

**BEEKMAN TOWN BOARD – REGULAR MEETING – DECEMBER 2, 2015**

The Regular Meeting of the Beekman Town Board was called to order at 7:02PM with Supervisor Barbara Zulauf presiding. The Meeting was held in the meeting room at Town Hall.

THOSE PRESENT: SUPERVISOR BARBARA ZULAUF  
COUNCILMAN MICHAEL DEL VECCHIO  
COUNCILMAN WERNER STIEGLER  
COUNCILMAN EZIO BATTAGLINI

ABSENT: COUNCILMAN MICHAEL MORAN

Supervisor Barbara Zulauf began the Meeting with the Pledge of Allegiance and a Moment of Silence for former Dutchess County Sheriff Fred Scoralick who passed away on Sunday. Our thoughts are with his entire family during this time. She made one administrative announcement regarding the location of fire exits.

RECOGNITION – Supervisor Zulauf presented Melissa Mack with a certificate of achievement for obtaining her Girl Scout Silver Award.

**Melissa Mack – Girl Scout Silver Award Project**

Melissa Mack gave a slideshow presentation about her Silver Award Project on constructing bat houses and hanging them in Doherty Park.

**PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:**

**RESOLUTIONS:**

**RESOLUTION NO. 12:02:15 – 1 (153)  
RE: Approval of Past Town Board Minutes**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the November 18, 2015 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 November 18, 2015 Town Board Meeting.

Seconded COUNCILMAN BATTAGLINI

**ROLL CALL VOTE:**

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 2 (154)  
RE: Accept Toll Brother Roads**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

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WHEREAS, on or about September 10, 2008, the Town of Beekman Planning Board approved a subdivision known as the Martin Road Development in the Town of Beekman, County of Dutchess, State of New York; and

WHEREAS, a certain map entitled “Martin Road Development” dated May 21, 2009 was filed in the Dutchess County Clerk’s Office on August 7, 2009 as map No. 8883-A; and

WHEREAS, the developer of the Martin Road Development subdivision for public use, more specifically Heather Drive and Faye Court, roads within the Martin Road which are described on Schedule “A” annexed to a certain deed of conveyance to the Town of Beekman dated August 31, 2015; and

WHEREAS, the developer has tendered a deed conveyance to the Town of Beekman dated August 31, 2015 for the purpose of dedicating Heather Drive and Faye Court to public use; and

WHEREAS, the purpose of this resolution is to formally accept those real property interests hereinafter set forth in the deed of conveyance dated August 31, 2015; now therefore be it

RESOLVED, the Town Board of the Town of Beekman hereby accepts the dedication of Heather Drive and Faye Court to public use as hereinafter described:

See exhibit A annexed hereto which describes the boundaries of Heather Drive and Faye Court and forms a portion of the deed of conveyance.

The Town Board of the Town of Beekman hereby acknowledges receipt of a certain drainage easement executed and acknowledged on August 31, 2015 granting easements over lots 2, 3,9,10 and 33 in the Martin Road Development.

See Exhibit B annexed hereto which describes said lot properties.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

- Councilman Moran ABSENT
- Councilman Stiegler AYE
- Councilman Del Vecchio AYE
- Councilman Battaglini AYE
- Supervisor Zulauf AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 3 (155)  
RE: Accept Bids for TCP Pavilion Repair**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, bids were requested for Engineering services for Town Center Park Pavilion; and

WHEREAS, bids were received in the Town Clerk’s office November 25, 2015 at 3:00pm; and

WHEREAS, the Town Engineer has received these bids and made his recommendations; now therefore be it

RESOLVED, that M.A. Day Engineering PC be awarded the contract for Town Center Park Pavilion repair with a fee not to exceed \$4,650.00.

Seconded COUNCILMAN DEL VECCHIO

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ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 4 (156)**  
**RE: Approve Bond Reduction for Stone Ridge**

COUNCILMAN DEL VECCHIO offers the following and moves for its adoption:

WHEREAS, O'Donnell & Sons Inc. has requested a Performance Bond Reduction for Stone Ridge Estates located on Benton Moore Road; and

WHEREAS, the Town Engineer, along with the Highway Superintendent, has reviewed the request of \$977,428.81; and

WHEREAS, the Town Attorney has also reviewed the Bond Reduction; now therefore be it

RESOLVED, that the Town Board hereby authorizes a Performance Bond reduction from \$1,221,785.31 to \$384,331.19 for the Stone Ridge Estates project for a reimbursement of \$837,453.81, as per the review of the Town Engineer; and be it further

RESOLVED, that the reimbursement will be available once the letter of credit date of expiration be extended to March 25, 2017.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 5 (157)**  
**RE: Award Bid for Tree Work**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, authorization was given for the Town Clerk to advertise for bids for Tree Work for 2016; and

WHEREAS, said bids were received, opened and read publicly on November 25, 2015 at 10:00am and have been reviewed by the Highway Superintendent and Town Clerk; now therefore be it

RESOLVED, that the bids are hereby awarded to Red Cedar Landscapers Inc. as recommended by the Highway Superintendent as attached hereto.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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Councilman Moran ABSENT  
Councilman Stiegler AYE  
Councilman Del Vecchio AYE  
Councilman Battaglini AYE  
Supervisor Zulauf AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 6 (158)**  
**RE: Approve Salary and Wage Schedule for 2016**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Town Board is authorized to set salaries and wages; now therefore be it  
RESOLVED, that the salaries of elected & appointed officials and hourly wages and salaries of employees of the  
Town are hereby fixed for the 2016 year as follows:

Supervisor \$20,057.00  
Secretary to the Supervisor \$33,660.00  
Legislative Aide \$39,535.20  
Deputy Supervisor No Annual Salary  
Town Board \$7,374.16  
Town Clerk \$59,131.97  
Deputy Town Clerk (part time) \$16,616.29  
Receiver of Taxes \$37,582.06  
Town Justices \$13,704.03  
Justice Clerks \$51,352.72 (CSEA)  
Deputy Building Inspector \$33.82 per hour (CSEA)  
Typist: Planning/Zoning Boards \$15.48 per hour  
Dog Control Officer \$16,945.40 (CSEA)  
Comptroller \$63,267.02  
Bookkeeper \$29.82 per hour  
Recreation Director \$ 52,377.00  
Recreation Assistant \$15.81 per hour  
Secretary to the Recreation Commission \$12.50 per hour  
Playgroup Director \$17.00 per hour  
Teen Advisor \$14.00 per hour not to exceed 5 hours per week  
Senior Citizen Coordinator \$15.00 - \$21.59 per hour not to exceed 13 hours per week  
Senior Citizen Assistant and Crafts Instructor \$13.00 - \$16.15 per hour not to exceed 12 hours per week  
Maintenance Mechanic \$62,424.00 (CSEA)  
Maintenance Helper \$18.11 per hour (CSEA)  
Maintenance Helper \$15.38 per hour (part time/temporary - non CSEA)  
Seasonal Laborer (Maintenance) \$ 12.36 per hour  
Superintendent of Highway \$66,968.40  
Assistant to the Superintendent of Highway \$15.50 per hour not to exceed 17 ½ hours per week  
Deputy Highway Superintendent \$170.00 per diem  
Automotive Mechanic \$27.52 per hour (Teamsters)  
Heavy Motor Equipment Operator \$27.52 per hour (Teamsters)  
Working Foreman \$27.94 per hour (Teamsters)  
Seasonal Snowplow Wingman \$15.00 per hour  
Seasonal Snowplower, Non-CDL \$18.00  
Seasonal Snowplower, CDL \$27.52

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And be it further RESOLVED, CSEA and Teamster hourly rates are subject to change based on pending contract negotiations.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 7 (159)  
RE: Approve Hamlet Zoning**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, a proposed local law change to Chapter 155 “Zoning Codes” pertaining to “Hamlets” was introduced before this board on August 5, 2015; and

WHEREAS, a Public Hearing was held on September 16, 2015 and October 7, 2015 at Beekman Town Hall, 4 Main Street, Poughquag, in the Town of Beekman New York, with proper notice of hearing been given therefore, to hear public comments and concerns from members of the public; and

WHEREAS, time was allowed for written public comment; and

WHEREAS, the Town Board had had time to review these comments; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby adopt Chapter 155 “Zoning Codes” pertaining to “Hamlets”; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to file forthwith a copy of this local law change with the New York Secretary of State, Dutchess County Planning, the Planning Board and the Zoning Board.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 8 (160)  
RE: Approve Attendance at 2016 Newly Elected Officials Training School**

COUNCILMAN DEL VECCHIO offers the following and moves for its adoption:

WHEREAS, Supervisor Barbara Zulauf requests approval to attend The Newly Elected Officials 2016 Training School January 13 to January 15, 2016 being held at The Desmond Hotel & Conference Center in Albany, NY; and

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WHEREAS, the Training School is an excellent educational opportunity for the Supervisor, which the Town of Beekman stands to benefit, the fee for this training is \$150; now therefore be it

RESOLVED, that the Town Board hereby authorizes Supervisor to attend The Newly Elected Officials Training School January 13 to January 15, 2016 in Albany, NY

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 9 (161)  
RE: Designate Holidays for 2016**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

BE IT RESOLVED, that the following holidays shall be observed in 2016 for the non-CSEA personnel of the Town working a 4-day (Monday through Thursday) work week:

**New Year's Day January 4**  
**Martin Luther King Day January 18**  
**President's Day February 15**  
**Easter Observance March 28**  
**Memorial Day May 30**  
**Independence Day Observance July 4**  
**Labor Day September 5**  
**Columbus Day October 10**  
**Election Day November 8**  
**Thanksgiving November 23 & 24**  
**Christmas Monday December 26**  
**New Year's December 29**

**And be it further RESOLVED, that the following holidays will be observed for the Recreation Department:**

**New Year's Day January 1**  
**Day after New Year's January 4**  
**Martin Luther King Day January 18**  
**President's Day February 15**  
**Easter Observance March 28**  
**Memorial Day May 30**  
**Independence Day Observance July 4**  
**Labor Day September 5**  
**Columbus Day October 10**  
**Election Day November 8**  
**Veteran Day November 11**  
**Thanksgiving November 24**  
**Day after Thanksgiving November 25**  
**Christmas Eve December 23**

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**Christmas Day December 26**

**New Year’s Eve December 30**

And be it further RESOLVED, that the Teamsters will follow the holidays governed by the Teamster’s Contract and members of the CSEA Bargaining Unit will follow holidays governed by the CSEA contract, adding Easter to be celebrated March 28, 2016, adding Christmas Eve to be celebrated December 23, 2016 and Election Day (November 8<sup>th</sup>) to be substituted for day after Thanksgiving (November 25<sup>th</sup>).

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	NO
Councilman Del Vecchio	AYE
Councilman Battaglini	NO
Supervisor Zulauf	AYE

Dated: December 2, 2015

RESOLUTION DOES NOT PASS – TIE VOTE

**RESOLUTION NO. 12:02:15 – 10 (162)**

**RE: Approve 2016 Beekman Rec Park Fee Schedule**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Recreation Director has proposed the attached fee schedule for the 2016 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 2016 Recreation fees proposed by the Recreation Commission as attached hereto.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 11 (163)**

**RE: Approve Department of Rec and Parks 2016 Policy and Procedures for Use of Facilities**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Town Board of the Town of Beekman has the ability to adopt Town Policies and Procedures; and

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WHEREAS, the Recreation Commission and the Director of Recreation has submitted new suggestions and recommendations; and

WHEREAS, the Town Board had sufficient time to review the attached Rental of Facilities Policy and Procedures form; now therefore be it

RESOLVED, that the Town Board hereby adopts the attached Recreation and Parks 2016 Policies and Procedures for Use of Facilities.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 12 (164)**  
**RE: Approve Contracts for Program Contractors**

COUNCILMAN DEL VECCHIO offers the following and moves for its adoption:

WHEREAS, the Town Board of the Town of Beekman has the ability to approve Program Service Provider Contracts for various services provided to the residents of Beekman; and

WHEREAS, the Town Board has had sufficient time to review these attached contracts; now therefore be it

RESOLVED, the Town Board hereby adopts the attached contracts for Service Providers to the Town of Beekman.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 13 (165)**  
**RE: Approve Tree Maintenance for Rec Park**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, tree work needs to be performed at Recreation Park; and

WHEREAS, bids were received for review by the Town Board and Maintenance Department; now therefore be it

RESOLVED, that the Supervisor is hereby authorized to enter into contract with Woods 2 Ashes Tree Service for tree work to be completed at Recreation Park for a fee not to exceed \$5,750.00.

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Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 14 - PULLED  
RE: Go Out for RFP for Legal Services**

PULLED

**RESOLUTION NO. 12:02:15 – 15 (166)  
RE: Allow Overflow Parking from Fire Department on December 13, 2015**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Beekman Fire Department is holding Cookies with Santa on December 13, 2015 from 10:00am to 4:00pm; and

WHEREAS, they would appreciate additional parking to accommodate the many anticipated visitors for the day’s events; now therefore be it

RESOLVED, that the Town Board allow the use of Beekman Town Hall parking lot for the Beekman Fire Department to accommodate the overflow parking on December 13, 2015.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

**RESOLUTION NO. 12:02:15 – 16 (167)  
RE: Payment of Claims**

COUNCILMAN DEL VECCHIO 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; be it

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

Claims to be paid from the A-General Fund	\$ 124,908.72
Claims to be paid from the SS – Dover Ridge Sewer	\$ 1,705.09
Claims to be paid from the SW – Dover Ridge Water	\$ 1,551.00

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Claims to be paid from the DA – Highway Fund	\$ 16,507.22
Claims to be paid from the T - Trust Agency	<u>    605.00</u>
	\$145,277.03

Payroll 23                      Paid 11/19/15            \$ 51,521.27

General Fund \$33,584.06  
Highway Fund \$18,937.21

Seconded        COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Moran	ABSENT
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: December 2, 2015

OTHER BUSINESS

There was no other business this evening.

GENERAL PUBLIC COMMENT

A resident from Robin Court, Ashby Hills Subdivision, questioned the status of their dilemma with the developer. Town Attorney, Michael Varble, stated that they are still working on a solution.

Tom Mullins, Roosevelt Drive, Recreation Commissioner, discussed with the Town Board the possibility of fixing the drainage issues at Beyer Soccer Field and utilizing that one next year in order to let one of the fields at Doherty rest.

GENERAL BOARD COMMENT

Councilman Battaglini mentioned that after 25 years, the end of Depot Hill has been opened up and paved with recycled materials for use by Emergency vehicles. The Councilman has seen bulk garbage dumped along that route. He urges residents to stop dumping garbage and dispose of it properly.

Supervisor Zulauf announced the next Town Board meeting is Wednesday, December 16, 2015 at 7:00PM.

Supervisor Zulauf announced a winter workshop at the Rec on December 16, 2015 and a Rubber stamping activity on January 18, 2015. Councilman Del Vecchio announced the Snow Flake Spectacular, Saturday, December 5<sup>th</sup> at the Community Center from 2:30PM – 4:30PM.

At 7:46PM, Supervisor Zulauf made the motion to move to Executive Session to discuss proposed, pending and current litigation, seconded by Councilman Del Vecchio. All in favor.

*Supervisor Zulauf took minutes following Executive Session.*

At 9:25PM, the Board returns from Executive Session taking the following actions:

Councilman Del Vecchio offered the following: Whereas, the Town is currently involved in litigation with Dutchess Realty Holdings LLC aka Ashby Hills Subdivision of Robin Court; and whereas no progress is being made in

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litigation and there is substantial work to be done; therefore be it resolved that the Town Attorney, Michael Varble, is hereby authorized to file Lis Pendens attachments to those properties that exist in that development which are owned by the defendant Dutchess Realty Holdings in consideration of any future judgments that the Town may garner against those entities. Supervisor Zulauf seconds. All in favor.

Councilman Del Vecchio offered the following: Whereas, a Town employee has verbally requested an HRA be reinstated to pay pending health claims; and whereas there were contributions made by the employee to the HRA. The HRA was not exhausted and funds were returned to the General Fund; now therefore be it resolved, the Supervisor in consultation with the Town Comptroller and on written authorization from the employee, the Supervisor is authorized to reactivate the employee HRA in an amount not to exceed \$634.00. Councilman Stiegler seconded. All in favor.

ADJOURN:

At 9:27PM with no further business to conduct, Councilman Del Vecchio made the motion to adjourn the meeting seconded by Supervisor Zulauf. All in Favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT  
TOWN CLERK