

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

The Regular Meeting of the Beekman Town Board was called to order at 7:00PM with Supervisor Mary Covucci presiding. The Meeting was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR MARY COVUCCI
COUNCILMAN ROBERT SWARTZ
COUNCILWOMAN SHARON WOHRMAN
COUNCILMAN EZIO BATTAGLINI

ABSENT: COUNCILMAN WERNER STIEGLER

Supervisor Mary Covucci 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. Supervisor Covucci made one administrative announcement regarding the location of fire exits.

PUBLIC HEARING

Amend Chapter 75-9, Article IV, Entitled “Building and Zoning Department Fees”

Supervisor Covucci opened the Public Hearing this evening and asked if anyone from the public would like to speak on this topic. With no public comment, Supervisor Covucci closed the Public Hearing, all in favor.

FINANCIAL UPDATE – TOM CAREY

Comptroller Consultant, Tom Carey, gave us an update on the Town’s financial status. He distributed several spreadsheets to the Town Board members in reference to expenses and revenues for fiscal year 2018. He has been working on reconciling the various bank accounts. He re-aligned the Highway Department Fund budget and will do the same to the other Fund budgets as well. In closing he stated that it is taking time but he is making progress to get the Town’s finances in order.

HIGHWAY REPORT – TONY COVIELLO

Highway Superintendent, Tony Coviello, acknowledged that he is happy with the newly re-aligned Highway Department Fund budget and stated it is better for transparency. His Department has been busy with storm related downed trees and cleaning up the debris. They have installed guard rails Town wide. Tony mentioned that the men have just about completed the 284 Agreement for this year. They were able to complete eight out of the nine roads listed. Unfortunately due to the extreme escalation in blacktop prices he is unable to complete the ninth road on the list. The men have begun to re-open a section of Pepper Hill Road that connects to Depot Hill Road to go straight through to that end of Town. Opening this section of Road will save a significant amount of time for Highway Maintenance and Emergency services that need to get to that area. In closing, Highway Superintendent, Tony Coviello, mentioned that his Repairs line on the Highway Budget has been decreased significantly over the years. Maintenance is performed everyday just to keep the equipment running. He feels this line item will go over budget this year and just wanted the Board to be aware of his concern.

REGULAR TOWN BOARD MEETING

Supervisor Covucci gave further details regarding the resolutions posted this evening and corrected Resolution #2 stating that it should be Local Law 2 of 2018.

Supervisor Covucci announced that Teresa Crispino, Receiver of Taxes, has resigned. She thanked her for serving in that role and for leaving that office organized for the next Receiver.

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

PUBLIC COMMENT ON AGENDA ITEMS AND RESOLUTIONS

Tony Coviello, Highway Superintendent, spoke about the Payment of Claims resolution stating that the Highway Payment is high due to the blacktop purchased for the 284 work performed.

Len Jerrum, Beyer Drive, questioned Resolution # 8, the date of the Senior trip.

D.D DeMasi, Beekman Road, concerned about salaries of employees and officials. He began addressing his concerns during this portion of the meeting and the Supervisor had to call a brief recess to get the meeting back on track to follow the Agenda. Supervisor Covucci called a brief recess at 7:35PM seconded by Councilwoman Wohrman, all in favor.

At 7:41PM Councilman Battaglini made a motion to be back in session, all in favor.

RESOLUTIONS:

**RESOLUTION NO. 08:22:18 – 1 (102)
RE: Approval of Past Town Board Minutes**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the August 8, 2018 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 August 8, 2018 Town Board Meeting.

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

Councilman Stiegler	ABSENT
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: August 22, 2018

**RESOLUTION NO. 08:22:18 – 2 (103)
RE: Adopt Local Law No. 2 of 2018 Amending Chapter 75-9, Article IV, Entitled “Building and Zoning Department Fees”**

SUPERVISOR COVUCCI offers the following and moves for its adoption:

BE IT ENACTED, by the Town Board of the Town of Beekman of the County of Dutchess as follows:

SECTION 1: Chapter 75-9(A) of the Town Code of the Town of Beekman is hereby amended by updating the Building Code and Zoning Code Fee Schedule by the proposed amendments attached hereto and made a part hereof.

SECTION 2. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph,

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

Seconded: COUNCILMAN SWARTZ

ROLL CALL VOTE:

Councilman Stiegler	ABSENT
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: August 22, 2018

**RESOLUTION NO. 08:22:18 – 3 (104)
RE: Highway Department Appointment**

COUNCILMAN SWARTZ offers the following and moves for its adoption:

BE IT RESOLVED, that the Town of Beekman Highway Department is desirous to add the position of Heavy Motor Equipment Operator; and be it further

RESOLVED, that Ryan Wysocki is hereby appointed to this position, from seasonal to full time, at a rate of \$27.52 per hour.

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler	ABSENT
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: August 22, 2018

**RESOLUTION NO. 08:22:18 – 4 (105)
RE: Appoint Receiver of Taxes**

COUNCILWOMAN WOHRMAN offers the following and moves for its adoption:

WHEREAS; a vacancy in the office of the Receiver of Taxes has occurred by the resignation of the duly appointed Receiver of Taxes, Theresa Crispino; and

WHEREAS, pursuant to Town Law, the Town of Beekman is required to have a Receiver of Taxes duly appointed for, among other things, receiving tax payments; and

WHEREAS, the Town Board has the authority to appoint a Receiver of Taxes until the election of a replacement at a duly held election; and
Now, Therefore,

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

BE IT FURTHER RESOLVED, that the Town Board of the Town of Beekman hereby appoints Jennifer L. Colucci as the Receiver of Taxes with a term expiring December 31, 2018; and be it further

RESOLVED, that such appointment is conditioned upon the appointee filing the oath of office and Town Ethics Form with the Town Clerk.

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler	ABSENT
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: August 22, 2018

RESOLUTION NO. 08:22:18 – 5 (106)
RE: Recreation Advisory Board Appointment

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Town Board will make appointments to the various boards; now therefore be it

RESOLVED, that the following appointment be made:

- Joann Cardillo as alternate member to the Recreation Advisory Committee with a term to expire December 31, 2019 and be it further

RESOLVED, that all appointments are contingent upon completion and submission of the Disclosure of Interest Statement pursuant to Chapter 19-9 of the Town Code, unless already on file and the information has not changed; and be it further

RESOLVED, that all appointees shall file their Oath of Office with the Town Clerk of the Town of Beekman prior to serving their term.

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

Councilman Stiegler	ABSENT
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: August 22, 2018

RESOLUTION NO. 08:22:18 – 6 (107)
RE: Approve Senior Picnic and Fees

SUPERVISOR COVUCCI 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; and

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

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 2018 budget for this purpose and not to exceed \$2500; and

WHEREAS, to be consistent with the fee procedures for non-residents in other Town programs and events, a schedule for fees has been established; 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 of September 20, 2018, 11:00 am -2:00 pm, and organize the Senior Picnic here in Beekman; and be it further

RESOLVED, that Town of Beekman senior residents shall be admitted to the Senior Picnic free of charge; and be it further

RESOLVED, that non-resident seniors and non-seniors that have already been “grandfathered” into other senior events will be charged \$5.00 to attend the Senior Picnic, and all other non-resident seniors and non-seniors will be charged \$10.00 to attend the picnic; and be it further

RESOLVED, that the Recreation Department is authorized to collect these fees in accordance with all Town of Beekman policies; 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 therefore.

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

Councilman Stiegler ABSENT
Councilman Swartz AYE
Councilman Battaglini AYE
Councilwoman Wohrman AYE
Supervisor Covucci AYE

Dated: August 22, 2018

**RESOLUTION NO. 08:22:18 – 7 (108)
RE: Approve Entertainment for Fall and Winter Festivals**

COUNCILMAN SWARTZ offers the following and moves for its adoption:

WHEREAS, the 2018 Budget included funding for entertainment for the annual Fall Festival on October 13, 2018; and Snowflake Spectacular on December 1, 2018; now therefore be it

RESOLVED, that the following expenditures for the Fall and Winter Festivals are hereby authorized as per the contract:

Vendor	Item/s	2018 Fall	2018 Winter
Party Time Rentals	18” Slide Obstacle Sports (Attendant included)	\$450	
John Hannah	Emcee		\$275

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

Music Masters	Emcee	\$350	
Pied Piper Pony	Pony Balance	\$335	
Pied Piper Pony	Pony Deposit	\$340	

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

Councilman Stiegler ABSENT
Councilman Swartz AYE
Councilman Battaglini AYE
Councilwoman Wohrman AYE
Supervisor Covucci AYE

Dated: August 22, 2018

**RESOLUTION NO. 08:22:18 – 8 (109)
RE: Authorize December Senior Bus Trip**

COUNCILWOMAN WOHRMAN offers the following and moves for its adoption:

WHEREAS, the 2018 Budget includes funding for the cost of a variety of bus trips for the Senior Citizens Program; and

WHEREAS, deposits are required for tours, shows and meals to guarantee the reservations, which deposits are reimbursed to the town through ticket sales; now therefore be it

RESOLVED, that the \$62 per person for tickets, driver tip, chaperone and the \$995 payment for the charter of a bus to the Westchester Broadway Theater, which replaces the cancelled trip from May 31st, is hereby authorized; and

Be it further RESOLVED, that deposits for tours, shows, and meals for above trips are hereby authorized not to exceed said total fees; and be it further

RESOLVED, that all registration costs incurred by the Town of Beekman will be reimbursed through ticket sales for each event

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler ABSENT
Councilman Swartz AYE
Councilman Battaglini AYE
Councilwoman Wohrman AYE
Supervisor Covucci AYE

Dated: August 22, 2018

**RESOLUTION NO. 08:22:18 – 9 (110)
RE: Payment of Claims**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Bookkeeper has audited and approved claims pursuant to Sect. 119 of Town Law as set forth in the attached abstracts; be it

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

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

Claims to be paid from the A-General Fund	\$ 34,536.98
Claims to be paid from the DA-Highway Fund	\$191,742.19
Claims to be paid from the SS – Dover Ridge Sewer	\$ 3,004.82
Claims to be paid from the SW – Dover Ridge Water	\$ 841.38
Claims to be paid from the T-Trust & Agency Fund	<u>\$ 2,214.98</u>
	<u>\$232,340.35</u>
Payroll Paid on 8/09/18	
General Fund	\$ 64,692.72
Highway Fund	<u>\$ 24,318.43</u>
	<u>\$ 89,011.15</u>

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

Councilman Stiegler	ABSENT
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Wohrman	AYE
Supervisor Covucci	AYE

Dated: August 22, 2018

OTHER BUSINESS

Councilman Battaglini reads the following:

DETERMINATION OF APPEAL

The Town Board of the Town of Beekman at a regularly scheduled meeting has considered the request by Douglas DeMasi for an appeal of a denial by the Town Clerk of a request pursuant to the Freedom of Information Law.

Facts: On July 29, 2018 Douglas DeMasi filed a request pursuant to the Freedom of Information Law seeking documents; specifically: “all claims to be paid from the general fund, highway fund, and payroll from January 1, 2011 through July 15, 2018. On July 19, 2018, Town Clerk Rachael Rancourt denied Mr. DeMasi’s request based on the fact that the request was overly broad and transcends a normal routine request and that the request does not reasonably describe the records sought. On July 29, 2018, Mr. DeMasi filed a request for an appeal with the Town Clerk.

Determination: The Town Board of the Town of Beekman, by a decision hereby deny Mr. Demasi’s appeal and uphold the decision of the Town Clerk.

Reasoning: First, it is not clear what documents Mr. DeMasi is seeking. He states that he is seeking “*all claims to be paid from the general fund.*” The municipality is not required to interpret what documents are being requested. The requestor must make it clear what document he or she seeks. A natural reading of the request would indicate that the requestor is seeking every claim or payment that is approved by the Town Board. If this is the case, the Town Board concurs that this request transcends a normal or routine request. This resulting documents would be tens of thousands of documents for every claim paid especially in light of the fact that he

BEEKMAN TOWN BOARD REGULAR MEETING – AUGUST 22, 2018

seeks over seven years of payments. This request would be an enormous administrative burden that would interfere with the day-to-day operations of an already heavily burdened town. To the extent it is possible, the requestor should clearly identify a tangible document and limit his inquiry in order to permit the Town to identify relevant documents.

*****Supervisor Covucci made a motion to accept the Determination seconded by Councilman Swartz and Councilwoman Wohrman. Roll Call Vote: Councilman Stiegler – ABSENT, Councilman Swartz – AYE, Councilman Battaglini – AYE, Councilwoman Wohrman – AYE, Supervisor Covucci – AYE.*****

GENERAL PUBLIC COMMENT

Len Jerrum, Beyer Drive, would like to see the Fire Department sign replaced that was knocked down on Route 55. He also mentioned he attended the meeting in East Fishkill in reference to CoPart coming into Stormville which will affect Beekman residents. He reminded all that on September 1st at the Renegades baseball game they will honor Veterans he encourages Veterans to attend and on September 30th there is the Dutchess County year of the Vet Parade.

The Secretary to the Highway Superintendent and Supervisor Covucci announced that Town Clean Up Day will be held on October 20, 2018 from 7am to 2pm.

GENERAL BOARD COMMENT

Supervisor Covucci announced that herself along with Councilman Battaglini, Councilwoman Wohrman, County Legislator Thomes and County Legislator Garito attended the CoPart presentation last week in East Fishkill. Many people are not happy about this and have many concerns. CoPart was scheduled to be on the East Fishkill Planning Board meeting last night which had to be cancelled due to the large crowd. They will reschedule this meeting at a larger venue and Supervisor Covucci will update us when she has more information. This project continues to concern many Beekman and East Fishkill residents. The Supervisor announced a Public Hearing will be held at the Community Center at Recreation Park tomorrow night at 7pm for the Site Plan & Special Use Approval for the Tree Top Adventure project.

Councilman Swartz reiterated that he 100% supports the decision pertaining to the Determination of Appeal that was voted on this evening.

ADJOURN

At 8:04PM, with no further business to conduct, Supervisor Covucci made the motion to adjourn the meeting seconded by Councilman Swartz & Councilman Battaglini. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT
TOWN CLERK