

BEEKMAN TOWN BOARD – REGULAR MEETING – November 14, 2012

The Regular Meeting of the Beekman Town Board was called to order at 7:35 PM with Supervisor Matthew D. Kennedy presiding. The Meeting was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR MATTHEW D. KENNEDY
COUNCILMAN PETER BARTON
COUNCILMAN RON MANGERI
COUNCILWOMAN BARBARA ZULAUF

ALSO PRESENT: DAVID SEARS – ATTORNEY TO TOWN

ABSENT: COUNCILMAN MICHAEL MORAN

Supervisor Matthew D. Kennedy 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. Councilwoman Zulauf offered a moment of silence in honor of former Councilman Alfred Mackay who passed away on Monday. Supervisor Kennedy made one administrative announcement regarding the location of the fire exits.

REPORTS:

SUPERVISOR:

Supervisor Kennedy reported that we will be presenting a resolution tonight to adopt the 2013 Budget. He thanked everyone that worked on completing it. Supervisor Kennedy held a meeting with Dick Marion from NYSEG and asked to have a dedicated tree and line crew for the Town of Beekman. Dick Marion stated that he will contact others at NYSEG to see if this would be possible. Supervisor Kennedy stated that he will make a list of the areas within Town that easily loose power.

Supervisor Kennedy spoke with a resident who asked why the Town was not involved with the Veterans Day Ceremony. His response was that the Town Historian is actively involved in planning this Ceremony and has been for a few years. Supervisor Kennedy intends to create a committee to address the Veterans Day Ceremony going forward.

Supervisor Kennedy reported that the brush removal process started yesterday and will continue through until next Tuesday. He also advised that the construction of the Lean-To facility will commence as early as next week. This facility has been funded by insurance proceeds and will serve as storage space for the Highway and Maintenance equipment.

TOWN BOARD:

Councilwoman Zulauf reported that the fire department has their commissioners meeting this evening and will discuss the weather vane issue and present a resolution at the next Town Board Meeting.

Councilman Barton reported that all the materials have been delivered for the construction of the Lean-To facility and will begin as soon as the brush removal process is complete.

Councilman Mangeri reported that he attempted to attend the public hearing of the County Legislature regarding the 2013 County Budget last Wednesday evening, however, by the time he arrived it was over. He stated that he issued a copy of Beekman's Tax resolution to a member at the Poughkeepsie Journal and

had a conversation with him on where we stood. He advised the public that there will be another public hearing on the County Budget on December 4th at 7:00pm at the Bardavon in Poughkeepsie and encouraged residents to attend. He made one final comment that he had not heard back from our County Legislator, Gerry Hutchings, regarding the questions that were asked of him on the topic of the budget and asked that he get back to us.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

Town Historian, Thom Usher, questioned Councilwoman Zulauf on the topic of the weather vane and what the agreement was. Councilwoman Zulauf stated that John Adams spoke to Supervisor Kennedy about acquiring the weather vane to be placed at the Fire House and they would replace Town Hall's weather vane. Thom Usher gave his opinion on keeping the weather vane on our building and stated that he will contact the State and Federal Historical society. He will provide the Town Board with requirements on keeping a historical building intact.

RESOLUTIONS:

RESOLUTION NO. 11:14:12 – 1(171)
RE: Approval of Town Board Minutes

COUNCILWOMAN ZULAUF offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the November 8, 2012, 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, that the Town Board hereby adopts the minutes of the November 8, 2012, Town Board Meetings.

Seconded COUNCILMAN MANGERI

ROLL CALL VOTE:

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

Dated: November 14, 2012

RESOLUTION 11:14:12 – 2(172)
RE: Adoption of the 2013 Annual Budget

COUNCILMAN BARTON offers the following and moves for its adoption:

WHEREAS, the Town Board of the Town of Beekman has met and considered the tentative and preliminary budgets for the fiscal year beginning January 1, 2013, and has conducted a public hearing thereon on November 8, 2012, as required by §108 of the Town Law of the State of New York, and held Budget Workshops on October 9th, October 10th and October 11th; now therefore be it

RESOLVED, that the 2013 budget as changed, amended, and revised and as attached hereto, is hereby adopted as the annual budget of the Town of Beekman for the fiscal year beginning January 1, 2013, and the same shall be entered in the minutes of the Town Board.

Seconded COUNCILMAN MANGERI

*****SUPERVISOR KENNEDY made a motion to amend this resolution to reflect the following changes: Line item 7140.4-Playgrounds & Recreation CE from \$62,000.00 increase to \$69,000.00, Line item 3620.4-Safety Inspection CE from \$19,085.00 increase to \$21,085.00, Line item 3510.1-Animal Control PS from \$0 increase to \$11,000.00, Line item 3510.4-Animal Control CE from \$10,000.00 decrease to \$1,000.00, Line item 1990.4-Contingency from \$186,500.00 decrease to \$175,500.00. Seconded by COUNCILMAN BARTON.*****

ROLL CALL VOTE:

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

*****ROLL CALL VOTE: AS AMENDED*****

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

Dated: November 14, 2012

RESOLUTION 11:14:12 – 3(173)
Re: To Change Destination of Senior Trip

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, the Recreation budget includes funding for the cost of a variety of activities for the enjoyment of the community; and

WHEREAS, the Town Board previously approved a bus trip to New York City; and

WHEREAS, the destination of the trip has been changed from New York City to Westchester Broadway Theater; and

WHEREAS, the Recreation Director is requesting a check in the amount of \$2,385.00 to purchase tickets and a check in the amount of \$795.00 for transportation provided by Coach Tours LTD; now therefore be it

RESOLVED, that the scheduled outing will be to the Westchester Broadway Theater on December 13, 2012.

Seconded COUNCILWOMAN ZULAUF

*****SUPERVISOR KENNEDY made a motion to amend this resolution to read checks in those amounts shall be cut. Seconded by COUNCILWOMAN ZULAUF.*****

ROLL CALL VOTE:

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

*****ROLL CALL VOTE: AS AMENDED*****

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

Dated: November 14, 2012

RESOLUTION 11:14:12 – 4(174)
RE: To Award the Bids for the Removal of Scrap Metal

COUNCILMAN MANGERI offers the following and moves for its adoption:

WHEREAS, authorization was given for the Town Clerk to advertise for bids for the removal of scrap metal; and

WHEREAS, one bid for the removal of scrap metal was received, opened and read publicly on October 11, 2012, at 1:00pm and has been reviewed by the Highway Superintendent and the Town Clerk; now therefore be it

RESOLVED, that the bid is hereby awarded to Green’s Auto Repair as recommended by the Highway Superintendent as attached herewith; and be it further

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

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

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

Dated: November 14, 2012

RESOLUTION 11:14:12 – 5(175)
Re: Authorizing Amendments to the Town Code

COUNCILWOMAN ZULAUF offers the following and moves for its adoption:

**LOCAL LAW NO. 3 OF 2012 AMENDING THE DOGS AND
OTHER ANIMALS LAW**

BE IT ENACTED by the Town Board for the Town of Beekman, amending the Town Code as follows:

§ 59-2. Unlawful conduct; leash required.

A. It shall be unlawful for any owner of or any person harboring any dog in the Town of Beekman to permit or allow such muzzled or unmuzzled dog to:

- (1) Engage in habitual loud howling or barking or to conduct itself in such a manner so as to habitually annoy any person other than the owner or owners harboring such dog.
- (2) Cause damage or destruction to property or to commit a nuisance upon the premises of a person other than the owner or persons harboring such dog.
- (3) Chase or otherwise harass any person, except on property of its owner, in such manner as reasonably to cause intimidation or to put such person in reasonable apprehension of bodily harm or injury.
- (4) Habitually chase or bark at motor vehicles, motorcycles, bicycles, horses and other conveyances.
- (5) Kill, injure or harass domestic animals.
- (6) Be without a license, as provided in § 109 of the Agriculture and Markets Law of the State of New York.
- (7) Chase, run after, injure or kill deer.

B. No person owning or having custody of a dog, whether or not tagged or licensed, shall permit such dog to be at large in the Town of Beekman elsewhere than on the premises of the owner or person having such custody and control, unless restrained by a chain or leash not exceeding eight feet in length. **[The requirement of restraining a dog on a leash shall not apply at times the dog is within the confines of the Town of Beekman Dog Park.]**

Seconded COUNCILMAN BARTON

ROLL CALL VOTE:

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

Dated: November 14, 2012

RESOLUTION NO. 11:14:12 – 6 (176)
RE: To Set Public Hearings for Abandoned Properties

COUNCILMAN BARTON 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:

34 Gold Road- Shawn Cohen/Shawn Maher
117 Hillside Road- Thomas and Donna Pfister
60 Cedar Lane- Charles and Ann Emmons
228 Sylvan Lake Road- Gino and Maryann Montalegre
1490 Clove Valley Road- Roberta Ann Lieberman

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 be it

RESOLVED, that a Public Hearing will be held on December 5, 2012 at 7:15 p.m. at 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, whether the Town Board may direct or order the abatement, remediation, removal or extermination, as the case may be, to 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 further, 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 KENNEDY

ROLL CALL VOTE:

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

Dated: November 14, 2012

RESOLUTION NO. 11:14:12-7(177)
Re: To Approve Teen Leadership Council Weekend Trip

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, the Teen Leadership Council wishes to attend the YMCA Camp Jewell Outdoor Ctr. from March 8, 2013-March 10, 2013; and

WHEREAS, a deposit is required in the amount of \$308.00 to secure reservations;
now therefore be it

RESOLVED, that payment will be issued in the aforesaid amount in order to secure reservations at YMCA Camp Jewell.

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

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

Dated: November 14, 2012

RESOLUTION NO. 11:14:12-8(178)
Re: Approval of Payment of Claims

COUNCILMAN MANGERI 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, therefor, is hereby authorized as follows:

Claims to be paid from the A-General Fund:	\$110,727.01
Claims to be paid from the SS-Dover Ridge Sewer	\$ 753.13
Claims to be paid from the CM-Special Recreation Fund:	\$ 1142.40
Claims to be paid from the SW-Dover Ridge Water:	\$ 87.72
Claims to be paid from the T- Trust and Agency:	<u>\$ 10,097.00</u>
	\$122,807.26

Payroll 23	Paid	\$ 53,007.39
General Fund:	\$ 32,980.13	
Highway Fund:	\$ 20,027.26	

Seconded COUNCILMAN BARTON

ROLL CALL VOTE:

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

Dated: November 14, 2012

OTHER BUSINESS:

RESOLUTION NO. 11:14:12-
Authorizing Eagle Scout Projects to Proceed on Town Property

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, Eagle Scout candidates Ryan Haight and Jared Oswald propose to make improvements and repairs to certain Town property, as their respective Eagle Scout projects;

WHEREAS, the Town is desirous of supporting both projects, which will help to preserve our community's properties and history; now therefore be it

RESOLVED, that Ryan Haight is authorized to plan and complete work at the Mill House, specifically, the construction of a double door for the lower entrance, and the building and placement of 12 sets of shutters, to match those that are there presently; and it is further

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RESOLVED, that Jared Oswald is authorized to plan and complete work at the fresh water spring/wishing well site on Recreation Road, specifically, the fortification and replacement of the stone foundation, and the repair of the roof; and it is further

RESOLVED, that the Town Historian shall work with both young men, to provide guidance and oversight, as needed.

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

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

Dated: November 14, 2012

Councilman Mangeri reviewed the 2013 Capital Request Summary Report reading line by line each request made by the various departments.

Supervisor Kennedy read a letter from the Dutchess County Water & Wastewater District regarding increases in rates for the upcoming year for Dalton Farms, Birch Hill and Chelsea Cove.

GENERAL PUBLIC COMMENT:

Len Jerrum, Beyer Drive, stated his opinion regarding the weather vane on top of Town Hall. He feels it should remain in its current location and the Fire House can buy themselves a new one. Questioned the preliminary budget asking why it doesn't reflect the Library or Fire District budget? Gave his opinion regarding the maintenance of abandoned properties law and the long term money costs to the Town. Supervisor Kennedy advised him that any monies the Town expends gets added onto the property tax bill.

GENERAL BOARD COMMENT:

Supervisor Kennedy announced the next meeting of the Beekman Town Board will be December 5th 2012. There will be two public hearings that evening beginning at 7:00pm followed by the regular portion of the meeting.

ADJOURN:

At 8:45 pm with no further business to conduct Councilwoman Zulauf makes the motion to adjourn the meeting seconded by Supervisor Kennedy. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT

TOWN CLERK