

## August 15, 2023

### **BEEKMAN TOWN BOARD TOWN BOARD MEETING AGENDA AUGUST 15, 2023**

#### **7:00 PM**

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

#### **TOWN BOARD MEETING**

- Supervisor Comments
- Public comment on Agenda Items and Resolutions - 3 Minute limit

#### **RESOLUTIONS**

1. Approve the Acquisition of a Town Utility Vehicle
  2. Accept Performance Bond for Sparrow's Nest
  3. Approve the Hiring of a Recreation Assistant
  4. Accept Donation of Color Printer for the Rec Department
  5. Approve the Hiring of a Deputy Zoning Administrator
  6. Approval of Payment of Claims
- Other Town Board Business
  - General Board Comments
  - General Public Comments - 3 minute limit
  - Executive Session
  - **Next Regular Town Board Meeting: Tuesday, September 12, 2023 at 7:00 PM**

#### **\*AGENDA SUBJECT TO CHANGE**

##### **RESOLUTION NO.08:15:23-1**

##### **RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN FOR THE ACQUISITION OF A TOWN UTILITY VEHICL**

*WHEREAS, the Town has multiple departments that use their private vehicles to conduct Town Business and*

*WHEREAS, the Town Board is desirous in purchasing a vehicle to accommodate the departments' needs;*

***NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Beekman does hereby approve the acquisition of a 4-wheel drive utility vehicle with an amount not to exceed \$50,000 in accordance with the Town's Purchasing Policy.*

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILMAN BATTAGLINI**

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: August 15, 2023

##### **RESOLUTION NO. 08:15:23-2**

**RESOLUTION ACCEPTING A PERFORMANCE BOND SECURED BY SURETY BOND FOR SPARROW'S NEST OF THE HUDSON VALLEY INC.**

**WHEREAS**, Sparrow's Nest of the Hudson Valley Inc., a New York charitable corporation (hereinafter "Applicant") has made application to the Town of Beekman Planning Board for site plan approval and special use permit approval pursuant to the Approved Site Plan for that certain 3.32 acre parcel of land (tax grid #132200-6759-00-465462-000) situated at the intersection of Clove Valley Road and Town Center Boulevard in the Town of Beekman, County of Dutchess and State of New York (the "property"); and

**WHEREAS**, on April 23, 2023, the Town of Beekman Planning Board granted Site Plan & Special Use Permit ("SUP") Approval to the Applicant, subject to construction, installation and the completion of the required improvements, installations, and lot improvements for the development of the Property in compliance with all requirements, standards and specifications of the Approved Site Plan and other applicable rules and regulations of the Town within one (1) year from the date on which the Town Supervisor signs and certifies the Approved Site Plan; and

**WHEREAS**, Town Law § 277 requires that a developer of a proposed site plan guarantee the required improvements required by the Resolution of Approval, prior to the issuance of any Certificates of Occupancy; and

**WHEREAS**, the Applicant has executed a Performance Agreement which requires it to complete the required public improvements within the site plan; and

**WHEREAS**, the Attorney to the Town has reviewed, examined and approved the aforementioned Performance Agreement; and

**WHEREAS**, to secure the obligation to guarantee the construction of the required improvements and obligations, the Applicant has tendered to the Town of Beekman a Performance Bond Agreement dated August 15, 2023 secured by a Surety Bond issued by CNA Surety, bearing Bond No. 72575241 and issued in favor of the Town of Beekman in the sum of One Hundred Twenty-Five Thousand Three Hundred Thirty-Seven and 00/100 Dollars (\$125,337.00) posted with the Town of Beekman, securing the obligations set forth in the Performance Bond Agreement; and

**WHEREAS**, the Applicant covenants and warrants to the Town of Beekman that in the event the Applicant fails to fully perform and complete all the requirements of the Resolution of Approval, then, upon the demand of the Town of Beekman, the Town of Beekman shall have the right to draw upon the Surety Bond in an amount equal to the cost necessary to complete the required improvements; and

**WHEREAS**, it is understood that the Town of Beekman shall have the right to use said security toward the completion of any required improvements required by the Resolution of Approval upon the default of the Applicant to remedy same after the first given written notice to the Applicant to do so within thirty (30) days of receipt of said notice from the Town of Beekman; and

**WHEREAS**, the Performance Bond Agreement executed by the Applicant further binds its heirs, executors, administrators, successors or assigns for the faithful performance of its obligations hereunder.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman hereby accepts the Performance Bond Agreement executed by the Applicant in favor of the Town of Beekman as security to guarantee the completion of the improvements required by the Resolution of Approval pursuant to Town Law § 277 upon the condition that all prior conditions as set forth in the Resolution of Approval dated April 23, 2023 shall remain in full force and affect and made a condition of the acceptance of the Performance Bond Agreement; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby accepts the Surety Bond with CNA Surety bearing Bond No. 72575241 as security for the obligations set forth in the Performance Bond Agreement in the amount of One Hundred Twenty-Five Thousand Three Hundred Thirty-Seven and 00/100 Dollars (\$125,337.00), which is to be filed with the Town Clerk; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to file the original Surety Bond executed upon receipt in her files.

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILMAN STIEGLER**

ROLL CALL VOTE:

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

Dated: August 15, 2023

**RESOLUTION NO. 08:15:23-3**

**RE: APPROVE THE HIRING OF RECREATION ASSISTANT PART TIME**

**WHEREAS**, the Town Board is authorized under Town Law to make appointments and set salaries; and

**WHEREAS**, the position was posted as outlined in the Employment Practices Compliance Manual and interviews of applicants for the vacant position of Recreation Assistant were conducted; and

**WHEREAS**, the Town Board is desirous in filling the position of Recreation Assistant as of September 5, 2023

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman hereby appoints Gina Snider to the position of Recreation Assistant Part Time as of September 5, 2023, with an hourly salary of \$16.50 per hour.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILMAN LEMAK**

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: August 15, 2023

**RESOLUTION NO.08:15:23-4**

**RE: ACCEPT DONATION OF COLOR PRINTER FOR REC DEPARTMENT**

**WHEREAS**, the Rec Department has received a Color Printer from the Abbatantuono family; and

**WHEREAS**, Town Board resolutions are required to accept all donations,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby accept this donation and in doing so, does express its gratitude to the Abbatantuono family, and

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

**Introduced: COUNCILMAN LEMAK**

**Seconded: COUNCILWOMAN WOHRMAN**

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: August 15, 2023

**RESOLUTION NO. 08:15:23-5**

**RE: APPROVE THE HIRING OF DEPUTY ZONING ADMINISTRATOR**

**WHEREAS**, the Town Board is authorized under Town Law to make appointments and set salaries; and

**WHEREAS**, the Civil Service List of Eligibles for the position of Deputy Zoning Administrator was canvassed: and

**WHEREAS**, only one candidate responded as interested in this position;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman hereby appoints Colleen Hayes to the position of Deputy Zoning Administrator as of August 27, 2023, with an hourly salary of \$26.00 per hour.

**Introduced: COUNCILWOMAN WOHRMAN**

**Seconded: COUNCILMAN BATTAGLINI**

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: August 15, 2023

**RESOLUTION NO. 08:15:23-6**

**RE: PAYMENT OF CLAIMS**

**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	\$	54,477.42
Claims to be paid from the DA-Highway Fund	\$	12,042.66
Claims to be paid from the SS-Dover Ridge Sewer	\$	158.72
Claims to be paid from the SW-Dover Ridge Water	\$	1,884.24
Claims to be paid from the T-Trust-Fund	\$	2,380.00
Claims to be paid from the H-Capital Fund	\$	222,502.85
	\$	293,445.89

**8/03/2023 Payroll #16**

General Fund	\$	70,182.02
Highway Fund	\$	25,299.93
	\$	95,481.95

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCCILMAN LEMAK**

ROLL CALL VOTE:

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

Dated: August 15, 2023

**RESOLUTION NO. 08:15:23-7**

**RE: THE TOWN BOARD ENGAGING SPECIAL COUNSEL PURSUANT TO TOWN LAW §20(2)(a) FOR A CONFIDENTIAL INTERNAL INVESTIGATION**

**WHEREAS**, pursuant to Section 20(2)(a) of the Town Law the Town of Beekman is desirous of retaining Michelle Phillips of the firm Jackson Lewis P.C. as Special Counsel to conduct a confidential internal investigation concerning a personnel matter; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman hereby appoints Michelle Phillips as "Special Counsel" pursuant to Section 20(2)(a) of the Town Law at a rate of \$450 an hour; and

**BE IT FURTHER RESOLVED**, that the Supervisor is authorized to execute a letter of engagement with Ms. Phillips.

**Introduced: COUNCILWOMAN WOHRMAN**

**Seconded: COUNCILMAN STIEGLER**

ROLL CALL VOTE:

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

Dated: August 15, 2023