

**BEEKMAN TOWN BOARD – REGULAR MEETING – November 20, 2013**

The Regular Meeting of the Beekman Town Board was called to order at 7:39PM 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  
COUNCILWOMAN BARBARA ZULAUF  
COUNCILMAN PETER BARTON  
COUNCILMAN MICHAEL MORAN

ALSO PRESENT: ATTORNEY, MICHAEL VARBLE

Supervisor Matthew D. Kennedy began the Meeting with the Pledge of Allegiance and a Moment of Silence in honor of all the typhoon victims in the Philippines. He also made mention of the 50<sup>th</sup> Anniversary of John F. Kennedy's assassination. He made one administrative announcement regarding the location of fire exits.

REPORTS:

SUPERVISOR:

The Supervisor began his report this evening by advising the public that the Comcast franchise agreement has been finalized and we have a resolution this evening to set a Public Hearing on the Agreement. The Verizon Cell Tower agreement is almost finalized; he is hoping to have it by the next meeting. We will be re-burying the Time Capsule in the next few weeks so if anyone is interested in donating items now is the time to do so.

Supervisor Kennedy added two resolutions to tonight's agenda which are open to public comment: To Re-Appoint William Knox to the Board of Assessment Review and To Adopt Local Law 2-2013 to Amend Certain Building Department Fees.

TOWN BOARD:

**Councilwoman Zulauf** reported that she attended the Rec Commission meeting where they discussed the 2014 fee schedule.

**Councilman Barton** stated that the Town needs to purchase two trucks: one for the Maintenance Department and one for the Highway Superintendent. The old trucks will be used for plowing purposes to aid in snow removal.

**Councilman Mangeri & Councilman Moran** reported that they met with Comptroller Fred Knapp to discuss the capital improvement requests. This was the first of several meetings.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

There was no public comment this evening.

**RECOGNITION OF FRANK MARCHESE, DISTINGUISHED RESIDENT**

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Supervisor Kennedy presented a Certificate of Appreciation to Frank Marchese, who has been a dedicated resident for the last 13 years. He and his wife are relocating to Florida in the next couple of weeks. Mr. Marchese served as the Dalton Farm Homeowners Association Chariman for the last 10 years and served on the Town Center Infrastructure Committee.

RESOLUTIONS:

**RESOLUTION NO. 11:20:13 – 1(130)  
To Approve 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 6, 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 November 6, 2013, Town Board Meeting.

Seconded COUNCILMAN MANGERI

ROLL CALL VOTE:

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

Dated: November 20, 2013

**RESOLUTION NO. 11:20:13 – 2(131)  
To Schedule a Public Hearing on the  
Proposed Franchise Agreement  
with Comcast**

COUNCILMAN BARTON offers the following and moves for its adoption:

WHEREAS, the Town is desirous of renewing the franchise agreement with Comcast of New York, LLC (“Comcast”), for the continued operation of a cable system within the Town;

WHEREAS, the Town has reached agreement with Comcast on the proposed terms of the franchise agreement, and must now schedule a public hearing, for the purpose of receiving public comment on the adequacy and feasibility of the terms; now therefore be it

RESOLVED, that a public hearing shall be held on December 4, 2013, at 7:00 pm, at Beekman Town Hall; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to provide notice of the aforementioned public hearing, via postings in Town Hall, and via publication in the Poughkeepsie Journal; and be it further

RESOLVED, that a copy of the proposed franchise agreement shall be made available in the Town Clerk’s office, and shall be posted to the Town website.

Seconded SUPERVISOR KENNEDY

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ROLL CALL VOTE:

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

Dated: November 20, 2013

**RESOLUTION 11:20:13 – 3(132)**  
**Adoption of the 2014 Annual Budget**

SUPERVISOR KENNEDY 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, 2014, and has conducted a public hearing thereon on November 6, 2013, as required by §108 of the Town Law of the State of New York, and has also held Budget Workshops on October 8<sup>th</sup>, October 9<sup>th</sup> and October 10<sup>th</sup>; now therefore be it

RESOLVED, that the 2014 budget, as attached hereto, is hereby adopted as the annual budget of the Town of Beekman for the fiscal year beginning January 1, 2014, and the same shall be entered in the minutes of the Town Board.

Seconded COUNCILWOMAN ZULAUF

**\*\*Councilwoman Zulauf made a motion to amend the Confidential Secretary to the Supervisor Position from part-time to full-time and amend the 2014 Budget as follows: Increase line A.1220.1 Personal Expense from \$36,164 to \$52,664 Increase line A.9030.8 Social Security from \$56,478.81 to \$57,501.81 Increase line A.9035.8 Medicare from \$11,542.81 to \$11,782.06 Increase line A.9045.8 Life from \$2,796.00 to \$2,892.00 Increase line A.9060.8 Health Insurance from \$428,554.70 to \$448,204.50. Supervisor Kennedy seconds. ROLL CALL VOTE: Councilman Barton-AYE, Councilman Moran-AYE, Councilman Mangeri-AYE, Councilwoman Zulauf-AYE, Supervisor Kennedy-AYE\*\***

ROLL CALL VOTE: AS AMENDED

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

Dated: November 20, 2013

**RESOLUTION NO. 11:20:13-4(133)**  
**To Accept Donation from Servpro**

COUNCILMAN MANGERI offers the following and moves for its adoption:

WHEREAS, Servpro has offered to sponsor the music at the Snowflake Spectacular, with a donation of \$200.00; and

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

RESOLVED, that the Town of Beekman does hereby accept this donation and approve the sponsorship, and in so doing does express its gratitude to Servpro.

Seconded COUNCILWOMAN ZULAUF

ROLL CALL VOTE:

Councilman Peter Barton	AYE
Councilman Mike Moran	AYE
Councilman Ron Mangeri	AYE

Councilwoman Barbara Zulauf     AYE  
Supervisor Matt Kennedy         AYE

Dated: November 20, 2013

**RESOLUTION 11:20:13-5(134)**  
**To Establish 2014 Rate of Pay for Part-Time and Seasonal Recreation Staff**

COUNCILMAN MORAN           offers the following and moves its adoption:

WHEREAS, the Town Board, as part of its October 2013 budget workshops, and as part of its budgeting process for the 2014 budget, did have occasion to review the proposed rates of pay for Recreation Department part-time and seasonal staff, as attached;

WHEREAS, the Recreation Commission did also review and approve these proposed rates of pay;

WHEREAS, the subject rates of pay were also factored into and used as the basis for certain budgeting lines, within the 2014 budget; now therefore be it

RESOLVED, that all incoming and returning part-time and seasonal employees of the Recreation Department shall be compensated at the starting rates of pay recorded on the attached document;

Seconded                    SUPERVISOR KENNEDY

ROLL CALL VOTE:

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

Dated: November 20, 2013

**RESOLUTION NO. 11:20:13-6(135)**  
**To Adopt the 2014 Recreation Fee Schedule**

COUNCILWOMAN ZULAUF       offers the following and moves for its adoption:

WHEREAS, the Recreation Director has proposed the attached fee schedule for the 2014 season;

WHEREAS, the Recreation Commission has reviewed same, and recommended its adoption to the Town Board;

WHEREAS, the Town Board has itself reviewed the fee schedule, and finds it to be in order; now therefore be it

RESOLVED, that the Beekman Town Board hereby adopts the 2014 Recreation fees proposed by the Recreation Commission as attached hereto.

Seconded                    SUPERVISOR KENNEDY

ROLL CALL VOTE:

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

Dated: November 20, 2013

**RESOLUTION NO. 11:20:13-7(136)  
To Approve Payment of Claims**

COUNCILMAN BARTON 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 T-Trust & Agency	\$ 7,175.00
Claims to be paid from the A-General Fund	\$ 21,874.41
Claims to be paid from the DA-Highway	<u>\$ 10,302.66</u>
	\$ 39,352.07

Payroll	21	Paid	\$ 49,867.37
General Fund:	\$ 31,025.86		
Highway Fund:	\$ 18,841.51		

Seconded SUPERVISOR KENNEDY

**ROLL CALL VOTE:**

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

Dated: November 20, 2013

**RESOLUTION NO. 11:20:13-ADD  
To Adopt Local Law 2-2013 Amend Certain Building Department Fees**

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, a proposed local law, known as “A Local Law to Amend Certain Building Department Fees,” was introduced before this Board on October 16, 2013 and

WHEREAS, a public hearing was held on the 6<sup>th</sup> day of November, 2013 at 6:30p.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 of the proposed local law; now therefore

BE IT ENACTED, the Town Board of the Town of Beekman does hereby adopt Local Law # 2 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 #2 with the New York State Secretary of State.

Seconded COUNCILMAN MORAN

**ROLL CALL VOTE:**

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

Dated: November 20, 2013

**RESOLUTION NO. 11:20:13-ADD(A)  
To Reappoint William Knox to the Board of Assessment Review**

SUPERVISOR KENNEDY offers the following and moves for its adoption:

WHEREAS, the Board of Assessment Review must maintain 5 members on the Board and

WHEREAS, William Knox is a member of this Board and his term expired September 30, 2013 and

WHEREAS, William Knox is desirous of retaining his position on this Board, now therefore be it

RESOLVED, that William Knox's term has been renewed through September 30, 2018.

Seconded COUNCILMAN BARTON

ROLL CALL VOTE:

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

Dated: November 20, 2013

OTHER BUSINESS:

Discussion of Capital Requests – The Committee of Councilman Mangeri, Councilman Moran and Comptroller Fred Knapp stated they will meet again to further investigate the capital requests before making a recommendation to the Board.

Discussion of Fortington Drive - 911 has it recorded as Fordington, therefore a clarification letter is needed if we are keeping it as Fortington. Fortington was a prominent family in the 1920s and the Road was named after them. Supervisor Kennedy moves to draft a letter to the County 911, Post Office, and Google clarifying that the Road is to be spelled with a "T" (Fortington) and to correct their records.

Supervisor Kennedy announced that the Town of Beekman is sponsoring a Deployment Closet gift drive for the Family Readiness Group for Attack Company, First Battalion, 32<sup>nd</sup> Infantry, 10<sup>th</sup> Mountain Division. We are seeking necessity items such as towels, washcloths, shaving cream, razors, deodorant, toothpaste and toothbrushes. These items will be placed in the soldiers barracks so they have comforts upon their return.

Councilman Barton offers a resolution to have the Highway Superintendent enter into a lease to own contract for two new trucks. Councilman Moran requests more time to look into these vehicles and other financing options stating that a decision can be made at the next Town Board meeting on December 4<sup>th</sup>.

GENERAL PUBLIC COMMENT:

Mike Jedlicka, Beekman Youth Soccer Club – questioned how it came about to start charging the Soccer Club and the Baseball Club for use of fields. Supervisor Kennedy stated during the Budget workshops this past October, it was suggested to charge each club a yearly amount of \$4000 to help with the cost of maintaining our fields.

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Len Jerrum, Beyer Drive, would like the 2013 Assessment roll printed out and available for viewing at Town Hall. His other concern was in reference to overtime for the Secretary to Supervisor position moving from part time to full time; however, Councilman Mangeri clarified that the position is a salary position with no overtime.

GENERAL BOARD COMMENT:

At 9:09pm Supervisor Kennedy made the motion to move to executive session for pending litigation, seconded by Councilwoman Zulauf. All in favor.

Councilwoman Zulauf recorded the minutes following Executive Session

At 10:44pm the Board returned from Executive Session taking the following action:

Supervisor Kennedy instructed Council to draft a Letter of Agreement concerning resolution of the Rec fee issue with John Cunningham as well as the resolution of Gardner Hollow to be executed. All in favor.

Supervisor Kennedy moves to instruct Council to commence litigation, which was discussed in executive session. All in favor.

ADJOURN:

At 10:47PM with no further business to conduct Councilwoman Zulauf made the motion to adjourn the meeting seconded by Supervisor Kennedy. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT  
TOWN CLERK