

**TOWN OF BEEKMAN TOWN BOARD**  
**Minutes for Tuesday May 23rd, 2023**

The Town of Beekman Board met for their regularly scheduled meeting on Tuesday May 23rd, 2023. The meeting was called to order by Supervisor Covucci at 7:01PM. The following members were present: Supervisor Mary Covucci, Councilman Battaglini, Councilman Lemak and Councilwoman Sharon Wohrman.

Also present were the Town Clerk – Lauren Abbatantuono

**Supervisor Covucci** led the Pledge of Allegiance. Supervisor Covucci pointed out the emergency exits and called for a moment of silence for all those who have served our Country.

**SUPERVISOR COVUCCI made a motion at 7:02PM to Open the Public Hearing, Seconded by Councilwoman Wohrman, ALL IN FAVOR, AYE**

**Written Comments on Public Hearing: NONE**

**Public Comments on Public Hearing:** Bill Crain 254 Gardner Hollow Road would ask that the Board reconsider the Local Law and think about where people would stay when here visiting.

**SUPERVISOR COVUCCI made a motion at 7:05PM to adjourn the Public Hearing until the next meeting on Wednesday June 7<sup>th</sup> so that they have time to review the comments that they received back from the Dutchess County Planning Board. Seconded By Councilwoman Wohrman, ALL IN FAVOR, AYE**

**Supervisor Covucci** went over this evening's agenda items.

**Written Comments on Agenda Items: NONE**

**Public Comments on Agenda items: NONE**

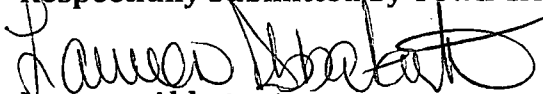
**Resolutions were read by the Town Board members**

**Other Town Board Business:** Councilman Battaglini, Dutchess County DBCH is again partnering with the Dutchess County SPCA to host a free rabies vaccine clinic for pets on Sunday, June 4<sup>th</sup> at the Town Center Park Pavilion located at 71 Town Center Blvd in Hopewell Junction from 8:00am-12:00pm. Free parking is available on-site. Registration is required, walk-ins will not be accommodated. Registration will be open on Wednesday, May 17<sup>th</sup> at DCSPCA.org. Registrations can also be made by calling the DCSPCA at 845-452-7722, x425. Dutchess County Granted Temporary Restraining Order Barring NYC from Transporting Additional People to Dutchess County, update from Dutchess County Executive William F.X. O'Neil: (see attached) **Councilman Lemak**, Police week was Sunday May 14<sup>th</sup>, 2023- Saturday May 20<sup>th</sup> and we would like to honor and thank all of the Police Officers for their dedication. **SUPERVISOR COVUCCI** also thanked all officers for their

service to each and every community. **TOWN CLERK LAUREEN ABBATANTUONO**, reminded everyone on the last day to pay 2023 Property Taxes would be May 31st. Also provided information for the upcoming Memorial Day Parade and Ceremony which will be held on Monday May 29<sup>th</sup>. This week is also EMS week, thank you to all those who give their services especially those who volunteer.

**Supervisor Covucci made a motion at 7:22PM to adjourn the Town Board meeting, seconded by Councilman Battaglini.**

**Respectfully Submitted by Town Clerk**

A handwritten signature in black ink, appearing to read 'Lauren Abbatantuono', written in a cursive style.

**Lauren Abbatantuono**

24th May, 2023

**BEEKMAN TOWN BOARD  
TOWN BOARD MEETING AGENDA  
MAY 23, 2023**

**7:00 PM**

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

**PUBLIC HEARING CONTINUATION**

- Local Law No.4 of the year 2023 "Amended Short Term Rental"

**TOWN BOARD MEETING**

- Supervisor Comments
- Public comment on Agenda Items and Resolutions

**RESOLUTIONS**

1. Approval of May 9, 2023 Minutes
  2. Introduce Local Law No.5 of 2023 "Public and Private Fireworks Displays" set Public Hearing
  3. Setting Town Board Meetings for the Month of June
  4. Modify Capital Funds for Town Hall
  5. Release Bid Package for Highway Roof Project
  6. Approve Change order #2 Gardner Hollow Bridge Project
  7. Approval of Payment of Claims
- 
- Other Town Board Business
  - General Board Comments
  - **Next Regular Town Board Meeting: Wednesday, June 7, 2023 at 7:00 PM**
  - **Public Hearing, June 7, 2023 at 7:00 PM, Local Law No. 4 "Amended Short Term Rental"**
  - **Public Hearing, June 7, 2023 at 7:15 PM, Local Law No. 5 "Chapter 80, Public and Private Fireworks Display"**

**\*AGENDA SUBJECT TO CHANGE**

**RESOLUTION NO.05:23:23-1**  
**RE: APPROVAL OF PAST TOWN BOARD MINUTES**

**WHEREAS**, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the May 9, 2023 Town Board Meeting to all members of the Beekman Town Board; and

**WHEREAS**, Town Board members have had the opportunity to review said minutes;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the minutes of the May 9, 2023 Town Board Meeting.

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Woehrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: May 23, 2023**

**RESOLUTION NO. 05:23:23-2**  
**RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN**  
**INTRODUCING A LOCAL LAW NO. 5 OF THE YEAR 2023 "CHAPTER 80 PUBLIC AND PRIVATE**

**FIREWORKS DISPLAY AND STORAGE" AND PROVIDE NOTICE OF PUBLIC HEARING**

**WHEREAS**, the Town Board of the Town of Beekman is considering the adoption of Local Law No. 5 (Proposed) of 2023 entitled "Chapter 80 A Local Law Regarding Public and Private Fireworks Display and Storage" (the "Proposed Action");

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby introduces for consideration of its adoption Local Law No. 5 (Proposed) of 2023 entitled "A LOCAL LAW REGARDING PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE" 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 7:15 o'clock P.M., on Wednesday, June 7, 2023; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes and directs the Town Clerk 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 five (5) days prior thereto, attached here within, in the Poughkeepsie Journal, on the Bulletin Board in the Town Clerk's Office, and on the homepage of the Town of Beekman Website.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: May 23, 2023**

**RESOLUTION NO. 05:23:23-3**

**RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN SETTING TOWN BOARD MEETING DATES FOR THE MONTH OF JUNE**

**WHEREAS**, the Town Board of the Town of Beekman meets on the second and fourth Tuesdays of the month; and

**WHEREAS**, the Town Board is desirous of changing the meeting dates for the Month of June 2023,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board Meetings for the Month of June to be Wednesday June 7, 2023 and Tuesday June 20, 2023 at the regular time of 7:00 PM, at the Town Hall, 4 Main Street, Poughquag, New York.

**Introduced: COUNCILMAN LEMAK**

**Seconded: COUNCILWOMAN WOHRMAN**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: May 23, 2023**

**RESOLUTION NO. 05:23:23-4**

**RE: RESOLUTION REVISING THE TOWN HALL ASSESSABILITY AND IMPROVEMENTS CAPITAL PROJECT**

**WHEREAS**, the Town Board of the Town of Beekman in Resolution No. 12:15:21-12 authorized the Town Hall Accessibility & Improvements Capital Project for \$1,215,713, and

**WHEREAS**, the Town has reviewed the status of the Capital Project Costs and Funding Sources and deems it appropriate to revise the Authorization,

**NOW, THEREFORE, BE IT RESOLVED** that the Current Authorization and Funding Sources for the Town Hall Accessibility & Improvement Capital Project to be \$1,217,763 detailed as follows:

County Grant	\$200,000,
Surety Funds	\$215,713,
Transfer In from General Fund	\$502,050,
Bonds	\$300,000.

**Introduced: COUNCILWOMAN WOHRMAN**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: May 23, 2023**

**RESOLUTION NO. 05:23:23-5**  
**RE: AUTHORIZE TO GO OUT TO BID FOR HIGHWAY ROOF PROJECT**

**WHEREAS**, the Town Engineer has requested that the Town Board authorize Michael R. Berta, AIA (project architect) to release a Request for Bids package on or about May 31, 2023 for the purpose of releasing bidding documents related to the replacement of the Highway Buildings Roof Project;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk is hereby authorized to seek bids for the Replacement of the Highway Buildings Roofs; and

**BE IT FURTHER RESOLVED**, that prior to publication, bid documents are to be reviewed by the Town Engineer and the Town Attorney, and

**BE IT FURTHER RESOLVED**, that the request for bids shall be in accordance with the Town of Beekman Procurement Policy;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk is hereby authorized to advertise for bids for the replacement of the Highway Garage Buildings Roofs as attached here within, in the Poughkeepsie Journal, on the Bulletin Board in the Town Clerk's Office, and on the homepage of the Town of Beekman Website.

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILWOMAN WOHRMAN**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: May 23, 2023**

**RESOLUTION NO. 05:23:23-6**  
**RE: APPROVE CHANGE ORDER #002 FOR GARDNER HOLLOW BRIDGE PROJECT**

**WHEREAS**, the Town Engineer has reviewed the following Change Orders submitted by OCS Industries, Inc., dated May 12, 2023, regarding transition of guiderail to the Maybey Bridge:

Original Approved Contract Total	July 28, 2022	\$711,491.00
Change Order # 001	July 29, 2022	\$387.61
Change Order #002	May 13, 2023	18,564.20
New Contract Total		\$730,442.81

**WHEREAS**, the Town Engineer has recommended the Town approve change order number #002 as attached,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman approves Change Order # 002 to the Gardner Hollow Bridge Project at cost of \$18,564.20, 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: SUPERVISOR COVUCCI**

**Seconded: COUNCILWOMAN WOHRMAN**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: May 23, 2023**

**RESOLUTION NO. 05:23:23-7**  
**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	\$ 39,840.03
Claims to be paid from the DA-Highway Fund	\$ 8,272.00
Claims to be paid from the SS – Dover Ridge Sewer	\$ 2,614.65
Claims to be paid from the T-Trust-Fund	\$ 3,961.00
Claims to be paid from the H-Capital Fund	<u>\$ 57,411.04</u>
	<u>\$ 112,098.72</u>

**5/11/2023 Payroll #10**

General Fund	\$ 34,302.90
Highway Fund	<u>\$ 21,662.14</u>
	<u>\$ 55,965.04</u>

**Introduced: COUNCILMAN LEMAK**

**Seconded: COUNCILWOMAN WOHRMAN**

**ROLL CALL VOTE:**

Councilman Stiegler	<b>ABSENT</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

Dated: May 23, 2023

# Dutchess County Department of Planning and Development

Fax Info Only:	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

## 239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Beekman**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Amendment to Local Law - Short Term Rentals**

Applicant: **Town Board**

Address of Property:

Please fill in this section

<p><b>Exempt Actions:* 239 Review is NOT Required</b></p> <ul style="list-style-type: none"> <li>● Administrative Amendments (fees, procedures, penalties, etc.)</li> <li>● Special Permits for residential uses (accessory apts, home occupations, etc.)</li> <li>● Use Variances for residential uses</li> <li>● Area Variances for residential uses</li> <li>● Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals</li> </ul> <p><b>No Authority to review these Actions</b></p> <ul style="list-style-type: none"> <li>● Subdivisions / Lot Line Adjustments</li> <li>● Interpretations</li> </ul> <p><input type="checkbox"/> Exempt Action submitted for informal review</p>	<p><b>Actions Requiring 239 Review</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Comprehensive/Master Plans</li> <li><input checked="" type="checkbox"/> Zoning Amendments (standards, uses, definitions, district regulations, etc.)</li> <li><input type="checkbox"/> Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)</li> <li><input type="checkbox"/> Rezoning involving all map changes</li> <li><input type="checkbox"/> Architectural Review</li> <li><input type="checkbox"/> Site Plans (all)</li> <li><input type="checkbox"/> Special Permits for all non-residential uses</li> <li><input type="checkbox"/> Use Variances for all non-residential uses</li> <li><input type="checkbox"/> Area Variances for all non-residential uses</li> <li><input type="checkbox"/> Other (Describe):</li> </ul>	<p><b>Parcels within 500 feet of:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> State Road:</li> <li><input type="checkbox"/> County Road:</li> <li><input type="checkbox"/> State Property (with recreation area or public building)</li> <li><input type="checkbox"/> County Property (with recreation area or public building)</li> <li><input checked="" type="checkbox"/> Municipal Boundary</li> <li><input type="checkbox"/> Farm operation in an Agricultural District</li> </ul>
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Date Response Requested: **5/8/2023**

Entered By: **abbatantuono, lauren**

\*These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.\*

### For County Office Use Only

## Response From Dutchess County Department of Planning and Development

<p><b>No Comments:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Matter of Local Concern</li> <li><input type="checkbox"/> No Jurisdiction</li> <li><input type="checkbox"/> No Authority</li> <li><input type="checkbox"/> Withdrawn</li> <li><input type="checkbox"/> Incomplete - municipality must resubmit to County</li> <li><input type="checkbox"/> Exempt from 239 Review</li> <li><input type="checkbox"/> None</li> </ul>	<p><b>Comments Attached:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Local Concern with Comments</li> <li><input type="checkbox"/> Conditional</li> <li><input type="checkbox"/> Denial</li> <li><input type="checkbox"/> Incomplete with Comments- municipality must resubmit to County</li> <li><input type="checkbox"/> Informal Comments Only (Action Exempt from 239 Review)</li> </ul>
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Date Submitted: <b>5/4/2023</b>	Notes:	<input type="checkbox"/> Major Project
Date Received: <b>5/4/2023</b>		
Date Requested: <b>5/8/2023</b>		
Date Required: <b>6/2/2023</b>	<input type="checkbox"/> Also mailed hard copy	Referral #: <b>ZR23-133</b>
Date Transmitted: <b>5/19/2023</b>		

WILLIAM F.X. O'NEIL  
COUNTY EXECUTIVE



EOIN WRAFTER, AICP  
COMMISSIONER

## COUNTY OF DUTCHESS

DEPARTMENT OF PLANNING & DEVELOPMENT

May 19, 2023

To: Planning Board, Town of Beekman  
Re: ZR23-133, Amendment to Local Law - Short Term Rentals

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

### ACTION

The Town seeks to amend Chapter 126.1 and Chapter 155 of the Town Code, regarding the regulation of Short-Term Rentals (STRs).

### COMMENTS

Upon reviewing the proposed amendments, we offer the following comments, listed in the order in which they appear in the draft local law:

- The term "owner" is defined §126.1-2 and both "owner" and "property owner" are referred to throughout the document. If both terms are intended to have the same meaning, consider choosing one and using it consistently for the purpose of continuity and clarity.
- The definition of "Immediate Family" may be narrowly defined, consider also including siblings, stepsiblings, stepparents, sister-in-law, brother-in-law, adult son-in-law, adult daughter-in-law.
- The definition of "person" provided in §126.1-2 differs from the definition of "person" included in Chapter 155 Zoning.
- Subsections (1) & (2) of the Short-Term Rental definition could leave off the last sentence restating that each use shall not include accessory structures as this exclusion is already mentioned in the main definition provided for short-term rental.
- It is unclear why there is a requirement that the "resident agent" must be a resident of Dutchess County, given that the required 20-mile radius would extend into the following neighboring counties: Putnam, Orange, Ulster, Fairfield, and Litchfield. It could prove unnecessarily limiting, as being available within a 2-hour basis to address any violations to the conditions of occupancy is the more pertinent factor in designating an agent. Consider removing this residency requirement and rewording the term "resident agent" to "rental agent" or something similar.
- §126.1-3 (B) states that a total of 15 STR permits will be issued by the Town annually, on a first come first serve basis. Consider clarifying whether this limit would include the renewal of STR permits.
- The intent of §126.1-3(C) is somewhat unclear, as specifying unhosted rentals here may lead potential applicants to believe that an owner may obtain permits for more than one hosted STR or for one hosted and one unhosted permit per year, which would be inconsistent with §155-39.1(C)(4) stating that a property owner may only operate a Short-Term Rental on one parcel within the Town. The maximum number of STR permits allowed per owner should be clearly stated here.
- §126.1-3(D) states that the use of a dwelling for STR purposes "shall be a permitted *accessory* use to a lawful dwelling [emphasis added]." Were an STR to be allowed in non-primary residences (e.g. investor-owned properties), the STR use likely wouldn't qualify as an accessory use. Therefore, we suggest

clarifying the definition of a short-term rental to state that the dwelling must be the owner's primary residence, whether it's a hosted or unhosted STR.

- §126.1-5 provides the permit application requirements for both hosted and unhosted STRs but lists them by switching back and forth between requirements for each type of STR from one line to the next. Consider reorganizing this section by first stating requirements that apply to both types, then clearly breaking down additional requirements that differ for hosted versus unhosted STRs within their own distinct subsections.
- The term "non-host owner" used within §126.1-5(5) may be confusing. Consider using the term "owner" instead if the intent is to state that the owner (and not the resident agent) must provide proof that the property is under their ownership. Unhosted STRs do not have hosts by definition and owners are not referred to as "host-owners" within the requirements provided for hosted STRs.
- §126.1-5(5) Again, we suggest requiring primary residence for unhosted STRs in addition to hosted STRs, as this will allow the Town to avoid the potential proliferation of investor-owned unhosted short-term rentals operating within the Town, which can negatively affect both housing availability and affordability in an already tight local housing market.
- §126.1-5(8)(b) The Town should reconsider whether it would be desirable to allow resident agents to apply for STR permits on behalf of the owner. We recommend that the owner be the only person allowed to apply for all STR permits within the Town. Section 126.1-7(A) also mentions resident agents being authorized to apply for such permits.
- §126.1-7(B) It is stated within this section that an owner is prohibited from offering for rent more than one unhosted property per year and from operating more than one STR per parcel in the Town. It is unclear why unhosted rentals are specifically mentioned here, when §155-39.1(C)(4) provides that a property owner may only operate a Short-Term Rental on one parcel within the Town, regardless of their type.
- §126.1-11(2) could be amended to include "or fails to remain on-site during the time of hosted rentals" or something to that effect, as this is one of the main requirements associated with hosted short-term rentals.
- To make §155-39.1(C)(7) consistent with the language in §126.1-3(D), it could be amended to say, "...shall be a permitted accessory use in any lawful dwelling...".

The sections of the Town Code being referenced within the proposed amendment, §126.1 and §155-39.1, were adopted by the Town last year (resolution No. 2 of 2022). We note that, at the time this review was conducted, these updates to the Code have not been reflected in eCode. We suggest that the Town keep their eCode webpage as up-to-date as possible, as this platform is most likely the primary way that residents will be accessing the Town Code. If someone were to look at the version of the Code that is currently available online, they would not be aware that short-term rentals are regulated within the Town of Beekman. Similarly, Schedule A, Schedule of Permitted Uses, should also be updated to include notations showing that STRs are a permitted accessory use to all lawful dwellings subject to the regulations provided in the Code, including references to these new sections (126.1 and 155-39.1).

#### **RECOMMENDATION**

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner

By



Clayton Gurnett, Junior Planner

**Local Law No.5 of 2023**

**"CHAPTER 80 PUBLIC AND PRIVATE FIREWORKS DISPLAY AND STORAGE"**

**§ 80-1 Findings and purpose.**

**§ 80-2 Definitions.**

**§ 80-3 General restrictions; permit required.**

**§ 80-4 Application procedures.**

**§ 80-5 Viewing distance.**

**§ 80-6 Revocation of permit.**

**§ 80-7 Additional requirements.**

**§ 80-8 Penalties for offenses.**

**§ 80-9 Fees.**

**§ 80-10 Severability.**

**§ 80-11 Conflict with state law.**

**§ 80-1 Findings and purpose.**

- A. Pursuant to recent revisions to the New York State Penal Law, § 405.00, it is now legal for private individuals, as well as organizations and municipalities, to employ the services of professional pyrotechnics for fireworks displays. The Town Board of the Town of Beekman hereby finds that such activities are extremely dangerous, as they

incorporate the use of highly explosive materials and other devices which pose a threat to the health and safety of the Town of Beekman and its residents. The Board therefore finds it necessary to enact a chapter benefiting the health, safety and general welfare of the Town of Beekman and its residents with respect to the storage and use of fireworks within the Town's jurisdiction.

B. This chapter shall augment, and in no way conflict with or supersede, §§ 405.00 and 270.00 of the New York State Penal Law and, where applicable, shall regulate those areas specifically prescribed to the authority of the Town.

### **§ 80-2 Definitions.**

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

#### **ASSISTANT**

For purposes of this chapter, the individual(s) employed by a state-certified pyrotechnic operator (as defined below) and who is at least 18 years of age and trained in the proper handling and discharge of fireworks.

#### **FIREWORKS**

Defined herein in accordance with § 270 of the New York State Penal Law as any blank cartridge, blank cartridge pistol, or toy cannon in which explosives are used, firecrackers, sparklers or other combustible or explosive of like construction, or any preparation containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks containing nitrates, chlorates, oxalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorus or any compound containing any of the same or other explosives, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, or other device containing any explosive substance.

#### **HIGHWAY**

Any public street, road, highway or alley, or any private road or street.

#### **OPERATOR**

A pyrotechnic or pyrotechnic company certified by the State of New York, pursuant to Article 28-D of the New York State General Business Law and Article 16 of the New York State Labor Law, in the handling, storage and discharge of fireworks.

#### **PERMIT**

For purposes of this chapter, a permit issued by the permitting authority for the public display and discharge of fireworks in accordance with the requirements set forth by this chapter and as provided for in the application materials provided by the Town of Beekman.

#### **PERMITTING AUTHORITY**

For purposes of this chapter, the Town of Beekman Department, who shall review applications for fireworks displays and, in consultation with the Town of Beekman Fire Department, issue or deny permits in connection therewith.

#### **PUBLIC/PRIVATE FIREWORKS DISPLAY**

Any outdoor display of fireworks performed in a manner to be viewed by the general public.

## **SPONSOR**

For purposes of this chapter, any person, company, municipality, fair association, or other legal entity applying for a permit for the discharge and display of fireworks.

### **§ 80-3 General restrictions; permit required.**

- A. No person or other legal entity shall conduct an indoor fireworks display in the Town of Beekman.
- B. No public or private fireworks display, or storage shall be conducted in the Town of Beekman on a lot containing a one-family, two-family or multi-unit dwelling as its principal use.
- C. No public or private fireworks display, shall be conducted prior to 8:00 p.m. or after 10:00 p.m.
- D. No public or private fireworks display may last longer than 45 minutes.
- E. No public or private fireworks display, nor storage of fireworks, shall be conducted in the Town of Beekman unless a valid permit for such storage and/or display is first issued by the permitting authority.
- F. A permit issued pursuant to this chapter shall not be transferable to any other party. Attempt to transfer such permit shall result in revocation of the permit.
- G. No public or private fireworks display shall result in the closure of any town Roads.
- H. No public or private display shall be set off or require the direct use of any Town Roads.

### **§ 80-4 Application procedures.**

- A. Information required; filing deadline; fee.

- (1) The application for a permit pursuant to this chapter shall contain at least the following information, and supporting documents, on a form provided by the Town:
  - (a) The name of the sponsor;
  - (b) The name of the state-certified operator hired to conduct the display;
  - (c) All assistants who will work with/for the operator in executing the fireworks display for which the permit is sought;
  - (d) A verified statement from the sponsor identifying the operator, accompanied by copies of all certificates demonstrating competence as a state-certified operator; such certificates shall include:
    - [1] A copy of the operator's United States Department of Transportation hazardous material certificate of registration;
    - [2] A copy of the operator's United States Treasury Department, Bureau of Alcohol, Tobacco and Firearms explosives permit;
    - [3] A copy of the operator's New York State Department of Labor, Division of Safety and Health license to deal in or manufacture explosives; and
    - [4] Copies of the licenses of the individual assistants who will assist the operator in execution of the fireworks display;

- (e) The date and time on which the display is to be made;
- (f) The number and kind of fireworks;
- (g) The manner and place of storage of the fireworks under the display date;

(h) A diagram of the grounds on which the display is to be held showing the point at which the fireworks are to be discharged, the location of all buildings, highways and other lines of communication, the lines behind which the audience will be restrained and the location of all nearby trees, telegraph or telephone lines or other overhead obstructions;

(i) A fully explained plan for the setup of the display, cleanup of the display, and an emergency plan in the event of an emergency related to the display.

(j) Such other information as the permitting authority prescribes as necessary for the evaluation and determination of a fireworks permit application.

(2) Such application shall be filed with the permitting authority no less than 30 calendar days before the date on which the proposed fireworks display is to take place. Such application shall be accompanied by a nonrefundable fee as set forth in the Town of Beekman fee schedule on file in the Town Clerk's office.

**B. Bond or insurance.**

(1) Before granting and issuing a permit for the display of fireworks as herein provided, the permitting authority shall require an adequate bond from the sponsor, unless it is a state park, or a city, town or village, which shall not be less than \$1,000,000, conditioned for the payment of all damages which may be caused to a person or to the property of a person or legal entity by reason of the display permitted and arising from any acts or omissions of the sponsor, operator, or any agent, employee, contractor, or subcontractor thereof. A certificate evidencing the purchase of the bond shall be provided to the Town prior to the date of any proposed fireworks display.

(2) The Town may accept, in lieu of such bond, an indemnity insurance policy with liability coverage and indemnity protection equivalent to the terms and conditions upon which such bond would be predicated and for the purposes provided in this section. Such indemnity insurance policy shall name the Town of Beekman, and its agents, officers, directors and employees, as an additional insured. A certificate evidencing the purchase of the policy shall be submitted to the Town prior to the date of any proposed fireworks display.

C. Upon receipt of an application for a fireworks permit, the permitting authority shall review the application contents and determine whether such application is in conformity with the requirements of this chapter. The permitting authority shall not unreasonably withhold granting of a permit.

D. Denial of an application for a permit shall be in writing, addressed to the sponsor of the permit, setting forth the reasons for such denial.

E. The non-refundable fee for submission of a fireworks display permit application shall be as set forth in the Town of Beekman fee schedule.

**§ 80-5 Viewing distance.**

The sponsor and operator shall establish the minimum safe viewing distance from which viewers of the fireworks display can observe the proposed display without risk of harm or injury, which minimum distance shall be approved by the permitting authority. A perimeter shall be established for this purpose, which only authorized members of the permitting authority and operator may cross before and during execution of the fireworks display.

**§ 80-6 Revocation of permit.**

If the permitting authority discovers that the sponsor has provided intentionally misleading or false information in the application materials, or that the sponsor or operator has otherwise violated any provision of this chapter, he/she may deny or revoke the permit prior to the date of the proposed fireworks display.

#### **§ 80-7 Additional requirements.**

- A. All fireworks that fire as a projectile shall be set up such that they fire in as vertical a direction as possible in order to avoid the possibility that debris will travel outside the perimeter established pursuant to § 80-5, above.
- B. All debris resulting from the fireworks display shall be promptly collected and properly disposed of by the operator in the manner prescribed by state law.
- C. There shall be at least two individuals constantly on duty during the discharge of the fireworks display, at least one of whom shall be a state-certified operator. Furthermore, there shall be two approved type fire extinguishers kept within the actual display area, which must be as widely separated as possible.
- D. The Town reserves the right to have a representative of the permitting authority, or another appropriate representative attend any fireworks display for which a permit is issued.
- E. The sponsor and operator shall have all permits available and ready for inspection on site before and during the execution of the fireworks display.
- F. No smoking shall be permitted within 200 feet of any area where fireworks or other related materials are being temporarily stored.
- G. Neighbors within 500 feet of the display shall be notified in writing one-week prior to the event.
- H. Adequate warning signage shall be posted on all adjacent roads within 500 feet during the display.

#### **§ 80-8 Penalties for offenses.**

- A. Any person, legal entity, sponsor, or operator committing an offense against this chapter shall be subject to the penalties of Article 270 of the New York State Penal Law, and § 405.05 of the New York State Penal Law concerning seizure of fireworks contained in §405.05.
- B. Notwithstanding any conviction(s) for violation of state law, violation of this chapter shall constitute a violation of the Code of the Town of Beekman, subject to civil penalties as outlined in the Town of Beekman Fee Schedule and revocation of any and all permits issued pursuant to this chapter. Any such conviction will also be considered in determining whether future permits under this chapter should be issued to the same sponsor and/or operator.
- C. The Building Inspector, in addition to any other person or agency authorized under state or local law, shall have the authority to enforce the provisions of this chapter and issue citations for civil penalties for failure to comply with the provisions this.

#### **§ 80-9 Fees.**

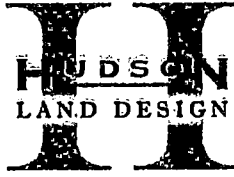
The Town board may from time to time approve by simple resolution the fees, penalties and deposits to be charged pursuant to this chapter. Such fees, penalties and deposits shall be adequate for recovery by the town of its costs incurred in the administration and enforcement of this chapter.

#### **§ 80-10 Severability.**

In the event any section, subsection, paragraph, or clause of this chapter is declared invalid by a court of competent jurisdiction, such finding shall have no effect on the remaining provisions of this chapter or their enforceability.

**§ 80-11 Conflict with state law.**

In the event any section, subsection, paragraph, or clause of this chapter is in conflict with §§ 270 or 405 of the State Penal Law, the provisions of the Penal Law are deemed to be incorporated herein and will control.



*Civil & Environmental Engineering Consultants*  
*174 Main Street, Beacon, New York 12508 (Main Office and Mailing Address)*  
*13 Chambers Street, Newburgh, New York 12550 (Satellite Office)*  
*Phone: 845-440-6926*  
*www.HudsonLandDesign.com*

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May 15, 2023

Supervisor Mary B. Covucci and Members of the Town Board  
Town of Beekman  
4 Main Street  
Poughquag, New York 12570

Re: Gardner Hollow Road Bridge (the Project)  
Change Order #002

Dear Supervisor Covucci and Members of the Town Board:

Hudson Land Design (HLD) is in receipt of a change order dated May 12, 2023 from OCS Industries, Inc. (see attached). This proposed change order was prepared at our request as a result of discussions with the contractor regarding transition of guiderail to the Mabey Bridge. The plans called for w-beam guiderail approaches. The Mabey Bridge came with I-beam guiderail system. There is no standard NYSDOT connection or transition from w-beam to the I-beam, therefore, HLD requested an approach with w-beam that transitions to thrie-beam (which will be attached directly to the I-beam). In summary, the contractor's change order request provides for the requested assembly, and includes the price of just the w-beam (noted as "January Pricing") and the cost for the w-beam and thrie-beam option (noted as "April pricing"). The contractor is requesting the difference in the costs for the change order, resulting in an additional expenditure of \$18,564.20 for change order #002 (including overhead and profit and bonding).

We suggest that the Town Board consider authorizing change order #002 in the amount of \$18,564.20 at your May 23, 2023 meeting. Should you have any questions, please feel free to call me at 845-440-6926.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel G. Koehler".

Daniel G. Koehler, P.E.  
Principal

cc: Laureen Abbatantuono, Town Clerk (via email)  
Tom Carey, Town Financial Consultant (via email)  
Linda Bloomer, Town Bookkeeper (via email)  
Wallace and Wallace, Town Attorney (via email)  
Michael A. Bodendorf, P.E. (HLD file)

**Daniel G. Koehler, P.E.**

---

**From:** John Dowley <jdowley@ocsindustries.com>  
**Sent:** Friday, May 12, 2023 4:21 PM  
**To:** Daniel G. Koehler, P.E.  
**Cc:** Chris Gillert  
**Subject:** Guide Rail Change Breakdown January Pricing and April Changes  
**Attachments:** SOCS Indust23051215320.pdf; SOCS Indust23051215321.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dan,

January pricing is predicated on the agreement that we would give/take some length of guiderail for leaving the bridge rail in place and balancing that off the original contract estimate. Pricing breakdown is attached. OCS agreed to absorb some cost, and we were also going to see if we could self-perform the install to get closer to the original budget.

April pricing was predicated on full replacement of the rail across the whole section, and I've attached that breakdown as well. Between the rail pricing and our subcontractor, it's above and beyond what we could potentially absorb in cost, and it's a change from the base contract.

Ultimately, we need to pull the trigger soon so we can get the installation complete and get our retainage on the project. We can hold a certain amount of time with lines for funding, but we've exceeded that timeline by some margin at this point. Like you, we want to close this out ASAP, so whatever you need from us just let me know. I think the April pricing is fair, give we didn't add markup to it, and it's ultimately a better end product.

Have a great weekend,



**John M. Dowley, Jr.**

OCS Industries, Inc.

**Corporate Headquarters:**  
327 Mill Street  
Poughkeepsie, NY 12601

**Operations & Supply Yard:**  
1416 Route 302  
Thompson Ridge, NY 10985

*25<sup>th</sup> Anniversary 1996-2021*

**Steel Fabrication & Rigging:**  
11 Rebel Lane  
Port Jervis, NY 12771

**Storage Facility:**  
33 Flini Drive  
Middletown, NY 10941

jdowley@ocsindustries.com  
845-692-8450 (office)  
845-238-0449 (cell)  
845-692-8461 (fax)



**New York State Certified**  
Service-Disabled Veteran-Owned Business

# CERTIFIED WBE, DBE FENCE & GUIDE RAIL CONTRACTOR

## DECAR FENCE INC

12 St Ann's Road  
 Poughkeepsie NY  
 845-240-1531: Office  
 845-849-3106: Fax

# QUOTE

Attn: John  
 Date: 2-9-23  
 Quote: Good for 3 days  
 To: OCS Industries

SALESPERSON	PROJECT	LOCATION	COUNTY	PREVAILING RATE	# OF MOBILIZATIONS	UNION	PAYMENT TERMS	EXPECTED START	DURATION/COMP
JOE	22:043	GARDNER HOLLOW ROAD	DUTCHESS	YES	1	NO	30 DAYS	TBD	2-3 DAYS
ITEM #	QTY	DESCRIPTION						UNIT PRICE	LINE TOTAL
		Remove Existing Bride Rail Railing Only							
		Supply and Install Corrugated Guide Rail as Per Elderlee Shop Drawing - 3" I Post 12'6" O.C - Wrap End Units, No Concrete Blocks - Guide Rail Design Does Not meet NYSDOT DeCar assumes NO Liability of any kind						Total L/S	15,554.00

*Johnny Pucino*

**Payment/Terms:**

Payment: 7 days After Payment is Received by GC from Owner but NOT to Exceed 30 Days from acceptance of DeCar Fence's Work from Owners Rep whether payment has been made to GC or NOT

Retainage: Jobs less than \$10,000 NO Retainage, Jobs Greater than \$10,000 5% Retainage but NO More than 6 months after invoice of work

This Quotation Including DeCar's Rider, Terms, Site Conditions, Additional Cost, and Exclusions Will Be Added into Final Contract Agreement

**Site Conditions/Anticipated Means**

- All Excavation for Footings Accomplished with Hydraulic Auger or Truck Mounted Auger, Any Drilling in Any Kind of Wall; Concrete or Rock will be Done with DTH Rock Drill, All Post to Be Pounded With Truck Mounted Pounder or Skid Steer Mounted Pounder, All Footings Filled with Concrete Truck, Post Hole Spoils Removed by Others
- All Underground Private and Non-Private Utilities must be marked and located prior to start date, Decar Will Not Be Responsible for Hand Digging to locate utility or Broken Utility
- Clear Unobstructed pathway to all locations of work, access to work area by Concrete Truck, Skid-Steer, Post Pounder/Post Auger, Utility Truck and Any Other Equipment Necessary
- No Winter work, or Winter Conditions, All Work to Be Done in Normal Day Time 8 Hr. Shift Unless Otherwise Agreed Upon
- All Work Must be Done Before any Topsoil, Seeding, Final Blacktop or any Finish Topcoat, DeCar Will NOT Be Held Responsible for Damage, Protection or Restoration
- Wood Products Will Shrink and Check Decar Will NOT Be Held Responsible, Price Based On Decar Approved Shop Drawing, Shop Drawing, Superseded Plans/Specs
- NYS-DOT Jobs: All Material/ Installation/ Payment As Per Current NYS DOT Item Numbers, Including but not limited to Item Numbers: 568,606,607,645,646,647

**Additional Cost:**

Any additional Insured/special insurances requirements over and beyond DeCar fence's standard coverage Including Complete Operations will result in price Increase  
 Price Based on Installed Lineal Footage, # of Sections, or Any Line Item/Material Listed Above anything over and above Line Quantity will result in Price Increase  
 Price Based on Number of Mobilizations above if more Mobilization are Necessary after Commencement of work a Price Increase of \$ 1,500 Per Re-Mobilization  
 Unforeseen obstructions, Hand Digging, Rock Drilling, Wet or Dry Core Drilling & Private Utility Location will result in price increase  
 Price Contingent Upon work being complete Prior to Frost and Frozen Ground Conditions, Work in Winter Conditions Including Cold Weather Protection will result in price increase  
 Price Based on predicated Upon Receipt of Entire Order, any changes to any items or quantities by more than 10 % will result in price increase  
 Non Fractorable Rock Will be Excavated, Drilled, or Removed at a T & M basis (DTH Rock Drill \$2,500 Minimum Per Day or \$4,500 per week + Cost of Drill Bit)  
 Any Work that Can Not Be Performed with Normal or Anticipated Means, Method, or Equipment Will Be Performed By G.C Or on a T & M Basis  
 Any Sub-Surface Discoveries Will Be Dealt with as Necessary on a T & M Basis  
 Material Price Subject to Change with Market Value and Availability, To Prevent Price Increase Down Payment Is Required, Material quote good for 3 days as per manufacture

**Exclusions:**

This is a quotation on the goods named, subject to the Exclusions/Conditions noted: Any & All Grounding or Electrical Hookups, Traffic Control (MPT), Surveying, As-Builts, Location or Installations of Elevations, Patching Around Post, Restoration of any kind, Removal of Excavated material of any kind, Snow/Ice Removal, Locations or Protection of All Obstruction and Underground Utilities of any kind, Protection of Blacktop or anything else, Clearing and Grubbing, Seeding & Grading, Concrete, Grout, Mortar Pads of any kind, Conduit, Electrical Wire, Rebar Cages, Wet or Dry Core Drilling, Drilling for Base Plates, Alignment & Installation or protection of anchor bolts, Backfill Material of any kind, Wind Load Calcs, Rail Road Insurance, Rail Road Flagmen, Staining/Painting/Cleaning of any kind, and Any Items Not Specified Above are NOT Included (For More Info See DeCar's Rider)

**TO ACCEPT THIS QUOTATION AND TERMS, PRINT HERE:**

SIGN HERE:

THANK YOU FOR YOUR BUSINESS!



ELDERLEE, INC.  
729 CROSS RD  
OAKS CORNERS, NY 14518  
PHONE#(315) 789-9916 DIRECT LINE  
PHONE#(315) 789-6670 MAIN OFFICE  
FAX#(315) 789-6616

DATE  
12/21/2022

QUOTE TO: OCS Industries, Inc. - Revised - 2 (REF: EM22-233)  
REF: Gardner Hollow Road Bridge Town of Beekmann, NY  
327 Mill Street  
Poughkeepsie, NY 12601  
Attn.: Chris Gillert  
Phone: 845-692-8450  
Cell: 845-926-6409  
[cgillert@ocsindustries.com](mailto:cgillert@ocsindustries.com)

1. Labor Not Included
2. Brackets to transition "W" beam to Maybe Bridge Stanchions Not Included

BID: 12-21-2022  
COMPL: TBD

ITEM: 606.XX 50.00 LF  
DESCRIPTION: CORRUGATED BEAM BRIDGE RAILING \$ 54.81 PER LF

COMPONENT NUMBERS	DESCRIPTIONS	CUSTOMER PRICE	QUANTITY	CUSTOMER EXTENSION
SPECIAL	PANEL @ 9'7-5/16" (12 GAUGE)	\$ 470.00	4.00	\$ 1,880.00
SPECIAL	PANEL @ 5'0-5/16" (12 GAUGE)	\$ 395.00	2.00	\$ 790.00

(HARDWARE FOR BOLTING RAIL TO EXISTING POST - NOT INCLUDED)

**ASSOCIATED HARDWARE:**

0080.05020	5/8X1-1/4 SP BOLT, REC NT BG208	\$ 1.10	64.00	\$ 70.40
<b>TOTAL:</b>				<b>\$ 2,740.40</b>

ITEM: 606.XX 150.00 LF  
DESCRIPTION: CORRUGATED BEAM TRANSITION AND GUIDE RAILING \$ 40.90 PER LF

COMPONENT NUMBERS	DESCRIPTIONS	CUSTOMER PRICE	QUANTITY	CUSTOMER EXTENSION
0009.00012	6X12 MONDO BLOCK @ 14" MGS14SH	\$ 16.50	16.00	\$ 264.00
0013.85702	POST W6X8.5# @ 6' LG	\$ 95.00	16.00	\$ 1,520.00
5043.00013	PANEL 12'6" 3'1-1/2"CC 12G	\$ 189.00	4.00	\$ 756.00
0013.01565	POST 3" UNIV @ 65" W/SPADE	\$ 98.00	16.00	\$ 1,568.00
5043.00012	PANEL 12'6" 6'3"CC 12G	\$ 189.00	4.00	\$ 756.00
5043.52035	PANEL 12'6" 6'3"C W/35' VEX12G	\$ 202.00	4.00	\$ 808.00
5143.00085	BG203C END TERM SGL WRAP 12GA	\$ 87.00	4.00	\$ 268.00

**ASSOCIATED HARDWARE:**

0080.05800	5/8X14 POST B, REC N, FW	\$ 4.70	16.00	\$ 75.20
0080.02200	5/16X1-3/4 HEX BOLT, N, SQ FW	\$ 0.90	16.00	\$ 14.40
0080.04150	1/2X1-1/2 BOLT, 2NUTS A307	\$ 1.05	16.00	\$ 16.80
0080.05020	5/8X1-1/4 SP BOLT, REC NT BG208	\$ 1.10	80.00	\$ 88.00
<b>TOTAL:</b>				<b>\$ 6,134.40</b>

Total: **\$ 8,874.80**

ALL QUOTES ARE SUBJECT TO CREDIT APPROVAL AND ARE CONSIDERED C.O.D. UNTIL CREDIT HAS BEEN APPROVED OR SETUP.

PRICES ARE QUOTED AS FOB DELIVERED TO POUGHKEEPSIE, NY 12601

NYS TAXES APPLY TO ALL ORDERS UNLESS A VALID TAX EXEMPTION CERTIFICATE IS PROVIDED TO ELDERLEE INC. PRIOR TO THE PLACEMENT OF THE ORDER.

MATERIAL CAN BE READY IN APPROX. 3 TO 6 WEEKS UPON RECEIPT OF P.O.

PRICES ARE GOOD FOR 30 DAYS

WE WOULD BE HAPPY TO QUOTE YOU ON ANY OTHER PRODUCTS YOU ARE IN NEED OF.

THANK YOU FOR THE OPPORTUNITY TO QUOTE YOU

*Daniel C. Long*  
DANIEL C. LONG  
SALES/ESTIMATING

*Johnny P...*

# CHANGE ORDER

**PROJECT:**

Gardner Hollow Road Bridge Project  
Gardner Hollow Road  
Poughquag, NY 12570

<b>OWNER:</b> Town of Beekman 4 Main Street Poughquag, NY 12570	<b>ENGINEER:</b> Hudson Land Design Professional Engineering, P.C. 174 Main Street Beacon, NY 12508	<b>CONTRACTOR:</b> OCS Industries, Inc. 33 Fini Drive PO Box 876 Middletown, NY 10941
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**CONTRACT INFORMATION:**

Gardner Hollow Road Bridge Project  
Contract Executed: July 28, 2022

**CHANGE ORDER INFORMATION:**

Change Order # 002

Date: May 15, 2023

Description: The proposed change order #002 is related to the contractor installing a different guiderail than was shown on the bidding documents, providing a w-beam guiderail section that transitions to a thrie-beam guiderail attached to the existing bridge's I-beam guiderail, with a cost of \$18,564.20, including overhead and profit and costs for bonding, as approved by the Beekman Town Board by Resolution 05:23:23-XXX. See attached Change Order 002 document from OCS Industries, Inc.

The original Contract Sum:	\$711,491.00
The net change by previously authorized Change Orders:	\$387.61
The Contract Sum prior to this Change Order:	\$711,878.61
The Contract Sum will be increased by this Change Order in the amount of:	\$18,564.20
The new Contract Sum, including this Change Order, will be	\$730,442.81
The Contract Time will be unchanged.	

NOT VALID UNTIL SIGNED BY THE ENGINEER, CONTRACTOR AND OWNER.

\_\_\_\_\_  
ENGINEER (*Firm name*)

\_\_\_\_\_  
CONTRACTOR (*Firm name*)

\_\_\_\_\_  
OWNER (*Firm name*)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME AND TITLE

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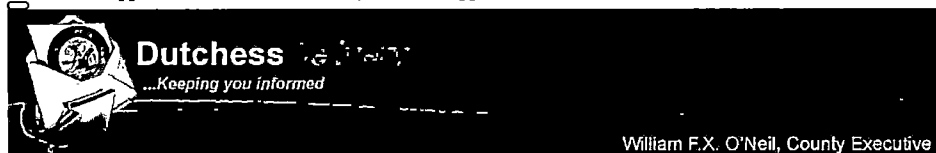
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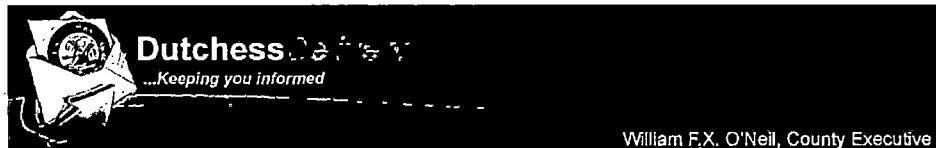
Email Address  e.g. name@e

Share Bulletin



## Dutchess County Granted Temporary Restraining Order Barring NYC from Transporting Additional People to Dutchess County

Dutchess County, New York sent this bulletin at 05/23/2023 05:59 PM EDT



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### Dutchess County Granted Temporary Restraining Order Barring NYC from Transporting Additional People to Dutchess County

Update from Dutchess County Executive William F.X. O'Neil:

Today, Dutchess County Supreme Court Judge Maria Rosa granted Dutchess County's request for a Temporary Restraining Order (TRO), barring New York City Mayor's Office and Department of Homeless Services from transporting any additional homeless adults or minor individuals in temporary shelter(s) in New York City to Dutchess County, including to hotels within the County of Dutchess, including but not limited to, Red Roof Inn at 2349 South Road and the Holiday Inn at 2170 South Road, both in Poughkeepsie. The order is effective immediately.

Dutchess County maintains the right to make statutory safety inspections at the Red Roof Inn and the Holiday Inn in Poughkeepsie. The City of New York has been ordered to continue to provide, and incur all reasonable expenses for service provided to any individuals who were transported to Dutchess County prior to today's order. New York City is required to pay for all reasonable expenses relating to each person's stay.

The order also requires New York City to provide identification information to Dutchess County for any and all individuals currently in New York City's care who are housed at the Red Roof Inn for legitimate purposes, including ensuring all of their needs are being met.

This order is in effect until June 20th as the County pursues a permanent order.

#### Current status of individuals already relocated to Dutchess County:

There are 86 males currently being housed at the Red Roof Inn in the Town of Poughkeepsie. 66 arrived on Sunday, including 40 who had been in Sullivan County, and an additional 20 individuals were transported there Monday by New York City. There are no individuals being housed by New York City at the Holiday Inn in Poughkeepsie, though the two hotels are under the same ownership.

All of these individuals are the responsibility of New York City, this responsibility includes covering all related costs including lodging, meals and wrap-around services such as security.

All of these individuals are legal asylum seekers. According to the New York State Department of Homeland Security and Emergency Services, they have been vetted, fingerprinted and identified by the Federal Government, including background checks. This information has not yet been provided to Dutchess County, but today's TRO requires New York City to provide identification information to the County.

The Town of Poughkeepsie Police Department and the Dutchess County Sheriff's Office have enhanced patrols in the area of the Red Roof Inn to ensure the safety of all within the community. Dutchess County Department of Behavioral & Community Health continues to conduct inspections at the hotel for sanitary code enforcement.

We must be realistic and recognize these individuals will be in the County for an indefinite period of time and may need to be assimilated into our community. In that event, Dutchess County wants to ensure that process is as safe and effective as possible for all.

Dutchess County is requesting partnership with New York City for integrated case management to the understand the needs, skills and next steps for these individuals. Should these individuals remain our community, it will be critical they have the necessary skill building, including language and job readiness. We discussed today with local mayors and supervisors the possibility of identifying opportunities for volunteering and other skill development. Should New York City be willing to collaborate with Dutchess County on these efforts, it would be expected that the New York State dollars being distributed for the care of asylum seekers would be provided to Dutchess County to cover all costs for these efforts.



Earlier today, County Executive William F.X. O'Neil, joined by Putnam County Executive Kevin Byrne and several municipal leaders, provided an update to the media.

[www.dutchessNY.gov](http://www.dutchessNY.gov)



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This service is provided to you at no charge by Dutchess County, NY.

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22 Market St., Poughkeepsie, NY 12601



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