

## **BEEKMAN TOWN BOARD REGULAR MEETING – OCTOBER 9, 2019**

The Regular Meeting of the Beekman Town Board was called to order at 7:01PM 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

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

### **7:00PM OPEN PUBLIC HEARING – DOVER RIDGE WATER SYSTEM IMPROVEMENTS**

Supervisor Covucci re-opened the Public Hearing at 7:03pm all were in favor. There were approximately 10 Dover Ridge residents present this evening. Supervisor Covucci opened the floor to Public Comments. Anne Miller, Stowe Drive, thanked the Supervisor for supplying her with the documentation she requested. Ms. Miller questioned if they would be without water for a period of time while the improvements are being performed. Supervisor Covucci advised her she will get back to her on that. Doug Miller, 177 Stowe Drive, expressed his gratitude to the Supervisor for taking the time and interest to focus on the issues of the water/sewer systems. Michael Webber, 27 Stowe Drive, questioned if there had been any changes to the grant funding since the last meeting? Supervisor Covucci responded that there have been no new changes since last week, however, there were some monies left over from a previous grant that will be applied to these improvements. Supervisor Covucci summarizes; the Town Board has been mandated by Department of Health to make these improvements, the Town Board will work to the best of their ability on the costs and communication with the residents and hopes for a positive collaboration moving forward. At 7:18pm with no further comment, Supervisor Covucci made the motion to close this Public Hearing seconded by Councilman Stiegler, all in favor.

Supervisor Covucci gave further details regarding the resolutions on this evening's agenda.

### **PUBLIC COMMENT ON AGENDA ITEMS AND RESOLUTIONS**

There was no public comment on Agenda items this evening.

### **RESOLUTIONS:**

**RESOLUTION NO. 10:09:2019 – 1 (137)**  
**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 Special Town Board Meeting held on October 2, 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 2, 2019 Special Town Board Meeting.

**Seconded:**       **COUNCILMAN BATTAGLINI**

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ROLL CALL VOTE:

Councilman Battaglini            AYE  
Councilman Stiegler                AYE  
Councilman Swartz                 AYE  
Councilwoman Wohrman            AYE  
Supervisor Covucci                AYE  
Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 2 (138)**  
**RE: Approval of Past Town Board Minutes**

COUNCILMAN BATTAGLINI            offers the following and moves for its adoption:

**WHEREAS**, Town Clerk Rachael Rancourt has provided copies of the minutes of the September 18, 2019 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 September 18, 2019 Town Board Meeting.

**Seconded:     COUNCILMAN STIEGLER**

ROLL CALL VOTE:

Councilman Battaglini            AYE  
Councilman Stiegler                AYE  
Councilman Swartz                 AYE  
Councilwoman Wohrman            AYE  
Supervisor Covucci                AYE  
Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 3 (139)**

At a regular meeting of the Town Board of the Town of Beekman, Dutchess County, New York, held at the Town Hall, 4 Main Street, in Poughquag, New York in said Town, on October 9, 2019, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Mary B. Covucci  
Supervisor

Ezio Battaglini  
Councilman

Werner Stiegler  
Councilman

Robert Swartz  
Councilman

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Sharon Wohrman  
Councilwoman

SUPERVISOR COVUCCI offers the following and moves for its adoption

<p style="text-align: center;">In the Matter of The Increase and Improvement of Facilities of the Dover Ridge Water District in the Town of Beekman, Dutchess County, New York</p>	<p style="text-align: center;">PUBLIC INTEREST ORDER</p>
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**WHEREAS**, the Town Board of the Town of Beekman, Dutchess County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of the Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, consisting of the replacement of the deteriorated hydro pneumatic tank and booster pumps with variable frequency drive pumps, including necessary piping, fittings, electronic controls, and incidental items and expenses in connection therewith, at a maximum estimated cost of \$400,000 and

**WHEREAS**, at a meeting of said Town Board duly called and held on September 18, 2019, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of the Dover Ridge Water District in said Town at a maximum estimated cost of \$400,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Poughquag, New York, in said Town, on October 2, 2019, at 7:00 o'clock P.M., Prevailing Time and on October 9, 2019, at 7:00 o'clock P.M., Prevailing Time;

**WHEREAS**, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

**WHEREAS**, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of the Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, consisting of the replacement of the deteriorated hydro pneumatic tank and booster pumps with variable frequency drive pumps, including necessary piping, fittings, electronic controls, and incidental items and expenses in connection therewith, at a maximum estimated cost of \$400,000.

Section 2. This Order shall take effect immediately.

**Seconded: Councilman Swartz**

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

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

**BEEKMAN TOWN BOARD REGULAR MEETING – OCTOBER 9, 2019**

Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 4 (140)**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF THE TOWN OF BEEKMAN, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE DOVER RIDGE WATER DISTRICT, IN THE TOWN OF BEEKMAN, DUTCHESS COUNTY, NEW YORK.**

COUNCILMAN SWARTZ offers the following and moves for its adoption:

**WHEREAS**, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of the Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, at a maximum estimated cost of \$400,000; and

**WHEREAS**, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Dover Ridge Water District, in the Town of Beekman, Dutchess County, New York, consisting of the replacement of the deteriorated hydro pneumatic tank and booster pumps with variable frequency drive pumps, including necessary piping, fittings, electronic controls, and incidental items and expenses in connection therewith, there are hereby authorized to be issued \$400,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$400,000 and that the plan for the financing thereof is by the issuance of the \$400,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Beekman, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year s to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Dover Ridge Water District in the manner provided by law as applicable, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

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Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

Councilman Battaglini AYE

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Councilman Stiegler            AYE  
Councilman Swartz            AYE  
Councilwoman Wohrman        AYE  
Supervisor Covucci            AYE  
Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 5 (141)**  
**RE: AWARD BID FOR DOVER RIDGE WATER SYSTEM IMPROVEMNTS**

COUNCILWOMAN WOHRMAN    offers the following and moves for its adoption:

**WHEREAS**, the Town of Beekman solicited bids for Dover Ridge Water System Improvements; and

**WHEREAS**, two bids were received by the Town deemed responsive and complete; and

**WHEREAS**, the bids were opened and read publicly on July 29, 2019 at 10:00 am; and

**WHEREAS**, the Town has determined that the lowest responsive bid received was from Eventus Construction Company, Inc. in the amount of \$350,000; and

**WHEREAS**, this bid was reviewed by the Town Engineer, and his recommendations are attached; now therefore be it

**RESOLVED**, that the bid from Eventus Construction Company, Inc. at a cost not to exceed \$350,000 be accepted for the Dover Ridge Water System Improvements.

**Seconded:      COUNCILMAN BATTAGLINI**

ROLL CALL VOTE:  
Councilman Battaglini        AYE  
Councilman Stiegler        AYE  
Councilman Swartz            AYE  
Councilwoman Wohrman        AYE  
Supervisor Covucci            AYE  
Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 6 (142)**  
**RE: AWARD BID FOR CLEAN-UP DAY**

COUNCILMAN STIEGLER        offers the following and moves for its adoption:

**WHEREAS**, Town clean-up day has been scheduled for Saturday October 26, 2019 between the hours of 7:00am and 2:00pm in the Town Hall parking lot; and

**WHEREAS**, bids were received for services as described in the legally published notice and opened and read publicly by the Town Clerk on October 1, 2019 at 10:00am; now therefore be it

**RESOLVED**, that Royal Carting be awarded the contract for clean-up day; and be if further

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

**Seconded:      COUNCILMAN SWARTZ**

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ROLL CALL VOTE:

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

Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019-7 (143)**

**Resolution Authorizing the Supervisor to sign an Estoppel Certificate for the Beekman Library**

COUNCILMAN BATTAGLINI        offers the following and moves for its adoption:

**WHEREAS**; the Town of Beekman is the owner of certain property located at 11 Town Center Boulevard in the Town of Beekman which property is leased to The Beekman Library Association for the sole purpose of operating a public library; and

**WHEREAS**, the Beekman Library Association is desirous of refinancing an existing leasehold mortgage; and

**WHEREAS**, pursuant to the leasehold agreement The Beekman Library Association is permitted to mortgage its interest in the property with the consent of the Town of Beekman for which such consent should not be unreasonably withheld; and

**WHEREAS**, the Estoppel Certificate has been reviewed by the Town Attorney and found to be acceptable as to form and substance; now therefore be it,

**FURTHER RESOLVED**, that the Town Board of the Town of Beekman hereby authorizes the Supervisor to execute the Estoppel Certificate and Non-Disturbance Agreement in substantially the same form and substance as attached hereto.

**Seconded:     COUNCILMAN SWARTZ**

ROLL CALL VOTE:

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

Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 8 (144)**

**RE: APPROVE ENTERTAINMENT FOR SENIOR HALLOWEEN PARTY**

SUPERVISOR COVUCCI        offers the following and moves for its adoption:

**WHEREAS**, the Senior Center is having a Halloween Party scheduled for Thursday, October 31, 2019; and

**WHEREAS**, the costs will be covered by the fees collected for parties, now therefore be it

**RESOLVED**, that the following expenditure for the Halloween Party be authorized, John Harrah’s Mobile Music Services for an amount not to exceed \$200.00.

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**Seconded: COUNCILWOMAN WOHRMAN**

ROLL CALL VOTE:

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

Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 9 (145)**  
**RE: AUTHORIZE SALE OF HIGHWAY EQUIPMENT AT AUCTION**

COUNCILMAN SWARTZ offers the following and moves for its adoption:

**WHEREAS**, The Highway Department has surplus equipment listed below:

FS90R Weed Wacker  
Stihl Pro Series HT75 Pole Saw  
Stihl HT107 Pole Saw  
Jonsered 670 Chainsaw  
John Deere Chainsaw  
HT131 Pole Saw  
MS 211 Chainsaw  
MS360 Chainsaw  
Yamaha EF6000 Generator  
Eastwood Sand Blasting Cabinet

**; and WHEREAS**, the Town Board is desirous in disposing of this equipment; now therefore be it

**RESOLVED**, that the Town Board hereby authorizes Tony Coviello, Highway Superintendent, to place these items for sale at DPW Auctions.

**Seconded: COUNCILMAN STIEGLER**

ROLL CALL VOTE:

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

Dated: October 9, 2019

**RESOLUTION NO. 10:09:2019 – 10 (146)**  
**RE: ACCEPT DONATION OF FILE CABINETS**

COUNCILWOMAN WOHRMAN offers the following and moves for its adoption:

**WHEREAS**, the Town Clerk has received 2 File Cabinets for the Vault from the Dutchess County Storeroom; and

**WHEREAS**, Town Board resolutions are required to accept all donations, now therefore be it

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**RESOLVED**, that the Town Board does hereby accept this donation and in doing so, does express it's gratitude to Dutchess County and be it further

**RESOLVED**, that the record of this donation will be forwarded to the Town Clerk for her record of donations.

**Seconded: COUNCILMAN STIEGLER**

**ROLL CALL VOTE:**

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

Dated: October 9, 2019

**GENERAL BOARD COMMENTS**

Supervisor Covucci summarized about the 2020 Tentative budget that was presented to the Town Board at the last meeting. The Board will continue to work with the budget over the next few weeks and anticipates a minimal increase from last year. She extended her heartfelt gratitude to all who helped put together the budget; Tom Carey, Comptroller Consultant, Linda Bloomer, Theresa Manzo, Annette Rembisz all from the Finance Department, Deputy Supervisor Sharon Whorman and the entire Town Board.

Supervisor Covucci announced the Senior Halloween party to be held on Thursday, October 31, 2019 from 11am – 2pm and the Annual Fall Festival scheduled for Saturday, October 19, 2019 from 1pm – 4pm.

Councilman Stiegler commented on the hemp farm located in LaGrange and the odor it gives off. The Beekman Town Board has been discussing this and looking into solutions for Beekman residents should it come to Beekman.

**GENERAL PUBLIC COMMENTS**

Virginia Peters, Robin Court, had several questions/comments this evening. Has the Assessor position been eliminated? Supervisor Covucci advised her that the Assessor retired and the Board is looking for a new one. Ms. Peters questioned if the Receiver of Taxes is still here, she saw another woman collecting taxes recently. Supervisor Covucci advised her that the woman she saw was the Deputy Receiver of Taxes. Ms. Peters questioned the status of Ramblers. The Supervisor advised that someone new was interested in the property. In closing, Ms. Peters asked about the Doors at Town Hall and Supervisor Covucci said the architect was working on them.

Doug DeMasi, Beekman Road, questioned why the Town Board Meetings from December 2014, going back, are no longer available on the website? Supervisor Covucci advised him this is public comment portion and she will not answer his questions. She then gave the public a summary of the history of Mr. DeMasi and the issues he has with the Town.

**ADJOURN**

At 7:47PM with no further business to conduct, Supervisor Covucci made the motion to adjourn the meeting seconded by Councilman Battaglini. All in favor.

RESPECTFULLY SUBMITTED,

RACHAEL RANCOURT  
TOWN CLERK