

## **BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

The Regular Meeting of the Beekman Town Board was called to order at 7:01PM 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 WERNER STIEGLER  
                              COUNCILMAN MICHAEL DEL VECCHIO  
                              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.

### **RECOGNITION OF PHYLLIS HUGHES FOR HER DEDICATION TO THE TOWN OF BEEKMAN**

Supervisor Zulauf presented Phyllis with a certificate of appreciation for all her dedication to the Town of Beekman's Recreation Department over the last 15 years. We wish her all the best in her retirement.

### **REPORTS:**

#### **SUPERVISOR:**

Supervisor Zulauf attended a NYSEG energy preparedness plan meeting a few weeks ago where she obtained valuable information. She met with Senator Murphy and several residents of the Town of Beekman at the Beekman Square Diner for an informal discussion session. Supervisor Zulauf attended the fishing derby on May 9<sup>th</sup> at the Rec. She thanked Pam Waltenberg and Andrew Forman for organizing and all others who helped make it a success. She congratulated Sebastian Green who caught the biggest fish. Last week she attended the Sheriff's Office Ceremony for those officers who lost their lives in the line of duty. In closing, she reported that she attended the sentencing of former Comptroller, Fred Knapp, who received three to nine years in prison.

#### **TOWN BOARD:**

**Councilman Stiegler** reported that he attended the fishing derby, the weather was great although the fish weren't too cooperative.

**Councilman Battaglini** reported that he attended the discussion at Beekman Square Diner with Senator Murphy. He announced that the burn ban was lifted today, however, he cautioned residents due to the woods still being so dry. He made a suggestion to have the Town Board and Highway Superintendent look into possibly collecting residents brush to eliminate the need to burn.

**Councilman Del Vecchio** also attended the discussion with Senator Murphy and thought it was very constructive. He attended the fishing derby and announced that the next Recreation Commission meeting is June 10<sup>th</sup>. In closing, he warned residents to use caution when burning due to the very dry conditions.

**Councilman Moran** congratulated Phyllis on her recognition and retirement. He also attended the sentencing of former Comptroller, Fred Knapp. He thanked the public for their patience and support during this time and thanked Supervisor Zulauf for bringing the right people into Town Hall to catch the theft of Town money.

#### **HIGHWAY SUPERINTENDENT REPORT:**

Highway Superintendent, Tony Coviello, commented on the collecting brush suggestion from Councilman Battaglini, stating that the Town would need to hire a tub grinder at a daily rate in order to dispose of the brush. Tony reported that his men have been busy prepping the roads for the 284 work that needs to be completed. They hauled in tons of blacktop for Beach Road, Palmer Circle and Lime Ridge Road. They repaired various collapsed catch basins and paved Roosevelt Drive last Thursday. In closing, he gave a detailed report on salt and sand use

**BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

this past winter season. He described the amount of product used and the cost associated with that. The Town will get some money back from the CHIPS program and the Extreme Winter Weather reimbursement but we will still be over the snow removal budgeted amount.

**PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:**

There was no public comment this evening.

**RESOLUTIONS:**

**RESOLUTION NO. 05:20:15 – 1 (65)  
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 6, 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 May 6, 2015 Town Board Meeting.

Seconded COUNCILMAN BATTAGLINI

**ROLL CALL VOTE:**

Councilman Moran            AYE  
Councilman Stiegler        AYE  
Councilman Del Vecchio    ABSTAIN  
Councilman Battaglini      AYE  
Supervisor Zulauf          AYE  
Dated: May 20, 2015

**RESOLUTION NO. 05:20:15 – 2 (66)  
RE: Accept Amendment for Town Code Chapter 135**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, Chapter 135 – 4, Article III of Beekman Town Code mentions eligibility for exemptions for Senior Citizens; and

WHEREAS, a public hearing was held on May 6, 2015 to amend Town Code Chapter 135 – 4, Article III; and

WHEREAS, no comments were received at this public hearing and no comments were received in the Town Clerk’s Office; and

WHEREAS, it is desirous of the Town Board to amend Chapter 135 – 4, Article III to include renewal application deadline of the Senior Citizens; now therefore be it

RESOLVED, that Chapter 135 – 4, Article III of Beekman Town Code be amended to include Paragraph C to state “The Town Tax Assessor may accept applications for renewal of Senior Exemptions until the date hearing grievances”; and be it further

**BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

RESOLVED, that certified copies of this Local Law be filed immediately in the office of the Beekman Town Clerk and the New York Secretary of State.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: May 20, 2015

**RESOLUTION NO. 05:20:15 – 3 (67)**

**RE: Approve Health Insurance for Town Employees**

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Town’s employee benefit policy for health insurance is due to expire on July 1, 2015; and

WHEREAS, the current provider, CDPHP has informed the Town that they will no longer offer a compatible health plan; and

WHEREAS, the Town has reviewed various plans offered by the Town’s insurance Broker; and

WHEREAS, MVP is now offering a compatible plan with compatible rates; and

WHEREAS, the Town has included the CSEA and the Teamsters Local 456 Representatives in Health Plan discussions; now therefor be it

RESOLVED, that the Supervisor is authorized to take all necessary actions to implement the plan from MVP and the associated rates as attached; and be it further

RESOLVED, that the Supervisor is authorized to offer MVP to all eligible Town employees in place of the current CDPHP plan, including those employees covered by the CSEA and Teamsters contracts; and be it further

RESOLVED, that all eligible employees attend an informational meeting on May 21, 2015 at 3:00pm to review the MVP plan with the Insurance Broker.

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: May 20, 2015

**RESOLUTION NO. 05:20:15 – 4 (68)**

**RE: Amendment to Add Deputy Building Inspector and Pay Increase to Maintenance Worker to CSEA Contract**

**BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

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

WHEREAS, the CSEA contract was approved on May 6, 2105; and

WHEREAS, the position of “Deputy Building Inspector” was omitted in the resolution of May 6, 2015, but not the actual contract; and

WHEREAS, the salary of \$17.75 per hour for Maintenance Worker was omitted from 5.1.1, Wages and Salaries, in the CSEA contract; now therefore be it

RESOLVED, that the position of “Deputy Building Inspector” be accepted into 1.1.2 “Included Employees” of the CSEA contact; and be it further

RESOLVED, that the salary of “Maintenance Worker” \$17.75 per hour be added to 5.1.1, “Pay Increases” of the CSEA contract; and be it further

RESOLVED, that the Supervisor is hereby authorized to sign the Collective Bargaining Agreement with the Civil Service Employees Association (CSEA) Inc. for the period January 1, 2013 through December 31, 2017; and be it further

RESOLVED, that one copy be filed with the Beekman Town Clerk and the second copy be filed with the CSEA.

Seconded COUNCILMAN STIEGLER

**\*\*\*The Board made a friendly amendment to correct the date in the first whereas paragraph to May 6, 2015\*\*\***

ROLL CALL VOTE:

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

Dated: May 20, 2015

**RESOLUTION NO. 05:06:15 – 5 (69)**

**RE: Approve Todd Buckley as Maintenance Worker**

COUNCILMAN MORAN offers the following and moves for its adoption:

WHEREAS, the Maintenance Department was previously authorized to hire a Maintenance Worker which is currently unoccupied; and

WHEREAS, the Maintenance Department finds it necessary to fulfill this position; now therefore be it

RESOLVED, that Gregory Brown, Head of Maintenance, recommends promoting Todd Buckley to the position of Maintenance Worker, as Mr. Buckley has been performing his duties in an exemplary manner; and be it further

RESOLVED, that the Maintenance Worker position have a salary of \$17.75 per hour; and be it further

**BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

RESOLVED, that the Personnel change be filed with Dutchess County Human Resources and with Civil Service Employees Association Inc. Local 1000 (CSEA).

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: May 20, 2015

**RESOLUTION NO 05:20:15 – 6 (70)**

**RE: Approve Upgrade of Town Employees Email Migration System**

COUNCILMAN STIEGLER offers the following and moves for its adoption:

WHEREAS, the Town’s current email provider (Network Solutions) currently has a mail storage limit of 2GB; and

WHEREAS, the current solution does not allow for compliance with NYS MU - 1; and

WHEREAS, the Town has researched email storage solutions and has concluded the Microsoft Hosted Exchange 365 email solution will best suit the Town’s email needs for archival and storage of email; now therefore be it

RESOLVED, that the Town of Beekman is changing its email platform to Microsoft Hosted Exchange 365 under the new domain townofbeekmanny.us and configured under the IT Shared Services Agreement with the Town of Dover; and be it further

RESOLVED, the cost to each mailbox is \$84.00 per year per mailbox for unlimited storage space at a total cost not to exceed \$2,000.00 and that the cost to purchase the new domain (townofbeekmanny.us) will not exceed \$100.00 for 5 years.

Seconded COUNCILMAN DEL VECCHIO & COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: May 20, 2015

**RESOLUTION NO 05:20:15 – 7 (71)**

**RE: Authorize Sale of Unused Equipment and Parts at Highway Garage**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, the Highway Department has a 1989 Ford 350 four wheel drive pickup truck, a 1993 Oshkosh p2526 snow plow truck with 8 yard Hinicker sander and 12 foot Frink snow plow with 11 foot wing L10 Cummings 60,000 miles 8 speed transmission, 2 western 9.5 foot ultra-mount vee plows (good parts plows), 1 Boss 8 foot snow plow, truck frame and wiring for 2014 Dodge truck, 1 14 foot dump body with sub frame and hoist, 1 non steerable tag axle; and

**BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

WHEREAS, the Town Board is desirous of disposing of these extra materials; and therefore be it

RESOLVED, that the Town Board authorizes Tony Coviello, Highway Superintendent to place the equipment for sale on Auctions International.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: May 20, 2015

**RESOLUTION NO. 05:20:15 – 8 (72)  
RE: Payment of Claims**

SUPERVISOR ZULAUF 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	\$48,195.58
Claims to be paid from the DA-Highway Fund	\$15,394.36
Claims to be paid from the SS – Dover Ridge Sewer	\$ 5,311.09
Claims to be paid from the SW – Dover Ridge Water	\$ 2,585.90
Claims to be paid from the T-Trust Agency	<u>\$ 757.50</u>
	\$ 72,244.43
Payroll 9 Paid 5/7/15	\$ 53,856.11

General Fund \$33,734.14  
Highway Fund \$20,121.97

Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: May 20, 2015

OTHER BUSINESS:

**RESOLUTION NO. 05:20:15 – Other Business  
RE: Approve Request to Waive 30 Day Notice for Liquor License**

**BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

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

WHEREAS, Pleasant Ridge Pizza Co Inc, doing business at 2859 Route 55, Poughquag, in the Town of Beekman, New York, under the name Pleasant Ridge Pizza, intends to renew their New York State Liquor License; and

WHEREAS, pursuant to Alcohol Beverage Law Control Law § 64 (2A), an applicant must give the municipality thirty (30) days notice of the pending liquor license renewal application unless the municipality consents to waive the thirty (30) day requirement; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman hereby waives the thirty (30) days notice period in regard to allowing Pleasant Ridge Pizza Co Inc., d/b/a Pleasant Ridge Pizza an earlier submission of the liquor license renewal application.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: May 20, 2015

GENERAL PUBLIC COMMENT:

A student from Arlington High School, 22 Pulling Road, questioned all the potholes on certain roads. Tony Coviello commented that those roads he mentioned were not in the Town of Beekman.

Ron Rickey, 59 Brothers Road, stated that he approached the Board at the last meeting regarding the handrails on his deck. He hasn't heard from the Board and would like to know the status.

GENERAL BOARD COMMENT:

Councilman Del Vecchio announced that the discounted rates for Rec programs have expired, regular rates are now in effect. He thanked Phyllis for her many years of service.

Supervisor Zulauf announced World Elder Abuse day is June 12<sup>th</sup>. Contact Kathy Sheehan at 845-471-7213 for more information. The annual Memorial Day Parade & Ceremony is this Monday, May 25<sup>th</sup>. Parade line up is 9:30AM with kickoff at 10:00AM followed by the Ceremony at Town Hall and a barbeque at the Fire House.

Councilman Battaglini would like to approach the Planning Board to see if there is any way to hold developers bond money to assist in road repairs from any damage caused by heavy equipment during the construction process.

Supervisor Zulauf announced the next Town Board meeting is Wednesday, June 3, 2015 at 7PM.

At 8:05PM Supervisor Zulauf made the motion to move to executive session seconded by Councilman Battaglini. All in favor.

At 8:59PM the Board returns from executive session taking the following action(s):

COUNCILMAN MORAN offers the following and moves for its adoption:

**BEEKMAN TOWN BOARD – REGULAR MEETING – MAY 20, 2015**

WHEREAS, the Town’s Appeal of Judgement in the matter of Laberge Engineering vs. Town of Beekman has been affirmed by appellate division and monetary judgement stands;

AND WHEREAS, Appellate Division did not rule on the argument regarding the notice of claim;

THEREFORE BE IT RESOLVED, that the Supervisor is authorized to commence litigation against McCarthy Fingar LLP & Phillip Landrigan ESQ for legal malpractice in connection with defense of Town in matter of Laberge vs. Town of Beekman.

Seconded by COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Moran – Aye

Councilman Battaglini – Aye

Councilman Del Vecchio – Abstain

Councilman Stiegler – Aye

Supervisor Zulauf – Aye

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

WHEREAS, the Town retained Morris Associates Engineering to provide design drawings and specifications for the building, Town Center Park Pavilion;

AND WHEREAS, as a result of the winter weather and design flaws the building is structurally damaged following the 2014/2015 winter

THEREFORE BE IT RESOLVED, the Supervisor is authorized to commence litigation against Morris Associates Engineers and any principals involved in the design of the building as a result of an opinion received from an expert structural engineer that the building has an inherent design flaw.

Seconded by COUNCILMAN BATTAGLINI

ROLL CALL VOTE

Councilman Moran – Aye

Councilman Del Vecchio – Aye

Councilman Stiegler – Aye

Councilman Battaglini - Aye

ADJOURN:

At 9:01PM 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