman and Town of Dover have jointly applied to the Dutchess County Community Development Advisory Council, for a grant to cover funding to establish a permanent shared service for the position of Town Assessor; and

WHEREAS, the term of office of the Town Assessor commences October 1, 2013, and with the resignation of John Derevjanik, the office of Town Assessor in the Town of Beekman is presently vacant;

WHEREAS, the Town is desirous of having the Dover Town Assessor perform work in Beekman on an as-needed basis, on the terms embodied in the agreement attached hereto, until the time of the October 1 appointment; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby authorize the Town Supervisor to execute the agreement attached hereto, providing for the services of Ms. Judy Hyatt from now through October 1, 2013.

Seconded                      SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 – 9 (105)**  
**To Award Bid to R T & Sons Construction, Inc.**

COUNCILMAN BARTON                      offers the following and moves for its adoption:

WHEREAS, the Town of Beekman advertised a request for proposals (RFP) for improvements to the Recreation Center Park pavilion, bathrooms, and surrounding areas, for which improvements the Town has been awarded a Community Development Block Grant;

WHEREAS, proposals were received and were evaluated by Morris Associates Engineering Consultants, P.L.L.C., who have recommended that the Town Board award the bid to R T & Sons Construction, Inc., the low bidder; now therefore be it

RESOLVED, that the Town Board does hereby award the bid for the Recreation Center Park Improvement to R T & Sons Construction, Inc., at a total cost not to exceed \$39,883.50, and does authorize the Supervisor to finalize a contract to this effect, in consultation with the engineers, the Town Comptroller, and the Town Attorney.

Seconded                      SUPERVISOR KENNEDY

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**RESOLUTION NO. 08:07:13 -10 (106)**  
**To Approve Payment of Claims**

SUPERVISOR KENNEDY                      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; now therefore be it

RESOLVED, that the payment, therefore, is hereby authorized as follows:

Claims to be paid from the SW-Dover Ridge Water	\$ 932.04
Claims to be paid from the SS-Dover Ridge Sewer	\$ 2,700.55

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Claims to be paid from the T-Trust & Agency	\$ 1,800.00
Claims to be paid from the A-General Fund	\$ 91,458.60
Claims to be paid from the DA-Highway	<u>\$ 13,586.95</u>
	\$110,478.14

Payroll	16	Paid	\$ 81,920.04
General Fund:	\$ 62,103.88		
Highway Fund:	\$ 19,816.16		

Seconded COUNCILMAN MANGERI

**ROLL CALL VOTE:**

Councilman Peter Barton	AYE
Councilman Mike Moran	ABSTAIN
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

**OTHER BUSINESS:**

**RESOLUTION NO. 08:07:13 –OTHER BUSINESS  
To Authorize the Reduction of a Performance Bond of Enterprise Development Group**

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, the developer of Lakeside Estates, Enterprise Development Group, through its engineer Michael Gillespie, P.E.; has submitted a request to reduce the bond for the Lakeside Estates development, and the request has been reviewed and approved by the Town Engineer, Daniel G. Koehler, P.E.; now therefore be it

RESOLVED, that the Enterprise Development Group may reduce the performance bond for the Lakeside Estates development from \$ 367,850 to the amount of \$ 187,195.

Seconded by COUNCILMAN BARTON

**ROLL CALL VOTE:**

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE
Councilwoman Barbara Zulauf	ABSENT
Supervisor Matt Kennedy	AYE

Dated: August 7, 2013

Supervisor Kennedy made a motion that the Highway Superintendent is authorized and directed to install speed humps on Gabriels Path using his discretion for spacing installing no more than four total, seconded by Councilman Moran. Roll call vote: Councilman Barton – Aye, Councilman Moran – Aye, Councilman Mangeri – Aye, Supervisor Kennedy – Aye.

Highway Superintendent, Tony Coviello, stated he will get it done relatively soon.

**GENERAL PUBLIC COMMENT:**

There was no General public comment this evening.

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GENERAL BOARD COMMENT:

Supervisor Kennedy announced the next meeting of the Beekman Town Board is September 4, 2013 at 7:30pm.

At 8:57pm Supervisor Kennedy made a motion to move to executive session to discuss pending litigation seconded by Councilman Mangeri. All in favor.

At 10:13pm the Board returned from executive session. Supervisor Kennedy made the motion to have the Town Attorney draft a letter to the individual who was discussed in Executive session, request a tolling agreement to present the claim that was discussed and concurrently with that will move to perfect the Appeal in the matter of Laberge & Town of Beekman. Seconded by Councilman Moran. Roll call vote: Councilman Barton – Aye, Councilman Moran – Aye, Councilman Mangeri – Aye, Supervisor Kennedy – Aye.

ADJOURN:

At 10:14PM with no further business to conduct Supervisor Kennedy made the motion to adjourn the meeting seconded by Councilman Mangeri. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT

TOWN CLERK