

BEEKMAN TOWN BOARD REGULAR MEETING – NOVEMBER 15, 2017

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 MICHAEL DEL VECCHIO
 COUNCILWOMAN MARY COVUCCI
 COUNCILMAN WERNER STIEGLER
 COUNCILMAN EZIO BATTAGLINI

ALSO PRESENT: PAUL ACKERMAN, TOWN ATTORNEY

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.

REPORTS

Comptroller Report – Rae D’Achille, Comptroller, gave a slideshow presentation regarding the Town’s financial status for 2017 thus far.

Highway Report – Tony Coviello, Highway Superintendent, gave a summary of what his Department has been working on the last few weeks. The men have installed drainage pipe and catch basins on Schoolhouse Road. They continue to perform tree work and MS4 work Town wide. They have applied road sealant to three miles of Town roads to preserve the roads during the winter months. In closing, Tony reported that Town Clean Up Day was a success and they collected \$1,150.00 in fees which he turned over to the Comptroller. He distributed the updated Inventory of Highway Equipment for the official record.

At 7:20PM, Supervisor Zulauf made the request to go to an Attorney, Client Privilege session downstairs with the Town Board and Town Attorney.

At 7:50PM the Board and Attorney return and the meeting continues.

PUBLIC COMMENT AGENDA ITEMS & RESOLUTIONS:

There was no public comment this evening.

RESOLUTIONS:

RESOLUTION NO. 11:15:17 – 1 (181) 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 October 30, 2017, November 1, 2017 and November 8, 2017 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 October 30, 2017, November 1, 2017 and November 8, 2017 Town Board Meeting.

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Seconded COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: November 15, 2017

RESOLUTION NO. 11:15:17 – 2 (182)

RE: Approve Local Law to Override the Tax Levy for 2018

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, According to the New York State property tax cap legislation, if a municipal government opts to adopt a budget with a property tax levy that exceeds the level set by the state, the municipal government must pass a local law to override that cap; and

WHEREAS, a public hearing was held on October 18, 2017 to hear all persons interested in the proposed local law to override the tax levy; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman hereby enacts a local law establishing a property tax levy in excess established in general municipal Section 3-C as per the attached for 2018.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: November 15, 2017

RESOLUTION NO. 11:15:17 – 3 (183)

RE: Nominate Veterans Hall of Fame

SUPERVISOR ZULAUF offers the following and moves for its adoption:

WHEREAS, the Town of Beekman was asked to nominate a member of the community to the Veterans Hall of Fame for the New York State Senate 40th District; and

WHEREAS, George Mackey, served in the Army; and

WHEREAS, George Mackey served in the Korean War from 1950-1953; and

WHEREAS, George Mackey was awarded the Korean Service Medal with four (4) bronze stars, the National Defense Service Medal and the United Nations Service Medal; now therefore be it

RESOLVED, that the Town Board hereby nominates George Mackey to the Veterans' Hall of Fame for the New York State Senate 40th District.

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Seconded COUNCILMAN BATTAGLINI & COUNCILMAN DEL VECCHIO

ROLL CALL VOTE:

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

Dated: November 15 2017

RESOLUTION NO. 11:15:17 – 4 - PULLED

RE: Accept Community Development Block Grant (CDBG) for Senior Recreation Building

PULLED

RESOLUTION NO. 11:15:17 – 5 (184)

RE: Set Public Hearing to Amend Chapter 59, Dogs and Other Animals

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

WHEREAS, the Town of Beekman has the ability to amend local laws; and

WHEREAS, the Town Board is desirous in amending Chapter 59, Dogs and Other Animals; and

WHEREAS, the Town Attorney has provided amended regulations pertaining to the Beekman Dog Park and; now therefore be it

RESOLVED, that a public hearing to gather resident input on amending Chapter 59 will be held on December 6, 2017 at 7:10 pm at Beekman Town Hall 4 Main Street Poughquag, NY and that notice of time and place of such hearing be posted and published once on or before the 20th day of November in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman and that such notice be posted on the bulletin board in the Town Clerk's Office and be posted on the Town of Beekman website; and be it further

RESOLVED, that the Town Board will also accept written public comments until December 6, 2017.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: November 15, 2017

RESOLUTION NO. 11:15:17 – 6 - PULLED

RE: Cold War Veterans Extension

PULLED

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RESOLUTION NO. 11:15:17 -7 (185)
RE: Adopt 2018 Annual Budget

COUNCILWOMAN COVUCCI offers the following and moves for its adoption:

WHEREAS, the Town Board of the Town of Beekman has met and considered the tentative and preliminary budgets for the fiscal year beginning January 1, 2018; and

WHEREAS, a public hearing was held on November 8, 2017 as required by Section §108 of the Town Law of the State of New York; and

WHEREAS, no public comment was heard and no written comments were received; now therefore be it

RESOLVED, that the 2018 Budget, as amended and revised as attached hereto, is hereby adopted as the Annual Budget of the Town of Beekman for the fiscal year beginning on January 1, 2018, and the same shall be entered in the minutes of the Town Board.

Seconded COUNCILMAN BATTAGLINI

*****Councilwoman Covucci made a motion to make the following amendments:**

Decrease the 1010.1 Town Board PS line \$41,068.00

Decrease the 3620.1 Safety Inspection PS line \$15,000.00

Increase the 1420.4 Town Attorney CE line \$5,000.00

Increase the 1990.4 Contingency line \$20,000.00

Increase the 9901.4 Capital Reserve line \$10,000.00

Decrease the Fund Balance appropriation \$50,000.00

Increase the 3620.01 Safety Inspections PS line \$16,000.00

Seconded by Councilman Stiegler. Roll Call Vote: Councilwoman Covucci – Aye, Councilman Stiegler – Aye, Councilman Del Vecchio – No, Councilman Battaglini – Aye, Supervisor Zulauf – No.***

ROLL CALL VOTE AS AMENDED:

Councilwoman Covucci AYE

Councilman Stiegler AYE

Councilman Del Vecchio NO

Councilman Battaglini AYE

Supervisor Zulauf NO

Dated: November 15, 2017

RESOLUTION NO. 11:15:17 - 8 (186)
RE: Payment of Claims

COUNCILMAN STIEGLER 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	\$ 216,574.23
Claims to be paid from the DA-Highway Fund	\$ 4,432.69
Claims to be paid from the SS – Dover Ridge Sewer District Fund	\$ 2,956.73
Claims to be paid from the SW – Dover Ridge Water District Fund	\$ 1,284.84

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Claims to be paid from the T-Trust & Agency Fund		\$ <u>2,632.50</u>
		\$ 227,880.99
Payroll 23	Paid 11/16/17	\$ 55,317.64
	General Fund	\$ 34,604.97
	Highway Fund	\$ 20,712.67

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: November 15, 2017

OTHER BUSINESS:

**RESOLUTION NO. 11:15:17 –OTHER BUSINESS
RE: Award Bid for Scrap Metal**

COUNCILMAN BATTAGLINI offers the following and moves for its adoption:

WHEREAS, authorization was given for the Town Clerk to advertise for bids for the removal of scrap metal; and

WHEREAS, one bid for the removal of scrap metal was received, opened and read publicly on November 14, 2017, at 10 am and has been reviewed by the Highway Superintendent and the Town Clerk; now therefore be it

RESOLVED, that the bid is hereby awarded to Baroni Recycling as recommended by the Highway Superintendent as attached hereto; and be it further

RESOLVED, that the Supervisor be and hereby is authorized to execute any and all documents necessary to carry out the said services.

Seconded COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: November 15, 2017

Councilman Stiegler announced the next meeting of the CPRC is Tuesday, November 28, 2017 at 7:00PM and distributed the minutes from the last meeting.

GENERAL PUBLIC COMMENT

Virginia Peters, Robin Court, questioned with Councilman Del Vecchio being the liaison to Robin Court litigation and his term finishing on December 31, 2017, will there be a new liaison. Councilman Del Vecchio advised her he will continue to be the liaison for as long as he is here and there will be a new liaison as of January 2018.

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Len Jerrum, Beyer Drive, gave his opinion on the amendments made to the Budget Resolution and how the elimination of the Legislative Aide position will affect that Department. He advised the public about a certified letter he received from a bordering neighbor in reference to utilizing his property. He thanked Rae, the Town Comptroller for continuing to work for the Town through the end of this year.

Carol Ewin, 89 Mayfair Road, expressed her concerns with the conflicting Dog Signs that are posted at TCP. She thanked all the Elected Officials for serving their term.

Phil Capalbo, 35 Main Street, advised the public about the “No Parking” on roadways from November 1st through April 1st with the winter weather approaching. He commented on the elimination of the Legislative Aide position and expressed his appreciation for all Amy has done in that Department.

Mary Bronzi, questioned the status of the Dog Control Officer position and also questioned if the Building Inspector was aware of the elimination of the Legislative Aide position.

Len Jerrum, Beyer Drive, questioned the Attorney, Client privilege session earlier in the meeting and why it was necessary. Town Attorney, Paul Ackerman, explained that the Board went into a conference with their Attorney and that the discussion is protected under Client privilege communication.

GENERAL BOARD COMMENT

The next regularly scheduled meeting of the Beekman Town Board is Wednesday, December 6, 2017 at 7:00PM.

At 8:27PM, 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.

Councilman Del Vecchio took the minutes following Executive Session.

At 8:44PM, the Board returns from Executive Session taking the following action:

**RESOLUTION NO. 11:15:17 –EXECUTIVE SESSION
RE: Approving a Settlement of a pending Tax Certiorari Proceeding
with Paradise Preserve LLC**

COUNCILMAN DEL VECCHIO offers the following and moves for its adoption

WHEREAS, there are now pending in Dutchess County Supreme Court tax review proceedings commenced for the years 2015/2016, and 2016/2017 seeking a reduction in the tax assessment of property owned by Paradise Preserve LLC, for those tax rolls; and

WHEREAS, the Town Attorney and the Town Assessor have negotiated a settlement of these tax review proceedings;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board of the Town of Beekman hereby approves the settlement on behalf of the Town of Beekman of the tax review proceedings brought by Paradise Preserve, LLC in accordance with the Consent Judgement attached hereto; and

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2. The Supervisor, the Town Assessor and the Town Attorney are hereby authorized to take all action necessary and appropriate to effectuate the terms of this Resolution and Stipulation of Settlement, including, but not limited to, the execution of this Stipulation embodying the above settlement, the obtaining of an Order from the Dutchess County Supreme Court embodying the above settlement and a refund or crediting of tax payments, without interest, if paid within sixty (60) days after service of the Order with Notice of Entry, all in accordance with the above authorized settlement.

Seconded SUPERVISOR ZULAUF

ROLL CALL VOTE:

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

Dated: November 15, 2017

ADJOURN

At 8:48PM, 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