

November 28, 2023

**TOWN OF BEEKMAN
TOWN BOARD MEETING AGENDA
NOVEMBER 28, 2023
7:00 PM**

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

TOWN BOARD MEETING

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

RESOLUTIONS

1. Accept November 8, 2023 Town Board Minutes
 2. Accept November 9, 2023 Special Town Board Minutes
 3. Approve Town of Beekman Budget Revision 2023-11
 4. Authorize Transfer to Cloud Based ECMS
 5. Authorize Addendum to Salt Shed Agreement with Dutchess County
 6. Approve In Lieu of taxes for South Green Haven Solar Farm LLC
 7. Approve Acquisition of New Highway Mower
 8. Approve Increase in Town Hall Generator Project
 9. Approve Fees for the Dog Park for the year 2024
 10. Approve Hourly Wages for Recreation Seasonal Staff for 2024
 11. Approve Pay Application No.1 for Nuvista Designs General Contractors
 12. Accept Performance Bond for Furnia Contractor Storage Yard
 13. Finalize Funding for Gardner Hollow Bridge Project
 14. Revising Funding for the Town Hall ADA
 15. Payment of Claims
- Other Town Board Business
 - General Board Comments
 - Public Comments - 3 Minute Limit
 - **Next Regular Town Board Meeting: Tuesday, December 12, 2023 at 7:00 PM**

***AGENDA SUBJECT TO CHANGE
RESOLUTIONS MAY NOT HAVE BEEN AVAILABLE AT TIME OF PUBLICATION**

RESOLUTION NO. 11:28:23-1

RE: APPROVAL OF PAST TOWN BOARD MINUTES

WHEREAS, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the November 8, 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 November 8, 2023 Town Board Meeting.

Introduced: COUNCILMAN STIEGLER

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**
Dated: November 28, 2023

RESOLUTION NO. 11:28:23-2

RE: APPROVAL OF SPECIAL TOWN BOARD MINUTES

WHEREAS, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the November 9, 2023 Special 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 November 9, 2023 Town Board Meeting.

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-3

RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2023-11

WHEREAS, the Town of Beekman's Accounting Office recommends certain budget revisions based on department requests and/or the Accounting Office review and analysis of expenditures or revenues

NOW, THEREFORE, BE IT RESOLVED that the following itemized revisions are approved by the Town of Beekman Town Board identified as Budget Revision Number #2023-11

Budget Revisions for November 2023 # 2023-11

Revision #	Account #	Account Title	Increase	Decrease
General Fund				
2023-11-01	A-1010-0409	Town Website		1,200
	A-1680-0400	EDP		
Expense				1,200
		-Transfer for website expenses		
2023-11-02	A-1110-0404	Justice Court Training		175
	A-1110-0405	Court		
Interpreter				175
		-Transfer for Training		
2023-11-03	A-1220-0414	Supervisor Cellphone		75
	A-1220-0400	Supervisor		
Expense				75
		-Transfer for Cellphone		
2023-11-04	A-1315-0470	Consulting Expense		5,000
	A-1990-0400	Contingency		
Account				5,000
		-Transfer for Consulting		
2023-11-05	A-1330-0450	Tax County Fees		1,940
	A-1355-0450	Assessor County		
Fees				1,940
		-Transfer for County Charges		
2023-11-06	A-1340-0100	Budget Officer		800
	A-1010-0107	Reserve		
Compensation				800
		-Initiate Budget Officer Comp.		

2023-11-07	A-1355-0404	Assessor Training	50	
Expense	A-1355-0400	Assessor		
			50	
		-Transfer for Training		
2023-11-08	A-1315-0490	Payroll Services	839	
	A-1430-0400	Payroll Expense		2,000
	A-1990-0400	Contingency Account		2,839
		-Transfer for Payroll Expenses		
2023-11-09	A-1980-0400	MTA Expense	1,000	
	A-1989-0400	Unclassified Expenses		1,000
		-Transfer for MTA Expenses		
2023-11-10	A-3620-0112	Safety Part time Labor	3,000	
	A-3620-0402	Safety Travel		500
	A-1010-0107	Reserve Compensation		3,000
	A-3620-0409	Safety Consulting		500
		-Transfer for Safety Expenses		
2023-11-11	A-5132-0418	Hwy Garage Repairs	918	
Repairs	A-1620-0418	Town Hall		
			918	
		-Transfer for Door Repair		
2023-11-12	A-6772-0112	Aging Part time Staff	2,000	
Consultants	A-6772-0413	Aging		
			155	
	A-1010-0107	Reserve Compensation		2,000
	A-1989-0400	Unclassified Expenses		155
		-Transfer for Expenses		
2023-11-13	A-7110-0494	Parks Mowing Expense	2,646	
	A-1990-0400	Contingency Account		2,646
		-Transfer for Mowing Expense		
2023-11-14	A-7114-0400	Beyer Park Expense	170	
	A-7116-0400	Other Park Expense		170
		-Transfer for Park Expense		
2023-11-15	A-8010-0470	Zoning Consulting Expense	4,515	
	A-1990-0400	Contingency Account		4,515
		-Transfer for Granicus Expense		
2023-11-16	A-9950-0900	Transfer to Capital Fund	450,000	
	A-0000-9912	Assigned for Capital Use	450,000	
		-Provide Funds to Pay off BAN		
2023-11-17	A-9950-0900	Transfer to Capital Fund	35,000	
Use	A-0000-9912	Assigned for Capital		
			35,000	
		-Increase for Generator Project		
Highway Fund				
2023-11-18	DA-5110-0103	General Repair Overtime	2,500	
	DA-5110-0118	General Repair GHI Expense	1,582	
	DA-5110-0411	General Repair Cement	500	

Labor	DA-5110-0107	General Repair Other 4,582 -Transfer for Various Expenses		
2023-11-19	DA-5130-0200 DA-9010-0800	Machinery/Equipment Retirement expense -Transfer for New Mower	21,375	21,375
Sewer Fund				
2023-11-20	SS-8189-0420 SS-8189-0430 SS-8189-0490 SS-8189-0460 SS-8189-0470	Utilities Insurance Gen Gov't Services Special Services Sludge	972 578 1,450 1,000	
Removal			2,000 -Transfer for Various Expenses	
Water Fund				
2023-11-21	SW-8340-0420 SW-8340-0430 SW-8340-0490 SW-8340-0470	Utilities Insurance General Gov't Services Special	872 578 550	
Repairs			2,000 -Transfer for Various Expenses	
Capital Fund				
2023-11-22	H-0000-5030 H-0000-5710	Transfer In General Fund Proceeds of	450,000	
Bonds			450,000 -Pay off Town Hall Project BAN	
2023-11-23	H-0000-5030 H-1622-0200 H-1622-0400	Transfer in General Fund Generator Equipment Generator Expense -Increase Generator Project Budget	35,000 25,000 10,000	

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Woehrman **AYE**

Supervisor Covucci **AYE**

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-4

RE: AUTHORIZE SUPERVISOR TO EXECUTE CLOUD BASED - ENTERPRISE CONTENT MANAGEMENT SYSTEM

WHEREAS a New York State LGRMIF Shared Services grant was awarded to the Towns of Dover, Amenia, Beekman and North East in 2015 to accommodate servicing multiple municipalities and to purchase an ECMS Public Portal to provide the public greater access to municipal information; and **WHEREAS**, the grant was for the upgrade to the Laserfiche Rio ECMS that included a Public Portal; and

WHEREAS, the grant also included the outsourcing of the scanning of records to be stored in the Public Portal for each municipality on a server located in the Town of Dover server room to store the Public Portal repository; and

WHEREAS, the Towns have received proposals from ICC Community Development Solutions to transition from the Shared ECMS to Individual Laserfiche Cloud Licensing which allows each Town exclusivity of their future and previously scanned documents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman hereby authorizes the Town Supervisor to execute an Agreement with ICC, Community Development Solutions to migrate Data from Dover to Beekman and to rebuild in a Cloud Environment at an amount not to exceed \$11,020.00; and

BE IT FURTHER RESOLVED that a copy of this Agreement shall be kept on file in the Office of the Town Clerk of the Town of Beekman.

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-5

RE: AUTHORIZE ADDENDUM TO EXTEND SALT SHED AGREEMENT BETWEEN THE COUNTY OF DUTCHESS AND THE TOWN OF BEEKMAN

WHEREAS, Dutchess County and the Town of Beekman entered into an Agreement to share construction and usage of a sand/salt storage and distribution facility (the "Salt Shed"), commencing a fifteen (15) year term on August 26th, 1992, which Agreement was extended for an additional fifteen (15) year term, and which Agreement was extended for an additional six (6) month period, from September 1st, 2022 to March 31st, 2023, and

WHEREAS, the County and the Town mutually recognize the need for the continued joint operation of the existing Salt Shed, and

WHEREAS, the dates of the previous Addendum left a gap in the contract coverage,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman hereby authorizes the Supervisor to extend the Agreement with the County of Dutchess for a period of twelve (12) months, commencing on April 1, 2023 and ending on March 31st, 2024

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-6

RE: APPROVING PAYMENT IN LIEU OF TAXES AGREEMENT WITH SOUTH GREENHAVEN SOLAR 1, LLC

WHEREAS, South Greenhaven Solar 1, LLC has proposed a 3.2 MWac solar project to be located at 97 South Greenhaven Road (the "Project") in the Town of Beekman (the "Town"); and

WHEREAS, the Town sought a Payment in Lieu of Taxes ("PILOT") Agreement for the Project under Real Property Tax Law § 487; and

WHEREAS, the Town and South Greenhaven Solar 1, LLC have negotiated a PILOT Agreement that both parties are satisfied with; and

WHEREAS, the PILOT Agreement is for a term of fifteen (15) years per Real Property Tax Law § 487; and

WHEREAS, the PILOT Agreement contemplates at payment in Year 1 of \$630.92 and then escalating at 2.5% each year thereafter; and

WHEREAS, the payment shall be made in accordance with the terms and conditions in the PILOT Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Beekman as follows:

1. The Town Board finds the proposed PILOT Agreement between the Town and South Greenhaven Solar 1, LLC acceptable as negotiated.
2. The Town hereby accepts the proposed PILOT Agreement and authorizes the Supervisor to execute the same.
3. The Town Board hereby authorizes the Town Attorney to take any and all necessary action to finalize and effectuate said PILOT Agreement with South Greenhaven Solar 1, LLC.
4. This resolution is effective immediately.

Introduced:

Seconded:

ROLL CALL VOTE:

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

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-7

RE: APPROVE ACQUISITION OF A NEW HIGHWAY MOWER

WHEREAS, the Highway Department is in need of a new mower and requests approval for acquisition before year end 2023; and

WHEREAS, a two wheel drive mower is available from Trius Inc., on New York State Sourcewell at a cost of \$80,829.30, and

WHEREAS, the Highway and the Finance Departments are in agreement that the remaining 2023 NYS CHIPS Funds of \$59,454.00 and \$21,375.30 appropriation to Equipment Account DA 5130-0200 transfer from Account DA-9010-0800 Retirement will be used to acquire the mower.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the acquisition of the new mower for \$80,829.30 through NYS Sourcewell in 2023 with the funding agreed upon above.

Introduced:

Seconded:

ROLL CALL VOTE:

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

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-8

RE: RESOLUTION INCREASING THE TOWN HALL GENERATOR CAPITAL PROJECT AUTHORIZATION

WHEREAS, the Town Board of the Town of Beekman established the Capital Project for an Emergency Standby Generator at the Town Hall for \$50,000 with funding from a MIG Grant awarded from Dutchess County; and

WHEREAS the Town Engineer has submitted a new cost estimate of \$85,000 for the Capital Project,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the new Capital Project for the Town Hall Generator Project to be \$85,000 funded by the Dutchess County MIG Grant of \$50,000 and \$35,000 transfer from the General Fund.

Introduced:

Seconded:

ROLL CALL VOTE:

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

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-9

RE: APPROVE FEES FOR THE DOG PARK FOR THE YEAR 2024

WHEREAS, the Recreation Department along with the Town Board set fees for the recreation programs; and

WHEREAS, the Town Board is desirous in setting the fees for the Dog Park for the year 2024;

NOW, THEREFORE, BE IT RESOLVED, that the fees for 2024 will be as follows:

Members/Residents \$50.00
Non-residents \$125.00.

Introduced:

Seconded:

ROLL CALL VOTE:

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

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-10

RE: SET SALARY AND WAGE SCHEDULE FOR SEASONAL RECREATION STAFF FOR 2024

WHEREAS, the Town Board is authorized to set salaries and wages;

NOW, THEREFORE, BE IT RESOLVED, that the following salaries be set for the Seasonal Recreational Staff for the year 2024 as follows:

Seasonal Recreational Staff (\$15.00 - \$21.00) per hour.

Introduced:

Seconded:

ROLL CALL VOTE:

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

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-11

RE: APPROVE APPLICATION AND CERTIFICATION FOR PAYMENT (No 1) FOR THE HIGHWAY GARAGE ROOF PROJECT

WHEREAS, the Town of Beekman is a party to a contract with Nuvista Designs General Contractors LLC, (the "Contractor") for the project known as "Roof Replacement for Highway Garage Buildings No.1 & No.2"; and

WHEREAS, the Contractor has submitted an Application and Certification for Payment Request (No. 1) dated November 21, 2023, requesting payment in the amount of \$186,280.00 less 5% retainage (\$9,314.00) for a total of \$176,966.00 (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 October 31, 2023 through November 12, 2023;and

WHEREAS, the Architect has reviewed the request and agrees with the quantity of work completed per the continuation sheet of Application No. 1 and has noted that during demolition of the roof, it was found that the existing sheathing need to be replaced and an additional 52 sheets of plywood were needed and charged towards the contingency, and he recommended the Town Board make payment as requested,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Beekman to make payment to with Nuvista Designs General Contractors LLC, as requested in Application and Certification for Payment No. 1 in the amount NOT TO EXCEED \$176,966.00.

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**
Councilman Lemak **AYE**
Councilwoman Wohrman **AYE**
Supervisor Covucci **AYE**
Dated: November 28, 2023

RESOLUTION NO. 11:28:23-12

RE: RESOLUTION ACCEPTING A PERFORMANCE CASH BOND AGREEMENT FOR THE FURNIA CONTRACTOR STORAGE YARD

WHEREAS, Shane Furnia filed an application for a site plan and special use permit for a contractor storage yard with the Town of Beekman Planning Board for a certain parcel in the Town of Beekman designated as Tax Parcel ID # 132200-6858-00-002921 entitled "Furnia Court Contractor Storage"; and

WHEREAS, on February 20, 2020, the Town of Beekman Planning Board issued a resolution granting site plan and special use permit approval for the Furnia Court Contractor Storage Yard which proposes construction of a four-thousand (4,000) square-foot building on the subject parcel to be used as contractor storage, along with ancillary improvements including thirteen (13) off-street parking spaces, on-site wastewater treatment system, retaining wall, landscaping and lighting in accordance with Sections 155-59 & 155-60 of the Town of Beekman Zoning Ordinance; and

WHEREAS, Town Law §277 requires a developer of a proposed site plan/special use permit to guarantee the construction, installation, and dedication of the improvements required by the Resolution of approval, prior to issuance of any building permits; and

WHEREAS, the Town Engineer, Hudson Land Design, calculated the amount of the guarantee for construction of the improvements to be \$35,849.00; and

WHEREAS, by deed dated April 20, 2023, Osorio Property Holdings, LLC ("Owner") acquired title to the Premises from Shane Furnia; and

WHEREAS, the Owner and prior owner Shane Furnia executed a Performance Cash Bond Agreement which requires it to complete the required public improvements for the subject property; and

WHEREAS, the owner has tendered to the Town of Beekman a cash bond in the amount of \$35,849.00 securing the obligations to construct the improvements as set forth in the Performance Agreement; and

WHEREAS, the Attorney to the Town, has reviewed, examined and approved the aforementioned Performance Agreement and Cash Bond Agreement and has issued his approval;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Town Board hereby accepts the Performance Agreement executed by Osorio Property Holdings, LLC, by Marvin Osorio as Member, with an address of 2729 Route 55, Poughquag, New York 12570 to guarantee the construction and dedication of the public improvements shown on the Furnia Court Contractor Storage Yard site plan and special use permit, as required by the Town of Beekman Planning Board Resolution of Approval dated February 20, 2020.
2. The Town Board hereby accepts the Performance Cash Bond Agreement effective November 13, 2023, signed by original applicant Shane Furnia and new owner Osorio Property Holdings, LLC in favor of the Town of Beekman in the sum of \$35,849.00 as security for the Performance Agreement to construct the public improvements pursuant to Town Law §277 and authorizes the Town Supervisor to sign the agreement on behalf of the Town.
3. The Town Clerk is hereby directed to file the Cash Bond Agreement in her files with a copy to the Planning Department upon signing of the agreement by the Supervisor.

Introduced:

Seconded:

ROLL CALL VOTE:

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

Dated: November 28, 2023

RESOLUTION NO. 11:28:23 -13

RE: FINALIZING THE FUNDING FOR GARDNER HOLLOW ROAD BRIDGE CAPITAL PROJECT

WHEREAS, the Town Board of the Town Of Beekman previously revised the funding sources for the \$954,493 Gardner Hollow Road Bridge Capital Project in Resolution No. 10:10:23-4, and

WHEREAS, the Town has finalized the funding Sources for the Capital Project,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town Of Beekman hereby approves the final Gardner Hollow Bridge Capital Project Funding Sources to be as follows:

County Grant	\$100,000,
Transfer in from the General Fund	\$2,443,
Transfer In from Highway Fund	\$70,050,
ARPA Funds from General Fund	\$800,000
	\$972,493

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-14

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

WHEREAS, the Town Board of the Town of Beekman in Resolution No. 05:23:23-4 revised the Town Hall Accessibility & Improvements Capital Project for \$1,215,713, and

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

NOW, THEREFORE, BE IT RESOLVED that the Authorization and Funding Sources for the Town Hall Accessibility & Improvement Capital Project to be \$1,235,763 detailed as follows:

County Grant	\$200,000,
Surety Funds	\$215,713,
Transfer In from General Fund	\$820,050,

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: November 28, 2023

RESOLUTION NO. 11:28:23-15

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	\$ 591,986.10
Claims to be paid from the DA-Highway Fund	\$ 82,778.62
Claims to be paid from the SS- Dover Ridge Sewer District	\$ 3,963.61
Claims to be paid from the SW - Dover Ridge Water District	\$ 3,826.13
Claims to be paid from the T-Trust and Agency Fund	\$ 11,289.89
Claims to be paid from the H-Capital Fund	\$ 569.50
	\$ 694,413.85

11/9/2023 Payroll #23

General Fund	\$	35,278.12
Highway Fund	\$	22,264.52
	\$	57,542.64

11/22/2023 Payroll #24

General Fund	\$	34,356.28
Highway Fund	\$	19,350.93
	\$	53,707.21

Introduced:

Seconded:

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: November 28, 2023