

BEEKMAN TOWN BOARD REGULAR MEETING – DECEMBER 7, 2016

The Regular Meeting of the Beekman Town Board was called to order at 7:03PM with Supervisor Barbara Zulauf presiding. The Meeting was held in the meeting room at Town Hall.

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

Supervisor Barbara Zulauf 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 Zulauf made one administrative announcement regarding the location of fire exits.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

Len Jerrum, 112 Beyer Drive, questioned resolution(s) #14 – cost of trucks and #10 – cost and type of contracts. He also requested a moment of silence in remembrance of Pearl Harbor.

RESOLUTIONS:

**RESOLUTION NO. 12:07:16 – 1 (169)
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 16, 2016 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 16, 2016 Town Board Meeting.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilwoman Covucci AYE
Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 2 (170)
RE: Authorize Senior Holiday Party**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, there is a Senior Holiday Party planned at the Links on December 12, 2016; and

WHEREAS, 71 seniors have paid a fee of \$28 each for a total collected of \$1,988; and

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WHEREAS, 71 seniors and 2 staff people will be attending, with a fee of \$26.00 per person going to the Links for a total of \$1898 and the remaining going to entertainment; and

WHEREAS, entertainment for the party is provided by Ann Teed at a cost of \$150.00; and

WHEREAS, that amount is available in the balance left from the fees collected from the seniors for this party and for their previous parties; now therefore be it

RESOLVED, the Town Board authorizes the Comptroller to collect the money and pay the Links; and be it further

RESOLVED, the Supervisor is hereby authorized to enter into an agreement with the Links for the amount of \$1,898, and with Ann Teed for music in an amount not to exceed \$150.00.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

| | |
|------------------------|-----|
| Councilwoman Covucci | AYE |
| Councilman Stiegler | AYE |
| Councilman Del Vecchio | AYE |
| Councilman Battaglini | AYE |
| Supervisor Zulauf | AYE |

Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 3 (171)
RE: Lift Moratorium to Dover Ridge Sewer System**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, a moratorium was imposed to the Dover Ridge Sewer District on June 21, 2004; and

WHEREAS, the moratorium was in place to prevent additional hook-ups to the Dover Ridge Sewer System while the Sewer System was being renovated; and

WHEREAS, the renovations were completed in 2007; and

WHEREAS, the Town Engineer, Jon Bodendorf, has reviewed this moratorium, has reviewed the potential for future hook-ups to the Sewer System, has spoken with VRI and has submitted his recommendations for the Beekman Town Board to review, now therefore be it

RESOLVED, that the moratorium to the Dover Ridge Sewer District be lifted.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

| | |
|------------------------|-----|
| Councilwoman Covucci | AYE |
| Councilman Stiegler | AYE |
| Councilman Del Vecchio | AYE |
| Councilman Battaglini | AYE |
| Supervisor Zulauf | AYE |

Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 4 (172)
RE: Authorize Maintenance Bond Return for Dedicated Roads in Beekman Chase**

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

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, by Resolution 12:02:15-2 (154) the Town accepted for dedication the real property interest forming the public roads now known as Heather Drive and Faye Court; and

WHEREAS, in conformance with Town Code, upon dedication of the roads, the developer posted a maintenance bond to secure any future maintenance of the dedicated roads; and

WHEREAS, the developer has requested a return of the maintenance bond in the amount of \$111,054.19 posted for the construction of the roads, since the roads have been dedicated to the Town; and

WHEREAS, the Town Engineer has reviewed the request and consented to the request of the developer; now therefore be it

RESOLVED, that the Town Board approves the request of Toll Brothers, Inc. for the return and release of the bond originally posted by Toll Brothers, Inc. for the construction of the roads now known and Heather Drive and Faye Court only in the amount of \$111,054.19.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilwoman Covucci AYE
Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE

Dated: December 7, 2016

RESOLUTION NO. 12:07:16 – 5 (173)

RE: Appointment of Lauren Laurita to Permanent Position of Recreation Assistant/Activity Director

COUNCILWOMAN COVUCCI offers the following and moves for its adoption:

WHEREAS, Lauren Laurita was appointed Temporary Recreation Assistant on August 10, 2016; and

WHEREAS, Recreation Director Jeanne Scigliano has recommended Lauren Laurita to become a permanent Recreation Assistant; and

WHEREAS, Town Law states that the Town Board shall make appointments and set salaries; and

WHEREAS, funding for this position has been accounted for in the 2017 Budget; now therefore be it

RESOLVED, that the Town Board appoints Lauren Laurita to a permanent Recreation Assistant position as of January 1, 2017 at the same rate of pay of \$16 per hour.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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Councilwoman Covucci AYE
Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE

Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 6 (174)
RE: Set Town Board Meeting Schedule for 2017**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

Now therefore be it RESOLVED, that the Regular Meetings of the Beekman Town Board will be conducted throughout the year 2017 at 7:00 PM on the first and third Wednesday of each month. The meetings will take place in the Meeting Room of the Beekman Town Hall, 4 Main Street, Poughquag, New York; and be it further

RESOLVED, should the date of such meeting fall on a holiday or at a time that is not possible to conduct the meeting, such as in the case of inclement weather, the meeting shall be held the following Wednesday at the same time and location.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilwoman Covucci AYE
Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE

Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 7 (175)
RE: Approve Salary and Wage Schedule for 2017**

COUNCILMAN BATTALGINI 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 officials and hourly wages and salaries of employees of the Town are hereby fixed for the 2017 year as follows:

Supervisor \$20,458.14
Secretary to the Supervisor \$34,333.20
Deputy Supervisor No Annual Salary
Town Board \$7,521.64
Town Clerk \$60,314.61
Deputy Town Clerk (part time) \$16,948.62
Receiver of Taxes \$38,333.70
Town Justices \$13,978.11
Typist: Planning/Zoning Boards \$15.48 per hour
Comptroller \$64,532.36
Bookkeeper \$16 per hour
Justice Clerks \$52,379.77 (CSEA)
Deputy Building Inspector \$34.50 per hour (CSEA)

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Legislative Aide \$40,325.90 (CSEA)
Dog Control Officer \$17,284.31 (CSEA)
Maintenance Mechanic \$63,672.48 (CSEA)
Maintenance Worker \$18.47 (CSEA)
Seasonal Laborer (Maintenance) \$12.50 per hour
Recreation Director \$57,000
Recreation Assistant/Assistant to the Recreation Director \$16.13 per hour
Recreation Assistant/Activity Director \$16 per hour
Recreation Assistant/Activity Coordinator – Senior Program \$21.59 per hour
Recreation Assistant/Activity Supervisor – Senior Program \$16.15
Seasonal Recreation Staff (\$9.70 - \$17.25) as per attached wage matrix approved by the Recreation Advisory Committee
Secretary to the Recreation Advisory Committee \$13.00 per hour
Superintendent of Highway \$68,307.77
Assistant to the Superintendent of Highway \$ 15.81 per hour
Deputy Highway Superintendent \$ 170.00 per diem
Working Foreman \$ 29.65 per hour (Teamsters)
Automotive Mechanic \$29.20 per hour (Teamsters)
Heavy Motor Equipment Operator \$29.20 per hour (Teamsters)
Seasonal Snowplow Wingman \$ 15.00 per hour
Seasonal Snowplower, Non-CDL \$18.00 per hour
Seasonal Snowplower, CDL \$ 27.52

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

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

| | |
|------------------------|-----|
| Councilwoman Covucci | NO |
| Councilman Stiegler | AYE |
| Councilman Del Vecchio | AYE |
| Councilman Battaglini | AYE |
| Supervisor Zulauf | AYE |

Dated: December 7, 2016

RESOLUTION NO. 12:07:16 – 8 (176)
RE: Office Hours and Inclement Weather Policy

SUPERVISOR ZULAUF offers the following and moves for its adoption:

Now therefore be it RESOLVED, that Town Hall office hours for the year 2017 shall be Monday through Thursday from 8:00 AM until 4:45PM; and be it further

RESOLVED, that the Recreation office hours for the year 2017 shall be Monday through Friday, from 9:00 AM to 4:00 PM; and be it further

RESOLVED, that the Maintenance Department hours for the year 2017 shall be Monday through Friday from 8:00 AM to 4:00 PM; and be it further

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RESOLVED, that the Supervisor, Deputy Supervisor, or Town Clerk shall be the individuals named to execute the inclement weather policy and that all of the following radio stations will be notified of delayed openings or early closings:

Pamal Broadcasting which includes WSPK (104.7), WHUD, (100.7), WXPk (107.1), WBPM (92.9), WBNR (1260AM) and the Cumulus of the Hudson Valley stations; and be it further

RESOLVED, that notification of delayed openings or early closings can be accessed at www.cancellations.com and on the main page of the Town of Beekman website.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilwoman Covucci NO
Councilman Stiegler NO
Councilman Del Vecchio AYE
Councilman Battaglini NO
Supervisor Zulauf AYE

Dated: December 7, 2016

Resolution failed

**RESOLUTION NO. 12:07:16 – 9 (177)
RE: Designate Holidays for 2017**

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

WHEREAS, the Holiday Schedule is noted in 3.1.1 of the Town of Beekman Employment Practices Compliance Manual; and

WHEREAS, the Town Board is desirous in setting the holiday observance schedule for 2017; now therefore be it

RESOLVED, that the following holidays shall be observed in 2017 for the Non-CSEA personnel of the Town working a 4 day Monday - Thursday work week:

New Year’s Day January 2, 2017
Martin Luther King Day January 16, 2017
President’s Day February 20, 2017
Easter Monday April 17, 2017 *
Memorial Day May 29, 2017
Independence Day July 4, 2017
Labor Day September 4, 2017
Columbus Day October 9, 2017
Day before Thanksgiving November 22, 2017 **
Thanksgiving Day November 23, 2017
Christmas Day December 25, 2017

*Veterans Day is a Saturday in 2017 and nationally celebrated on Friday November 10, 2017, a day the Town Hall offices are already closed, therefore Easter Monday will be observed in 2017.

**The Town Hall offices are closed on Fridays, the Day after Thanksgiving, therefore the Day before Thanksgiving will instead be observed.

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The two additional holidays as per the Compensation and Benefits Manual, will be given as floating holidays in 2017. These days will be scheduled and approved in advance and must be used in the calendar year in which it is given.

And be it further

RESOLVED, that the following holidays will be observed for the Recreation Department working a 5 day work week in 2017:

| | |
|----------------------------|-------------------|
| New Year’s Day | January 2, 2017 |
| Martin Luther King Day | January 16, 2017 |
| President’s Day | February 20, 2017 |
| Memorial Day | May 29, 2017 |
| Independence Day | July 4, 2017 |
| Labor Day | September 4, 2017 |
| Columbus Day | October 9, 2017 |
| Veterans Day | November 10, 2017 |
| Thanksgiving | November 23, 2017 |
| Day after Thanksgiving Day | November 24, 2017 |
| Christmas Day | December 25, 2017 |

The two additional holidays as per the Compensation and Benefits Manual, will be given as floating holidays in 2017. These days will be scheduled and approved in advance and must be used in the calendar year in which it is given.

And be it further

RESOLVED, that members of Teamster 456 will follow the holidays governed by the Teamsters Contract; and be it further

RESOLVED, that members of the CSEA Bargaining Unit will follow holidays governed by the CSEA contract. The two additional holidays as per the CSEA Agreement will be given as floating holidays in 2017. These days will be scheduled and approved in advance and must be used in the calendar year in which it is given

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

| | |
|------------------------|-----|
| Councilwoman Covucci | AYE |
| Councilman Stiegler | NO |
| Councilman Del Vecchio | AYE |
| Councilman Battaglini | AYE |
| Supervisor Zulauf | AYE |

Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 10 (178)
RE: Approve Contracts for Program Contractors**

COUNCILWOMAN COVUCCI 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

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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 COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilwoman Covucci AYE

Councilman Stiegler AYE

Councilman Del Vecchio AYE

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: December 7, 2016

RESOLUTION NO. 12:07:16 – 11 (179)

RE: Approve Department of Recreation and Parks 2017 Policies and Procedures for Use of Facilities

COUNCILMAN STIEGLER 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

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

WHEREAS, the Town Board has had sufficient time to review the attached policies and procedures; now therefore be it

RESOLVED, that the Town Board hereby adopts the attached Recreation and Parks 2017 Policies and Procedures for Use of Facilities.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilwoman Covucci AYE

Councilman Stiegler AYE

Councilman Del Vecchio AYE

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: December 7, 2016

RESOLUTION NO. 12:07:16 – 12 (180)

RE: Approve 2017 Beekman Recreation Parks Fee Schedule

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Recreation Director has proposed the attached fee schedule for the 2017 season; and

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

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

RESOLVED, that the Beekman Town Board hereby adopts the 2017 Recreation fees proposed by the Recreation Advisory Committee as attached hereto.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilwoman Covucci AYE
Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 13 – PULLED (181)
RE: 2015 Budget Adjustment**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, on November 19, 2014, the Beekman Town Board adopted the 2015 Highway Fund Budget which included a line item named Transfer to Reserve for Highway Equipment - \$25,000. The intention was to create a Reserve Fund in 2015 for replacing Highway Department equipment.

WHEREAS, the Reserve Fund was never established due to continuously inclement weather in the winter months of 2015. The Comptroller determined that the line item for Snow Removal PS in the Highway Fund was being exhausted and therefore needed to be adjusted accordingly, but was never provided for Town Board approval; now therefore be it

RESOLVED, that the following Highway Fund (DA) budget adjustment of transferring \$25,000 from line item Transfer to Reserve for Highway Equipment to line item Snow Removal PS be approved as follows:

DR DA.5142.0100 - Snow Removal PS (\$25,000)
CR DA.9950.0200 – Transfer, Capital Projects Fund (\$25,000)

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

Councilwoman Covucci NO
Councilman Stiegler AYE
Councilman Del Vecchio AYE
Councilman Battaglini AYE
Supervisor Zulauf AYE
Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 14 (182)
RE: Authorize Financing and Purchase of Trucks for Maintenance and Highway Departments**

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

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WHEREAS, the Maintenance Department has a dump truck that is in disrepair and the Highway Department has a pickup truck that is in disrepair, which both trucks are essential in both departments; and

WHEREAS, repair of these aging trucks is no longer cost effective; and

WHEREAS, both the Maintenance Department and Highway Department have identified trucks similar to those in disrepair; and

WHEREAS, the Town Attorney has reviewed the contracts for the 2016 dump truck and a 2016 pickup truck; and

WHEREAS, funds have been allotted for in the 2017 budget; now therefore be it

RESOLVED, that the Maintenance Vehicle, 2016 Dodge Ram 3500 VIN #3C 7WRTAJ3GG303727 and the Highway Vehicle, 2016 Dodge Ram 3500 VIN #3C63R3AJ0GG128568 are located at Robert Green Truck, Rock Hill, New York 12775; and be it further

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the lease/purchase agreement to execute any related financing and lien documentation with M&T Bank as per the attached.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

- Councilwoman Covucci AYE
- Councilman Stiegler AYE
- Councilman Del Vecchio AYE
- Councilman Battaglini AYE
- Supervisor Zulauf AYE

Dated: December 7, 2016

**RESOLUTION NO. 12:07:16 – 15 - PULLED
RE: Dover Ridge Water & Sewer District Repayment**

**RESOLUTION NO. 12:07:16 – 16 (183)
RE: Payment of Claims**

COUCILWOMAN COVUCCI 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 | \$ 258,776.59 |
| Claims to be paid from the DA-Highway Fund | \$ 12,990.80 |
| Claims to be paid from the SS – Dover Ridge Sewer District Fund | \$ 5,581.32 |
| Claims to be paid from the SW – Dover Ridge Water District Fund | \$ 197.20 |
| Claims to be paid from the T-Trust & Agency Fund | <u>.00</u> |
| | \$277,545.91 |

Payroll 24 12/1/2016
Paid \$ 58,416.77

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| | |
|--------------|--------------|
| General Fund | \$ 35,680.41 |
| Highway Fund | \$ 22,736.36 |

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

| | |
|------------------------|-----|
| Councilwoman Covucci | AYE |
| Councilman Stiegler | AYE |
| Councilman Del Vecchio | AYE |
| Councilman Battaglini | AYE |
| Supervisor Zulauf | AYE |

Dated: December 7, 2016

OTHER BUSINESS

Councilman Battaglini questioned the Highway Superintendent, Tony Coviello, about one of the vehicles B11 that is in need of frame work repair.

Supervisor Zulauf announced the resignation of Neil Townsend – Architectural Review Board (ARB) and Donna Burkhart – Ethics Board. If anyone is interested in volunteering for one of these open positions, please contact the Supervisor’s Office.

GENERAL PUBLIC COMMENT

Highway Superintendent, Tony Coviello, had some questions pertaining to the Resolution for the \$25,000 transfer of funds.

Building Inspector, Shawn Beresford, spoke about the Resolution regarding a four day work week versus five day work week.

Phil Capalbo, Main Street, thanked the Town Hall staff and the Highway Department for the work they do.

GENERAL BOARD COMMENT

Councilman Del Vecchio gave a brief update on the Ashby Hills Subdivision litigation case.

Councilman Stiegler reported that the Highway Department has been out three times sanding and plowing this winter season so far. They have also sold \$11,500 worth of items on the auction website. He distributed the CPRC minutes from their last meeting to all Board members.

Councilman Battaglini announced that the Fire Commissioners Election is Tuesday, December 13, 2016 from 6PM – 9PM at the Beekman Fire House.

Supervisor Zulauf announced the next regularly scheduled Town Board meeting is Wednesday, December 21, 2016 at 7:00PM. Supervisor Zulauf made the motion to move to Executive Session at 8:05PM to discuss proposed, pending and current litigation, seconded by Councilman Del Vecchio. All in favor.

At 8:30PM the Board returns from Executive Session taking the following action: Councilman Del Vecchio offered the following and moved for its adoption; Whereas the Town has commenced certain litigation proceedings against David Sears, Fred Knapp, Dan French, Curt Lavalla, Hudson Valley Strategic Planning Partners and McCarthy Fingar due to the mishandling of the matter entitled LaBerge Consulting Group vs. Town of Beekman; and Whereas the Town has been offered to settle the matter as against David Sears and his insurers and McCarthy

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Fingar and their insurers for the total sum of \$193,000; and Whereas the Town desires to continue the proceedings against Mr.(s) Knapp, French, Lavalla and Hudson Valley Strategic Planning Partners; now therefore be it resolved, that the Supervisor is hereby authorized to enter into settlement agreement with the defendants David Sears and his insurance company and McCarthy & Fingar and their insurance company for the total sum of \$193,000 and may execute all necessary paperwork to affect that settlement. Seconded by Councilman Stiegler. All in favor

ADJOURN:

At 8:35PM with no further business to conduct, Councilman Del Vecchio made the motion to adjourn the meeting seconded by Councilman Battaglini. All in Favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT
TOWN CLERK