

February 28, 2023

BEEKMAN TOWN BOARD TOWN BOARD MEETING AGENDA FEBRUARY 28, 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

RESOLUTIONS

1. Approval of February 14, 2023 Minutes
2. Approve Agreement of the Expenditure of Highway Monies
3. Settlement re Highway Superintendent
4. Approve Town of Beekman Budget Revision 2022-#12A
5. Appoint members to the Intermunicipal Ethics Committee
6. Update the Credit Card Policy
7. Set Public Hearing for Alaina Estates Drainage District
8. Appointment of Town Justice
9. Approve Town of Beekman Budget Revision 2023-#1
10. Approve TEK Medical Services Contract
11. Approve Entertainment for the Easter Egg Hunt
12. Approve Entertainment for an Event in Town Center Park
13. Approval of Payment of Claims

- Other Town Board Business
- General Board Comments
- **Next Regular Town Board Meeting: Tuesday, March 14, 2023 at 7:00 PM**

***AGENDA SUBJECT TO CHANGE**

RESOLUTION NO.02:28:23-1

RE: APPROVAL OF PAST TOWN BOARD MINUTES

WHEREAS, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the February 14, 2023 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, that the Town Board hereby accepts the minutes of the February 14, 2023 Town Board Meeting.

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: February 28, 2023

RESOLUTION NO. 02:28:23 - 2

RE: APPROVING AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES

BE IT RESOLVED, that the Agreement between the Town Highway Superintendent of the Town of Beekman, Dutchess County, New York and the undersigned members of the Town Board. Pursuant to the provisions of Section 284 of the Highway Law, agree that the moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** sum of **\$369,865.00** shall be set aside to be expended for primary work and general repairs upon **2.88 miles "5.76 Lane Miles"** out of **135.92** lane miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. **PERMANENT IMPORVEMENTS:** The following sums shall be set aside to be expended for the "permanent improvement" of Town Highways:

(a) On the road commencing at the intersection of Sterling Drive and leading up onto **Gardner Hollow Rd** finishing at the pavement end a distance of **.68 miles, "1.36 lane miles" "4780 feet"** there shall be expended not over the sum of **\$113,427.50** for **1185 Tons of Blacktop** Width of traveled surface 24 Feet **With a Thickness of 1.5"**

(b) On the road commencing at Lime Ridge Road traveling southeast on **Lime Ridge Road 4850 feet** ending at State Route 216, a distance of **.92 miles, "1.84 lane miles"** there shall be expended not over the sum of **\$95,298.75** for **1000 Tons of Blacktop** Width of traveled surface 24 feet **with a Thickness of 1.5"**

(c) On the road commencing at the intersection of Gold Road and Depot Hill Road traveling northwest on **Gold Road** for a distance of **.46 miles "0.92 lane miles"** for a total of **"2500 feet"** there shall be expended not over the sum of **\$58,000.00** for **620 Tons of Blacktop for a thickness of 1.5"**

(d) On the road commencing at the intersection of State Route 216 and Depot Hill Road traveling East on Depot Hill Road **for 4350 feet** ending at the intersection of Carol Lane a distance of **0.82 miles, "1.64 lane miles"**, there shall be expended not over the sum of **\$103,138.75** for **1080 Tons of Blacktop** Width of traveled surface **22 Feet with a Thickness of 1.5"**

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: February 28, 2023

RESOLUTION NO. 02:28:23-3

RE: RESOLUTION AUTHORIZING STIPULATION OF SETTLEMENT AND GENERAL RELEASE

WHEREAS, a civil proceeding seeking money damages for an alleged violation of civil rights was commenced in the United States District Court for the Southern District of New York (20-cv-09180 (VB) (PED)) against the Town of Beekman Highway Superintendent, the Town of Beekman Supervisor and the Town of Beekman; and

WHEREAS, the Town of Beekman served an Answer denying any wrongdoing and seeking dismissal of the lawsuit; and

WHEREAS, the matter was dismissed against the Town of Beekman Supervisor, leaving the Town of Beekman Highway Superintendent and the Town of Beekman as remaining parties in the action; and

WHEREAS, to avoid the costs of further litigation, the parties wish to resolve all disputes and claims asserted or which might have been asserted in the lawsuit by means of the Settlement Agreement and General Release.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman hereby authorizes a Stipulation of Settlement and General Release in full satisfaction of this matter against the remaining parties; and

BE IT FURTHER RESOLVED, that the Highway Superintendent has signed the Stipulation of Settlement as a party defendant; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the Stipulation of Settlement on the Town's behalf as well as any other documentation as may be necessary to effectuate the purpose and intent of this Resolution and fully settle and resolve the aforementioned pending action.

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: February 28, 2023

RESOLUTION NO. 02:28:23-4

RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2022-12A

WHEREAS, the Town of Beekman's 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 identified as Budget Revision Number #2022-12A

Budget Revisions for December 2022 # 2022-12A

Revision #	Account #	Account	Increase	Decrease
------------	-----------	---------	----------	----------

*The following Budget Revisions are applied to cover the most recent recording of 2022 Year End Expense Accounts Payable to Various Accounts.

General Fund

2022-12A-01	A-1420-0400	General Counsel #1		938
	A-1420-0401	General Counsel #2		2,239
A-1420-0410		Legal Counsel Defense	5,643	
	A-1420-0440	Legal Counsel Labor		12,176
	A-1110-0101	Justice Court		
STAFF			20,996	
				-Transfer for Additional Accrued Expenses
2022-12A-02	A-5132-0416	Garage Electric		1,033
	A-1620-0410	TH		
Security			1,033	
				-Transfer for Additional Accrued Expenses
2022-12A-03	A-7110-0200	Parks Equipment		15,000
	A-7111-0200	Rec Center		
Improvement			15,000	
				-Correct Previous Revisions
2022-12A-04	A-9950-0900	Transfer to Capital Fund		10,000
	A-9010-0800	State		
Retirement			10,000	
				-Transfer to Alarm Capital Project

Highway Fund

2022-12A-05	DA-5110-0401	Gasoline	5,219
	DA-5130-0405	Vehicle Repairs	781
	DA-9030-0800	Social Security	6,000
		-Transfer for Additional Accrued Expenses	

Capital Fund

2022-12A-06	H-9730-0700	BAN Interest expense	8,200
	H-1620-0400	Town Hall Expense	2,050
	H-5120-0401	Bridge Project Expense	2,050
	H-9901-0900	Transfer Out	4,100
		-Reclass BAN Interest Expense	

Introduced: COUNCILMAN LEMAK

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: February 28, 2023

RESOLUTION NO. 02:28:23-5

RE: APPOINT MEMBERS TO THE INTERMUNICIPAL ETHICS BOARD

WHEREAS, on February 14, 2023, the Town of Beekman signed an Intermunicipal Agreement (IMA) with the town of East Fishkill and the Village of Pawling for the formation of a Joint Ethics Board to ensure objective hearings can be held;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Beekman hereby designates the following members to represent the Town of Beekman:

Linda Bloomer with a term to expire December 31, 2025
Carol Ewin as alternate with a term to expire December 31, 2025.

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: February 28, 2023

RESOLUTION NO. 02:28:23-6

RE: UPDATE THE CREDIT CARD POLICY

WHEREAS, The Town of Beekman credit card policy was approved on July 1, 2015; and last modified on May 12, 2020

NOW, THEREFORE, BE IT RESOLVED, that Chapter III, Section B, Paragraph 1 be amended to:

The following employees will have authorization to process orders using universal (Visa, MasterCard, Etc.) credit cards:

Supervisor
Deputy Supervisor
Bookkeeper.

Introduced: COUNCILMAN STIEGLER
Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

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

Dated: February 28, 2023

RESOLUTION NO.02:28:23-7

RE: SETTING PUBLIC HEARING FOR ALAINA ESTATES DRAINAGE DISTRICT

WHEREAS, the Town Board of the Town of Beekman (the "Town Board" and the "Town", respectively), in the County of Dutchess, New York, has been presented with a petition by JSM Upstate Properties, Inc. ("JSM"), pursuant to Article 12 of the Town Law, to establish a drainage district within the territory described in the petition, which territory is located wholly within the Town (the "Proposed District"), and

WHEREAS, the boundaries of the Proposed District shall incorporate the entirety of the parcel of real property having the tax identification number of 132200-6758-00-642721-0000 and being more particularly described in a deed from Nicolosi Buildings Inc. to JSM Upstate Properties Inc. dated November 21, 2006 and recorded in the Dutchess County Clerk's Office on December 11, 2006 as Document No. 02 2006 9795, and

WHEREAS, a map, plan and report has been prepared by Day Stokosa Engineering P.C., duly licensed engineers of the State of New York (the "Engineers"), describing the general plan for the Proposed District (the "MPR"), with maximum creation costs of \$ to be determined and finalized in subsequent resolutions and

WHEREAS, all costs associated with the creation including construction work and other expenses for the Proposed District shall be paid by JSM so that no expense occasioned by the creation of the Proposed District shall be levied and collected from the land within the District, and

WHEREAS it is projected that the annual maintenance for the Proposed District as a whole shall be Five Thousand Three Hundred Sixty and 00/100 Dollars (\$5,360.00) per year, to be adjusted annually by the Town Board,

NOW, THEREFORE, it is ORDERED and RESOLVED, that a meeting of the Town Board of the Town be held at the Town Hall, 4 Main Street, Poughquag, New York 12570, in the Town, on the 14th day of March, 2023 at 7PM to consider said establishment of facilities of the Proposed District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and it is

FURTHER ORDERED and RESOLVED, that the Town Clerk publish at least once in the official newspaper of the Town of Beekman, and hereby designated as the official newspaper of the Town for such publication, and posted on the signboard of the Town, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

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: February 28, 2023

RESOLUTION NO. 02:28:23-8

RE: APPOINTMENT OF TOWN JUSTICE

WHEREAS, the Town Board is desirous in filling the established position of Town Justice vacated by the Resignation of the Honorable John Garito; and

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

WHEREAS, the Town Board has had the opportunity to review the resumes of the interested candidates and has held interviews with the candidates

NOW, THEREFORE, BE IT RESOLVED, that Linda Murray is hereby appointed as Beekman Town Justice, performing all the duties and with the authority conferred or imposed by law starting March 1, 2023 at the annual salary as stated in the 2023 Town Budget.

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

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

Dated: February 28, 2023

RESOLUTION NO. 02:28:23-9

RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2023-1

WHEREAS, the Town of Beekman's 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 identified as Budget Revision Number #2023-1

Budget Revisions for January 2023 # 2023-1

Revision #	Account #	Account	Increase	Decrease	
Title					
General Fund					
2023-01-01	A-1680-0450	EDP Data Support		4,082	
	A-1680-0200	EDP			
Equipment				4,000	
Expense	A-1680-0400	EDP		82	
					-Adjust for New Contract Amount
2023-01-02	A-1910-0410	Insurance Expense		1,743	
	A-1910-0400	Insurance			
Premiums				1,743	
					-Adjust New Insurance Premiums
2023-01-03	A-5010-0401	Hwy Office Supplies		524	
	A-5010-0107	Vehicle			
Stipend				524	
					-Remove Supt. Vehicle Stipend
2023-01-04	A-1010-0107	TB Reserve Comp.		2,000	
	A-1990-0400	Contingent Account		30,000	
	A-9950-0900	Transfer to Capital Fund			32,000
					-Adjust for Actual BAN Interest
Highway Fund					
2023-01-05	DA-9950-0900	Transfer to Capital Fund		39,000	
	DA-9901-0900	Transfer to			
Funds				39,000	
					-Adjust for Actual BAN Interest
2023-01-06	DA-9711-0600	Bond Equip Principal		30,000	
	DA-9711-0700	Bond Equip Interest		27,144	
	DA-9950-0900	Transfer to Capital Fund		57,000	

DA-9030-0800 Social Security 144
 -Transfer for New Bond Debt

Water Fund

2023-01-07 SW-9710-0600 Bond Principal 10,000
 SW-9710-0700 Bond Interest 17,344
 SW-9730-0600 Water BANS 27,344
 -Transfer for new Bond Debt

2023-01-08 SW-8340-0400 Repairs 2,000
 SW-8340-0480 Other Expense 656
 SW-9730-0600 Water BANS 2,656
 Transfer Excess to Accts

Capital Fund

Account #	Account Title	Increase
H.1620.0400	TOWN HALL IMPROVEMENTS EXPENSE	10,307.00
H.1620.0440	TOWN HALL PROJECT ENGINEERING	3,472.00
H.1620.0470	BUILDINGS CONSULTING	170,000.00
H.1620.0500	BUILDINGS IMPROVEMENTS	23,593.00
H.1621.0200	TOWN HALL EQUIPMENT	22,000.00
H.1622.0200	GENERATOR EQUIPMENT	18,000.00
H.1622.0400	GENERATOR EXPENSE	20,000.00
H.1622.0440	GENERATOR ENGINEERING	12,000.00
H.5120.0401	BRIDGE EXPENSES	90,336.00
H.5120.0440	BRIDGE ENGINEERING	6,925.00
H.5120.0500	BRIDGE CONSTRUCTION	18,560.00
H.5132.0440	GARAGE FOR ENGINEERING	15,000.00
H.5132.0490	GARAGE OTHER EXPENSE	2,000.00
H.5132.0500	GARAGE IMPROVEMENTS	233,000.00
H.7111.0200	PARK IMPROVEMENTS	55,500.00
H.7111.0400	PARK IMPROVEMENT EXPENSE	14,882.00
H.7111.0440	PARK IMPROVEMENTS ENGINEERING	10,424.00
H.7111.0480	PARK OTHER EXPENSE	3,188.00
H.9730.0700	BAN INTEREST EXPENSE	40,100.00
H.9901-0900	TRANSFER OUT	4,408.00
H.0000.2770	MISCELLANEOUS REVENUES	4,408.00
H.0000.3000	GRANT FUNDS	50,000.00
H.0000.5030	TRANSFER IN GENERAL FUND	18,000.00
H.0000.0531	TRANSFER IN HIGHWAY FUND	18,000.00
H.0000.5710	SERIAL BONDS	900,000.00
H.0000.9910	APPROP. FUND BALANCE	(216,713.00)

-Carry forward CAPITAL PROJECT BALANCES

Introduced: COUNCILMAN LEMAK
Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: February 28, 2023

RESOLUTION NO. 02:28:23-10

RE: AUTHORIZE RENEWAL AGREEMENT WITH TEK MEDICAL SERVICES

WHEREAS, the Town of Beekman coverage with TEK Medical Services expired in January; and
WHEREAS, we have obtained a service agreement with TEK and the Town of Beekman Highway Department for testing of employees;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the appropriate Service Agreement with TEK Medical Services as submitted and that the Supervisor is hereby authorized to execute the appropriate documents to implement the renewal.

Introduced: COUNCILWOMAN WOHRMAN

Seconded: COUNCILMAN LEMAK

ROLL CALL VOTE:

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

Dated: February 28, 2023

RESOLUTION NO. 02:28:23-11

RE: APPROVE ENTERTAINMENT FOR EGG HUNT

WHEREAS, the 2023 Egg Hunt has been scheduled for April 1, 2023; and

WHEREAS, the funds have been included in the 2023 Annual Budget to provide entertainment during said event;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with:

- 1) "Just For Fun" for an inflatable Caterpillar Craze, delivery, setup and damage waiver fee for an amount not to exceed \$405.00; and
- 2) "Two by Two Animal Haven, Inc." for an amount not to exceed \$500.

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: February 28, 2023

RESOLUTION 02:28:23 -12

RE: APPROVE ENTERTAINMENT FOR BAND CONCERT AT TOWN CENTER PARK

WHEREAS, the 2023 Recreation Budget included funding for entertainment for events for the summer months.

NOW, THEREFORE, BE IT RESOLVED, that the following expenditure be approved in the amount of \$600, for live music performed by "The Clique" to perform at Town Center Park Pavilion on July 28, 2023 at 6:00 PM.

Introduced: COUNCILMAN BATTAGLINI
Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

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

Dated: February 28, 2023

RESOLUTION NO. 02:28:23-13

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	\$	74,026.14
Claims to be paid from the DA-Highway Fund	\$	73,259.65
Claims to be paid from the SS – Dover Ridge Sewer	\$	1,543.49
Claims to be paid from the SW – Dover Ridge Water	\$	196.04
Claims to be paid from the T-Trust & Agency Fund	\$	3,073.75
Claims to be paid from the H-Capital Fund	\$	1,204.13
	\$	153,303.20

2/16/2023 Payroll #4

General Fund	\$	32,216.67
Highway Fund	\$	23,913.25
	\$	56,129.92

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: February 28, 2023