

Dated: July 12th, 2022 TOWN BOARD MEETING- Meeting of the Beekman Town Board was called to order at 7:01PM with **Supervisor Covucci presiding**. The Meeting was held at the TOWN HALL MEETING ROOM. THOSE PRESENT: COUNCILMAN WERNER STIEGLER, COUNCILMAN EZIO BATTAGLINI, COUNCILWOMAN WOHRMAN (ABSENT) **Supervisor Covucci** began the meeting with the Pledge of Allegiance which was led by Rebecca and Jacqueline Covucci and a Moment of Silence in Honor of our Troops who have served and those currently serving. Supervisor Covucci pointed out the Emergency Exits.

Supervisor Comments: Sharon and I had a discussion about the July 4th celebrations and were trying to figure out how we can include the children of the town to take part in honoring America. We have decided that going forward we will have them at our future meetings. This week, I was lucky enough to have my granddaughters visiting from Arizona to lead the pledge. At the next meeting we will have the Beekman Baseball team who recently went to Cooperstown. Supervisor Covucci, introduced Tom Smith from EFPR to present the 2021 Audit. The Audit Presentation can be found on the Town of Beekman website, www.townofbeekman.com.

Supervisor Covucci: Thank you Tom, you and I had a conversation today. Most of my questions were answered at that time. I've given it to the Town Clerk for her to put up, I thank you for all your efforts. Your group has always been very accommodating and easy to work with. You're efficient and effective and work well with our finance department, I appreciate all you do for us thank you.

Supervisor Covucci; I just wanted to say we received a very good financial report. The Town Board would like to thank our exceptional finance department team led by Linda Bloomer, Annette and Teresa. This dedicated team each work diligently on their assigned tasks. Some of Annette's responsibilities include vouchers and escrow accounts which she has done a tremendous job and continues to work on cleaning the escrow accounts up. Teresa handles payroll and she's done a tremendous job cleaning up a number of issues there. Linda's responsibilities include overseeing the staff as well as keeping the department working seamlessly in all financial areas. Linda does her job effectively and always looks to assist in any way needed. This team works cooperatively together as well as with all of the other departments in the town. The finance department is the nucleus of the town it would be difficult to operate without this dedicated team. Each year they gather and provide all the material needed for the audit as well as the other various reports that are required. It's a busy department and they provide invaluable service to the town board and residents. Tom Carrey is our town Financial Consultant and has been instrumental in guiding and assisting the town board in setting up restricted fund balance and various other categories of fund balance which can be found in the updated fund balance policy. Tom keeps the town up to date with various requirements from the State Comptroller's office and his guiding hand has been instrumental in putting Beekman on the path to financial stability. So Tom, Linda, Annette and Teresa deserve a standing ovation for the job they do every day for the residents of Beekman and the Town Board. We're blessed to have such a professional team working for us and I thank them tremendously.

Written Comments: None

Public Comments on Agenda Items: Susan Glavich, Lime Mill Road, questioned the agenda being put on the town website 48 hours in advance, questioned the training that all new members have for both the Zoning and Planning Board, questioned if a decision has yet been made on the funds for the ARP funds and also whether or not a new board member has been decided upon for the Town Board. Supervisor Covucci; I just wanted to respond to Governor Hochul signing the Open Meeting Law Amendments. She signed Legislation on October 19, 2021 amending Public Officers Law Section 103 to require public bodies to make records that will be discussed at an upcoming meeting available to the public upon request at least 24 hours before the meeting **“to the extent practical”**. Additionally, if the town maintains high-speed internet website that's routinely used and updated it must post records to that website at least 24 hours in advance **“to the extent practical”**. The key phrase there is **“to the extent practical”**. Sharon Wohrman normally does all of the agendas and unfortunately she was sick yesterday and she was sick today. That made it very difficult to get them up yesterday. Additionally, there are a number of issues that will hold up the agenda for instance, we had two local laws that were on the agenda. Those are out of my hands or Sharon's hands in terms of putting together an agenda. That information comes from the lawyers. The key reason we pulled the one Resolution tonight is because there were so many revisions today that I felt that I just didn't have time to review them all as in depth as I would have liked to. So at the end of the day, I decided to pull them. There was another issue with another Resolution from the Town Engineer. Unfortunately, he was sick and wasn't able to respond in a timely manner. That's why the law actually has this phrase **“to the extent practical”** because there are times when it's just not simply going to be practical.

General Board Comments: None

Supervisor Covucci made a motion at 7:40PM to close the Town Board meeting SECONDED BY COUNCILMAN STIEGLER All in Favor, AYE. RESPECTFULLY SUBMITTED by Town Clerk Lauren Abbatantuono July 25, 2022.

Lauren Abbatantuono

**BEEKMAN TOWN BOARD
TOWN BOARD MEETING AGENDA
JULY 12, 2022**

7:00 PM

- Meeting called to order

- Pledge of Allegiance led by Rebecca and Jacqueline Covucci
- Administrative Announcement--Fire Exits

PRESENTATION:

- **EFPR** – 2021 Audit Presentation – Tom Smith

TOWN BOARD MEETING

- Supervisor Comments
- Public Comment on Agenda Items and Resolutions - 3 Minute Limit

RESOLUTIONS

1. Approval of June 16, 2022 Minutes
2. Approve Town of Beekman Budget Revision 2022-#06
3. Accept Updated Fund Balance Policy
4. Authorize Town Clerk to Request for Proposal for Audit
5. Authorize State Retirement §41-J
6. Accept the 2021 Audit as Presented
7. Approve Pay App # 3 for Barone LLC
8. Award Bid for Removal of Scrap Metal
9. Approve Rental of Entertainment for Campfire nights
10. Approve Change Order #9 for Town Hall ADA Project
11. Introduce Local Law No 1 of 2022 Concerning Fees (**PULLED**)
12. Introduce Local Law No 2 of 2022 Short Term Rentals
13. Payment of Claims

- Other Town Board Business
- General Board Comments
- Public Comments - 3 Minute Limit
- **Next Regular Town Board Meeting: Tuesday, July 26, 2022 at 7:00 PM**

***AGENDA SUBJECT TO CHANGE**

RESOLUTIONS MAY NOT HAVE BEEN AVAILABLE AT TIME OF PUBLICATION

RESOLUTION NO. 07:12:22-1
RE: APPROVAL OF PAST TOWN BOARD MINUTES

WHEREAS, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the June 16, 2022 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 June 16, 2022 Town Board Meeting.

Introduced: COUNCILMAN STIEGLER

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Battaglini	AYE
Councilwoman Wohrman	ABSENT
Supervisor Covucci	ABSTAINED

Dated: July 12, 2022

RESOLUTION 07:12:22-2
RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2022-06

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 #2022-06

Budget Revisions for June 2022 # 2022-06

<u>Revision #</u>	<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>
<u>General Fund</u>				
2022-06-01	A-1110-0405	Court Interpreter	600	
	A-1110-0413	Court Security		600
		-Transfer for Interpreter Expense		
2022-06-02	A-1220-0410	Supervisor Committee	160	
	A-1220-0400	Supervisor Expense		160
		-Transfer for Expense		
2022-06-03	A-1355-0112	Assessor P.T. Staff	5,000	
	A-1010-0107	TB Reserve Comp		5,000
		-Transfer for P.T. Staff		
2022-06-04	A-1420-0401	Town General Counsel #2	50,000	
	A-1990-0400	Contingent Account		50,000
		-Transfer for General Counsel #2		
2022-06-05	A-1910-0400	Ins. Premium	369	
	A-1910-0410	Ins. Expense		369
		-Transfer for Premiums		
2022-06-06	A-6772-0411	Program Expense	300	
	A-6772-0401	Aging Supplies		300
		-Transfer for Expenses		
2022-06-07	A-7020-0401	Rec. Office Supplies		1.00
	A-7020-0450	Rec Office rentals		1.00
		-Transfer Surplus		

2022-06-08	A-7110-0103 Parks Staff O.T.	1,500	
	A-7110-0116 Parks Seasonal Staff		1,500
	-Transfer for O.T.		

2022-06-09	A-8010-0450 Zoning Meetings	500	
	A-9040-0850 W/C Admin Fee	500	
	A-9050-0800 Unemployment Ins.		1,000
	-Transfer for Expenses		

Highway Fund

2022-06-10	DA-5112-0200	CHIPS Improvements	32,019
	DA-5112-0220	Pave NY-Improvements	41,173
	DA-5112-0230	EWR Improvements	32,144
	DA-0000-3501	CHIPS Aid	32,019
	DA-0000-3502	Pave NY Aid	41,173
	DA-0000-3503	EWR Aid	32,144
		-Increase Aid Available for State	

2022-06-11	DA-5112-0210	Improvements Other	26,782
	DA-0000-3504	POP AID	26,782
		-Record Pave Our Potholes Program	

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22-3
RE: APPROVE REVISIONS TO THE TOWN OF BEEKMAN FUND BALANCE
POLICY

WHEREAS, the Town Board of the Town of Beekman adopted the Town Fund Balance Policy in 2020 to comply with GASB recommended practices; and

WHEREAS, the Town Fund Balance Policy is to be reviewed bi-annually and updated where necessary; and

WHEREAS, the Town has created several Restricted and Assigned Fund Balance since the Policy adoption necessitating updating the Policy,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman approves the Revised Fund Balance Policy attached hereto and made a part hereof.

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22 -4
RE: AUTHORIZE REQUEST FOR PROPOSAL FOR INDEPENDENT AUDIT OF THE TOWN OF BEEKMAN

WHEREAS, the Town of Beekman Town Board is seeking competitive proposals for the Independent Audit of the Town of Beekman for Fiscal year 2022; and

WHEREAS, the Town has developed an official RFP to seek proposals from CPA Firms for such audit attached hereto;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to issue the RFP and report the results for the competitive proposal.

Introduced: COUNCILMAN STIEGLER

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22 -5
RE: AUTHORIZE NYSLRS SECTION 41 (J)

BE IT RESOLVED that the Town Board of the Town of Beekman does hereby elect to provide the pension benefit of Section 41(j) of the Retirement and Social Security Law, as presently or hereafter amended.

BE IT FURTHER RESOLVED, that the effective date shall be the date filed with the NYS Comptroller's Office.

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22 -6
RE: ACCEPTING AND RECOGNIZING THE INDEPENDENT AUDIT FINANCIAL
REPORTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021 AND THE
INDEPENDENT AUDIT REPORT ON COMMUNICATION OF INTERNAL CONTROL
MATTERS IDENTIFIED IN THE AUDIT

WHEREAS, the Town of Beekman Town Board retained the services of the accounting firm of EFPR Group to perform the independent audit of the Town's finances including the Justice Court and Tax Receiver operations for the Fiscal Year Ending December 31, 2021; and

WHEREAS, the Town Board has received and reviewed the said Auditors' Report and the Town of Beekman Financial Statements and Supplementary information for the Fiscal Year ending December 31, 2021; and

WHEREAS, the results of the Audits were presented and discussed at the July 12, 2022 Town Board Meeting; and

WHEREAS, the Audit Reports will be available for public review at the office of the Beekman Town Clerk and on the Town of Beekman website.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman does hereby accept the Independent Auditors' Reports and findings prepared by EFPR Group for the Fiscal Year ending December 31, 2021 and that they be officially filed with the Town Clerk, and if management responses are required that they be rendered in writing within 60 days of this date.

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22-7
RE: APPROVE APPLICATION AND CERTIFICATION FOR PAYMENT (No 3) FOR
THE TOWN HALL ACCESSIBILITY IMPROVEMENT PROJECT

WHEREAS, the Town of Beekman is a party to a contract with Barone Construction Group, Inc. (the "Contractor") for the continuation of the project known as "the Town Hall Accessibility Improvement Project"; and

WHEREAS, the Contractor has submitted an Application and Certification for Payment (No. 3) dated June 13, 2022, requesting payment in the amount of \$337,197.50 less 10% retainage (\$33,719.75) less payments #1 & #2 (\$176,298.75) for a total of \$127,179.00 (see attached); and

WHEREAS, the contractor has requested full or partial payment of the items on the continuation sheet that is attached to the payment request application, covering the period of May 1, 2022 through May 30, 2022.and

WHEREAS, The Town Engineer has reviewed the request and agrees with the quantity of work completed Application No. 3 and has recommended the Town Board make payment as requested, subject to the receipt of partial release and lien waivers from General Contractors and Subcontractors;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Beekman to make payment to Barone Construction Group, Inc., LLC as requested in Application and Certification for Payment No. 3 in the amount NOT TO EXCEED \$127,179.00.

Introduced: COUNCILMAN STIEGLER

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22-8
RE: TO AWARD THE BID FOR THE REMOVAL OF SCRAP METAL

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

WHEREAS, the bids for the removal of scrap metal were received, opened and read publicly on July 5, 2022 and have 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.

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22-9
RE: APPROVE RENTALS FOR CAMPFIRE NIGHTS

WHEREAS, the 2022 Budget included funding for entertainment for the campfire nights at the Rec Park;

NOW, THEREFORE, BE IT RESOLVED, that the following expenditures for the campfire nights is hereby authorized as per the contract from Just 4 Fun:

Item	Amount	Date
Super Splash Down 2 with Pool	560.00	July 8, 2022
Snow Cone square TT / supplies	225.27	July 22, 2022
Extreme Course 40' Obstacle	598.50	August 5, 2022
Inflatable Skeet ball	582.00	August 19, 2022

All items include Delivery/Pickup and Damage Waiver.

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22 -10
RE: APPROVING CHANGE ORDER TO THE TOWN HALL ADA IMPROVEMENT PROJECT

WHEREAS, the Town Engineer has reviewed the following Change Orders submitted by Barone Construction Group, Inc. as follows:

Original Approved Contract Total	August 3, 2021	\$594,500.00
Change Order # 1	October 26, 2021	\$2,864.00
New Contract Total		\$597,364.00
Change Order # 2	October 26, 2021	\$3,200.00
New Contract Total		\$600,564.00
Change Order # 3	May 24, 2022	\$1,188.00
New Contract Total		\$601,752.00
Change Order # 4	Rejected	\$0
New Contract Total		\$601,752.00
Change Order # 5	Still under Consideration	
New Contract Total		
Change Order # 6	May 24, 2022	\$3,139.00
New Contract Total		\$604,891.00
Change Order # 7	May 24, 2022	\$8,004.00
New Contract Total		\$612,895.00
Change Order # 8	May 24, 2022	\$1,252.00
New Contract Total		\$614,147.00
Change Order # 9	July 12, 2022	\$3,505.00
New Contract Total		\$617,652.00

WHEREAS, the Town Engineer has recommended the Town approve change order number #9 as attached

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman approves Change Order # 9 to the Town Hall ADA Improvement Project at a cost of \$3,505.00; and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Beekman is hereby authorized to sign any and all documents giving effect to this resolution, including but not limited to the requisite change orders.

Introduced: COUNCILMAN STIEGLER

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler	AYE
Councilman Battaglini	AYE
Councilwoman Woehrman	ABSENT
Supervisor Covucci	AYE

Dated: July 12, 2022

RESOLUTION NO. 07:12:22-11 (PULLED)
RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN
INTRODUCING A LOCAL LAW TO AMEND THE TOWN CODE
CONCERNING ADMINSTRATIVE FEES

WHEREAS, the Town Board of the Town of Beekman is considering the adoption of Local Law No. 1 (Proposed) of 2022 which would amend the process by which the Town Board sets administrative fees, by deleting the existing § 75-9 the Code of the Town of Beekman entitled "Fees" and replacing it with a new section which authorizes the creation of a separate Fee Schedule to be approved by the Town Board (the "Proposed Action"); and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Proposed Action is as defined above; and

WHEREAS, the Town Board has determined that the Proposed Action is a Type II action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"), specifically 6 NYCRR § 617-5(c)(26) (agency administration and management), requiring no further environmental review,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby introduces for consideration of its adoption Local Law No. 1 (Proposed) of 2022 entitled "A LOCAL LAW TO AMEND SECTION 75-9 OF THE CODE OF THE TOWN OF BEEKMAN ENTITLED "FEES."" in the form annexed hereto; and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board; and

BE IT FURTHER RESOLVED, that the Town Board shall hold a public hearing on said proposed Local Law at Town Hall, 4 Main Street, Beekman, New York, at 7:00 o'clock P.M., on July 26, 2022; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to act as follows with respect to the proposed Local Law:

- A. To post, and to publish or cause to be published a public notice in the official newspaper of the Town of Beekman of said public hearing at least ten (10) days prior thereto;
- B. To serve a copy of this Resolution, the annexed proposed Local Law, and the Public Hearing Notice to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing;
- C. To refer a copy of said Local Law to the Planning Board of the Town of Beekman; and
- D. To provide a copy of this resolution, said Local Law and the Public Hearing Notice to the Dutchess County Department of Planning and Development for their advisory review and comment in accordance with Section 239 of the New York State General Municipal Law.

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler

Councilman Battaglini

Councilwoman Wohrman

Supervisor Covucci

Dated: July 12, 2022

RESOLUTION NO. 07:12:22-12
RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN
INTRODUCING A LOCAL LAW CONCERNING SHORT-TERM RENTALS

WHEREAS, the Town Board of the Town of Beekman is considering the adoption of Local Law No. 2 (Proposed) of 2022 which would establish a new Chapter 126.1 of the Code of the Town of Beekman to be known as "Short-Term Rentals," and to amend Chapter 155 of the Code of the Town of Beekman entitled "Zoning," regarding short-term rentals (the "Proposed Action"); and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Proposed Action is as defined above; and

WHEREAS, the Town Board has determined that the Proposed Action is a Type I action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the Town Board has determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Town Board is therefore, by default, the Lead Agency for this action; and

WHEREAS, a Determination of Significance has not yet been made with respect to the Proposed Action,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby introduces for consideration of its adoption Local Law No. 2 (Proposed) of 2022 entitled "A LOCAL LAW TO ESTABLISH A NEW CHAPTER 126.1 OF THE CODE OF THE TOWN OF BEEKMAN TO BE KNOWN AS "SHORT-TERM RENTALS," AND TO AMEND CHAPTER 155 OF THE CODE OF THE TOWN OF BEEKMAN, ENTITLED "ZONING," REGARDING SHORT-TERM RENTALS" in the form annexed hereto; and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board; and

BE IT FURTHER RESOLVED, that the Town Board shall hold a public hearing on said proposed Local Law at Town Hall, 4 Main Street, Beekman, New York, at 7:10 o'clock P.M., on July 26, 2022; and

COUNCILMAN STIEGLER MADE A FRIENDLY AMENDMENT TO CORRECT THE TIME OF THE PUBLIC HEARING FROM 7:10PM TO 7:00PM SECONDED BY COUNCILMAN BATTAGLINI, ALL IN FAVOR AYE

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to act as follows with respect to the proposed Local Law:

- A. To post, and to publish or cause to be published a public notice in the official newspaper of the Town of Beekman of said public hearing at least ten (10) days prior thereto;

- B. To serve a copy of this Resolution, the annexed proposed Local Law, and the Public Hearing Notice to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing;
- C. To refer a copy of said Local Law to the Planning Board of the Town of Beekman; and
- D. To provide a copy of this resolution, said Local Law and the Public Hearing Notice to the Dutchess County Department of Planning and Development for their advisory review and comment in accordance with Section 239 of the New York State General Municipal Law.

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: July 12, 2022

RESOLUTION NO. 07:12:22 - 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	\$ 691,064.48
Claims to be paid from the DA-Highway Fund	\$ 268,505.65
Claims to be paid from the SS- Dover Ridge Sewer District	\$ 4,316.31
Claims to be paid from the SW-Dover Ridge Water District	\$ 8,823.51
Claims to be paid from the T-Trust & Agency Fund	\$ 7,327.50
Claims to be paid from the H-Capital Fund	\$ 142,385.56
	<u>\$ 1,122,443.01</u>

06/23/2022 Payroll #13

General Fund	\$ 35,873.65
Highway Fund	\$ 21,111.15
	<u>\$ 56,984.80</u>

07/07/2022 Payroll #14

General Fund	\$ 55,520.02
Highway Fund	\$ 20,241.37
	<u>\$ 75,761.39</u>

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

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

Dated: July 12, 2022

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)
Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.



Rev. Dec 2008

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>		ADDRESS		OMB No.: 1235-0008
Fomo Enterprises, Inc.		9330 County Highway 27 PO Box 220 Trout Creek, NY 13847		Expires: 07/31/2024
PAYROLL NO. 1	FOR WEEK ENDING 05/04/2022	PROJECT AND LOCATION Beekman Town Hall Town of Beekman Town Hall		PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) # Ex	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED PROJECT/ALL	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK						
			O	Th	Fr	Sa	Su	Mo	Tu				We	FICA	WITH-HOLDING TAX	STATE TAX	LOCAL TAX		OTHER	TOTAL DED.				
			T	04/28	04/29	04/30	05/01	05/02	05/03				05/04	HOURS WORKED EACH DAY										
No Work Performed.			O																					
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C. F. R. §§ 3.3, 5.5(a). The Copeland Act (40 U. S. C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U. S. Department of Labor (DOL) regulations at 29 C. F. R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

Date 06/13/2022

I, Brian Albanese President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by
Forno Enterprises, Inc. on the
(Contractor or Subcontractor)

Town of Beekman Town Hall : that during the payroll period commencing
(Building or Work)

on the 28 day of April, 2022, and ending the 04 day of May,
2022, all persons employed on said project have been paid the full weekly wages earned,
that no rebates have been or will be made either directly or indirectly to or on behalf of said

Forno Enterprises, Inc. from the
(Contractor or Subcontractor)

full weekly wages earned by any person and that no deductions have been made either
directly or indirectly from the full wages earned by any person, other than permissible
deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary
of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967;
76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the
above period are correct and complete; that the wage rates for laborers or mechanics
contained therein are not less than the applicable wage rates contained in any wage
determination incorporated into the contract; that the classifications set forth therein for
each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona
fide apprenticeship program registered with a State apprenticeship agency recognized by
the Bureau of Apprenticeship and Training, United States Department of Labor, or if no
such recognized agency exists in a State, are registered with the Bureau of Apprenticeship
and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

-In addition to the basic hourly wage rates paid to each laborer or mechanic listed in
the above referenced payroll, payments of fringe benefits as listed in the contract
have been or will be made to appropriate programs for the benefit of such
employees, except as noted in section 4(c) below:

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

-Each laborer or mechanic listed in the above referenced payroll has been paid,
as indicated on the payroll, an amount not less than the sum of the applicable
basic hourly wage rate plus the amount of the required fringe benefits as listed
in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE: Brian Albanese
President

SIGNATURE: 

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR
SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231
OF TITLE 31 OF THE UNITED STATES CODE.

U.S. Department of Labor

Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

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U.S. Wage and Hour Division

Rev. Dec 2008

OMB No.: 1235-0008
Expires: 07/31/2024

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>		ADDRESS		OMB No.: 1235-0008	
Fomo Enterprises, Inc.		9330 County Highway 27 PO Box 220 Trout Creek, NY 13847		Expires: 07/31/2024	
PAYROLL NO.	FOR WEEK ENDING	PROJECT AND LOCATION			PROJECT OR CONTRACT NO.
2	05/11/2022	Beekman Town Hall Town of Beekman Town Hall			

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) # Ex	(3) WORK CLASSIFICATION	O T or S T	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED PROJECT / ALL	(8) DEDUCTIONS						(9) NET WAGES PAID FOR WEEK
				Th	Fr	Sa	Su	Mo	Tu	We				FICA	WITH- HOLDING TAX	STATE TAX	LOCAL TAX	OTHER	TOTAL DED.	
				05/05	05/06	05/07	05/08	05/09	05/10	05/11				HOURS WORKED EACH DAY						
No Work Performed.			O																	
			S																	
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C. F. R. §§ 3.3, 5.5(a). The Copeland Act (40 U. S. C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U. S. Department of Labor (DOL) regulations at 29 C. F. R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

Date 06/13/2022

I, Brian Albanese President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by
Forno Enterprises, Inc. on the
(Contractor or Subcontractor)

Town of Beekman Town Hall ; that during the payroll period commencing
(Building or Work)
on the 05 day of May, 2022, and ending the 11 day of May
2022, all persons employed on said project have been paid the full weekly wages earned,
that no rebates have been or will be made either directly or indirectly to or on behalf of said

Forno Enterprises, Inc. from the
(Contractor or Subcontractor)

full weekly wages earned by any person and that no deductions have been made either
directly or indirectly from the full wages earned by any person, other than permissible
deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary
of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967;
76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the
above period are correct and complete; that the wage rates for laborers or mechanics
contained therein are not less than the applicable wage rates contained in any wage
determination incorporated into the contract; that the classifications set forth therein for
each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona
fide apprenticeship program registered with a State apprenticeship agency recognized by
the Bureau of Apprenticeship and Training, United States Department of Labor, or if no
such recognized agency exists in a State, are registered with the Bureau of Apprenticeship
and Training, United States Department of Labor.

(4) That:


(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

-In addition to the basic hourly wage rates paid to each laborer or mechanic listed in
the above referenced payroll, payments of fringe benefits as listed in the contract
have been or will be made to appropriate programs for the benefit of such
employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

-Each laborer or mechanic listed in the above referenced payroll has been paid,
as indicated on the payroll, an amount not less than the sum of the applicable
basic hourly wage rate plus the amount of the required fringe benefits as listed
in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION
REMARKS:	
NAME AND TITLE	SIGNATURE
Brian Albanese President	
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

U.S. Department of Labor

Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.



Rev. Dec 2008

OMB No.: 1235-0008
Expires: 07/31/2024

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>	ADDRESS	
Fomo Enterprises, Inc.	9330 County Highway 27 PO Box 220 Trout Creek, NY 13847	
PAYROLL NO. 3	FOR WEEK ENDING 05/18/2022	PROJECT AND LOCATION Beekman Town Hall Town of Beekman Town Hall
		PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) # Ex	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED PROJECT / ALL	(8) DEDUCTIONS						(9) NET WAGES PAID FOR WEEK
			Th	Fr	Sa	Su	Mo	Tu	We				FICA	WITH- HOLDING TAX	STATE TAX	LOCAL TAX	OTHER	TOTAL DED.	
			05/12	05/13	05/14	05/15	05/16	05/17	05/18				HOURS WORKED EACH DAY						
No Work Performed.			O																
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C. F. R. §§ 3.3, 5.5(a). The Copeland Act (40 U. S. C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U. S. Department of Labor (DOL) regulations at 29 C. F. R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D.C. 20210.

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

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Rev. Dec 2008

OMB No.: 1235-0008
Expires: 07/31/2024

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>		ADDRESS
Fomo Enterprises, Inc.		9330 County Highway 27 PO Box 220 Trout Creek, NY 13847
PAYROLL NO. 3	FOR WEEK ENDING 05/18/2022	PROJECT AND LOCATION Beekman Town Hall Town of Beekman Town Hall
		PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) # Ex	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED PROJECT / ALL	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK		
			O	Th	Fr	Sa	Su	Mo	Tu				We	FICA	WITH- HOLDING TAX	STATE TAX	LOCAL TAX		OTHER	TOTAL DED.
			T	05/12	05/13	05/14	05/15	05/16	05/17				05/18							
No Work Performed.			O																	
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C. F. R. §§ 3.3, 5.5(e). The Copeland Act (40 U. S. C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U. S. Department of Labor (DOL) regulations at 29 C. F. R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

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Date 06/13/2022

I, Brian Albanese President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by
Forno Enterprises, Inc. on the
(Contractor or Subcontractor)

Town of Beekman Town Hall ; that during the payroll period commencing
(Building or Work)
on the 12 day of May, 2022, and ending the 18 day of May
2022, all persons employed on said project have been paid the full weekly wages earned;
that no rebates have been or will be made either directly or indirectly to or on behalf of said
Forno Enterprises, Inc. from the
(Contractor or Subcontractor)

full weekly wages earned by any person and that no deductions have been made either
directly or indirectly from the full wages earned by any person, other than permissible
deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary
of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967;
76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the
above period are correct and complete; that the wage rates for laborers or mechanics
contained therein are not less than the applicable wage rates contained in any wage
determination incorporated into the contract; that the classifications set forth therein for
each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona
fide apprenticeship program registered with a State apprenticeship agency recognized by
the Bureau of Apprenticeship and Training, United States Department of Labor, or if no
such recognized agency exists in a State, are registered with the Bureau of Apprenticeship
and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

-In addition to the basic hourly wage rates paid to each laborer or mechanic listed in
the above referenced payroll, payments of fringe benefits as listed in the contract
have been or will be made to appropriate programs for the benefit of such
employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

-Each laborer or mechanic listed in the above referenced payroll has been paid,
as indicated on the payroll, an amount not less than the sum of the applicable
basic hourly wage rate plus the amount of the required fringe benefits as listed
in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION
REMARKS:	
NAME AND TITLE Brian Albanese President	SIGNATURE
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)
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NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>	ADDRESS	OMB No.: 1235-0008
Forno Enterprises, Inc.	9330 County Highway 27 PO Box 220 Trout Creek, NY 13847	Expires: 07/31/2024
PAYROLL NO. 4	FOR WEEK ENDING 05/25/2022	PROJECT AND LOCATION
		Beekman Town Hall Town of Beekman Town Hall
		PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) # Ex	(3) WORK CLASSIFICATION	O T or S T	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED PROJECT / ALL	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				Th	Fr	Sa	Su	Mo	Tu	We				FICA	WITH-HOLDING TAX	STATE TAX	LOCAL TAX	OTHER		TOTAL DED.
				05/19	05/20	05/21	05/22	05/23	05/24	05/25				HOURS WORKED EACH DAY						
Kevin Azzaro Po Box 501 Hughsonville, NY 12537 xxx-xx-6186	0	Glazier Journeymen LU 1087	O	0	0	0	0	0	0	0	0	89.39	476.72	162.35	433.44	134.69	0.00	527.84	1278.32	1105.28
			S	0	0	0	0	0	0	8	59.59	2383.60								
Mattes, Steven 326 Salt Point Turnpike Poughkeepsie, NY 12603 xxx-xx-2109	0	Glazier Journeymen LU 1087	O	0	0	0	0	0	0	0	0	56.89	516.72	197.65	359.82	153.30	0.00	526.38	1279.15	1304.45
			S	0	0	0	0	0	0	8	64.59	2583.60								
			O																	
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Public Burden Statement

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Date 06/13/2022

I, Brián Albanese President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by
Fomo Enterprises, Inc. on the
(Contractor or Subcontractor)

Town of Beekman Town Hall ; that during the payroll period commencing
(Building or Work)

on the 19 day of May, 2022, and ending the 25 day of May
2022, all persons employed on said project have been paid the full weekly wages earned,
that no rebates have been or will be made either directly or indirectly to or on behalf of said

Fomo Enterprises, Inc. from the
(Contractor or Subcontractor)

full weekly wages earned by any person and that no deductions have been made either
directly or indirectly from the full wages earned by any person, other than permissible
deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary
of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967;
76 Stat. 357; 40 U.S.C. § 3145), and described below.

(2) That any payrolls otherwise under this contract required to be submitted for the
above period are correct and complete; that the wage rates for laborers or mechanics
contained therein are not less than the applicable wage rates contained in any wage
determination incorporated into the contract; that the classifications set forth therein for
each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona
fide apprenticeship program registered with a State apprenticeship agency recognized by
the Bureau of Apprenticeship and Training, United States Department of Labor, or if no
such recognized agency exists in a State, are registered with the Bureau of Apprenticeship
and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

-In addition to the basic hourly wage rates paid to each laborer or mechanic listed in
the above referenced payroll, payments of fringe benefits as listed in the contract
have been or will be made to appropriate programs for the benefit of such
employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

-Each laborer or mechanic listed in the above referenced payroll has been paid,
as indicated on the payroll, an amount not less than the sum of the applicable
basic hourly wage rate plus the amount of the required fringe benefits as listed
in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION
REMARKS:	
NAME AND TITLE	SIGNATURE
Brian Albanese President	
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

U.S. Department of Labor
Wage and Hour Division

PAYROLL

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)
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Rev. Dec 2008

NAME OF CONTRACTOR <input type="checkbox"/> OR SUBCONTRACTOR <input checked="" type="checkbox"/>	ADDRESS	OMB No.: 1235-0008
Fomo Enterprises, Inc.	9330 County Highway 27 PO Box 220 Trout Creek, NY 13847	Expires: 07/31/2024

PAYROLL NO. 5	FOR WEEK ENDING 06/01/2022	PROJECT AND LOCATION Beekman Town Hall Town of Beekman Town Hall	PROJECT OR CONTRACT NO.
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(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g. LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) # Ex	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED PROJECT / ALL	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK			
			Th	Fr	Sa	Su	Mo	Tu	We				FICA	WITH-HOLDING TAX	STATE TAX	LOCAL TAX	OTHER		TOTAL DED.		
			05/26	05/27	05/28	05/29	05/30	05/31	06/01				HOURS WORKED EACH DAY								
Kevin Azzaro Po Box 501 Hughsonville, NY 12537 xxx-xx-6186	0	Glazier Journeymen LU 1087	O	0	0	0	0	0	0	0	0	89.39	963.44	109.41	211.94	71.24	0.00	316.94	709.53	720.63	
			S	8	0	0	0	0	8	0	15	59.59									1430.16
Mattes, Steven 328 Salt Point Turnpike Poughkeepsie, NY 12603 xxx-xx-2109	0	Glazier Journeymen LU 1087	O	0	0	0	0	0	0	0	0	96.89	934.26	122.50	209.25	85.63	0.00	317.40	734.78	866.48	
			S	8	0	0	0	0	6	0	14	64.59									1601.26
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C. F. R. §§ 3.3, 5.5(a). The Copeland Act (40 U. S. C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U. S. Department of Labor (DOL) regulations at 29 C. F. R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U. S. Department of Labor, Room S3502, 200 Constitution Avenue, N. W., Washington, D. C. 20210.

Date 06/13/2022

I, Brian Albanese President
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by
Fomo Enterprises, Inc. on the
(Contractor or Subcontractor)

Town of Beekman Town Hall ; that during the payroll period commencing
(Building or Work)

on the 26 day of May, 2022, and ending the 01 day of June
2022, all persons employed on said project have been paid the full weekly wages earned,
that no rebates have been or will be made either directly or indirectly to or on behalf of said

Forno Enterprises, Inc. from the
(Contractor or Subcontractor)

full weekly wages earned by any person and that no deductions have been made either
directly or indirectly from the full wages earned by any person, other than permissible
deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary
of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108; 72 Stat. 967;
76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the
above period are correct and complete; that the wage rates for laborers or mechanics
contained therein are not less than the applicable wage rates contained in any wage
determination incorporated into the contract; that the classifications set forth therein for
each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona
fide apprenticeship program registered with a State apprenticeship agency recognized by
the Bureau of Apprenticeship and Training, United States Department of Labor, or if no
such recognized agency exists in a State, are registered with the Bureau of Apprenticeship
and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

-In addition to the basic hourly wage rates paid to each laborer or mechanic listed in
the above referenced payroll, payments of fringe benefits as listed in the contract
have been or will be made to appropriate programs for the benefit of such
employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

-Each laborer or mechanic listed in the above referenced payroll has been paid,
as indicated on the payroll, an amount not less than the sum of the applicable
basic hourly wage rate plus the amount of the required fringe benefits as listed
in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS:

EXCEPTION (CRAFT)	EXPLANATION
REMARKS:	
NAME AND TITLE	SIGNATURE
Brian Albanese President	
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	



Department of Labor

BUREAU OF PUBLIC WORK

CASE ID #
PRC #
OFFICIAL USE ONLY

CERTIFICATION OF OFFICER OF CONTRACTOR OR SUBCONTRACTOR

I, Joseph Harrison, am an officer with the title of President in the firm of Pittman & Brown, Inc. and am authorized by that firm to sign and swear to the validity and accuracy of the statements below:

(1) I pay or supervise the payment of laborers, workers and mechanics employed by Pittman & Brown, Inc. on the Beekman Town Hall project. During the payroll period commencing on the 2nd day of May, 2022 and ending the 8th day of May, 2022, all laborers, workers and mechanics employed on said project were paid the wages and supplements recorded as earned on the attached payroll records. No deductions have been made either directly or indirectly from the wages and supplements other than deductions shown on the payroll records.

(2) The payroll records submitted for the above period and attached hereto are correct and complete. The number of hours shown for each employee reflects the actual hours worked by that employee. The classification shown for each employee is accurate and conforms with the work he or she performed.

Signed [Signature]
Title of Officer President

Name of Firm Pittman & Brown, Inc.
Address 227 S Plank Rd Post Box 1764
Newburgh, NY 12550

ELIZABETH SKINNER
Notary Public, State of New York
No. 015K6212310
Qualified in Orange County
Commission Expires October 13, 2025

Sworn to before me this
25th day of May, 2022

[Signature]
NOTARY PUBLIC OR OFFICIAL AUTHORIZED TO ADMINISTER OATHS

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE SIGNATORY OF THIS CERTIFICATION AND CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION.

Certified Payroll Report

Contractor **PITTMAN & BROWN INC.**
 227 S Plank Rd Post Box 1764
 NEWBURGH, NY 12550

Project **22-002 Barone - Beekman Town Hall**

Project/Contract #
 Payroll Number **1**
 For Week Ending **5/8/2022**

Employee Name	SSN	Work Classification	Pay Type	Hours Worked by Day							Timesheet Hours	Paid Hours	Pay Rate	Job Gross Pay	Fringe Rate	Check Number	Total Gross Pay	Social Security	Medi-care	Federal Tax	State Tax	Other	Total Deduct	Net Pay
				Mon	Tue	Wed	Thu	Fri	Sat	Sun														
Dos Santos Jr, Haiton V 4 Farview Ave Unit 18 Danbury, CT 06810	841-92-5677	Regular OC Rate	RT	8.00	8.00		6.00				22.00	22.00	37.09	815.98	0.00	13921	815.98	50.59	11.83	32.00	21.78	40.12	156.32	659.66
Hagen, Thomas 219 Elmendorf St Kingston, NY 12401	090-76-6217	Regular OC Rate	RT	8.00	8.00	2.00	6.00				24.00	24.00	37.09	890.16	0.00	13922	890.16	55.19	12.91	49.00	36.77	43.06	196.93	693.23

Date: May-11, 2022

I, Elizabeth Skinner, Office Manager, do hereby state:

(1) That I pay or supervise the payment of the persons employed by PITTMAN & BROWN INC. on the project 22-002 Barone - Beckman Town Hall; that during the payroll period commencing on May-02, 2022 and ending on May-08, 2022 all persons employed on the said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said PITTMAN & BROWN INC. from the full weekly wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat 357; 40 U.S.C. 276c), and described below.

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers and mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

Exception (Craft)	Explanation
Remarks:	

Name and Title Elizabeth Skinner, Office Manager	Signature <i>Elizabeth Skinner</i>
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	



Department of Labor

BUREAU OF PUBLIC WORK

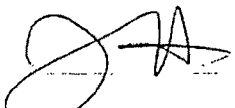
CASE ID #
PRC #
OFFICIAL USE ONLY

CERTIFICATION OF OFFICER OF CONTRACTOR OR SUBCONTRACTOR

I, Joseph Harrison, am an officer with the title of President in the firm of Pittman & Brown, Inc. and am authorized by that firm to sign and swear to the validity and accuracy of the statements below:

(1) I pay or supervise the payment of laborers, workers and mechanics employed by Pittman & Brown, Inc. on the Beekman Town Hall project. During the payroll period commencing on the 9th day of May, 2022 and ending the 15th day of May, 2022, all laborers, workers and mechanics employed on said project were paid the wages and supplements recorded as earned on the attached payroll records. No deductions have been made either directly or indirectly from the wages and supplements other than deductions shown on the payroll records.

(2) The payroll records submitted for the above period and attached hereto are correct and complete. The number of hours shown for each employee reflects the actual hours worked by that employee. The classification shown for each employee is accurate and conforms with the work he or she performed.

Signed 

Title of Officer President

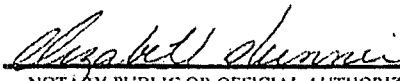
Name of Firm Pittman & Brown, Inc.

Address 227 S Plank Rd Post Box 1764
Newburgh, NY 12550

ELIZABETH SKINNER
Notary Public, State of New York
No. 01SK6212310
Qualified in Orange County
Commission Expires October 13, 2025

Sworn to before me this

25th day of May 2022


NOTARY PUBLIC OR OFFICIAL AUTHORIZED TO ADMINISTER OATHS

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE SIGNATORY OF THIS CERTIFICATION AND CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION.

Date: May-11, 2022

I, Elizabeth Skinner, Office Manager, do hereby state:

(1) That I pay or supervise the payment of the persons employed by PITTMAN & BROWN INC. on the project 22-092 Barone - Beekman Town Hall; that during the payroll period commencing on May-09, 2022 and ending on May-15, 2022 all persons employed on the said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said PITTMAN & BROWN INC. from the full weekly wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat 357; 40 U.S.C. 276c), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers and mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS


In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

Exception (Craft)	Explanation
Remarks:	

Name and Title Elizabeth Skinner, Office Manager	Signature 
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	



Department of Labor

BUREAU OF PUBLIC WORK

CASE ID #
PRC #
OFFICIAL USE ONLY

CERTIFICATION OF OFFICER OF CONTRACTOR OR SUBCONTRACTOR

I, Joseph Harrison, am an officer with the title of President in the firm of Pittman & Brown, Inc. and am authorized by that firm to sign and swear to the validity and accuracy of the statements below:

(1) I pay or supervise the payment of laborers, workers and mechanics employed by Pittman & Brown, Inc. on the Beekman Town Hall project. During the payroll period commencing on the 16th day of May, 2022 and ending the 22nd day of May, 2022, all laborers, workers and mechanics employed on said project were paid the wages and supplements recorded as earned on the attached payroll records. No deductions have been made either directly or indirectly from the wages and supplements other than deductions shown on the payroll records.

(2) The payroll records submitted for the above period and attached hereto are correct and complete. The number of hours shown for each employee reflects the actual hours worked by that employee. The classification shown for each employee is accurate and conforms with the work he or she performed.

Signed [Signature] Title of Officer President

Name of Firm Pittman & Brown, Inc.

Address 227 S Plank Rd Post Box 1764 Newburgh, NY 12550

ELIZABETH SKINNER Notary Public, State of New York No. 01SK6212310 Qualified in Orange County Commission Expires October 13, 2025

Sworn to before me this

25th day of May, 2022

[Signature] NOTARY PUBLIC OR OFFICIAL AUTHORIZED TO ADMINISTER OATHS

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE SIGNATORY OF THIS CERTIFICATION AND CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION.

Date: May-11, 2022

I, Elizabeth Skinner, Office Manager, do hereby state:

(1) That I pay or supervise the payment of the persons employed by PITTMAN & BROWN INC. on the project 22-002 Barone - Beckman Town Hall; that during the payroll period commencing on May-16, 2022 and ending on May-22, 2022 all persons employed on the said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said PITTMAN & BROWN INC. from the full weekly wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat 357; 40 U.S.C. 276c), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers and mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.


(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS
 In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH
 Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

Exception (Craft)	Explanation
Remarks:	

Name and Title Elizabeth Skinner, Office Manager	Signature 
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

For the Week Ending 5/26/2022

Certified Payroll Report for Job 132

Payroll Number 2
 Prime Contractor Roehrs Construction, Inc.
 Contract For T/O Beekman Parking

Contract Number X
 Sub-Contractor _____
 Location T/O Beekman Town Hall

Name Address Soc. Sec. #	Job Title	Dept	Type	SUN 22	MON 23	TUES 24	WED 25	THUR 26	FRI 20	SAT 21	Total Hrs	Rate	Earned	FICA S.W.H.	F. W. H. Other	Net Paid
Jeffery Mackey 18 Howard Street New Paltz NY 12561 xxx-xx- 2516 Foreman	04 OPA	03	REG.					5.00			5.00	\$90.76	\$2,343.80 \$453.80	\$172.36 \$124.36	\$272.40 165.01	\$1,609.67
David G. Brown 175 Tuckers Corners Road Highland NY 12528 xxx-xx- 0710 Men	05 L2	03	REG.					5.00			5.00	\$74.90	\$2,590.75 \$374.50	\$189.60 \$127.78	\$398.54 269.85	\$1,604.98
William Rosenkranse, Sr. 7 Cipriano Road Clintondale NY 12515 xxx-xx- 9656 Men	05 T3	03	REG.					3.00			3.00	\$75.66	\$1,606.98 \$226.98	\$119.47 \$91.31	\$228.24 213.62	\$954.34
George T Pullman 5800 Route 44/55 Kerhonkson NY 12446 xxx-xx- 2004 Men	05 L2	03	REG.					5.00			5.00	\$74.90	\$1,537.00 \$374.50	\$117.58 \$76.87	\$136.61 120.47	\$1,085.47
Joseph P DeMaria 61 Jansen Road New Paltz NY 12561 xxx-xx- 2671 Men	05 OPA	03	REG.					5.00			5.00	\$90.76	\$1,713.80 \$453.80	\$124.17 \$82.52	\$246.18 151.02	\$1,109.91
Stephen W Balogh 63 Dashville Rd New Paltz NY 12561 xxx-xx- 2900 Men	05 L2	03	REG.					5.00			5.00	\$74.90	\$1,874.50 \$374.50	\$140.53 \$82.95	\$260.22 277.56	\$1,113.24
Thomas Perconti 67 Brookside Rd New Paltz NY 12561 xxx-xx- 0338 Men	05 T3	03	REG.					5.00			5.00	\$75.66	\$1,675.80 \$378.30	\$128.19 \$84.49	\$265.98 52.66	\$1,144.48

Name	Dept	Type	SUN	MON	TUES	WED	THUR	FRI	SAT	Total	Rate	Earned	FICA	F. W. H.	Net Paid	
Address			22	23	24	25	26	20	21	Hrs		Job Earned	S. W. H.	Other		
Soc. Sec. #	Labor Classification															

Gross Total Pay \$13,342.63
 Gross Job Pay \$2,636.38

I certify that this payroll is correct and complete, that the wage rates contained herein are not less than the applicable rates contained in the wage determination decision of the Secretary of Labor attached to Contract T/O Beckman and that the classifications set forth for each laborer or mechanic conform with the work he performed.

Signed Adrienne Kunkin

CONTRACTOR/SUBCONTRACTOR
PARTIAL RELEASE AND LIEN WAIVER

Date: June 16, 2022
Project: Town of Beekman Town Hall
Accessibility Improvement Plan
Address: 4 Main Street
City: Poughquag, New York 12570
County: Dutchess
State: New York
Owner: Town of Beekman
Contractor: Barone Construction Group, Inc.

Contract Date:	<u>8/3/2021</u>
Contract Price:	<u>\$594,500.00</u>
Net Extras & Deductions:	<u>\$19,647.00</u>
Adjusted Contract Price:	<u>\$614,147.00</u>
Amount Previously Paid:	<u>\$176,298.75</u>
Current Payment Due:	<u>\$127,179.00</u>
Balance Due:	<u>\$310,669.25</u>

In the consideration of payment made by TOWN OF BEEKMAN to Barone Construction Group, Inc. for all work, labor, materials, equipment and services furnished through the period ending May 2022 and pursuant to Payment Application #3 in connection with the project named above.

The UNDERSIGNED hereby releases the Contractor/Subcontractor listed above, through the date of this Partial Release and Waiver of Lien, from any and all claims and demands of every kind and character, including, but not limited to claims for labor and/or materials and/or equipment and/or additional work and/or delays under the aforesaid contract in any way growing out of or connected with said contract. The undersigned does hereby covenant and agree not to claim or file a mechanic's lien or any other lien against the contract and/or premises for materials furnished or labor performed in connection with such a project to date listed above.

The UNDERSIGNED further warrants that:

- 1) All subcontractors employed by the undersigned upon this project have been fully paid to this date hereof;
- 2) All workmen employed by it or its subcontractors upon this project have been fully paid to this date hereof;
- 3) All materialmen from whom the undersigned or its subcontractors have purchased materials used in this project have been paid for the materials delivered on or prior to this date;
- 4) None of such workmen and/or materialmen have any claims or demand or right of lien; and
- 5) He/She is an authorized officer with full power to execute this Partial Release and Waiver of Lien.

IN WITNESS WHEREOF, the contractor or subcontractor named below has executed this Partial Release and Lien Waiver this 22nd day of June, 2022.

(19 215)
JB

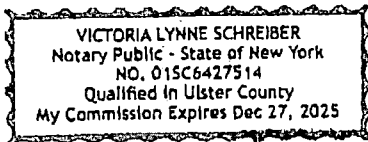
CONTRACTOR/SUBCONTRACTOR:

Signature: 
Print Name: Joseph Barone
Title: President

STATE OF NEW YORK)
) ss.:
COUNTY OF Ulster)

On this 21st day of ~~May~~ June (15), in the year 2022, before me personally came Joseph Barone, to me known, who, being by me duly sworn, did depose and say that he resides at 23 New Paltz Road, Highland, NY 12528, that he is the President of the Barone Construction Group, Inc., the corporation described in and which executed the foregoing Partial Release and Lien Waiver, and that he signed his name thereto by authority of the Board of Directors of the corporation.

Victoria Lynne Schreiber
Notary Public



CONTRACTOR/SUBCONTRACTOR
PARTIAL RELEASE AND LIEN WAIVER

Date:	<u>July 7, 2022</u>	Contract Date:	<u>10/18/2021</u>
Project:	Town of Beekman Town Hall Accessibility Improvement Plan	Contract Price:	<u>\$28,750.00</u>
Address:	4 Main Street	Net Extras & Deductions:	_____
City:	Poughquag, New York 12570	Adjusted Contract Price:	<u>\$28,750.00</u>
County:	Dutchess	Amount Previously Paid:	<u>\$0</u>
State:	New York	Current Payment Due:	<u>\$26,932.50</u>
Owner:	Town of Beekman	Balance Due:	<u>\$1,817.50</u>
Contractor:	Roehrs Construction, Inc.		

In the consideration of payment made by **TOWN OF BEEKMAN** to Barone Construction Group, Inc. for all work, labor, materials, equipment and services furnished through the period ending May 2022 and pursuant to Payment Application #3 in connection with the project named above.


The UNDERSIGNED hereby releases the Contractor/Subcontractor listed above, through the date of this Partial Release and Waiver of Lien, from any and all claims and demands of every kind and character, including, but not limited to claims for labor and/or materials and/or equipment and/or additional work and/or delays under the aforesaid contract in any way growing out of or connected with said contract. The undersigned does hereby covenant and agree not to claim or file a mechanic's lien or any other lien against the contract and/or premises for materials furnished or labor performed in connection with such a project to date listed above.

The UNDERSIGNED further warrants that:

- 1) All subcontractors employed by the undersigned upon this project have been fully paid to this date hereof;
- 2) All workmen employed by it or its subcontractors upon this project have been fully paid to this date hereof;
- 3) All materialmen from whom the undersigned or its subcontractors have purchased materials used in this project have been paid for the materials delivered on or prior to this date;
- 4) None of such workmen and/or materialmen have any claims or demand or right of lien; and
- 5) He/She is an authorized officer with full power to execute this Partial Release and Waiver of Lien.

IN WITNESS WHEREOF, the contractor or subcontractor named below has executed this Partial Release and Lien Waiver this 7 day of July, 2022.

CONTRACTOR/SUBCONTRACTOR:

Signature: 
Print Name: David Roehrs
Title: President

STATE OF NEW YORK)
) ss.:
COUNTY OF Ulster)

On this 7 day of May, in the year 2022, before me personally came David Roehrs, to me known, who, being by me duly sworn, did depose and say that he resides at Station Road, that he is the President of the Roehrs Construction, Inc., the corporation described in and which executed the foregoing Partial Release and Lien Waiver, and that he signed his name thereto by authority of the Board of Directors of the corporation.


Notary Public

Adrienne M. Roehrs NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01R06371200 Qualified in Ulster County Commission Expires February 20, 2026
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CONTRACTOR/SUBCONTRACTOR
PARTIAL RELEASE AND LIEN WAIVER

Date:	<u>June 16, 2022</u>	Contract Date:	<u>9/3/2021</u>
Project:	<u>Town of Beekman Town Hall Accessibility Improvement Plan</u>	Contract Price:	<u>\$94,197.00</u>
Address:	<u>4 Main Street</u>	Net Extras & Deductions:	<u> </u>
City:	<u>Poughquag, New York 12570</u>	Adjusted Contract Price:	<u>\$94,197.00</u>
County:	<u>Dutchess</u>	Amount Previously Paid:	<u>\$56,586.10</u>
State:	<u>New York</u>	Current Payment Due:	<u>\$0.00</u>
Owner:	<u>Town of Beekman</u>	Balance Due:	<u>\$37,610.90</u>
Contractor:	<u>Horst Around the House</u>		

In the consideration of payment made by **TOWN OF BEEKMAN** to Barone Construction Group, Inc. for all work, labor, materials, equipment and services furnished through the period ending May 2022 and pursuant to Payment Application #3 in connection with the project named above.

The UNDERSIGNED hereby releases the Contractor/Subcontractor listed above, through the date of this Partial Release and Waiver of Lien, from any and all claims and demands of every kind and character, including, but not limited to claims for labor and/or materials and/or equipment and/or additional work and/or delays under the aforesaid contract in any way growing out of or connected with said contract. The undersigned does hereby covenant and agree not to claim or file a mechanic's lien or any other lien against the contract and/or premises for materials furnished or labor performed in connection with such a project to date listed above.

The UNDERSIGNED further warrants that:

- 1) All subcontractors employed by the undersigned upon this project have been fully paid to this date hereof;
- 2) All workmen employed by it or its subcontractors upon this project have been fully paid to this date hereof;
- 3) All materialmen from whom the undersigned or its subcontractors have purchased materials used in this project have been paid for the materials delivered on or prior to this date;
- 4) None of such workmen and/or materialmen have any claims or demand or right of lien; and
- 5) He/She is an authorized officer with full power to execute this Partial Release and Waiver of Lien.

IN WITNESS WHEREOF, the contractor or subcontractor named below has executed this Partial Release and Lien Waiver this 16 day of June, 2022.

Susan M. Quigley
6/16/2022

SUSAN M. QUIGLEY
Notary Public, State of New York
Reg. No. 01QU6083380
Qualified in Dutchess County
My Commission expires Nov. 12, 2022

CONTRACTOR/SUBCONTRACTOR:

Signature: *JM Horst*
Print Name: Jane M Horst
Title: Secretary



BARONE CONSTRUCTION GROUP, INC.

P. O. Box 876
Highland, NY 12528
845-691-2244

TITLE: Infill Masonry on Right Side of Buiding

PROPOSED CHANGE ORDER

PROJECT: Beekman Town Hall
Accessibility Improvement Plan

NO. 9Rev1.
DATE: 5/28/2022

TO: Daniel Koehler
Hudson Land Design PE, P.C.
174 Main Street
Beacon, NY 12508

CONTRACT 8/3/2021
STARTED:
Completed:
Required:

DESCRIPTION

We propose to provide all labor, material, and equipment as follows:
As requested we will remove existing CMU on far right side of building and replace with owner provided stone.

Num Item	Description	Qty	Units	Unit Price	Amount
1	Labor	30	Mhrs	\$92.00	\$2,760.00
	Mortar	5	Bags	\$12.75	\$63.75
	Misc Material and Tools	1	LS	\$150.00	\$150.00
	Total				\$2,973.75
	15% O&P				\$446.06
	Sub-Total				\$3,419.81
	2.5% Bond				\$85.50
	GRAND TOTAL				\$3,505.00

By: _____
Joseph Barone

By: _____

Date: _____

Date: _____

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE 162
WASHINGTON AVENUE
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**TOWN OF BEEKMAN
LOCAL LAW NO. __ (PROPOSED) OF THE YEAR 2022**

**A LOCAL LAW TO AMEND SECTION 75-9 OF THE CODE
OF THE TOWN OF BEEKMAN ENTITLED "FEES."**

BE IT ENACTED by the Town Board of the Town of Beekman as follows:

SECTION 1. LEGISLATIVE INTENT

This local law amends the Beekman Town Code concerning fees payable to the Town, by removing the list of specific fees from the Code and placing them in a "Fee Schedule" approved by the Town Board, so that a local law amending the Town Code is not required every time the Town Board desires to implement a change in the amount of a fee or add or remove a fee. This amendment of the Town Code will conserve municipal funds by eliminating the preparation and filing fees for the local laws, and save municipal employee time as well.

SECTION 2. APPLICATION

This Local Law shall apply within the Town of Beekman.

SECTION 3. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 4. AMENDMENT OF SECTION 75-9 OF THE CODE OF THE TOWN OF BEEKMAN ENTITLED "FEES."

The existing § 75-9 the Code of the Town of Beekman is hereby deleted in its entirety and replaced with the following:

7-6-2022 DRAFT

§ 75-9. Schedule of Fees.

A. A fee schedule shall be established by resolution of the Town Board of the Town of Beekman for fees relating to the administration of Town duties contained in this Code. Such fee schedule may thereafter be amended from time to time by like resolution.

B. These fees shall be nonrefundable administrative fees that shall be payable at the time of submission of an application.

SECTION 5. EFFECTIVE DATE

This local law shall take effect six months following filing in the office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law.

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
WASHINGTON AVENUE
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**TOWN OF BEEKMAN
LOCAL LAW NO. __ (PROPOSED) OF THE YEAR 2022**

A LOCAL LAW TO ESTABLISH A NEW CHAPTER 126.1 OF THE CODE OF THE TOWN OF BEEKMAN TO BE KNOWN AS “SHORT-TERM RENTALS,” AND TO AMEND CHAPTER 155 OF THE CODE OF THE TOWN OF BEEKMAN, ENTITLED “ZONING,” REGARDING SHORT-TERM RENTALS.

BE IT ENACTED by the Town Board of the Town of Beekman as follows:

SECTION 1. LEGISLATIVE INTENT

This local law amends the Beekman Town Code to regulate short-term rentals. The law establishes new regulations requiring permits for short-term rentals, and amends the Town’s Zoning Law to adequately regulate short-term rental uses.

The use of short-term rentals has increased in the nation and in the region in recent years, and many visitors now seek accommodations in short-term rentals via various website platforms. Short-term rentals can offer an additional means of income for some property owners, but they also have the potential to adversely impact neighborhoods because they are effectively transient lodging uses, often operated without permits or approvals and in buildings and areas where such lodging may not be permitted. In addition, the presence of short-term rentals also can lead to a reduction in the affordable housing supply by removing dwelling units from the market and driving up demand for the limited remaining housing supply. This can result in fewer available units and increased prices or rents for those units that are available.

This local law will allow certain short-term rental uses as permitted uses in the Town subject to specific conditions and approvals. To protect the character of neighborhoods and avoid “party houses,” unhosted short-term rentals are prohibited throughout the Town, because they are deemed to be incompatible with the existing uses and neighborhood character. By restricting the type and location of short-term rentals, and by requiring them to undergo review and receive approval from the Town, this law lessens the potential negative impacts associated with these uses and will promote the public safety, health, and welfare. This law also will discourage unsafe structures from being rented to transient visitors by requiring that short-term rentals comply with applicable codes and implement certain safety measures.

The proposed amendments to the Town Code are designed to protect the health, safety, and welfare of the public. The amendments are consistent with the recommendations of the Town's *Comprehensive Plan*, last revised February 16, 2011, including to "[p]rovide a diversified range of housing opportunities consistent with a well-balanced community" (*Comprehensive Plan* at p. 28) and with "Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities" pursuant to § 155-2(M) of the Town Code.

SECTION 2. APPLICATION

This Local Law shall apply within the Town of Beekman.

SECTION 3. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

SECTION 4. ADOPTION OF A NEW CHAPTER 126.1 ENTITLED "SHORT-TERM RENTALS"

A new Chapter 126.1 is hereby inserted into the Code of the Town of Beekman to read as follows:

CHAPTER 126.1. SHORT-TERM RENTALS

§ 126.1-1. Purpose.

The Town Board of the Town of Beekman has determined it is in the best interest of the Town and its residents to regulate short-term rentals. The Town Board recognizes the benefits of short-term rentals to allow homeowners to supplement their income to defray the cost of housing and to provide lodging for visitors to the Town. However, to protect the health, safety and welfare of the Town and its residents, it is necessary to restrict the rental of dwelling units for terms shorter than 30 consecutive days because such use has the potential to negatively impact residential neighborhoods by allowing what are effectively transient lodging uses in buildings and areas where commercial uses may not be permitted. In addition, the presence of short-term rentals also can lead to a reduction in the affordable housing supply by removing dwelling units from the market and driving up demand for the limited remaining housing supply. This can result in fewer available units and increased prices or rents for those units that are available. The Town Board believes that the restrictions and requirements imposed herein further the Town's goals and objectives and promote the protection of the health, safety and welfare of the Town and its residents. This chapter describes procedures and requirements for obtaining a permit for a short-term rental and is intended to operate in conjunction with the regulations of the Town of Beekman Code Chapter 155 entitled "Zoning."

§ 126.1-2. Definitions.

As used in this chapter, the following words shall have the meanings indicated:

PRIMARY RESIDENCE

The domicile and principal dwelling that a person inhabits and resides in for the majority of the year. If title to the property is not held in the name of a natural person, then the following

shall apply: if the property is held in the name of a trust, the person that inhabits the residence must be a grantor or a beneficiary of the trust; if the property is held by an entity other than a trust (corporation, limited liability company, partnership, etc.), the resident must be a majority owner of the entity.

OWNER

Any person having a fee interest in the real property to be used as a short-term rental.

PERSON

A natural person, partnership, corporation, limited liability company, trust, governmental entity or other legal entity.

SHORT-TERM RENTAL

A portion of a single-family dwelling made available for rent or lease, or otherwise assigned, for an occupancy of fewer than 30 consecutive days. The term "short-term rental" does not include the rental or lease, for a period of fewer than 30 days, of the entirety of a single-family dwelling, and does not include dormitories, hotel or motel rooms, bed-and-breakfast establishments, or inns as regulated by the Town of Beekman Zoning Law, and does not include the use of any accessory structure(s) for dwelling purposes.

§ 126.1-3. Short-Term Rental Permit.

- A. Permit required. It shall be unlawful to use, establish, maintain, operate, rent or lease, or advertise for rent or lease, any property as a short-term rental within the Town of Beekman without first having obtained a short-term rental permit for such purpose in accordance with provisions of this chapter, and without having obtained any requisite planning and zoning approvals required by Chapter 155, Zoning. Any required planning and zoning approvals must be obtained prior to the issuance of a short-term rental permit. The failure or refusal to obtain a short-term rental permit prior to the commencement of a short-term rental use shall be deemed a violation of this chapter.
- B. Zoning use authorized. Subject to the conditions set forth in this chapter, a property owner may obtain a short-term rental permit only where such use is permitted by Chapter 155 in the Zoning District in which the property is located.
- C. Advertisement. If a property owner advertises their rental, the short-term rental permit number issued by the Town must be included in the listing.
- D. Presumptive evidence. The presence or existence of any of the following shall create a rebuttable presumption that a property is being utilized as a short-term rental:
 - (1) The property is offered for lease or rent on a short-term rental website, including but not limited to Airbnb, HomeAway, VRBO or similar websites; or
 - (2) The property is offered for lease or rent by the use of any other advertising mechanism for a period of fewer than thirty (30) consecutive days.

§ 126.1-4. Term of Permit.

A short-term rental permit shall be issued annually and shall expire on the last day of December next succeeding the date of issuance, unless sooner terminated, revoked or suspended. A property

owner may apply for renewal for the following calendar year up to 90 days prior to the expiration of the permit, but no later than 30 days prior to such expiration.

§ 126.1-5. Application for permit.

A. Application. An application for a short-term rental permit shall be made to the Building Department on forms provided by the Town and signed by the owner of the property. The form and content of the permit application shall be as determined from time to time by the Town and shall request such information and materials as the Town deems necessary. Such application shall contain, at a minimum, the information required by this chapter, including the following:

- (1) The name, address, e-mail address, and telephone number of the property owner.
- (2) Property information, including:
 - (a) The property address and Tax Parcel ID number;
 - (b) The total number of bedrooms and bathrooms in the dwelling;
 - (c) The total number of bedrooms proposed for short-term rental use;
 - (d) The square footage and ceiling height of bedroom(s) proposed to be used for short-term rental;
 - (e) A sketch indicating the location of each bedroom in the dwelling proposed to be rented, and two means of egress from each such bedroom; and
 - (f) The number of persons (1 or 2) to be accommodated in each short-term rental bedroom.
- (3) Certification that the property is the owner's primary residence. Primary residency shall be verified by one of the following:
 - (a) Proof of receipt of New York State STAR Credit or STAR property tax exemption for the short-term rental property; or
 - (b) A copy of a filed federal or state tax return showing the owner being domiciled at the property address; or
 - (c) Other evidence satisfactory to the Town that the property meets the primary residence criteria.
- (4) Proof of insurance coverage for the short-term rental use.
- (5) A sketch map or photos of the site sufficient to show the location of driveway, the number and location of existing on-site parking spaces, and the number of available on-site parking spaces for the short-term rental. It is not necessary for the sketch map to be prepared by a licensed professional surveyor or engineer.
- (6) A signed and notarized certification in a form acceptable to the Town Attorney by the property owner attesting to the fact that:
 - (a) The property is the applicant's primary residence;
 - (b) The applicant will reside in the dwelling during the rental;
 - (c) The property is fit for human habitation and is safe;

- (d) The applicant will comply with all of the conditions and restrictions of the permit;
 - (e) No portion of the area to be used for the short-term rental will utilize a cellar or attic, or any portion thereof, as habitable space unless it meets the requirements of the New York State Uniform Fire Prevention and Building Code; and
 - (f) The property is in compliance with all of the provisions of this chapter, the applicable provisions of the Town Code, and the New York State Uniform Fire Prevention and Building Code.
- (7) A non-refundable application fee, in accordance with the Schedule of Fees, payable upon application. In no instance shall the filing of an application or the payment of an application fee be construed as permission to operate a short-term rental, or to exonerate the property owner from responsibility for compliance with the building, housing, fire and maintenance requirements of any local, county, state or federal agency having jurisdiction.
- (8) If the owner intends to prepare and serve food to guests, proof of compliance with the licensing requirements administered by the Dutchess County Department of Behavioral and Community Health applicable to bed-and-breakfast establishments.
- (9) Any such other information and/or documentation deemed necessary by the Building Department or the Town Board.
- B. Inspection. The property shall be inspected by a Town Building Inspector at the time of the initial application and prior to any permit renewal to determine whether the property is in compliance with this chapter and all other applicable provisions of the Town Code and the New York State Uniform Fire Prevention and Building Code. The Building Inspector will confirm that the short-term rental contains functioning smoke and carbon monoxide detectors in appropriate locations as required by the New York State Uniform Fire Prevention and Building Code, as well as a functioning fire extinguisher, and two safe means of ingress/egress for each rented bedroom. The inspection report shall indicate the number of bedrooms in the dwelling permitted by the certificate of occupancy and/or as permitted by the size of the sanitary sewage disposal system approved for the dwelling by the Dutchess County Department of Behavioral and Community Health. A non-refundable inspection fee shall be payable upon application in accordance with the Schedule of Fees. If the Building Inspector determines that the short-term rental space is not in compliance, any existing permit shall be revoked, and the owner shall cease use of the dwelling unit as a short-term rental until all noncomplying elements have been corrected, as confirmed by re-inspection by the Building Department, which shall be subject to an additional fee as set forth in the Schedule of Fees.
- C. Permit Fee. A non-refundable permit fee shall be payable upon issuance of the permit in accordance with the Schedule of Fees.
- D. Duty to amend. If the information submitted as part of the permit application changes at any time after submittal, it is the responsibility of the owner to submit such changes to the Building Department in writing within 30 days of the occurrence of such change. Failure to do so shall be deemed a violation of this chapter.

§ 126.1-6. Renewal of permit.

A short-term rental permit may be renewed by application to the Building Department as in the case of an original permit application as outlined in § 126.1-5 above. All applications for a renewal

of a permit shall be filed within the time period outlined in § 126.1-4 above. A permit may only be renewed by the same owner for the same property upon the payment of the requisite fees. In addition to the application and information required pursuant to § 126.1-5 above, for any renewal application, evidence of payment of the Hotel Occupancy Tax required by Dutchess County for the fiscal year covered by the current permit shall be submitted. No permit shall be issued for a renewal until such proof is provided.

§ 126.1-7. Issuance of permit; conditions and restrictions.

- A. **Transferability.** Only the owner of the property containing a proposed short-term rental may apply for and operate a short-term rental. Short-term rental permits are specific to the designated owner and property, and cannot be transferred to other owners or properties. Any person who purports to transfer a permit, or who uses a permit that has been transferred, shall be in violation of this chapter.
- B. **Primary residence.** It shall be unlawful for a person to use, establish, maintain operate, rent or lease any property as a short-term rental if the property is not the person's primary residence. The property used as a short-term rental shall be the primary residence of the owner at all times during the term of the permit. A property owner may only operate a short-term rental on one parcel in the Town.
- C. **Violations.** No short-term rental permit shall be issued to any owner or for any property with an outstanding notice of violation under the Town of Beekman Code, nor to any owner or property with a permit that was suspended or revoked and remains uncured, or that was suspended or revoked two or more times during the two-year period preceding the year applied for.
- D. **Authority of Building Inspector.** The Building Inspector may issue a permit upon such restrictions and conditions as he/she deems reasonable and necessary under the circumstances.
- E. **Conditions and restrictions of permit.** All permits issued pursuant to this chapter shall be subject to the following conditions and restrictions, whether or not they are itemized on the permit:
 - (1) **Signage.** There shall be no signage on the property advertising or identifying any portion of the property as a short-term rental.
 - (2) **Residential appearance and character.** All outward appearances of the property in which the short-term rental will be located must remain residential in character. A short-term rental shall be conducted in a manner which does not give the outward appearance of a business, does not have commercial-type outdoor lighting, does not infringe on the right of neighboring residents to enjoy the peaceful occupancy of their residential premises, and does not alter the residential character of the property or the neighborhood.
 - (3) **Parking.** Off-street parking shall be located on the parcel on which the short-term rental is located, and shall be comply with § 155-56 of the Town Code to the satisfaction of the Building Department and the Town Board.
 - (4) **Number of bedrooms.** The number of bedrooms used by the residents of the dwelling unit and the short-term rental use shall not exceed the number of bedrooms that are permitted by the certificate of occupancy and/or as permitted by the size of the sanitary sewage

disposal system approved for the dwelling by the Dutchess County Department of Behavioral and Community Health.

- (5) Number of guests. No more than two guests per bedroom may be accommodated on any occasion. Children under 5 years of age shall not count towards this maximum.
- (6) Size of bedrooms. Every bedroom in a short-term rental occupied by one (1) person shall contain at least seventy (70) square feet of floor area and every bedroom in a short-term rental occupied by two (2) persons shall contain at least one hundred (100) square feet of floor area. Children under five (5) years of age shall not be included in this calculation.
- (7) Traffic. Traffic attributed to the short-term rental must not result in significant adverse impacts to existing traffic patterns nor create a hazard to pedestrians in the neighborhood.
- (8) Code Compliance. Compliance with the provisions of Chapter 108 (Noise) and Chapter 124 (Sewage Disposal Systems) shall be required.
- (9) Solid Waste. Facilities to handle solid waste, including recycling, shall be made available to short-term rental guests and shall be easily accessible, secure and screened from adjacent properties. Instructions shall comply with (14) below.
- (10) Assembly. It shall be unlawful for a short-term rental property to be utilized by short-term rental guests for any type of assembly. As used in this chapter, assembly shall include, but not be limited to, a wedding; bachelor or bachelorette party; or any similar party, activity or gathering; or a luncheon, banquet, or meeting; or similar activities.
- (11) Meals. No restaurant may be operated, and no meals may be prepared or served to guests other than the rental occupants of the short-term rental. Meals served to permitted occupants of the short-term as in a typical "bed-and-breakfast" are permitted, subject to compliance with the regulations of the Dutchess County Department of Behavioral and Community Health.
- (12) Non-habitable structures. No owner shall offer or use any part of the property not approved for residential use as a short-term rental, including but not limited to a recreational or other vehicle parked on the property, a storage shed, recreation room, trailer, garage, or any temporary structure such as a tent or treehouse.
- (13) Transient recreational use not part of short-term rental use. It shall be unlawful for a property owner to offer for use, rent or lease, or advertise for use, rent or lease, any portion of the residential property, such as pool or hot tub rentals, party or yard rentals, or sport court rentals, to any third-party for transient recreational use separate from a permitted short-term rental use.
- (14) Postings. The property owner shall post a copy of the following in an open and conspicuous place in the rental unit, readily visible to all guests:
 - (a) Short-term rental Permit Number.
 - (b) A copy of Chapter 108 (Noise) of the Town Code.
 - (c) A safety/egress plan, which shall be posted on the back of the door of each rented bedroom.

- (d) A property map (either a survey of the property or a tax map printed from Dutchess County Parcel Access) depicting property boundaries, and a notice to guests not to trespass on neighbors' property.
 - (e) Information identifying the location of easily accessible solid waste and recycling facilities, days and times when garbage is picked up, and any recycling requirements (comingled, single stream, required receptacle, etc.).
- (1) Registry of Guests. The owner of the short-term rental shall maintain a true and accurate registry of the short-term rental use, including the dates and total number of days rented, number of bedrooms rented, and number of short-term rental occupants. Such registry shall be retained for at least three years, and shall be available for inspection by the Town upon request.
 - (2) Hotel Occupancy Tax. The property owner shall be responsible for payment of the Hotel Occupancy Tax to Dutchess County either directly or through Airbnb or other similar websites if applicable, and for collecting and remitting all applicable occupancy and sales taxes required by state and/or County law. Failure to pay all required taxes shall be a violation of this chapter. The Town may transmit permit and registration information to Dutchess County for enforcement purposes.
 - (3) Compliance with applicable laws. The property owner shall comply with all applicable state, federal, and local laws.
 - (4) Conditions and restrictions. It shall be unlawful for a property owner to violate, fail, neglect or refuse to fully comply with any condition, restriction or requirement of the short-term rental permit.
- F. Notification Requirements. The Building Department shall provide a packet of information with each permit summarizing the restrictions, guidelines, and requirements applicable to the short-term rental use. The property owner shall provide a copy of the information packet to the occupant(s) of the short-term rental.

§ 126.1-8. Denial or revocation of application.

- A. Basis for denial. Any application for a short-term rental permit, including the renewal of a permit, may be denied for the reasons set forth in § 126.1-10.
- B. Basis for revocation. Any permit for a short-term rental may be revoked or the reasons set forth in § 126.1-11.
- C. Form of denial or revocation. In the event an application is denied, revoked or suspended, notice of the same shall be given in writing by mail to the applicant at the address shown on the application. If the notice is returned by the Post Office as undeliverable for any reason, as long as it was properly addressed, service of the notice shall be presumed valid.
- D. Notice of denial, revocation or suspension. The notice of denial, revocation or suspension shall set forth the grounds therefor and contain a statement that the applicant may appeal such determination pursuant to § 126.1-12 herein. The notice shall also contain a statement that the applicant may submit written objections, and any other information the applicant deems advisable or necessary.

§ 126.1-9. Reapplication for a permit.

Once an application has been denied or revoked, no reapplication for a permit or a renewal of the permit shall be accepted for filing until the applicant has remedied the condition(s) that formed the basis for denial or revocation to the satisfaction of the Building Department.

§ 126.1-10. Basis for denial of a permit.

An application for the issuance of a short-term rental permit, or renewal thereof, may be denied under the following circumstances:

- A. Failure of the owner to file a full, true and complete application;
- B. Failure of the owner to meet any of the requirements for obtaining a short-term rental permit;
- C. Occupancy of the property or the short-term rental area(s) creates a hazard, public nuisance, or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order, or quality of life in the surrounding community as determined by the Building Department; or
- D. The property owner had a previous short-term rental permit revoked by the Town.

§ 126.1-11. Revocation of a permit.

The grounds upon which a permit can be revoked shall include but shall not be limited to:

A. Permanent Revocation.

- (1) The permit was issued in whole or in part as a result of a false, untrue, or misleading statement on the permit application or other document submitted as part of the application, including but not limited to the schematic or certification;
- (2) The property owner ceases to be an owner, or fails to continue to occupy the property as a primary residence;
- (3) The Town either has suspended, or is in the process of suspending or revoking, the certificate of occupancy or letter in lieu thereof for the property;
- (4) The use of the property as a short-term rental creates a hazard or public nuisance, threat to public safety or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order, or quality of life in the surrounding community, as determined by the Building Inspector;
- (5) The failure by the applicant to comply with, or violation of, the conditions and restrictions of the permit; or
- (6) The failure by the applicant to comply with, or violation of, any federal, state, or local law, regulation or rule.

B. Temporary Revocation/Suspension.

- (1) The receipt by the Town of three (3) or more complaints about the short-term rental use within a thirty-day period shall cause the permit to be revoked for a period of thirty days.
- (2) The receipt by the Town of more than six (6) complaints about the short-term rental use within a forty-five-day period shall cause the permit to be revoked for a period of time to

be determined by the Building Department, such time to be determined based upon the type and nature of the complaint, the complainant, and the ability to remedy the complaint.

§ 126.1-12. Appeals.

- A. Upon the denial, suspension or revocation of a permit, the applicant may, within 20 business days from the date of the written notice, file a request for a hearing before the Town Board. Such request shall be filed with the Town Clerk. The Town Clerk shall promptly forward a copy of the appeal to the Town Attorney and the Building Inspector for further processing. Notice of the date, place and time of the hearing shall be given in writing by mail to the applicant at the address shown on the application. If the notice is returned by the Post Office as undeliverable for any reason, as long as it was properly addressed, service of the notice shall be presumed valid. The hearing shall be scheduled no later than 30 days after the date on which the request was filed.
- B. In the event that demand for a hearing is not made within the prescribed time or in the event that the applicant does not timely appear for the hearing, the Building Inspector's decision shall become final.
- C. The applicant shall be given an opportunity to present evidence why such denial of application, or such suspension or revocation of the permit, should be modified or withdrawn. The Building Inspector or his or her designated agent may also give testimony or submit evidence in support of the proposal to deny or revoke the permit. All hearings shall be recorded and may be adjourned by the Town Board upon good cause shown. Upon consideration of the evidence presented, the Town Board shall within fifteen (15) days of the close of the hearing sustain, modify or reverse the decision of the Building Inspector, and the Town Board's decision shall be filed with the town Clerk,
- D. The applicant may file an Article 78 proceeding under the New York Civil Practice Law and Rules challenging the Town Board's decision. The Article 78 proceeding must be filed within 30 days of the filing of the Town Board's decision with the Town Clerk.

§ 126.1-13. Effect of Revocation.

- A. If a permit is revoked, the property owner shall not be eligible to re-apply for a permit for a period of one (1) year from the date of the revocation. Following the one (1) year period, no application for a new permit will be accepted for filing until the applicant has remedied the conditions that formed the basis of the revocation to the satisfaction of the Building Inspector, if applicable. A prior revocation may be a factor in the determination as to whether a new permit will be issued. Once remedied, the applicant will have to apply for a new permit.
- B. Notwithstanding the foregoing paragraph and the provisions of § 126.1-11(B), if an owner moves to a new residence in the Town and provides timely notice to the Town of the same, the failure to continue to occupy the original residence shall not subject the owner to the one-year waiting period.

§ 126.1-14. Violations and Enforcement.

- A. It shall be the duty of the Building Inspector and his or her duly authorized representatives, to enforce the provisions of this Chapter.

- B. Appearance tickets. The individuals identified in Subsection A are authorized to issue appearance tickets as defined in § 150.10 of the Criminal Procedure Law, as well as orders to remedy and notices of violation, to enforce the provisions of this Chapter.
- C. A violation of any provision of this chapter is an offense, punishable as provided for in § 126.1-15.

§ 126.1-15. Penalties for offense(s).

Every person violating any provision of this chapter shall also be subject to a civil penalty as follows:

- A. For the first offense: a civil penalty in a minimum amount of \$350 and a maximum amount of \$500;
- B. For the second and subsequent offenses: a civil penalty in a minimum amount of \$500 and a maximum amount of \$5,000; and
- C. Each violation shall be deemed a separate violation.

SECTION 5. AMENDMENTS TO ARTICLES V AND VIII OF CHAPTER 155 “ZONING” LAW ENTITLED “SUPPLEMENTAL REGULATIONS”

§ 5.1. A new § 155-39.1 is hereby inserted into the Code of the Town of Beekman to read as follows:

§ 155-39.1. Short-term rentals.

- A. Purpose. The purpose of this section is to regulate short-term rentals within the Town of Beekman in a manner that protects the public health, safety, and welfare.
- B. Definitions. As used in this section, the following words shall have the meanings indicated:

PRIMARY RESIDENCE

The domicile and principal dwelling that a person inhabits and resides in for the majority of the year. If title to the property is not held in the name of a natural person, then the following shall apply: if the property is held in the name of a trust, the person that inhabits the residence must be a grantor or a beneficiary of the trust; if the property is held by an entity other than a trust (corporation, limited liability company, partnership, etc.), the resident must be a majority owner of the entity.

OWNER

Any person having a fee interest in the real property to be used as a short-term rental.

PERSON

A natural person, partnership, corporation, limited liability company, trust, governmental entity or other legal entity.

SHORT-TERM RENTAL

A portion of a single-family dwelling made available for rent or lease, or otherwise assigned, for an occupancy of fewer than 30 consecutive days. The term “short-term rental” does not include the rental or lease, for a period of fewer than 30 days, of the entirety of a single-family

dwelling, and does not include dormitories, hotel or motel rooms, bed-and-breakfast establishments, or inns as regulated by the Town of Beekman Zoning Law, and does not include the use of any accessory structure(s) for dwelling purposes.

C. Subject to the requirements set forth in this section, short-term rentals shall be permitted as follows:

- (1) A short-term rental shall only be permitted as an accessory use to a single-family dwelling.
- (2) The single-family dwelling shall be the primary residence of the property owner.
- (3) A short-term rental shall only be permitted within a principal building, not an accessory building.
- (4) A short-term rental shall not be permitted on the same lot as an accessory dwelling unit or a home occupation.
- (5) Zoning districts. Hosted short-term rental shall be permitted in any single-family dwelling in all zoning districts within the Town of Beekman.

§ 5.2. Section 155-56(A)(1) of the Code of the Town of Beekman is hereby amended by the addition of the following new use and minimum required off-street parking standard at the end of the existing list:

Short-term rental	1 per guest room/bedroom available for rent
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SECTION 6. EFFECTIVE DATE

This local law shall take effect six months following filing in the office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law.

New York State public bodies subject to the Open Meetings Law must now post on their website, or provide upon request, "at least 24 hours" prior to any public meetings, any documents that will be discussed or considered during those public meetings.

Under Chapter 481 of the Law of 2021, language allowing documents to be released for the first time "at" a public meeting has been stricken. Although the Law still retains language that states that documents are to be provided "to the extent practicable," Chapter 481 strikes the phrase "as determined by the agency or department." This removes a barrier to legal challenges to the discretion of public bodies in determining what is "practicable."

This provision becomes effective November 18, 2021, for state and local governments and their departments, agencies, authorities, and other public bodies. It includes, but is not limited to, agendas, legislation, resolutions, reports, applications, statements, drawings, maps, and photos. Governor Hochul, who has committed to prioritize state transparency, signed Chapter 481 into law on October 19, 2021.

Ballard Spahr advises governmental entities throughout the State of New York. If you wish to discuss the implications of Chapter 481 further, please reach out to one of our New York attorneys.

NY Post article

Gov. Hochul Signs Open Meetings Law Amendments

On October 19, 2021 Gov. Kathy Hochul signed legislation amending Public Officers Law § 103 to require public bodies to make records that will be discussed at an upcoming meeting available to the public upon request at least 24 hours before the meeting to the extent practicable. Additionally, if the town maintains a high-speed internet website that is routinely used and updated, it must post records to that website at least 24 hours in advance to the extent practicable; however, the town is not required to spend additional money to implement the website requirement. Under the old law, towns needed to make records available and post them online to the extent practicable as determined by the public body.

Some things to keep in mind:

- This applies to all public bodies covered by Open Meetings Law, so your town board, planning board, and ZBA are all going to be impacted (and possibly others).
- The town can charge fees for copies in accordance with FOIL.
- Don't forget about the language "to the extent practicable" that exists in the legislation. While the town should be as transparent as possible, if a record does not come in until two hours before a meeting and needs to be discussed, it cannot be made available or posted online 24 hours in advance. Similarly, if a document is particularly voluminous and causing the town's website to crash, it isn't really practical to post that, and the town might consider posting a note instead that copies are available at the town hall. **And again, the town does not have to spend money to upgrade its website to comply with this law.**
- Towns that use agendas to run their meetings will want to have it set at least 24 hours in advance so the board knows what records need to be made available.
- If a record does not exist, the town does not need to create one.
- Portions of some records may need to be redacted. Although the legislation does not explicitly address this, we suggest using FOIL as your guideline – so if it isn't disclosable under FOIL, then you should redact that portion of the record before making it available.

As always, for additional questions or guidance, member towns may contact our legal staff M-F, 8:30 a.m. – 5 p.m. at (518)465-7933 or via info@nytowns.org.



The Town Board would like to thank our exceptional Finance Department Team led by Linda Bloomer, Annette Rembisz and Theresa Manzo round out this dedicated team, each working diligently on their assigned tasks. Some of Annette's responsibilities include vouchers and escrow accounts. Theresa handles payroll and HR issues. Linda responsibilities include overseeing staff as well as keeping the department working seamlessly in all financial areas imaginable. Linda does her job effectively and always looks to assist in any way needed. This team works cooperatively together as well as with all the town's other departments. The finance department is the nucleus of the town. It would be difficult to operate without this dedicated team. Each year they gather and provide all the material needed for the audit as well as the AUD and various other reports. It is a busy department and they provide invaluable service to the TB and residents.

Tom Carey is the town Financial Consultant and has been instrumental in guiding and assisting the TB in setting up the Restricted Fund Balance and various other categories of fund balance found in the updated Fund Balance Policy. Tom keeps the town UpToDate with various requirements from the State Comptroller's office. His guiding hand has been instrumental in putting Beekman on the path to financial stability.

Tom, Linda, Annette and Theresa deserve a standing ovation for the job they do every day for the residents of Beekman and the TB. We are blessed to have such a professional team working for us.