

## **BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

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

THOSE PRESENT:      SUPERVISOR BARBARA ZULAUF  
                              COUNCILMAN EZIO BATTAGLINI  
                              COUNCILMAN MICHAEL DEL VECCHIO  
                              COUNCILMAN WERNER STIEGLER  
                              COUNCILMAN MICHAEL MORAN – arrived at 7:03pm

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. She made one administrative announcement regarding the location of fire exits.

### **PUBLIC HEARING: CENTRAL HUDSON GAS FRANCHISE AGREEMENT**

Stephen Burger, Manager, Natural Gas Expansion & NYS Governmental Affairs, gave a brief overview of the natural gas expansion pipeline to service the Green Haven Correctional Facility. The public hearing was then opened up to public input. There was no public input this evening. At 7:02pm Councilman Battaglini made the motion to close the public hearing seconded by Supervisor Zulauf. All in favor.

### **PUBLIC HEARING: RESIDENCY REQUIREMENTS FOR APPOINTED OFFICIALS**

Supervisor Zulauf opened the public hearing at 7:15pm. She began by advising the public of the positions which would be affected by this proposed Local Law stating that they not need be a resident of the Town of Beekman, however, must reside within Dutchess County. There were two questions from the public which were answered by the Town Board. At 7:20pm Councilman Stiegler moved to close the public hearing seconded by Councilman Del Vecchio. All in favor.

Supervisor Zulauf recognized Jane Straub as our 2014 Woman of Distinction. The Town of Beekman recommended Jane for all her service to the Community especially the Beekman Library. The Supervisor read the proclamation which was presented to Jane at the Ceremony last Thursday evening.

Comptroller, Andrew Forman, reported that our current health insurance policy is up for renewal at the end of June. He distributed a spreadsheet of three quotes he obtained from various insurance companies. William Humphrey from Dutchess County Agent spoke about the various plans and answered any questions the Board had.

### **REPORTS:**

#### **SUPERVISOR:**

Supervisor Zulauf reported that Memorial Day was well attended, the weather was beautiful and was a great way to honor our Veterans. She thanked Town Clerk, Rachael Rancourt and Deputy Town Clerk, Melissa McAlley for organizing the event. The Supervisor met with Josephine from Safe Haven Animal Shelter & Wildlife Center, which is a proposed shelter to be on property at Green Haven Correctional Facility. They still have to go through the process of meeting with the Planning Board to acquire any permits necessary. She attended the Poughkeepsie Dutchess County Transportation Council meeting last Wednesday morning where they discussed TAP (Transportation Alternative Project). We have a resolution later this evening to apply to this program. Supervisor Zulauf attended a mock evacuation drill at Beekman Elementary School in conjunction with the Beekman Fire Department. She stated that it was a wonderful display of coordination between the school and fire department. The Mayors and Supervisors meeting was held last night at the Emergency Response Center. The County Executive was present and spoke about the proper procedure for declaring a State of Emergency. In closing, she commented on the legal situation with the former Comptroller. He has been arrested for stealing \$390,000 from the Town of Beekman. The Town is working with the DA's office and the court date is scheduled for June 19<sup>th</sup>. Supervisor Zulauf will have more to report after this date and will keep the public informed.

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

TOWN BOARD:

**Councilman Stiegler** attended the Memorial Day Parade & Ceremony and commented that the speeches were moving. He also attended the Open Space Committee meeting where they discussed looking into properties to evaluate in the future. He met with Greg Brown who has been working seven days a week to keep up with the mowing of our parks and fields. They are also draining the lake at the Rec to get it ready for this season.

**Councilman Battaglini** attended the Memorial Day Parade & Ceremony. He participated in the evacuation drill at Beekman Elementary School and attended the Fire Commissioners meeting and the Conservation Council meeting last night.

**Councilman Del Vecchio** attended the Memorial Day Parade & Ceremony and thanked all who were involved in planning the event and all who participated. He announced the next Rec Commission meeting will be June 11<sup>th</sup>. In closing, regarding the Fred Knapp issue, he advised the public that the Town is letting the Justice System run its course.

**Councilman Moran** attended the Memorial Day event and had a wonderful time. He stated that Tony Coviello and the Highway Department have been extremely busy preparing the roads in Town for paving and tar & stone.

Supervisor Zulauf made mention that the resolution from the May 7<sup>th</sup> meeting pertaining to an Appointment to the Ethics Board is still tabled at this time.

**PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:**

Bill Crain, Gardner Hollow Road, Member of Open Space Committee, thanked Supervisor Zulauf for mentioning the Safe Haven Sanctuary and thanked Councilman Stiegler for attending the Open Space Committee meeting. He advised the Board and the public of the concerns he has with the installation of the Verizon Cell Tower on wildlife birds in our area. He is hopeful these concerns will be looked into prior to the construction.

Len Jerrum, Beyer Drive, questioned what VRI stood for? The Board responded that this is simply the name of the water company that manages Dover Ridge.

**RESOLUTIONS:**

**RESOLUTION NO. 06:04:14 – 1 (93)  
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 May 21, 2014 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 May 21, 2014 Town Board Meeting.

Seconded COUNCILMAN BATTAGLINI

**ROLL CALL VOTE:**

Councilman Moran AYE

Councilman Stiegler AYE

Councilman Del Vecchio AYE

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: June 4, 2014

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

**RESOLUTION NO. 06:04:14 – 2 (94)**

**RE: Adopt Standard Work Day and Reporting Resolution**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

BE IT RESOLVED, that the Town of Beekman hereby establishes the following as standard work days for elected and appointed officials and will report the following days to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by the officials to the Clerk of this body:

<b>TITLE</b>	<b>STANDARD WORK DAY</b> Hrs/Days Min 6hrs Max 8hrs	<b>NAME</b> First and Last	<b>TIER 1</b> Check only if member is in Tier 1	<b>CURRENT TERM</b> Begin&End mm/dd/yy- mm/dd/yy	<b>PARTICIPATES IN EMPLOYERS TIME KEEPING SYSTEM</b> Yes/No	<b>RECORD OF ACTIVITIES</b>
<b>Elected</b>	<b>Officials</b>					
<b>Supervisor</b>	<b>6</b>	<b>Barbara A. Zulauf</b>		<b>1/1/14-12/31/15</b>	<b>N</b>	<b>21.22</b>
<b>Town board</b>	<b>6</b>	<b>Michael Del Vecchio</b>		<b>1/1/14-12/31/17</b>	<b>N</b>	<b>5.11</b>
<b>Town board</b>	<b>6</b>	<b>Ezio Battaglini</b>		<b>1/1/14-12/31/17</b>	<b>N</b>	<b>13.33</b>
<b>Receiver of Taxes</b>	<b>7</b>	<b>Judith Crawford</b>		<b>1/1/14-12/31/17</b>	<b>N</b>	<b>19.19</b>
<b>Highway Superintendent</b>	<b>8</b>	<b>Tony Coviello</b>		<b>1/1/14-12/31/17</b>	<b>N</b>	<b>27.08</b>
<b>Town Clerk</b>	<b>7</b>	<b>Rachael Rancourt</b>		<b>1/1/12-12/31/15</b>	<b>Y</b>	
<b>Appointed</b>	<b>Officials</b>					
<b>Town board</b>	<b>6</b>	<b>Werner Stiegler</b>		<b>1/9/14-12/31/14</b>	<b>N</b>	<b>6.64</b>

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: June 4, 2014

**RESOLUTION NO. 06:04:14 –3 (95)**  
**RE: Dedicate County Route 7 to Kenneth Mallen**

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Town Board is desirous in dedicating County Route 7 to an outstanding and dedicated lifelong resident of the community; and

WHEREAS, Kenneth Mallen has proven to be an outstanding citizen in the Town of Beekman not only with his service in the military and Green Haven Correctional Facility but to the Beekman Fire Department; and

WHEREAS, Kenneth Mallen joined the United States Army on December 12, 1941 and served in the 658<sup>th</sup> Tank Destroyer Battalion during World War II. While stationed at Fort Ord in California, Retired T Sergeant Mallen’s unit was assigned to the Philippines where his Battalion received credit for four Campaigns: Bismarck Archipelago, Leyet, Luzon and Southern Philippines. During his service, Mallen earned a Bronze Star and a Philippines Liberation Medal; and

WHEREAS, Ken Mallen taught automotive mechanics at Green Haven Correctional Facility and served on the Town of Beekman Zoning board of Appeals, and currently is a member of the Harlem Valley Masonic Lodge #358; and

WHEREAS, Kenneth Mallen has served with the Beekman Fire Company for 75 years, as Fire Chief for 21 years and currently sits as a commissioner of the Beekman Fire District for the Past 44 years; and

WHEREAS, Kenneth Mallen was inducted into the Veterans Hall of Fame in 2011 with Senator Greg Ball and received the Lifetime Achievement Award with Dutchess County Heroes in 2014; and

WHEREAS, County Route 7 starts at Town Hall, where the Fire Department first held offices in 1937 and continues on past the Beekman Fire Department where Kenny still continues to visit and inspects all trucks and equipment every day to the end at Beekman Road; now therefore be it resolved

RESOLVED, that the Town of Beekman requests the County of Dutchess consider this request to recognize a lifetime of outstanding contribution and continued dedication and loyalty to not only Beekman but to Dutchess County and our Country, to dedicate County Route 7 to honor Kenneth Mallen; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward this Resolution to County Legislator Gerry Hutchings and County Executive Marcus Molinaro for their review and consideration.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: June 4, 2014

**RESOLUTION NO. 06:04:14 – 4 (96)  
RE: Approve VRI Contract**

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

WHEREAS, VRI Environmental Services has been providing services to operate and maintain the Dover Ridge Estates Water and Sewer System; and

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

WHEREAS, the Town is desirous in continuing these services and there is no increase in price for their services; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with VRI Environmental Services to operate and maintain the Dover Ridge Estates Water for a term of 5 years as attached hereto.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilman Moran AYE  
Councilman Stiegler AYE  
Councilman Del Vecchio AYE  
Councilman Battaglini AYE  
Supervisor Zulauf AYE  
Dated: June 4, 2014

**RESOLUTION NO. 06:04:14 –5 (97)**  
**RE: Approve Verizon Cell Tower**

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, Verizon Wireless is seeking to enter into Beekman to place a cell tower; and

WHEREAS, property is available behind the highway garage, on Town owned property; and

WHEREAS, the Town Board has had an opportunity to review this project during a presentation at a past Town Board meeting; and

WHEREAS, a revised site plan has been presented to the Town Board for their review; now therefore be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Verizon Wireless, with the agreement attached; and be it further

RESOLVED, that Verizon will continue their process by meeting requirements of the Planning and Zoning Boards before the project is to commence.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

Councilman Moran AYE  
Councilman Stiegler AYE  
Councilman Del Vecchio AYE  
Councilman Battaglini AYE  
Supervisor Zulauf AYE  
Dated: June 4, 2014

**RESOLUTION NO. 06:04:14 – 6 (98)**  
**RE: Depository Account - Signature Authorization**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

WHEREAS, the Town Board authorizes signatures and sets standards for check signing for all checks written; and

WHEREAS, Resolution 01:06:03 stated that two (2) signatures are required for all checks exceeding \$10,000; now therefore be it

RESOLVED, that two (2) signatures are now required on all checks exceeding \$2,500.00; and be it further

RESOLVED, that the bookkeeper will provide the Town Board with a report with checks listed in numerical sequence of the vouchers being paid at every Town Board meeting.

Seconded COUNCILMAN DEL VECCHIO / COUNCILMAN MORAN / SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: June 4, 2014

**RESOLUTION NO. 06:04:14 – 7 (99)**

**RE: Authorization to Proceed with Transportation Alternatives Program (TAP)**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, TAP is an alternative transportation mechanism to allow residents without vehicular modes of transport to utilize this Town service; and

WHEREAS, this is federal funding for programs and projects for pedestrian and bicycle facilities; safe routes to school projects; historic preservation; environmental mitigation; and other infrastructure improvements to the transportation system; and

WHEREAS, this is a reimbursement program so the Town would have to pay for all project expenses, but is eligible for up to 80% reimbursement through the program, and the project would have to have a minimum cost of no less than \$250,000; now therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to proceed with the application process for TAP.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: June 4, 2014

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

**RESOLUTION NO. 06:04:14 – 8 (100)**

**RE: Set Public Hearing to Amend the Town Code, Section 19-8 (Town Board of Ethics)**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Town Board has considered amending the Ethics Code for the Town of Beekman; and

WHEREAS, §19 is amended to decrease membership of the Ethics Board from 9 members to 5 members; and further that §19 is amended to provide advisory board and ad hoc committees be required to complete a Disclosure of Interest Statement; and

WHEREAS, a draft copy of proposed Local Law No. 2 of 2014 amending the Town Ethics Code was received by each Board Members at a Board Meeting held on June 4, 2014; now therefore be it

RESOLVED, that a public hearing to gather resident input on the amendment to the Town Code, Section 19-8 (Town board of Ethics) will be held on June 18, 2014 at 7:00pm at Beekman Town Hall, 4 Main Street Poughquag, NY, and that notice of the time and place of such hearing be posted and published once on or before the 8<sup>th</sup> day of June in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman as well as the Town of Beekman Website; and be further

RESOLVED, that the Beekman Town Board will also accept written public comments until June 18, 2014.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: June 4, 2014

**RESOLUTION NO. 06:04:14 – 9 (101)**

**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:	\$ 44,532.68
Claims to be paid from the DA-Highway Fund	\$ 18,282.21
Claims to be paid from the SS-Dover Ridge Sewer	\$ 550.00
Claims to be paid from SW-Dover Ridge Water	\$ <u>0.00</u>
	\$ 63,364.89

Payroll 11

Paid

\$53,805.61

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

General Fund: \$33,290.44

Highway Fund: \$20,515.17

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Moran AYE

Councilman Stiegler AYE

Councilman Del Vecchio AYE

Councilman Battaglini AYE

Supervisor Zulauf AYE

Dated: June 4, 2014

OTHER BUSINESS:

**RESOLUTION NO. 06:04:14 – OTHER BUSINESS**  
**RE: Approve Local Law 1 of 2014 for Residency Requirements**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, a local law to establish the residency requirements for the appointed offices of Maintenance Mechanic, Maintenance Helper, Seasonal and Temporary Workers, Assessor, Comptroller, Bookkeeper, Building Inspector, Deputy Building Inspector, Legislative Aide, Code Enforcement Officer, Secretary to the Highway, Secretary to the Supervisor, Deputy Town Clerk, Justice Court Clerk, Dog Control Officer and Assistant Recreation Director for the Town of Beekman; and

WHEREAS, be it enacted by the Town Board of the Town of Beekman as follows:

Section I, Title: A local law to establish the residency requirements for the appointed offices of Maintenance Mechanic, Maintenance Helper, Seasonal and Temporary Workers, Assessor, Comptroller, Bookkeeper, Building Inspector, Deputy Building Inspector, Legislative Aide, Code Enforcement Officer, Secretary to the Highway, Secretary to the Supervisor, Deputy Town Clerk, Justice Court Clerk, Dog Control Officer and Assistant Recreation Director for the Town of Beekman.

Section II. Authority: This local law is adopted pursuant to Municipal Home Rule Law, §10(1) (ii) (a) (1) that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature amended Public Officers Law, § adding a new subdivision (24) expanding the residency requirements for any appointed public office in the Town of Beekman, Dutchess County NY, thereby rendering Public officers Law a special law with respect to any appointed town officer ( see cf N.Y. Op. Atty. Gen (Inf.) No. 91-37.

Section III. Supervision: This local law shall supersede Town law, § 23(1) in its application to the offices of Maintenance Mechanic, Maintenance Helper, Seasonal and Temporary Workers, Assessor, Comptroller, Bookkeeper, Building Inspector, Deputy Building Inspector, Legislative Aide, Code Enforcement Officer, Secretary to the Highway, Secretary to the Supervisor, Deputy Town Clerk, Justice Court Clerk, Dog Control Officer and Assistant Recreation Director for the Town of Beekman.

Section IV. Residency requirements for the positions of Maintenance Mechanic, Maintenance Helper, Seasonal and Temporary Workers, Assessor, Comptroller, Bookkeeper, Building Inspector, Deputy Building Inspector, Legislative Aide, Code Enforcement Officer, Secretary to the Highway, Secretary to the Supervisor, Deputy Town Clerk, Dog Control Officer and Assistant Recreation Director for the Town of Beekman: The persons holding the offices of Maintenance Mechanic, Maintenance Helper, Seasonal and Temporary Workers, Assessor, Comptroller,

**BEEKMAN TOWN BOARD – REGULAR MEETING – June 4, 2014**

Bookkeeper, Building Inspector, Deputy Building Inspector, Legislative Aide, Code Enforcement Officer, Secretary to the Highway, Secretary to the Supervisor, Deputy Town Clerk, Justice Court Clerk, Dog Control Officer and Assistant Recreation Director in the Town of Beekman need not be a resident nor an elector of the Town of Beekman, provided, however, that such person shall reside in the county in which such town is located or an adjoining county within the State of New York.

Section V. Inconsistency: All other local laws and ordinances of the Town of Beekman that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulation and governing the subject matter covered by this local law.

Section VI. Savings Clause: If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgment shall have been rendered; and therefore be it

RESOLVED, that Local Law 1 of 2014 shall take effect on June 4, 2014.

Seconded COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: June 4, 2014

Supervisor Zulauf advised the Board that we have a collection report from the Receiver of Taxes. The collection period is now officially done, unpaid taxes have to be paid to the County at this point.

GENERAL PUBLIC COMMENT:

Len Jerrum, Beyer Drive, began by thanking all the students in attendance tonight. In reference to the current legal situation with former Comptroller, Fred Knapp, he stated that Fred Knapp has a court date on June 19<sup>th</sup> and encouraged the Town residents to attend to show their support for their Town.

GENERAL BOARD COMMENT:

Supervisor Zulauf announced the next meeting of the Town Board is Wednesday, June 18<sup>th</sup> at 7:00pm.

ADJOURN:

At 8:35PM with no further business to conduct Councilman Moran made the motion to adjourn the meeting seconded by Supervisor Zulauf. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT  
TOWN CLERK