

**TOWN OF BEEKMAN
TOWN BOARD MEETING AGENDA
October 16, 2019**

7:00 PM

- Meeting called to order
- Pledge of Allegiance
- Administrative Announcement--Fire Exits

PUBLIC HEARING – Local Law to Override the Tax Levy Limit
Public Comment – 3 Minute Limit

TOWN BOARD MEETING

Public comment on Agenda Items and Resolutions - 3 Minute Limit

RESOLUTIONS

1. Approval of Past Town Board Minutes
 2. Approve Town of Beekman Budget Revisions #2019-8
 3. Set Public Hearing on Dover Ridge Assessment Rolls
 4. Accept Local Law to Override Tax Levy Limit
 5. Amend and File Preliminary Budget
 6. Set Public Hearing for 2020 Preliminary Budget
 7. Accept a Performance Agreement Secured by Surety Bond for Ginese Subdivision a/k/a Beekman Estates Subdivision from Northchester Woods, LLC
 8. Approve the Appointment of a Temporary Assessor to the Town
 9. Payment of Claims
- Other Town Board Business
 - General Board Comments
 - Upcoming Town Board Meetings:
 - Special Town Board Meeting, Wednesday, **November 6, 2019** at 7:00 PM – Public Hearing for 2020 Preliminary Budget
 - Regular Town Board Meeting, Wednesday, **November 13, 2019** at 7:00 PM – Public Hearing Dover Ridge Assessment Rolls
 - General Public Comments – 3 Minute Limit

RESOLUTION NO. 10:16:2019 – 1
RE: Approval of Past Town Board Minutes

offers the following and moves for its adoption:

WHEREAS, Town Clerk Rachael Rancourt has provided copies of the minutes of the Special Town Board Meeting held on October 9, 2019 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 9, 2019 Town Board Meeting.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Wohrman

Supervisor Covucci

Dated: October 16, 2019

RESOLUTION NO. 10:16:2019 – 2
RESOLUTION APPROVING TOWN OF BEEKMAN BUDGET REVISIONS #2019-08

offers the following and moves for its adoption:

WHEREAS, the Town of Beekman Accounting Office recommends certain budget revisions based on department requests and/or the Accounting Office review and analysis of expenditures or revenues;

NOW, therefore be it resolved that the following itemized revisions are approved by the Town of Beekman Town Board for 2019 identified as Budget Revision Number 2019-08.

Budget Revisions 2019-08

<u>Revision #</u>	<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>
<u>General Fund</u>				
2019-08-01	A-1010-0409	Website Expense	2,100	
	A-1680-0460	Data Contracts -Reclass Website Expense		2,100
2019-08-02	A-1410-0403	Town Clerk Dues	35	
	A-1410-0112	Town Clerk P.T. STAFF -Transfer for Dues		35
2019-08-03	A-3620-0414	Codes Cell phone Expense	200	
	A-3620-0400	Codes Expense -Transfer for Cell phone Expense		200
2019-08-04	A-5010-0107	Hwy Supt Vehicle	200	
	A-5010-0400	Hwy Office Expense -Transfer for Vehicle Expense		200
2019-08-05	A-5132-0460	Hwy Garage Contracts	135	
	A-5132-0430	Hwy Garage Refuse -Transfer for Contract Expense		135
2019-08-06	A-6772-0414	Aging Program Trips	4,000	
	A-6772-0415	Aging Picnic	1,000	
	A-6772-0400	Aging Programs Expense -Transfer for Aging Expenses		5,000
<u>Revision #</u>	<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>
2019-08-07	A-7110-0103	Parks Maintenance O.T.	200	
	A-7110-0116	Parks Seasonal STAFF -Transfer for O.T.		200
2019-08-08	A-7110-0450	Parks Equipment Maintenance	1,000	
	A-7110-0400	Parks Expense -Transfer for Equipment Maintenance		1,000
2019-08-09	A-7111-0420	Rec Center Utilities	2,260	
	A-7112-0401	Town Center Supplies	100	
	A-7112-0460	Town Center Rentals	140	
	A-7113-0400	Doherty Park Expense	1,024	

	A-7113-0401	Doherty Park Supplies	336	
	A-7113-0460	Doherty Park Rentals	140	
	A-7110-0400	Parks Expense		4,000
		-Transfer for Various Park Expenses		
2019-08-10	A-7140-0417	Playground Supplies	200	
	A-7180-0404	Lake STAFF Training	2,700	
	A-7180-0411	Lake Chemicals	1,157	
	A-7180-0420	Lake Utilities	943	
	A-7140-0400	Playground Expenses		5,000
		-Transfer for Chemicals, Supplies etc.		
2019-08-11	A-7550-0400	Celebrations Expense	2,362	
	A-7551-0455	Fall Festival Expense	638	
	A-8160-0450	Refuse Expense		3,000
		-Transfer for Events Expenses		
<u>Highway Fund</u>				
2019-08-12	DA-5110-0409	Line Painting	1,100	
	DA-5110-0413	Pipe Expense	5,400	
	DA-5110-0419	Tree Removal		6,500
		-Transfer for Expenses		
2019-08-13	DA-5230-0401	Machinery Uniforms	500	
	DA-5130-0405	Machinery Repairs		500
		-Transfer for Uniforms		
<u>Sewer Fund</u>				
2019-08-14	SS-8189-0480	Other Expenses	2,000	
	SS-8189-0470	Sludge Removal		2,000
		-Transfer for Misc. Expenses		
<u>Revision #</u>	<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>
<u>Water Fund</u>				
2019-08-15	SW-8340-0400	Repairs Expense	2,500	
	SW-8340-0480	Other Expenses	1,500	
	SW-8340-0470	Special Repairs		4,000
		-Transfer Various Expenses		

Seconded:

ROLL CALL VOTE:

Councilman Battaglini
Councilman Stiegler
Councilman Swartz
Councilwoman Wohrman
Supervisor Covucci
Dated: October 16, 2019

RESOLUTION NO. 10:16:2019 – 3
RE: SET PUBLIC HEARING for DOVER RIDGE ASSESSMENT ROLLS

offers the following and moves for its adoption:

WHEREAS, the Assessor to the Town of Beekman has completed and filed the assessment rolls for the Dover Ridge Water and Sewer District pursuant to Article 15 of the New York State Town Law; now therefore be it

RESOLVED, that pursuant to §239 of the Town Law, a public hearing on such assessment rolls shall be held on the 13th of November 2019 at 7:00 pm at the Town Hall, 4 Main Street, Poughquag, NY; and be it further

RESOLVED, that a public hearing to gather resident input on the Dover Ridge Assessment Rolls will be held on November 13, 2019 at 7:00 pm at the Beekman Town Hall 4 Main Street Poughquag, NY and that the notice shall be published in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman on or before the 20th day of October, stating that the Dover Ridge Water and Sewer District assessment rolls have been completed and that the Town Board will meet and hear any objections which may be made to the rolls at the time and place specified above, and that such notice shall be posted on the bulletin board in the Town Clerk Office and placed on the Town of Beekman website; and be it further

RESOLVED, that the Town Board will also accept written public comments until November 13, 2019.

Seconded:

ROLL CALL VOTE:
Councilman Battaglini
Councilman Stiegler
Councilman Swartz
Councilwoman Wohrman
Supervisor Covucci
Dated: October 16, 2019

RESOLUTION NO. 10:16:2019 – 4
RE: LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR 2020

offers the following and moves for its adoption:

WHEREAS, a public hearing was duly held on October 16, 2019 at 7:00 pm at Town Hall, 4 Main street, Poughquag, NY and on a proposed Local Law to override the tax levy limit for the fiscal year ending 2020 pursuant to General Municipal Law 3-C; and

WHEREAS, the Town Board was given the opportunity to hear concerns of all Beekman residents; now therefore be it

RESOLVED, that the Town Board of the Town of Beekman does hereby adopt Local Law #3 To Override the Tax Levy Limit for Fiscal Year 2020, and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to file forth with a copy of this local with the New York Secretary of State.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 16, 2019

Local Law No.3 of the year 2019

Town of Beekman, County of Dutchess

A local law to override the tax levy limit established in General Municipal Law 3-c
Be it enacted by the Town Board of the Town of Beekman as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Beekman pursuant to General Municipal Law §3-c, and to allow the Town of Beekman to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Beekman, County of Dutchess is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law §3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of state.

RESOLUTION NO. 10:16:2019 – 5 RE: AMEND and FILE the 2020 PRELIMINARY BUDGET

offers the following and moves for its adoption:

WHEREAS, the 2020 Tentative Budget was filed with the Town Clerk by the Town Supervisor on September 30, 2019; and

WHEREAS, the Town Clerk presented the Tentative Budget to the Town Board on October 2, 2019; and

WHEREAS, the Town Board conducted budget workshops with Department Heads on October 10th 2019; and

WHEREAS, after conducting the budget workshops, the Town Board desires to amend the 2020 Tentative Budget; now therefore be it

RESOLVED, that the attached amendments are to be made to the 2020 Tentative Budget, and said amendments are to be reflected in the 2020 Preliminary Budget; and be it further

RESOLVED, that the Town Board approves and adopts the foregoing amendments to the 2020 Town of Beekman Tentative Budget and does authorize and direct the Town Bookkeeper to make these amendments and to present the Preliminary Budget, as amended hereby, to the Town Clerk as the 2020 Town of Beekman Preliminary Budget.

General Fund Appropriation Budget Amendments:

	<u>\$ Increase</u>	<u>\$ Decrease</u>
A-1410-0100 Town Clerk	10.00	
A-1410-0401 Town Clerk Supplies -Correct Annual Salary		10.00

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 16, 2019

RESOLUTION NO. 10:16:2019 – 6

RE: SET PUBLIC HEARING for 2020 PRELIMINARY BUDGET

offers the following and moves for its adoption:

WHEREAS, the Town Board has received a copy of the 2020 Tentative Budget; and

WHEREAS, Budget Workshops were held October 10th, 2019 which the Town Board and Town Department Heads all had the opportunity to review and discuss details of the proposed 2020 Budget; now therefore be it

RESOLVED, that a public hearing to gather resident input on the 2020 Preliminary Budget will be held on November 6, 2019 at 7:00 pm at the Beekman Town Hall, 4 Main Street, Poughquag, NY and that the notice shall be published in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman on or before the 21st day of October and that the Town Board will meet and hear any objections at the time and place specified above, such notice shall be posted on the bulletin board in the Town Clerk's Office and placed on the Town of Beekman website; and be it further

RESOLVED, that the Town Board will also accept written public comments until November 6, 2019.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 16, 2019

RESOLUTION NO. 10:16:2019 – 7
RE: ACCEPT A PERFORMANCE AGREEMENT SECURED BY SURETY BOND FOR
GINESE SUBDIVISION a/k/a BEEKMAN ESTATES SUBDIVISION FROM
NORTHCHESTER WOODS, LLC SET PUBLIC HEARING

offers the following and moves for its adoption:

WHEREAS, the Town of Beekman Planning Board granted conditional approval for a final subdivision plat for the Ginese Subdivision pursuant to a Resolution dated February 19, 2004 subject to certain public improvements being made and constructed within said subdivision and subject to completion of the requirements set forth in the Town Subdivision Regulations, Highway Specifications and Zoning Law, and further subject to the requirements set forth in a set of construction documents, specifically identified in the plat; and

WHEREAS, the Ginese Subdivision Plat was filed in the Office of the Dutchess County Clerk on March 23, 2005 as Filed Map No. 9126A; and

WHEREAS, the Ginese Subdivision Plat was superseded in part by the filing of Filed Map No. 9216B entitled "Sewage Disposal System and Water Supply Redesign for Beekman Estates Lot #1 Filed Map 9216A" in the Office of the Dutchess County Clerk on January 12, 2007; and

WHEREAS, the Ginese Subdivision Plat was superseded in part by the filing of Filed Map No. 9216C entitled "Sewage Disposal System and Water Supply Redesign for Ginese Subdivision Lots 6 & 7, Revision to Filed Map 9216A" in the Office of the Dutchess County Clerk on May 24, 2007; and

WHEREAS, the Ginese Subdivision Plat was superseded in part by the filing of Filed Map No. 9216D entitled "Lotline Realignment for Beekman Estates Realty Lots #1 and #2 - Filed Map 9216A" in the Office of the Dutchess County Clerk on June 14, 2007; and

WHEREAS, Town Law Section 277 requires that the developer guarantee the construction, installation and dedication of the required public improvements prior to issuance of any building permits; and

WHEREAS, on December 6, 2004, the Town of Beekman Town Board adopted Resolution 12:06:04 4 which set the Performance Bond for the Ginese Subdivision at \$675,000; and

WHEREAS, in November of 2006, the Town Board authorized the reduction of the Performance Bond amount to \$302,526.00; and

WHEREAS, TD Bank, N.A. acquired title to the property by referee's deed after a foreclosure sale; and

WHEREAS, Northchester Woods, LLC, having an address of 297 King Street, Chappaqua, NY 10514 intends to acquire title to Lots 3 through 12 and the road known as and designated as Fair Haven Court shown on the Ginese Subdivision Plat from the current owner TD Bank, N.A. and shall be obligated to complete the improvements required for the subdivision; and

WHEREAS, Northchester Woods, LLC executed a Performance Agreement which requires it to complete the require public improvements for the Subdivision; and

WHEREAS, the Northchester Woods, LLC has tendered to the Town of Beekman a Site Improvement and Subdivision Performance Bond issued by The Guarantee Company of North America USA in favor of the Town of Beekman; and

WHEREAS, the Attorney to the Town, has reviewed, examined and approved the aforementioned Performance Agreement and Bond Rider

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby accepts the Performance Agreement executed by Northchester Woods, LLC, having an address of 297 King Street, Chappaqua, NY 10514 to guarantee the construction and dedication of the public improvements shown on the Ginese Subdivision Plats filed as Filed Map No. 9216A, 9216B, 9216C & 9216D.
2. The Town Board hereby accepts a Site Improvement and Subdivision Performance Bond issued by The Guarantee Company of North America USA in favor of the Town of Beekman in the sum of Three Hundred Two Thousand Five Hundred and Twenty Six Dollars (\$302,526.00) identified as Bond No. 76180040 as security for the Performance Agreement to construct the public improvements pursuant to Town Law §277.
3. The Town Clerk is hereby directed to file the Bond Rider together and the original Surety Bond and the Performance Agreement for the Ginese Subdivision in her files for said subdivision.
4. The Irrevocable Standby Letter of Credit Number 20000441 issued by TD Banknorth, N.A. in the amount of \$302,526.00 dated January 5, 2007 and extended through June 18, 2020 on behalf of Beekman Estates Realty, LLC is hereby released by the Town Board. The Town Clerk is hereby directed to return the Irrevocable Letter of Credit Number 20000441 to TD Banknorth, N.A. with a copy of this resolution.
5. Prior to the issuance of any building permit for the subdivision:
 - a. The Engineer for the Developer shall meet at the site with the Town Engineer and the Superintendent of Town Highways to conduct an inventory of the work completed, the work remaining and any repairs that need to be made to completed work.
 - b. Based on the inventory, the Engineer for the Developer shall prepare and submit an estimate of the costs of remaining construction work and repairs to the Town Engineer and Superintendent of Town Highways for their review and approval.
 - c. In the event that the estimate of the cost of remaining construction work and repairs shall exceed \$302,526.00, the Developer shall make the necessary repairs and improvements to reduce the construction costs below \$302,526.00 or the Developer shall provide a replacement performance bond in the amount of the higher amount.
 - d. The Developer shall post a construction inspection fee in an amount equal to 4% of the estimated cost of remaining construction work.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 16, 2019

RESOLUTION NO. 10:16:19 – 8
RE: APPROVE THE APPOINTMENT OF A TEMPORARY
ASSESSOR TO THE TOWN

Offers the following and moves for its adoption:

WHEREAS, there currently is a vacancy in the position of Assessor to the Town as the previous Assessor has retired; and

WHEREAS, the Town Board of the Town of Beekman is desirous of appointing an Assessor to the Town; and

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Beekman does hereby appoint Christopher G. Boryk, in a temporary capacity to provide the services required in the Assessor's Office.

And be it further

RESOLVED, that the Supervisor is authorized to execute a Consulting Agreement with Christopher G. Boryk subject to final review by the Town Attorney.

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 16, 2019

RESOLUTION NO. 10:16:2019 – 9
RE: PAYMENT OF CLAIMS

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	\$ 105,086.32
Claims to be paid from the DA-Highway Fund	\$ 49,809.64
Claims to be paid from the SS – Dover Ridge Sewer	\$ 5,335.10
Claims to be paid from the SW – Dover Ridge Water	\$ 4,617.24
Claims to be paid from the T-Trust & Agency Fund	\$ 4,401.91
Claims to be paid from CM-Special Recreation Fund	<u>\$ 11,617.00</u>
	<u>\$ 180,867.21</u>
9/19/2019 Payroll #19	
General Fund	\$ 32,933.72
Highway Fund	<u>\$ 23,480.13</u>
	<u>\$ 56,413.85</u>
9/05/2019 Payroll #20	
General Fund	\$ 32,394.47
Highway Fund	<u>\$ 23,581.71</u>
	<u>\$ 55,976.18</u>

Seconded:

ROLL CALL VOTE:

Councilman Battaglini

Councilman Stiegler

Councilman Swartz

Councilwoman Woehrman

Supervisor Covucci

Dated: October 16, 2019