

BEEKMAN TOWN BOARD REGULAR MEETING – MARCH 20, 2019

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
COUNCILWOMAN SHARON WOHRMAN
COUNCILMAN WERNER STIEGLER
COUNCILMAN ROBERT SWARTZ
COUNCILMAN EZIO BATTAGLINI

ALSO PRESENT: TOWN ATTORNEY, PAUL ACKERMAN

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.

FINANCIAL REPORT

Comptroller Consultant, Tom Carey, reported on the 2018 Revenues and Expenses of the Highway Budget this evening. He also discussed the details pertaining to the deficit in the Highway fund. In closing, Tom Carey gave further information on the first four Resolutions on tonight's agenda and commented that the 2018 AUD should be completed in about a month.

LIBRARY REPORT

Carol Fortier, Beekman Library, gave a slideshow presentation this evening on the various types of programs and services offered at the Beekman Library. Many aspects can be accessed on the library website 24 hours a day seven days a week. The library offers programs such as home delivery, learn a language classes and technology training. Carol encouraged residents to visit the website, Facebook page, Instagram and Twitter sites to learn more.

Town Attorney, Paul Ackerman, gave a brief statement addressing a public statement made by a Town resident regarding a payment made to a Town employee back in 2017. It was discovered via an internal audit that this employee was not being paid overtime which under Federal regulations said employee was entitled to. In order to come into compliance with FSLA laws the Town acted appropriately and in compliance with the law in compensating the employee. Paul advised the public that the Sheriff's Department conducted an investigation into the complaint of the Town resident who addressed this issue and determined that no crime was committed and closed the case.

Supervisor Covucci gave further details regarding the remaining two resolutions on the Agenda.

PUBLIC COMMENT ON AGENDA ITEMS AND RESOLUTIONS

There was no public comment on agenda items this evening.

RESOLUTIONS:

RESOLUTION NO. 03:20:2019 – 1 (53)

RE: Resolution Authorizing Permanent Transfer of Unexpended Fund Balance from the General Fund to the Highway Fund

COUNCILMAN STIEGLER offers the following and moves for its adoption:

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Whereas; Section 113 of the Town Law allows that the Town Board may by resolution authorize the transfer of surplus monies, contingent appropriation or unexpended balances from the General Fund to the Highway Fund provided the Tax levy on property is in the entire same area of the Town and

Whereas; the Highway Fund has a negative Fund Balance at end of fiscal year 2018 which should be rectified and

Whereas; the General Fund has adequate excess unexpended Unassigned Fund Balance at year end 2018 and

Whereas; the Financial Consultant is recommending that a transfer be made from the General Fund to clear this negative Fund Balance

Now therefore be it resolved that the Town Supervisor is authorized to make the transfer of 80,000 from the General Fund to the Highway Fund to clear the negative Fund Balance.

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Woehrman	AYE
Supervisor Covucci	AYE

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**RESOLUTION NO. 03:20:2019 – 2 (54)
RE: Retain Bond Counsel Services for the Town of Beekman**

COUNCILMAN BATTAGLINI offers the following and moves its adoption:

WHEREAS, the Town of Beekman is interested in retaining bond counsel to assist in connection with the issuance of Town obligations; and

WHEREAS, the Town has received a detailed description of services from Orrick, Herrington & Sutcliffe LLP, as well as a schedule of fees for such services; now therefore be it

RESOLVED, by the Town Board of the Town of Beekman, Dutchess County, New York, as follows:

Section 1. The law firm of Orrick, Herrington & Sutcliffe LLP is hereby retained for bond counsel services in connection with Town financings based upon the fee schedule attached hereto as Exhibit A.

Section 2. This resolution takes effect immediately.

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Swartz	AYE
Councilman Battaglini	AYE
Councilwoman Woehrman	AYE
Supervisor Covucci	AYE

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RESOLUTION NO. 03:20:2019 – 3 (55)

RE: Resolution to Create Employee Benefit Accrued Liability Reserve Fund

SUPERVISOR COVUCCI offers the following and moves its adoption:

WHEREAS, the Town Financial Consultant, following the Best Practices for Local Government Fiscal Management, recommends the creation of reserves to pay for any accrued employee benefits due to employees on termination of employment pursuant to GML Section 6-P; and

WHEREAS, the Town of Beekman General and Highway Fund have accrued liabilities for payroll due to employees upon termination of service and where the GLM Section 6-P(2) provides for the purpose and guideline for the expenditure that may be charged to the reserve fund;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman approves the creation of Compensated Absences Reserves in the General and Highway Funds and authorizes the Town Supervisor to deposit funds into the Reserves based on the availability of Fund Balance.

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

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

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RESOLUTION 03:20:2019 – 4 (56)

RE: Accept 2017 Annual Update Document (AUD)

COUNCILMAN SWARTZ offers the following and moves for its adoption:

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby accepts the 2017 AUD (Annual Update Document); and

BE IT RESOLVED, that the Town Board hereby directs the Town Clerk to make the 2017 Annual Update Document (AUD) available to the residents for their review in her office and post the 2017 Annual Update Document (AUD) on the Town of Beekman website.

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

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

Dated: March 20, 2019

RESOLUTION 03:20:2019 – 5 (57)

RE: Resolution for Emergency Replacement of Town Hall Front Doors (not to exceed \$20K)

COUNCILWOMAN WOHRMAN offers the following and moves for its adoption:

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Whereas, General Municipal Law Section 103(4) permits the town to enter into a contract for work needed without competitive bidding where the town board declares the situation to be a public emergency: and

Whereas the Town of Beekman Engineer, Councilwoman Woehrman and Supervisor Covucci performed an inspection of the Town Hall front doors and determined that the doors are potentially unsafe and in disrepair, and recommend that immediate action be taken to rectify the situation to reduce security concerns; now, therefore, be it

Resolved, that the Town Board hereby authorizes the Supervisor to execute an agreement on behalf of the Town of Beekman for the purchase and installation of new front doors for Town Hall not to exceed \$20,000.00; and be further

Resolved, that the bookkeeper be authorized and directed to pay the costs of a duly executed contract and certified claims therefor.

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler AYE
 Councilman Swartz AYE
 Councilman Battaglini AYE
 Councilwoman Woehrman AYE
 Supervisor Covucci AYE

Dated: March 20, 2019

**RESOLUTION NO. 03:20:19 – 6 (58)
 RE: Payment of Claims**

COUNCILMAN STIEGLER 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

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

Claims to be paid from the A-General Fund	\$ 1,729,664.55	
Claims to be paid from the DA-Highway Fund	\$ 57,323.43	\$ 1,659,244.11 Tax Warrant
Claims to be paid from the SS – Dover Ridge Sewer	\$ 3,004.82	\$ 77,412.93 General
Claims to be paid from the SW – Dover Ridge Water	\$ 1,321.38	\$ 57,167.14 Highway
T-Trust & Agency Fund	\$ 2,417.50	<u>\$ 1,793,824.18</u>
H-Capital Fund	<u>\$ 92.50</u>	
	\$ 1,793,824.18	
Payroll Paid on 3/7/2019		
General Fund	\$ 34,227.77	
Highway Fund	<u>\$ 37,175.85</u>	
	<u>\$ 71,403.62</u>	

***Payment of Tax warrant that is included in General Fund Amount Above**

Beekman Fire District	\$ 1,095, 995.00
Beekman Library	\$ 405,000.00
Dutchess County Water & Wastewater	\$ 158,249.11

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Seconded: COUNCILWOMAN WOHRMAN & COUNCILMAN SWARTZ

ROLL CALL VOTE:

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

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GENERAL BOARD COMMENTS

Councilman Battaglini announced the statewide burn ban is in effect from March 15 to May 15.

GENERAL PUBLIC COMMENTS

Peter Barton, Beekman Poughquag Road, spoke this evening to clarify some false and misleading comments that were made by a Town resident at the last Town Board meeting in reference to a water line that runs through his property to the Elementary School.

Virginia Peters, Robin Court, inquired why there wasn't a resolution on the Agenda to approve last meeting's minutes. She also questioned overtime paid to employees going forward to ensure we don't go through what the Town Attorney talked about earlier this evening. Her final question was if in the future the spreadsheets that Tom Carey, Comptroller Consultant is referencing during his reports can be made public so everyone present can follow.

Len Jerrum, Beyer Drive, gave his opinion on if the Highway Department auctions the trailer the revenues should go to the Highway Fund not the General Fund. Expressed his concern that the Resolutions were not posted on the website this evening only the Agenda. He made the recommendation that if there is a time clock at the Highway Department, there should be a time clock in Town Hall as well.

ADJOURN

At 7:52M, Supervisor Covucci made the motion to adjourn the meeting seconded by Councilman Battaglini. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT
TOWN CLERK