

## September 27, 2022

### **BEEKMAN TOWN BOARD TOWN BOARD MEETING AGENDA SEPTEMBER 27, 2022**

#### **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. Approval of September 13, 2022 Minutes
2. Approve Town of Beekman Budget Revision 2022-#09
3. Establish Highway Garage Facilities Improvements Capital Fund
4. Set Public Hearing to Override Tax Cap for 2023
5. Correct the Dates of Future Town Board Meetings
6. Settlement with Former Town Highway Employee
7. Appointment of Town Forester
8. Adopt the Town Fee Schedule
9. Approve Senior Oktoberfest
10. Payment of Claims

#### *Other Town Board Business*

- General Board Comments
- Public Comments - 3 Minute Limit
- **Next Special Town Board Meeting: Tuesday, October 4, 2022 at 7:00 PM**
- **Next Regular Town Board Meeting: Tuesday, October 11, 2022 at 7:00 PM**

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

**RESOLUTIONS MAY NOT HAVE BEEN AVAILABLE AT TIME OF PUBLICATION**

#### **RESOLUTION NO. 09:27:22-1**

#### **RE: APPROVAL OF PAST TOWN BOARD MINUTES**

**WHEREAS**, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the September 13, 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 September 13, 2022 Town Board Meeting.

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILMAN BATTAGLINI**

ROLL CALL VOTE:

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

Dated: September 27, 2022

**RESOLUTION 09:27:22-2**

**RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2022-09**

**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 #2022-09

**Budget Revisions for September 2022 # 2022-09**

Revision #	Account #	Account	Increase	Decrease
<b>General Fund</b>				
2022-09-01	A-1315-0470	Financial Consulting		14,000
	A-1420-0420	Legal Counsel Court		3,000
	A-1420-0440	Legal Counsel - Labor		10,000
	A-1220-0101	Supervisor		
Staff			27,000	
		-Transfer for Professional Services		
2022-09-02	A-1355-0112	Assessor P.T. Staff		3,000
	A-1355-0100	Town		
Assessor			3,000	
		-Transfer Salary Adjustment		
2022-09-03	A-3620-0404	Safety Training		135
	A-3620-0401	Safety		
Supplies			135	
		-Transfer for Training		
2022-09-04	A-6772-0401	Aging Program Supplies		500
	A-6772-0413	Aging Program		
Consultants			500	
		-Transfer for Supplies		
2022-09-05	A-7020-0400	Office Expense		40
	A-7020-0401	Office		
Supplies			40	
		Transfer for Office Expense		
2022-09-06	A-7110-0494	Mowing Expense		2,500
	A-7110-0497	Maintenance Expense		500
	A-7110--0400	Park		
Expense			3,000	
		-Transfer for Parks Upkeep		
2022-09-07	A-7114-0400	Beyer Park Expense		170
	A-7113-0400	Doherty Park		
Expense			170	
		-Transfer for Expense		
2022-09-08	A-7180-0401	Lake Chemicals		3,600
	A-7180-0400	Lake		
Expense			3,600	
		-Transfer for Chemical Expense		
<b>Highway Fund</b>				
2022-09-09	DA-5110-0403	Repairs Stone		2,000

Blacktop	DA-5110-0410	Repairs	2,000
		-Transfer for Stone Supplies	
2022-09-10	DA-9950-0900	Transfer to Capital Fund	50,000
	DA-9010-0800	State	
Retirement			48,948
	DA-9030-0800	Social	
Security			1,052
		-Transfer for Ban Debt Service	

**Sewer Fund**

2022-09-11	SS-8189-0480	Other Expenses	3,000
	SS-8189-0470	Sludge	
Removal			3,000
		-Transfer for Misc. Expenses	

**Capital Fund**

2022-09-12	H-5132-0440	Garage Consulting	15,000
	H-5132-0490	Garage other Expenses	1,510
	H-5132-0500	Garage Improvements	200,000
	H-0000-5030	Transfer In General Fund	216,510
		-Open New Capital Fund	
2022-09-13	H-1620-0470	Town Consulting	37,240
	H-1620-0500	Town Hall	
Improvement			37,240
		-Change Order # 11 Transfer	

**Introduced: COUNCILMAN BATTAGLINI**  
**Seconded: COUNCILWOMAN WOHRMAN**

ROLL CALL VOTE:

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

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22 -3**

**RE: ESTABLISHING HIGHWAY GARAGE FACILITIES IMPROVEMENTS CAPITAL PROJECT**

**WHEREAS**, the Town Board of the Town of Beekman desires to make improvements to the Town Highway Facilities and

**WHEREAS**, the Town will establish a capital fund to pay the costs of preliminary engineering studies, and

**WHEREAS**, the Town is engaging Professional Consulting Firm to conduct such preliminary studies,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman authorizes the initial appropriation of \$250,000 for the establishment of the Highway Garage Facilities Improvements Capital Project with a transfer from the General Fund.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILMAN STIEGLER**

ROLL CALL VOTE:

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

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22 - 4**

**RE: SET PUBLIC HEARING FOR PROPOSAL FOR LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2023**

**WHEREAS**, The Financial Advisor has determined that it could be necessary for the Town of Beekman to exceed the limit on the amount of real property taxes that may be levied by the Town of Beekman for fiscal year 2023; and

**WHEREAS**, a proposed local law has been prepared to override the tax levy limit for fiscal year ending in 2023 pursuant to General Municipal Law 3-C;

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board hereby schedules a Public Hearing of said Local Law to be held on October 11, 2022 at 7:00 pm at Town Hall, 4 Main Street, Poughquag, NY and that notice of the time and place of such hearing be posted and published once in the Poughkeepsie Journal, a newspaper circulating in the Town of Beekman, on the bulletin board in the Town Clerk's office as well as the Town of Beekman Website; and

**BE IT FURTHER RESOLVED**, that the Town Board will also accept written public comments until 4:00 PM on October 11, 2022.

**Introduced: COUNCILWOMAN WOHRMAN**

**Seconded: COUNCILMAN STIEGLER**

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22 -5**

**RE: CORRECTION OF THE RESCHEDULED TOWN BOARD MEETINGS**

**WHEREAS**, at the September 13, 2022 Town Board Meeting, the dates for the rescheduled Town Board Meetings were noticed incorrectly;

**NOW, THEREFORE, BE IT RESOLVED**, that the following schedule be observed:

Thursday, November 3, 2022 (Beekman Community Center)

Tuesday, November 15, 2022

Tuesday, December 6, 2022

Tuesday, December 20, 2022; and

**BE IT FURTHER RESOLVED** All meetings with the exception of November 3, 2022, which will be held at the Community Center at 7 PM, will take place at Beekman Town Hall, 4 Main Street at 7 PM.

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILWOMAN WOHRMAN**

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22-6**

**RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN AUTHORIZING THE SUPERVISOR TO TAKE CERTAIN ACTIONS IN SETTLEMENT OF A CLAIM ASSERTED BY A FORMER TOWN OF BEEKMAN HIGHWAY DEPARTMENT EMPLOYEE**

**WHEREAS**, a former employee of the Town of Beekman Highway Department (the "Employee") claims that, in or about May and August of 2022, he was compelled by the Town of Beekman Highway Superintendent (the "Superintendent") to expend thirty (30) hours of accrued leave time to cover absences from work, caused by work-related injuries or conditions, for which he received workers' compensation benefits; and

**WHEREAS**, the Employee further claims that the Superintendent had not previously required him to expend accrued leave time to cover absences from work, caused by work-related injuries or conditions, for which he received workers' compensation benefits; and

**WHEREAS**, the Employee claims that the Superintendent required him to so expend his accrued leave time in wrongful retaliation for the Employee's assertion of his rights regarding the Superintendent allegedly creating a hostile work environment, Employee objecting to the Superintendent's claimed

ridicule and bullying and the Superintendent purportedly coercing Employee into signing a workplace complaint against a fellow employee; and

**WHEREAS**, the Employee has requested that the Town compensate him for the accrued leave time which he asserts the Superintendent compelled him to expend as memorialized hereinabove; and

**WHEREAS**, the Employee has intimated to Town officials that he is contemplating commencing a lawsuit, and/or bringing related administrative claims, against the Town premised upon the Superintendent's hereinabove alleged misconduct.

**NOW, THEREFORE, IT IS HEREBY: RESOLVED**, that the Town Board hereby determines that the cost of defending a lawsuit and/or administrative claim premised upon the Superintendent's hereinabove alleged misconduct will likely far exceed the cost of paying the Employee the value of the accrued leave time which he asserts the Superintendent compelled him to expend as memorialized hereinabove; and let it be further

**RESOLVED**, that the Town Board hereby determines that the Employee should only be compensated for the value of said accrued leave time in exchange for a general release in favor of the Town from the Employee of all lawfully releasable claims which he currently possesses against the Town; and let it be further

**RESOLVED**, that the Town Board hereby determines that a onetime payment to the Employee as provided for hereinabove would be a valid expenditure of municipal resources as it will limit the exposure of the Town and its residents, to the greatest extent legally permissible, from potential monetary damages and legal costs, including the Town's legal expenses and those of the Employee, which the Town would likely be compelled to reimburse in the event of an unfavorable resolution of a potential lawsuit and/or administrative claim brought by the Employee premised upon the Superintendent's hereinabove alleged misconduct; and let it be further

**RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to offer to pay to the Employee the value of thirty (30) hours of accrued leave time, at his wage rate which was in effect as of his last date of employment with the Town, in exchange for the Employee's execution and delivery to the Town of a general release as provided for hereinabove; and let it be further

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute any and all documents required to effectuate the terms and conditions of this Resolution, subject to the review and approval as to form and content by the Attorney for the Town.

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF BEEKMAN, NEW YORK**

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILMAN STIEGLER**

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22-7**

**RE: APPOINT TOWN FORRESTER**

**WHEREAS**, the Timber Law adopted by the Town of Beekman on December 1, 2020, requires the services of a qualified professional forester on an as needed basis for various necessary review, compliance and written findings when required;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Beekman Town Board hereby retains the services of Chris Prentis, Lower Hudson Forestry Services, LLC at an hourly rate of \$85.00.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILWOMAN WOHRMAN**

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22-8**

**RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN**

**ADOPTING THE FEE SCHEDULE**

**WHEREAS**, the Town Board of the Town of Beekman adopted Local Law No. 1 of 2022 on September 13, 2022 amending the process by which the Town Board sets administrative fees and penalties, by deleting certain provisions of the Code of the Town of Beekman concerning fees and penalties and replacing them with new sections that, include the authorization for the creation, by resolution of the Town Board, of a separate Fee Schedule;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby adopts the attached 2022 Fee Schedule.

**Introduced: COUNCILWOMAN WOHRMAN**

**Seconded: COUNCILMAN BATTAGLINI**

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22-9**

**RE: APPROVE ENTERTAINMENT FOR SENIOR OKTOBERFEST**

**WHEREAS**, the Senior Center has an Oktoberfest scheduled for Thursday, October 27, 2022 from the hours of 11 am to 2 pm, at Recreation Park, and

**WHEREAS**, the costs of the meal will be covered by the \$11.00 per person fee for Town of Beekman Senior residents and a \$14.00 per person fee for non-residents/ non-seniors collected for the party,

**NOW, THEREFORE, BE IT RESOLVED**, that the following expenditures be authorized, Harvest Duo for an amount not to exceed \$250.00.

Paper products and associated items for a cost of \$100.00.

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILWOMAN WOHRMAN**

**\*\*\*Supervisor Covucci made a friendly amendment to add "Senior" to the per person fee for Beekman residents. Seconded by Councilman Battaglini. \*\*\***

ROLL CALL VOTE:

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: September 27, 2022

**RESOLUTION NO. 09:27:22-10**

**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	\$	92,498.12
Claims to be paid from the DA-Highway Fund	\$	130,069.18
Claims to be paid from the SS- Dover Ridge Sewer District	\$	8,626.80
Claims to be paid from the SW - Dover Ridge Water District	\$	3,473.64
Claims to be paid from the T-Trust & Agency Fund	\$	20,116.63
Claims to be paid from the H-Capital Fund	\$	12,003.71
	\$	266,788.08

**09/15/2022 Payroll #19**

General Fund	\$	36,477.97
Highway Fund	\$	18,800.89
	\$	55,278.86

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILMAN STIEGLER**

ROLL CALL VOTE:

*Councilman Stiegler*      **AYE**  
*Councilman Battaglini*      **AYE**  
*Councilwoman Wohrman*      **AYE**  
*Supervisor Covucci*      **AYE**  
*Dated: September 27, 2022*