

**TOWN OF BEEKMAN TOWN BOARD**  
**Minutes for Tuesday September 13, 2022**

The Town of Beekman Board met for their regularly scheduled meeting on Tuesday, September 13th, 2022 at the Beekman Town Hall. The meeting was called to order at 7:01 PM by Supervisor Covucci.

The following members were present: Supervisor Mary Covucci, Councilman Werner Stiegler, Councilman Battaglini and Councilwoman Sharon Wohrman.

Also present: Town Attorney – Lisa Cobb and Town Clerk – Laureen Abbatantuono

Supervisor Covucci along with Penelope Rey Marcos from Daisy Girl Scout Troop 10547 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 at 7:03PM made a motion to open the Public Hearing on Local Law No. 1, 2022 Concerning Fees and was seconded by Councilman Stiegler.

Public Comments: None  
Written Comments: None

Supervisor Covucci at 7:05PM made a motion to close the Public Hearing Seconded by Councilwoman Wohrman

Supervisor Covucci at 7:06PM made a motion to open the Public Hearing on Local Law No. 2, 2022 Short Term Rentals and was seconded by Councilman Stiegler.

**PUBLIC COMMENTS:**

Joe Tresca 2 Townsend Road, made comments regarding the renters who were driving ATV's and had gone through a fence releasing the neighbor's cows and also mentioned that a super host group is slandering those residents who reside in this neighborhood and frustrated that AirBnB is not responding to their complaints.

Leonard Jerram 112 Beyer Road, thanked the Town Board for looking into this, and expressed concern on what Dutchess County has to say regarding AirBnB's.

Town Attorney Lisa Cobb: We did receive a number of comments from County Planning which we have taken and incorporated them into a revised draft and that draft and distributed to Board Members to review. Also Leonard to respond to one of your other comments or questions about the taxes being collected, the County has employed a service it's called Granicus or Host Compliant that assists them in collecting the taxes but it's the County's responsibility to collect those taxes and the town doesn't have any burden or obligation to do that. So the way the Law is currently drafted it would only be someone able to rent a room in their house while they were there so that would prevent the type of situation that Joe is objecting to where you have a full rental of a property and the owner is nowhere to be found. The way the Law is currently drafted we feel we've addressed the County comments the ones that were

appropriate and we have worked to alleviate the concerns that would be arise from an unhosted short-term rental by requiring the owner to be there.

**Bill Crain 254 Gardner Hollow Road**, I want to say first of all, the kind of behavior that Joe described is you know is this impermissible and the people should be fined and the license/permit should be revoked for somebody who's behaving the way he described. I think the parking idea of living in the parking is a good one because that would prevent people from having wild parties because it's just we wouldn't bring in a whole lot of people for a party because of the parking prohibition so that's good that you held a line on that. I would like to recommend one Amendment just as a compromise because I feel it's currently so restrictive and feel that it's going to impede the potential for responsible tourists to come to the town and enjoy our town and provide us with businesses that can help the town flourish and increase our tax base. It's a wonderful town and tourists will want to come to see for hiking the views and to enjoy our streams and Historic sites. I would recommend one additional Amendment to take out the restriction on "Accessory Structures" to allow people to have a cottage on the property build something over their garage that would make it a lot more manageable for people who want to do things.

**WRITTEN COMMENTS:** None

**BOARD COMMENTS:** Councilman Stiegler, made comments on the Local Law No. 2 Short Term Rentals. Initially when this was first proposed he had expressed he wasn't a fan of creating new restrictive legislation. Up until June 3rd for six years I've owned a short term vacation rental in North Carolina and over the last couple of years I have found that people have become less and less respectful of properties and house rules and also have come to the conclusion that the listing websites priority is their 10 percent. I have come to the conclusion that I am supportive of this Local Law.

**Councilman Battaglini**, I agree to this Local Law as long as we keep an open mind going forward

**SUPERVISOR COVUCCI**, at 7:16PM made a motion to close the Public Hearing on Local Law Number 2 of the Year 2022 concerning Short-Term Rentals, Seconded by Councilman Battaglini All in Favor, AYE

**Town Attorney Lisa Cobb**, I'd like to make one comment, don't confuse the Short-Term rental Law with a Bed and Breakfast Law which is something that the Town can consider in upcoming times. It has a number of nuances that are slightly different from this so but if the Board wanted to "adopt a change to the local law" it had two options for tonight. It would be to adopt the law as is and then as time goes by to consider making an Amendment to this. Any change made tonight would require an additional 10-day waiting period prior to having the Local Law adopted so in order to start the process tonight it may be in the Board's best interest to Adopt the Local Law and then down the road you decide that you agree with this comment and want to make that change we can do that as a separate local law. If the board were inclined to make that change tonight then you have to postpone the enactment of the Local Law.

Supervisor Covucci, thanked Lisa for her advice and went through the Resolutions. Resolution change order number 11 a letter was read from the Town Engineer Dan Koehler (see attached) Resolution # 15 is the agreement for field treatment due to lack of rain all summer. Our soccer

fields that already need additional care and with our soccer program, the Beekman cup in mid-October. The fields get a lot of action which is part of our infrastructure that we have to maintain.

**PUBLIC COMMENTS:**

**Leonard Jerram 112 Beyer Drive,** I'm not familiar with abbreviations like ADA and I don't know about the construction of the Town Hall, I thought that was all taken care of prior to or a part of what the Town Board had voted to do, it just seems like you're adding more money. Supervisor Covucci; we're getting a credit that's why I read the letter to further explain it. Also questioned the new copy machine for the Rec. Mentioned the drive-through breakfast at the Arlington High School on September 24<sup>th</sup>.

**Supervisor Covucci:** at 7:55PM made a motion and called to order the Executive Session to discuss matters relating to proposed pending or current litigation. Seconded by Councilman Stiegler. Supervisor Covucci at 8:16PM made a motion to come out of Executive Session and was also seconded by Councilman Stiegler.

**Motion was made to adjourn the meeting at 8:17PM by Supervisor Covucci and was seconded by Councilwoman Wohrman.**

Supervisor Covucci made a motion at 8:17PM to close the Town Board meeting; **SECONDED BY COUNCILMAN WOHRMAN, All in Favor, AYE. RESPECTFULLY SUBMITTED by Town Clerk Laureen**

**Abbatantuono, September 16<sup>th</sup>, 2022**

*Laureen Abbatantuono*

Councilman Stiegler AYE  
Councilwoman Wohrman AYE  
Supervisor Covucci AYE

Dated: September 16, 2022

**BEEKMAN TOWN BOARD  
TOWN BOARD MEETING AGENDA  
SEPTEMBER 13, 2022**

**7:00 PM**

- Meeting called to order
- Pledge of Allegiance led by Penelope Rey Marcos
- Administrative Announcement--Fire Exits

**PUBLIC HEARING:** Local Law No. 1 --Fees- 3 Minute Limit  
Short Term Rentals (continuation) – 3 Minute Limit

**TOWN BOARD MEETING**

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

**RESOLUTIONS**

1. Approval of August 9, 2022 Minutes
2. Approve Town of Beekman Budget Revision 2022-#08
3. Retain Consultant for Highway Garage Roof Building No. 1
4. Retain Consultant for Highway Garage Roof Building No. 2
5. Go Out to Bid for Fall Clean Up Day
6. Change Order #11 for Town Hall ADA Project
7. Purchase a Copier/Printer for the Rec Office
8. Reschedule Town Board Meetings for November and December
9. Approve the Naming of Roads in Alaina Estates Subdivision
10. Adopt Local Law No.1 of 2022 Concerning Fees
11. Adopt Local Law No.2 of 2022 Short Term Rentals
12. Appointment to the Conservation Advisory Council
13. Go Out to Bid for Highway Materials
14. Pay Application No.1 for Gardner Hollow Bridge Project
15. Fall Treatment of Town Properties
16. Accept Resignation of Jeanne Scigliano
17. Authorize Payment for Acquisition of Temporary Easement
18. Payment of Claims

- Other Town Board Business
- General Board Comments
- Public Comments - 3 Minute Limit
- Next Regular Town Board Meeting: Tuesday, September 27, 2022 at 7:00 PM

\*AGENDA SUBJECT TO CHANGE

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

**RESOLUTION NO. 09:13:22-1**  
**RE: APPROVAL OF PAST TOWN BOARD MINUTES**

**WHEREAS**, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the August 9, 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 August 9, 2022 Town Board Meeting.

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

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

**Dated: September 13, 2022**

*[Faint, illegible text, possibly a signature or stamp]*

RESOLUTION NO. 09:13:22-2  
 RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2022-08

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 #2022-08

**Budget Revisions for August 2022 # 2022-08**

<u>Revision #</u>	<u>Account #</u>	<u>Account Title</u>	<u>Increase</u>	<u>Decrease</u>
<b><u>General Fund</u></b>				
2022-08-01	A-1315-0103	Finance Office Staff O.T.	500	
	A-1315-0200	Finance Equipment -Transfer for Staff Overtime		500
2022-08-02	A-1620-0416	TH Electric Expense	3,000	
	A-1620-0410	TH Security -Transfer for NYSEG Expenses		3,000
2022-08-03	A-1930-0400	Judgement + Claims	217	
	A-1950-0400	Taxes & Assessments -Reclass Excess Funds		217
2022-08-04	A-5132-0417	Hwy Garage Supplies	500	
	A-5132-0400	Hwy Garage Expense -Transfer for Supplies		500
2022-08-05	A-6772-0411	Aging Program Expense	1,000	
	A-6772-0414	Aging Program Trips -Transfer for Program Expenses		1,000
2022-08-06	A-7020-0112	Rec Office P.T. Staff	2,741	
	A-7020-0101	Rec Office Staff -Transfer for Part Time Staff		2,741
2022-08-07	A-7110-0497	Parks Maintenance Expense	5,000	
	A-7110-0494	Parks Mowing Expense -Transfer for Parks Treatment		5,000
2022-08-08	A-7114-0400	Beyer Park Expense	170	
	A-7117-0401	Library Supplies -Transfer for Park Expense		170
2022-08-09	A-7551-0458	Camp Fire Night Expense	1,000	
	A-7551-0400	Special Events Expense -Transfer for Event Expense		1,000

Highway Fund

2022-08-10	DA-5110-0116	General Seasonal Labor	11,700	
	DA-5110-0107	General Other Labor		11,700
		-Reclass for Seasonal Labor Expense		

2022-08-11	DA-5110-0103	General Repair O.T.	3,468	
	DA-0000-2680	Ins. Recovery	3,468	
		-Record Labor Insurance Refund		

Districts

2022-08-12	SW-8340-0400	Water Repairs	1,500	
	SW-8340-0480	Other Expense		1,500
		-Transfer for Plant Expense		

2022-08-13	SW-8340-0470	Special Repairs	1,159	
	SW-8340-0440	Engineering Expense		1,159
		-Correct Previous Revision		

Capital Fund

2022-08-14	H-5120-0200	Bridge Contract	388	
	H-5120-0401	Bridge Other Expense		388
		-Transfer for Change Order		

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: September 13, 2022

RESOLUTION NO. 09:13:22 -3

RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN APPROVING THE RETENTION OF A CONSULTANT FOR REPLACEMENT OF HIGHWAY GARAGE ROOF ON BUILDING No. 1

WHEREAS, the Town Board is desirous to have plans made to replace the roof at the Town Highway Garage Building No. 1, as identified in the 5-year comprehensive study done of the Town properties in March of 2021; and

WHEREAS, it is necessary to engage the services of a professional in this field to put together the bid package in order to go out to bid on this project; and

WHEREAS, the Town Board feels that it is in the best interest of the town to retain the services of Michael R. Berta. AIA, Architecture & Planning, 7 Robert Road, Poughkeepsie, NY 12603;

NOW, THEREFORE, BE IT RESOLVED, that the Town authorizes the retention of Michael R. Berta. AIA, Architecture & Planning to put together the bid packages for the replacement of Highway Garage Roof on Building No. 1.

AND, BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign an engagement letter with Michael R. Berta. AIA, Architecture & Planning for this project.

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Stiegler     AYE  
Councilman Battaglini    AYE  
Councilwoman Wahrman   AYE  
Supervisor Covucci       AYE

Dated: September 13, 2022

PUBLIC COMMENTS:

None

None

None



RESOLUTION NO. 09:13:22 -4

RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN APPROVING THE RETENTION OF A CONSULTANT FOR REPLACEMENT OF HIGHWAY GARAGE ROOF ON BUILDING No. 2

WHEREAS, the Town Board is desirous to have plans made to replace the roof at the Town Highway Garage Building No. 2., as identified in the 5-year comprehensive study done of the Town properties in March of 2021; and

WHEREAS, it is necessary to engage the services of a professional in this field to put together the bid package in order to go out to bid on this project; and

WHEREAS, the Town Board feels that it is in the best interest of the town to retain the services of Michael R. Berta. AIA, Architecture & Planning, 7 Robert Road, Poughkeepsie, NY 12603;

NOW, THEREFORE, BE IT RESOLVED, that the Town authorizes the retention of Michael R. Berta. AIA, Architecture & Planning to put together the bid packages for the replacement of Highway Garage Roof on Building No. 2.

AND, BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign an engagement letter with Michael R. Berta. AIA, Architecture & Planning for this project.

Introduced: COUNCILWOMAN WOHRMAN

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: September 13, 2022

Resolution No. 09:13:22 -4  
ROLL CALL VOTE  
Councilman Stiegler AYE  
Councilman Battaglini AYE  
Councilwoman Wohrman AYE  
Supervisor Covucci AYE  
Dated: September 13, 2022

**RESOLUTION NO. 09:13:22 -5**  
**RE: APPROVE 2022 TOWN FALL CLEAN UP DAY**

**WHEREAS**, the Town would like to offer a fall clean-up day for residents of Beekman on October 22, 2022 and

**WHEREAS**, the Town does not have its own transfer station; and

**WHEREAS**, the Town Board would like to advertise a Request for Proposals for Fall clean-up for residents;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Town Clerk to advertise a Request for Proposal for Fall Clean-up; and

**BE IT FURTHER RESOLVED**, that the Request for Proposals will be advertised in the Poughkeepsie Journal, on the Town Clerk's Bulletin Board, and posted on the homepage of the Town of Beekman Website; and

**BE IT FURTHER RESOLVED** that the date for Fall Clean Up be set for October 22, 2022 from 7:00 a.m. to 2:00 p.m.

**Introduced:** COUNCILMAN STIEGLER

**Seconded:** COUNCILMAN BATTAGLINI

**ROLL CALL VOTE:**

Councilman Stiegler     **AYE**

Councilman Battaglini   **AYE**

Councilwoman Woehrman **AYE**

Supervisor Covucci     **AYE**

**Dated:** September 13, 2022

**RESOLUTION NO. 09:13:22-6**  
**RE: APPROVING CHANGE ORDER NO. 11 FOR THE TOWN HALL ADA IMPROVEMENT PROJECT**

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

Original Approved Contract Total	August 3, 2021	\$594,500.00	
Change Order # 1	October 26, 2021	\$2,864.00	
New Contract Total			\$597,364.00
Change Order # 2	October 26, 2021	\$3,200.00	
New Contract Total			\$600,564.00
Change Order # 3	May 24, 2022	\$1,188.00	
New Contract Total			\$601,752.00
Change Order # 4	Rejected	\$0	
New Contract Total			\$601,752.00
Change Order # 5	Still under Consideration		
New Contract Total			
Change Order # 6	May 24, 2022	\$3,139.00	
New Contract Total			\$604,891.00
Change Order # 7	May 24, 2022	\$8,004.00	
New Contract Total			\$612,895.00
Change Order # 8	May 24, 2022	\$1,252.00	
New Contract Total			\$614,147.00
Change Order # 9	July 12, 2022	\$3,505.00	
New Contract Total			\$617,652.00
Change Order #10	Rejected	\$0	
New Contract Total			\$617,652.00
Change Order #11	August 8, 2022	(\$37,240.00)	
New Contract Total			\$580,412.00

WHEREAS, the Town Engineer has recommended the Town approve change order number #11 as attached

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman approves Change Order # 11 to the Town Hall ADA Improvement Project at a cost of (\$37,240.00); and

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

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

Councilman Stiegler AYE

Councilman Battaglini AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

Dated: September 13, 2022

**RESOLUTION NO. 09:13:22-7**  
**RE: APPROVE PURCHASE OF COPY MACHINE/PRINTER FOR THE REC OFFICE**

**WHEREAS**, the copier/printer in the Rec office is not working and is unable to be repaired; and

**WHEREAS**, the price of a new copier/printer (KYOCERA M5526cdw) was determined to be \$699.99; and

**WHEREAS**, the Town follows the Procurement Policy passed on 9/17/2014;

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor of the Town of Beekman is hereby authorized to sign any and all documents giving effect to this resolution, to purchase a new printer/copier from Intone with a price not to exceed \$699.99.

**Introduced:** SUPERVISOR COVUCCI

**Seconded:** COUNCILWOMAN WOHRMAN

**ROLL CALL VOTE:**

Councilman Stiegler     **AYE**

Councilman Battaglini   **AYE**

Councilwoman Wahrman **AYE**

Supervisor Covucci     **AYE**

**Dated:** September 13, 2022

**RESOLUTION NO. 09:13:22 -8**  
**RE: RESCHEDULING OF FUTURE TOWN BOARD MEETINGS**

**WHEREAS**, the Town Board deems it necessary to reschedule the Town Board Meetings for the months of November and December;

**NOW, THEREFORE, BE IT RESOLVED**, that the following schedule be observed for the months of November and December.

Tuesday, October 4, 2022 Special Town Board Meeting

Tuesday, November 1, 2022

Tuesday, November 25, 2022

Tuesday, December 6, 2022

Tuesday, December 20, 2022; and

**BE IT FURTHER RESOLVED** All meetings will take place at Beekman Town Hall, 4 Main Street at 7 PM.

**Introduced:** COUNCILWOMAN WOHRMAN

**Seconded:** COUNCILMAN BATTAGLINI

**ROLL CALL VOTE:**

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

**Dated:** September 13, 2022;

**Introduced:** COUNCILMAN BATTAGLINI

**Seconded:** COUNCILMAN STIEGLER

**ROLL CALL VOTE:**

Councilman Stiegler **AYE**

Councilman Battaglini **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

**Dated:** September 13, 2022

**RESOLUTION NO. 09:13:22 -9**  
**RE: APPROVE THE NAMING OF A ROADS IN THE ALAINA ESTATES SUBDIVISION**

**WHEREAS**, Alaina Estates Subdivision (the "Developer") has obtained planning board approval for the development at Beekman Poughquag Road (Tax Map# 132200-6758-00-642721-0000); and

**WHEREAS**, such development will require the construction of two private (2) roads; and

**WHEREAS**, Dutchess County 911 requires that all private roads be named, identified, numbered and clearly marked for emergency response purposes; and

**WHEREAS**, the Developer has requested the Town Board name the roads "Alaina Way and Rockefeller Drive"; and,

**WHEREAS**, Pursuant to Section 64(9) the Town Board must accept or deny the proposed road name subject to the consent of the Dutchess County Department of Emergency Response;

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Beekman hereby approves and accepts the proposed use of the names "Alaina Way and Rockefeller Drive" by Alaina Estates Subdivision for the proposed private roads to be located on the parcel known as Tax Map Parcel # 132200-6758-00-642721-0000), on Beekman Poughquag Road in the Town of Beekman; and

**BE IT FURTHER RESOLVED**, that the naming of "Alaina Way and Rockefeller Drive" were approved by the Dutchess County Department of Emergency Response.

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Stiegler       **AYE**

Councilman Battaglini   **AYE**

Councilwoman Woehrman **AYE**

Supervisor Covucci       **AYE**

**Dated: September 13, 2022**

**RESOLUTION NO. 09:13:22-10**  
**RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN**  
**ADOPTING LOCAL LAW NO. 1 OF THE YEAR 2022 PURSUANT TO AMENDING THE TOWN CODE CONCERNING**  
**ADMINISTRATIVE FEES AND PENALTIES**

WHEREAS, the Town Board of the Town of Beekman introduced Local Law No. 1 of 2022 entitled "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF BEEKMAN CONCERNING FEES AND PENALTIES" on August 09, 2022; and

WHEREAS, the Town Board members had the opportunity to review the proposed local law and it has sat on the desks of the Town Board for the required period of time; and

WHEREAS, a public hearing was duly held on September 13, 2022 at Town Hall, 4 Main Street, Poughquag, NY regarding Local Law No. 1 of 2022; and

WHEREAS, at this public hearing the Town Board members considered any public comments received during the public hearing as well as any written comments received;

WHEREAS, the proposed local law was sent to the Dutchess County Department of Planning and Development, which determined that the matter was exempt from their review; and

WHEREAS, the Town Board has determined that the matter is a Type II Action under SEQRA and no further environmental review is required,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman does hereby affirm and adopt Local Law No. 1 of 2022 entitled, "A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF BEEKMAN CONCERNING FEES AND PENALTIES"; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file forth with a copy of this local law with the New York Secretary of State.

Introduced: COUNCILMAN BATTAGLINI  
Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

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

Dated: September 13, 2022



RESOLUTION NO. 09:13:22 - 11

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

ADOPTING LOCAL LAW NO. 2 OF THE YEAR 2022, A LOCAL LAW CONCERNING SHORT-TERM RENTALS WITHIN THE TOWN OF BEEKMAN"

WHEREAS, the Town of Beekman introduced a local law, known as Local Law No. 2 of the year 2022 establishing a new Chapter 126.1 of the Code of the Town of Beekman to be known as "Short-Term Rentals," and to amend Chapter 155 of the Code of the Town of Beekman entitled "Zoning," regarding short-term rentals; and

WHEREAS, public hearings were duly held on July 26, 2022, August 09, 2022, and September 13, 2022, at Town Hall, 4 Main Street, Poughquag, NY regarding Local Law No. 2 of 2022; and

WHEREAS, the Town Board was given the opportunity to hear concerns of all Beekman residents;

WHEREAS, pursuant to GML 239-m, the proposed local law was sent to the Dutchess County Department of Planning and Development, which determined that the local law was a matter of local concern, but which provided comments on the proposed law;

WHEREAS, the Town Board duly considered all of the County's comments, and made changes to the proposed local law in response to the same;

WHEREAS, the revised local law has sat upon the desks of the Board members for the required period of time; and

WHEREAS, the Town Board has determined that the matter is a Type I Action under SEQRA,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman does hereby determine that the proposed local law will not have an adverse effect on the environment, as set forth in the SEQRA determination of non-significance (negative declaration) for this matter; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Beekman does hereby affirm and adopt Local Law No. 2 of 2022 entitled, "A LOCAL LAW TO ESTABLISH A NEW CHAPTER 126.1 OF THE CODE OF THE TOWN OF BEEKMAN TO BE KNOWN AS "SHORT-TERM RENTALS," AND TO AMEND CHAPTER 155 OF THE CODE OF THE TOWN OF BEEKMAN, ENTITLED "ZONING," REGARDING SHORT-TERM RENTALS;" and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file forth with a copy of this local law with the New York Secretary of State.

Introduced: SUPERVISOR COVUCCI

Seconded: COUNCILWOMAN WOHRMAN

ROLL CALL VOTE:

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

Dated: September 13, 2022

RESOLUTION NO. 09:13:22 -12  
RE: BOARD APPOINTMENT TO CAC

WHEREAS, the Town Board will make appointments to the various boards; and

WHEREAS, the Town Supervisor has received a letter of recommendation from the chairman of the Beekman Conservation Advisory Council (CAC) recommending an appointment,

NOW, THEREFORE, BE IT RESOLVED, that the following appointment be made to the Conservation Advisory Council,

Phillip Capalbo term to expire December 31, 2023, and

BE IT FURTHER RESOLVED, that all appointments are contingent upon completion and submission of the Disclosure of Interest Statement pursuant to Chapter 19-9 of the Town Code, unless already on file and the information has not changed; and

BE IT FURTHER RESOLVED, that he shall file his Oath of Office with the Town Clerk of the Town of Beekman prior to serving his term.

Introduced: COUNCILWOMAN WOHRMAN

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: September 13, 2022

**RESOLUTION NO. 09:13:22-13**  
**RE: SEEK BIDS FOR 2023 HIGHWAY MATERIALS**

**WHEREAS,** The Highway Superintendent has requested that the Town Board authorize the Highway Department to seek bids for highway materials for the year 2023;

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Clerk is hereby authorized to seek bids for the highway materials; 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.

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Stiegler      **AYE**

Councilman Battaglini   **AYE**

Councilwoman Worrman **AYE**

Supervisor Covucci      **AYE**

**Dated: September 13, 2022**

RESOLUTION NO. 09:13:22-14

RE: APPROVE APPLICATION AND CERTIFICATION FOR PAYMENT (No 1) FOR THE GARDNER HOLLOW BRIDGE PROJECT

WHEREAS, the Town of Beekman is a party to a contract with OCS Industries, Inc. (the "Contractor") for the "Gardner Hollow Bridge Project"; and

WHEREAS, the Contractor has submitted an Application and Certification for Payment (No. 1) dated August 31, 2022, requesting payment in the amount of \$16,704.00 less 5% retainage (\$835.20) for a total of \$15,868.80 (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 August 7, 2022 through August 31, 2022.and

WHEREAS, The Town Engineer has reviewed the request and agrees with the quantity of work completed Application No. 1 and has 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 OCS Industries, Inc. as requested in Application and Certification for Payment No. 1 in the amount NOT TO EXCEED \$15,868.80.

Introduced: COUNCILMAN BATTAGLINI

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTÉ:

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

Dated: September 13, 2022

**RE: AGREEMENT FOR SUMMER AND FALL FIELD TREATMENT OF TOWN PROPERTIES**

**WHEREAS**, the Town of Beekman has a Contract with Neave Landscaping, Inc. for fertilization and Fall treatment to adequately maintain the Town's properties; and

**WHEREAS**, monies for this purpose were included in the 2022 Budget;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman does hereby amend this contract in the amount of \$4,938; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute the agreement with Neave Landscaping, Inc.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILWOMAN WOHRMAN**

**ROLL CALL VOTE:**

Councilman Stiegler     **AYE**

Councilman Battaglini   **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci     **AYE**

**Dated: September 13, 2022**

**RE: ACCEPT RESIGNATION OF JEANNE SCIGLIANO**

WHEREAS, the Town Board makes appointments to various boards, and

WHEREAS, Jeanne Scigliano has submitted her resignation as a member of the Town of Beekman Ethics Committee as of September 08, 2022,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the resignation of Jeanne Scigliano and would like to thank her for her service to the Town, and wish her well.

Introduced: COUNCILWOMAN WOHRMAN

Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: September 13, 2022

**RESOLUTION AUTHORIZING PAYMENT FOR ACQUISITION OF A TEMPORARY EASEMENT IN CONNECTION WITH  
GARDNER HOLLOW BRIDGE REPLACEMENT**

WHEREAS, the Town of Beekman owns and maintains the Gardner Hollow Bridge located in the Town of Beekman;  
and

WHEREAS, the Town previously declared the hazardous conditions of the Gardner Hollow Bridge a public emergency  
in need of immediate replacement and authorized the installation of a temporary bridge due to the bridge being the  
only access road to several residences and its failure would prevent access to and from residences to the east of the  
bridge; and

WHEREAS, the Town has recently authorized the awarding of a contract to permanently replace the Gardner Hollow  
Bridge and

WHEREAS, the previous Town Supervisor authorized payment of the acquisition of a temporary easement; and

WHEREAS, terms have been negotiated for the acquisition of a temporary easement, which terms include a payment  
in the amount of Two Thousand Dollars (\$2,000.00) for the acquisition of the temporary easement.

**NOW THEREFORE, BE IT RESOLVED;** that the Town Board hereby authorizes a payment in the amount of Two  
Thousand Dollars (\$2,000.00) for the acquisition of a temporary easement.

**Introduced: COUNCILMAN STIEGLER**

**Seconded: COUNCILWOMAN WOHRMAN**

**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 13, 2022

RESOLUTION NO. 09:13:22-18  
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	\$ 97,245.83
Claims to be paid from the DA-Highway Fund	\$ 36,195.10
Claims to be paid from the SS- Dover Ridge Sewer District	\$ 7,461.02
Claims to be paid from the SW- Dover Ridge Sewer District	\$ 3,359.35
Claims to be paid from the T-Trust & Agency Fund	\$ 3,116.25
Claims to be paid from the H-Capital Fund	\$ 200.00
	<u>\$ 147,577.55</u>

08/18/2022 Payroll #17

General Fund	\$ 60,244.60
Highway Fund	\$ 20,887.46
	<u>\$ 81,132.06</u>

09/01/2022 Payroll #18

General Fund	\$ 48,440.39
Highway Fund	\$ 20,019.44
	<u>\$ 68,459.83</u>

Introduced: COUNCILMAN BATTAGLINI  
Seconded: COUNCILMAN STIEGLER

ROLL CALL VOTE:

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

Dated: September 13, 2022





**Department  
of Public Service**

Three Empire State Plaza, Albany, NY 12223-1350

**Public Service Commission**  
**Rory M. Christian**  
Chair and  
Chief Executive Officer

**Diane X. Burman**  
**James S. Alesi**  
**Tracey A. Edwards**  
**John B. Howard**  
**David J. Valesky**  
**John B. Maggiore**  
Commissioners



Dear Community Leader/Elected Official:

On May 26, 2022, New York State Electric & Gas Corporation (NYSEG) and Rochester Gas and Electric Corporation (RG&E) (collectively the Companies/Utility) requested that the New York State Public Service Commission (Commission) approve proposed changes to annual electric and natural gas delivery rates and practices, to be effective May 1, 2023. Under New York State law, the Commission must consider a utility's proposal and may adopt or reject it, in whole or in part, or modify it.

To ensure full public participation, the Commission will hold a series of virtual public statement hearings on September 15, September 28, and October 18, 2022, to solicit input and comments from your community regarding NYSEG and RG&E's proposal. Information on how to participate in the hearings is provided below.

NYSEG is proposing to increase its electric delivery revenue by approximately \$274 million (a 31 percent increase in base delivery revenues), and its natural gas delivery revenue by approximately \$43.4 million (a 19 percent increase in base delivery revenues). RG&E is proposing to increase its electric delivery revenue by approximately \$93.8 million (a 19 percent increase in base delivery revenues), and its natural gas delivery revenue by approximately \$37.7 million (a 20.9 percent increase in base delivery revenues).

An electric or gas bill consists of two parts: a supply charge and a delivery charge. Through the *supply* charge, the utility recovers the cost of the electric or gas commodity. The cost of the commodity is determined by the competitive marketplace and is not set by the Commission or the utility. Through the *delivery* charge, the utility recovers the cost to transport electricity or gas to customers through the utility's delivery system. The delivery charge is regulated by the Commission.

## Hearing Dates and Times

**September 15**

1pm

5pm

**September 28**

1pm

5pm

**October 18**

1pm

5pm

Any person wishing to provide a comment at a hearing must pre-register by **4:30 p.m. the day before the relevant hearing**. Use the link above to register electronically or call 1-800-342-3330 to register by phone. Speakers will be called in the order in which they registered

Any participants not able to login to the hearings electronically may participate by phone. Additional details on how to participate at the public hearing and how to submit comments are available in the Notice of Public Statement Hearings. Information about the filing can be found at [www.dps.ny.gov](http://www.dps.ny.gov). From the homepage, click on "Search," and enter the associated case number (22-E-0317, 22-G-0318, 22-E-0319, or 22-G-0320) in the "Search by Case Number" field.

I would appreciate your assistance with informing your constituents about the public statement hearings and encouraging them to provide comments. It is the Commission's intent to facilitate and encourage active and meaningful participation throughout all of its proceedings. We hope you will consider joining us.

Regards,

John B. Auricchio, Acting Director  
Office of Consumer Services



August 31, 2022

Ms. Mary Covucci, Town Supervisor  
Town of Beekman  
4 Main Street  
Poughquag, NY 12570

Phone: 845.724.5300 ext 225  
e-mail: [supervisor@townofbeekmanny.us](mailto:supervisor@townofbeekmanny.us)

Re: Architectural Design Services  
Roof Replacement / Building Repair  
Highway Garage  
Building No 1

Dear Ms. Covucci:

Thank you for giving us the opportunity to provide architectural services. As per our meeting the other day, the following proposal will delineate our services.

## **1.0 PROJECT DESCRIPTION**

---

Every successful project starts with a clear identification of the project requirements and priorities. Based on our meeting on Thursday August 25, 2022, we have identified the following key items to be addressed in this project:

1. Meeting to review project's requirements.
2. Review scope of work and schedule with client.
3. Review existing conditions and available information.
4. Meeting with town departments as required (Two meetings included).
5. Prepare existing condition plans.
6. Building code review.
7. Prepare plans and details for roof replacement.
8. Prepare book specification for bidding.
9. Meeting with town to discuss material selections.

7 Robert Road  
Office / Cell No. 845.489.1638  
Email [mike@bertaarchitects.com](mailto:mike@bertaarchitects.com)

Poughkeepsie, New York 12603  
Fax No. 845.483.9887  
Web Site [www.bertaarchitects.com](http://www.bertaarchitects.com)

## **2.0 SCOPE OF SERVICES**

---

### **A. Schematic Design Phase**

Programming is the process of identifying and organizing essential information about your firm and how it relates to your facility. The Architect shall provide two (2) meetings to collect data about your requirements.

The Architect shall provide an initial presentation and two (2) minor revisions. Additional revisions and / or presentations beyond the above shall be considered Additional Services.

The architect shall provide schematic drawings that will be reviewed and approved.

### **B. Design Development Phase**

The architect in the Design Development Phase of the project shall develop additional details to fix and describe the character of the project. For example, interior spaces that require special design features and treatment or upgrades shall be incorporated into the Design Development Drawings.

### **C. Contract Documents Phase**

Based on the approved conceptual design documents and further adjustments in the scope and the budget for the project, *the architect* shall prepare construction documentation consisting of drawings and specifications that will be suitable for filing with the Building Department and for construction by a qualified General Contractor.

Documents shall include, but not be limited to:

- An Architectural Floor Plan delineating the proposed floor layouts, construction notes, and the cross referencing of details and sections on subsequent drawings.
- Details / Sections / Schedules & Notes communicate, in detail different aspects of the design relating to construction and/or code related issues. These details are essential in conveying the design concept to the trades on the site and to the Building Department.
- Provide general equipment layout based on information provided by owner.
- Life safety plan.
- ADA compliance and details.

- Architectural site plan.
- General conditions and project manual specification.
- Consultation to review working drawings with owner.

Services not included:

- Mechanical, Electrical and Plumbing engineering (MEP).
- Structural Engineer Note: special engineering i.e. Seismic design, special footing design and special wind load design
- Fire suppression (sprinkler).
- Manual J or S energy studies.
- Test borings and special foundation engineering.
- Fire alarm design.
- Any major design features not stated in description above.

Following services are optional and not included in the proposed fee.

#### **D. Bid Negotiation and Selection of Contractors**

The architect shall assist in assembling, distributing, and evaluating the entire bid package which includes:

- Aid in distribution of bidding documents to prospective bidders, owner to prepare RFP.
- Organizing and conducting a pre - bid conference.
- Responding to questions from prospective bidders and providing clarifications in the form of an addendum.
- Aid in the opening of bids, and documenting and distributing the bidding results, as directed by the owner.
- Assist with the evaluation of the bids.
- Assist with the awarding of the contract

#### **E. Construction Contract Administration**

The architect shall visit the site biweekly to monitor the progress of the work at regular intervals to determine whether the work is in accordance with the construction documents and shall recommend rejection of the work that is not. If required, the architect shall verify the contractor's requests for payment and will generally keep the owner informed of the status of the project and will guard against deficiencies in the work.

The architect shall review and take appropriate action in a timely manner on all subcontractors' submittals such as shop drawings, product data and samples (supplemental drawings will be billed at hourly rates), prepare a "punch list" of work to be corrected and review the corrective work to completion.

The architect shall review the status of construction to determine the dates of substantial completion and completion.

**COMPENSATION**

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Verify Existing Conditions and prepare As built plans.	\$2,750.00
Schematic Design / Design Development Phase Field Verification Programming (limited to two meetings). Owner review. Fix and describe size and character of the Project.	\$4,250.00
Contract Document Phase Contract Documents (Architecture ONLY)	\$5,950.00
Total for Design Services	\$12,950.00
<u>Optional Services not included in base contract.</u>	
Bid and Negotiation Evaluation of Bids	Hourly Rates
Attend ZBA, ARB or Planning Bd Meeting (Mailings will be completed at hourly rates).	\$ 675.00 per meeting
Meeting with Building Inspector or other Town departments.	\$ 650.00
Construction Contract Administration Not listed above	Hourly Rates
Inspection & Reports as required.	\$ 675.00 per
Interior Design Work	Hourly Rates

**Fees / Payments**

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The Owner shall compensate the Architect as follows:

An Initial Payment of \$ 4,000.00 Dollars shall be made upon execution of this Agreement and credited to the Owner's account at final payment.

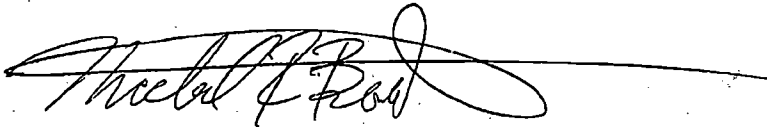
**Payments On Account for Services Rendered:**

Progress payments, additional services and for reimbursable expenses shall be made monthly upon presentation of the Architect's statement of services rendered or expenses incurred.

If project should end before completion, Architect shall be paid for the work completed within each phase as indicated below.

Please review the Project Description, Scope of Services, Compensation and the attached *Standard Terms and Conditions*. Please call me if you have any questions. We look forward to working with you soon.

Sincerely,  
Michael R. Berta, AIA Architecture & Planning



Michael R. Berta, AIA  
President

Approved By: \_\_\_\_\_ Date \_\_\_\_\_  
Ms. Mary Covucci, Town Supervisor

1. Attachment: Standard Terms and Conditions (6 pages)



## 1. ENTIRE AGREEMENT

This Agreement is the offer of MICHAEL R. BERTA, AIA ARCHITECTURE & PLANNING, (hereinafter referred to as "The Architect"), to perform the consulting services described in the attached Scope of Services. Acceptance by the Client is strictly limited to these Terms and Conditions which when acknowledged in writing, is authorization to proceed. Client is defined as the person or business entity signing the Agreement authorizing The Architect to proceed.

This Agreement supersedes all prior written proposals and / or negotiations not referenced herein between the parties and is expressly conditioned upon the Client's agreement of the Terms and Conditions hereof. This Agreement may only be modified in writing executed by both parties.

This proposal is valid for 30 (Thirty) days from the date above and shall remain valid for 1 (one) year from the date of signing and is subject to change or cancellation one year from date of this proposal. Client has a three (3) day right of refusal after signing of contract, after three (3) days contract will be considered executed.

## 2. SERVICES TO BE PERFORMED

The services to be performed are described in the preceding Scope of Services. Unless otherwise specified in the Scope of Services or in the Terms and Conditions, The Architect shall furnish all technical and professional services, including labor, materials, supplies, equipment, transportation, and supervision to perform all tasks listed in the Scope of Services and in accordance with the target schedules.

## 3. COMPENSATION

**Fee.** The Scope of Services describes the tasks, phases, and compensation terms.

**Terms of Payment.** Invoices shall be submitted upon completion of a phase or monthly based on percentage complete at that time. Payment is due thirty (30) days from the date of invoice.

Amounts unpaid thirty (30) days after the invoice date shall bear interest at the rate of 1 1/2% per month or a flat rate of \$75.00.

**Payments Withheld.** No deductions shall be made from The Architect's compensation on account of penalty, liquidated damages or other sums withheld from payments to the contractor(s), or on account of the cost of changes in the contractor's services other than those which The Architect is adjudged to be liable.

**Suspension.** If any payment is more than thirty (30) days past due, the Architect may, after giving seven (7) business days written notice to the owner, suspend services under this Agreement until the architect is paid in full all amounts due for services, expenses, and other related charges incurred up to that point.



Additionally, in the event of suspension, the Client shall waive all rights, claims, etc. which it might otherwise have against the architect as a direct or indirect result of such suspension.

**Cost Estimates.** The Architect and its consultants do not warrant, guarantee, or certify the construction cost for the project or any part of the project.

**Engineering.** Based upon the needs of the Client, engineering services may be required for air conditioning, electrical and fire alarm design, fire suppression, and plumbing. No engineering services are included in this Agreement unless stated otherwise in the Scope of Services.

If Engineering is incorporated into the Scope of Services and it has been determined that the Engineer (or consultant) has made an error or omission, the client shall seek legal remedy from the Engineer (or consultant) directly without participation by The Architect in any proceeding related to the Consultant's services.

Redesign to meet Project Budget Costs or major changes required by client. The Architect shall not be liable to redesign to meet the project budget costs unless this is a pre-condition to the Agreement and the Architect has agreed to the Project Budget Costs.

**Additional Services.** The Architect can provide additional services beyond those listed in the Scope of Services by a negotiated sum or on an hourly basis. Our hourly rates are as follows:

Principal: \$ 275 per hr.  
Project Architect or Interior Designer: \$ 175 per hr.  
Project Manager: \$ 200 per hr.  
Assistant Architect /Draftsperson: \$ 125 per hr.  
Field Measuring / Existing Conditions: \$105 per hr.

Hourly rates specified above are valid for one (1) year from the date listed on the Scope of Services and shall be increased five percent (5%) on the first day of each subsequent year to reflect market conditions, employee benefits and salary compensation.

**Reimbursable.** Reimbursable items shall include printing and reproductions, photographic services, long distant telephone calls, express mail, messenger or courier service, or other project related out-of- pocket expenses. Customary reimbursable costs are as follows:

Large format print: \$ 075 per sf  
Photocopies: \$ 0.20 per page  
Courier Services: Cost plus 10%  
Mileage: \$ 0.57 per mile  
Conversion of paper plans to AutoCAD files: Cost plus 10%  
Color renderings: Cost plus 20%

Additional Consultant requested to be coordinated: Cost plus 20%

#### 4. ADDITIONAL SERVICES

All Additional Services shall be approved by the Client and The Architect in writing prior to proceeding. The following are additional services that are not specified above and are considered beyond the basic scope of services.

**Public Hearings / Municipal Filings.** In the event a Public Hearing is required for a municipal agency (Zoning Board of Appeals, Planning Board, Architectural Review Board, etc.), the architect shall invoice the client as per the signed proposal agreement. The Architect shall not be required to file drawings with the Building Department or pay any municipal fees.

**Client's Consultants.** If the Client engages an outside consultant(s) to interact with The Architect, the time spent coordinating issues or concerns with the Client's Consultant(s) shall be considered an Additional Service.

#### 5. CLIENT'S RESPONSIBILITIES

**Base Building Drawings or Surveys.** Unless otherwise specified Base Building Drawings or Surveys are not included in the Scope of Services. The Architect shall assume that the Base Building Drawings and Surveys, if required, shall be readily available.

The Architect assumes all information on these documents is accurate and is not responsible for any information completed by others.

**Project Representative.** The Client shall designate and authorize a Project Representative to answer field questions and make timely decisions (within five (5) business days). If the Client replaces or selects a new Project Representative, anytime spent by The Architect to bring the new Project Representative current shall represent Additional Services.

**Client's Consultants.** If the Client engages an outside consultant(s) to interact with The Architect, the time spent coordinating issues or concerns with the Client's Consultant(s) shall be considered an Additional Service.

**Selection of a Qualified Contractor.** The Client shall select a qualified contractor with a minimum of three years of construction experience in work similar in nature to the Project Description in the immediate vicinity. The contractor shall provide several references as mutually agreed upon by the Client and The Architect.

#### 6. SCHEDULE

The Architect shall commence work on this project within reasonable amount of time after the authorization to proceed. Immediately upon commencement a meeting with the client, both parties shall redefine and coordinate the Scope of Services and compile a mutually acceptable schedule for the delivery of this project.

Professional fees developed for this project shall be based on this schedule.

Modifications such as accelerated schedules, project delays or extensions which are not under control of The Architect are subject to an increase to our compensation.

## 7. OWNERSHIP OF DOCUMENTS

All documents prepared or furnished by The Architect pursuant to this Agreement are instruments of The Architect professional service, and The Architect shall retain an ownership and property interest therein.

The Architect grants Client a license to use instruments of The Architects professional service for the purpose of constructing, occupying, and maintaining the Project. Reuse or modification of any such documents by Client, without The Architect written permission, shall be at Client's sole risk, and Client agrees to indemnify and hold the Architect harmless from all claims, Damages, and expenses, including attorneys' fees, arising out of such reuse by client or by others acting through Client.

## 8. PUBLICITY

The Architect and its consultants shall have the right to photograph the project and to use the photographs in the promotion of its professional practices through advertising, public relations, brochures, or other marketing material.

## 9. INSURANCE, INDEMNITY & LIMITATIONS

**Insurance.** The Architect shall maintain continuous General Liability and Professional Liability Insurance throughout the period of this agreement. Certificates of insurance are available on request.

The Client shall require the contractor to name The Architect as an Additional Insured on the contractor insurance policy.

For any damage because error, omission or other professional negligence, the Architect's liability shall be limited to the amount of available insurance on his policy.

The expense of additional insurance coverage or increased policy limits of liability beyond, including professional liability insurance, requested by the client in excess of the standard coverage of The Architect and its consultants shall be borne by the client. Architect carries one (1) million dollars in E & O coverage.

**Waiver of Consequential Damage.** The Architect and the Client waive consequential damage for claims, disputes and other matters in question arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination in accordance with the provisions defining termination.

**Hazardous Substances.** The Architect shall not be responsible for the identification, removal, testing and / or certification of removal relative to any hazardous substance including, but not limited to, PCB, petroleum, mold infestation, hazardous waste, asbestos, lead paint, lead piping, and similar substances.

The Architect and the Client acknowledge that the Scope of Services does not include any items related to a Hazardous Environmental Condition.

**Unforeseen, Latent or Hidden Conditions.** Unforeseen, latent, or hidden conditions may not be readily ascertainable regardless of the extent of the investigation. Such conditions may impact the design and necessitate extensive revisions to the design. When architectural services are required to address these conditions, those services shall be deemed Additional Services.

Proposal Validity. This proposal shall remain in effect for six (6) months from the date listed on the Scope of Services. After this date, The Architect shall be afforded the opportunity to reevaluate the fee to determine if the fee at a later day of execution is appropriate.

Method and Means of Construction. The Architect and its consultants are not responsible for the method, means or sequencing of construction unless this is arranged contractually (in writing) executed by both parties.

Storage of Materials. The contractor is responsible for the storage and protection of materials brought to the site. Materials shall be stored in an area that is adequately ventilated and free from excessive moisture and condensation that may be conducive to mold contamination.

#### 10. STANDARD OF PRACTICE

Services performed by The Architect under this Agreement shall be conducted in a manner consistent with the level of care and skill ordinarily exercised by members of their respective professions practicing in the same locality under similar conditions.

No other representation expressed or implied, and no warranty or guarantee is included or intended in this Agreement, or any report, opinion, document, or otherwise.

#### 11. DISPUTE RESOLUTION

Mediation and Arbitration. It is mutually agreed that the terms of this Agreement shall be binding upon both parties and their successors, executor, administrators, and assigns.

Any dispute or claim arising in connection with this Agreement shall be submitted to Mediation for resolution in accordance with the Construction Industry Mediation Rules of the American Arbitration Association currently in effect and if not resolved then shall be subject to Construction Industry Arbitration Rules of the American Arbitration Association currently in effect. The Mediation and Arbitration shall take place in Dutchess County New York.

#### 12. MISCELLANEOUS PROVISIONS

Termination: Either party may elect to terminate this Agreement with not less than seven (7) day notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.

The client shall hold the firm of The Architect harmless for delays, clarifications, or non-conformance with the Contract Documents if The Architect has been terminated prior to the Construction Administration portion or phase of the work.

We agree to all the above stated conditions, In the event this project or agreement is cancelled by us prior to the completion of the preliminary or after start of the construction documents, we agree to compensate Michael R. Berta for all actual time spent at the hourly rate of \$225.00 per hour (less any money already paid).

This proposal is valid for 30 (Thirty) days from the date above and shall remain valid for 1 (one) year from the date of signing and is subject to change or cancellation one year from date of this proposal. Client has a three (3) day right of refusal after signing of contract, after three (3) days contract will be considered executed.

All legal fees arising in connection with the planning and or construction of the project are to be paid by the Client.

Client is responsible for providing a current and up to date survey of the property if necessary. Survey must show all buildings, easements, property lines & any other site conditions that may be needed. Client is to provide current zoning data for your property, including all building setbacks. Architect takes no responsibility for any or incorrect information provided by owner.

All letters for the Building Department and changes to the plans required by the Building Department during the construction phase because of changes made in the field/deviations from the plan will be as per rates described in schedule.



August 31, 2022

Ms. Mary Covucci, Town Supervisor  
Town of Beekman  
4 Main Street  
Poughquag, NY 12570

Phone: 845.724.5300 ext 225  
e-mail: [supervisor@townofbeekmanny.us](mailto:supervisor@townofbeekmanny.us)

Re: Architectural Design Services  
Roof Replacement / Building Repair  
Highway Garage  
Building No 2

Dear Ms. Covucci:

Thank you for giving us the opportunity to provide architectural services. As per our meeting the other day, the following proposal will delineate our services.

## **1.0 PROJECT DESCRIPTION**

---

Every successful project starts with a clear identification of the project requirements and priorities. Based on our meeting on Thursday August 25, 2022, we have identified the following key items to be addressed in this project:

1. Meeting to review project's requirements.
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9. Meeting with town to discuss material selections.

7 Robert Road  
Office / Cell No. 845.489.1638  
Email [mike@bertaarchitects.com](mailto:mike@bertaarchitects.com)

Poughkeepsie, New York 12603  
Fax No. 845.483.9887  
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## **2.0 SCOPE OF SERVICES**

---

### **A. Schematic Design Phase**

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The architect shall provide schematic drawings that will be reviewed and approved.

### **B. Design Development Phase**

The architect in the Design Development Phase of the project shall develop additional details to fix and describe the character of the project. For example, interior spaces that require special design features and treatment or upgrades shall be incorporated into the Design Development Drawings.

### **C. Contract Documents Phase**

Based on the approved conceptual design documents and further adjustments in the scope and the budget for the project, the architect shall prepare construction documentation consisting of drawings and specifications that will be suitable for filing with the Building Department and for construction by a qualified General Contractor.

Documents shall include, but not be limited to:

- An Architectural Floor Plan delineating the proposed floor layouts, construction notes, and the cross referencing of details and sections on subsequent drawings.
- Details / Sections / Schedules & Notes communicate, in detail different aspects of the design relating to construction and/or code related issues. These details are essential in conveying the design concept to the trades on the site and to the Building Department.
- Provide general equipment layout based on information provided by owner.
- Life safety plan.
- ADA compliance and details.

- Architectural site plan.
- General conditions and project manual specification.
- Consultation to review working drawings with owner.

Services not included:

- Mechanical, Electrical and Plumbing engineering (MEP).
- Structural Engineer Note: special engineering i.e. Seismic design, special footing design and special wind load design
- Fire suppression (sprinkler).
- Manual J or S energy studies.
- Test borings and special foundation engineering.
- Fire alarm design.
- Any major design features not stated in description above.

Following services are optional and not included in the proposed fee.

#### **D. Bid Negotiation and Selection of Contractors**

The architect shall assist in assembling, distributing, and evaluating the entire bid package which includes:

- Aid in distribution of bidding documents to prospective bidders, owner to prepare RFP.
- Organizing and conducting a pre - bid conference.
- Responding to questions from prospective bidders and providing clarifications in the form on an addendum.
- Aid in the opening of bids, and documenting and distributing the bidding results, as directed by the owner.
- Assist with the evaluation of the bids.
- Assist with the awarding of the contract

#### **E. Construction Contract Administration**

The architect shall visit the site biweekly to monitor the progress of the work at regular intervals to determine whether the work is in accordance with the construction documents and shall recommend rejection of the work that is not. If required, the architect shall verify the contractor's requests for payment and will generally keep the owner informed of the status of the project and will guard against deficiencies in the work.



The architect shall review and take appropriate action in a timely manner on all subcontractors' submittals such as shop drawings, product data and samples (supplemental drawings will be billed at hourly rates), prepare a "punch list" of work to be corrected and review the corrective work to completion.

The architect shall review the status of construction to determine the dates of substantial completion and completion.

**COMPENSATION**

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Verify Existing Conditions and prepare As built plans.	\$2,500.00
Schematic Design / Design Development Phase Field Verification Programming (limited to two meetings). Owner review. Fix and describe size and character of the Project.	\$4,150.00
Contract Document Phase Contract Documents (Architecture ONLY)	\$5,750.00
<b>Total for Design Services</b>	<b>\$12,400.00</b>
<u>Optional Services not included in base contract.</u>	
Bid and Negotiation Evaluation of Bids	Hourly Rates
Attend ZBA, ARB or Planning Bd Meeting (Mailings will be completed at hourly rates).	\$ 675.00 per meeting
Meeting with Building Inspector or other Town departments.	\$ 650.00
Construction Contract Administration Not listed above	Hourly Rates
Inspection & Reports as required.	\$ 675.00 per
Interior Design Work	Hourly Rates

**Fees / Payments**

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The Owner shall compensate the Architect as follows:

An Initial Payment of \$ 3,500.00 Dollars shall be made upon execution of this Agreement and credited to the Owner's account at final payment.

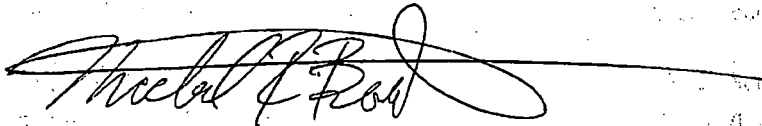
**Payments On Account for Services Rendered:**

Progress payments, additional services and for reimbursable expenses shall be made monthly upon presentation of the Architect's statement of services rendered or expenses incurred.

If project should end before completion, Architect shall be paid for the work completed within each phase as indicated below.

Please review the Project Description, Scope of Services, Compensation and the attached *Standard Terms and Conditions*. Please call me if you have any questions. We look forward to working with you soon.

Sincerely,  
Michael R. Berta, AIA Architecture & Planning

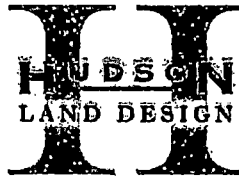


Michael R. Berta, AIA  
President

Approved By: \_\_\_\_\_  
Ms. Mary Covucci, Town Supervisor

\_\_\_\_\_ Date

1. Attachment: Standard Terms and Conditions (6 pages)



*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 Fax: 845-440-6637*  
*www.HudsonLandDesign.com*

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September 6, 2022

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

Re: Town Hall Accessibility Improvements (the Project)  
Change Order #11

Dear Supervisor Covucci and Members of the Town Board:

Hudson Land Design (HLD) is in receipt of a change order dated August 8, 2022 from Barone Construction Group, Inc. (see attached). This proposed change order was prepared at our request as a result of discussions with the contractor regarding railing changes associated with Add-Alternate 3 sidewalk work. In summary, the contractor's change order request includes provisions for a smaller section of railing at the steps as opposed to the entire sidewalk area. The cost of change order #11 is a credit \$37,240.00 (including overhead and profit and bonding).

We suggest that the Town Board consider authorizing change order #11 resulting in a credit of \$37,240.00 at your September 13, 2022 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 'Dan H. Koehler', written over a white background.

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)



BARONE CONSTRUCTION GROUP, INC.

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

TITLE:	South Sidewalk Railing Credit	PROPOSED CHANGE ORDER NO.	11
PROJECT:	Beekman Town Hall Accessibility Improvement Plan	DATE:	8/8/2022
TO:	Daniel Koehler Hudson Land Design PE, P.C. 174 Main Street Beacon, NY 12508	CONTRACT	8/3/2021
		STARTED:	
		Completed:	
		Required:	

**DESCRIPTION**

We propose to provide all labor, material, and equipment as follows:  
Per email requested on 7/21/22 we are providing a credit to eliminate the railing per Altnerate 3 south ADA Ramp/Sidewalk Railing except for railing at stairs per drawing emailed by Daniel Koehler of Hudson Land Design dated 7/28/22 called sketch of Railing Change associated with Add Alt 3.

Num Item	Description	Qty	Units	Unit Price	Amount
1	Railing Credit- See attached	1	LS	-\$37,240.00	-\$37,240.00
	Total				-\$37,240.00
	GRAND TOTAL				-\$37,240.00

By: \_\_\_\_\_  
Joseph Barone

By: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

# HORST AROUND THE HOUSE

*Let us twist your iron*

61 N. Cross Road  
LaGrangeville, NY 12540  
PH (845) 223-4815  
e-mail: Horstinc@aol.com  
[www.HORSTAROUNDTHEHOUSE.COM](http://www.HORSTAROUNDTHEHOUSE.COM)

# ESTIMATE

DATE: August 8, 2022

Attn: Joseph Barone  
Barone Construction Group  
23 New Paltz Road  
P.O. Box 876  
Highland NY 12528

Phone: 845-691-2244  
Estimated By: WH  
Start Date:  
Location: Beekman Town Hall

Job email: Joseph.Barone@Bcgcmgc.com

TERMS: 50% down 50% at installation  
Delivery time: 8-10 weeks

## JOB DESCRIPTION

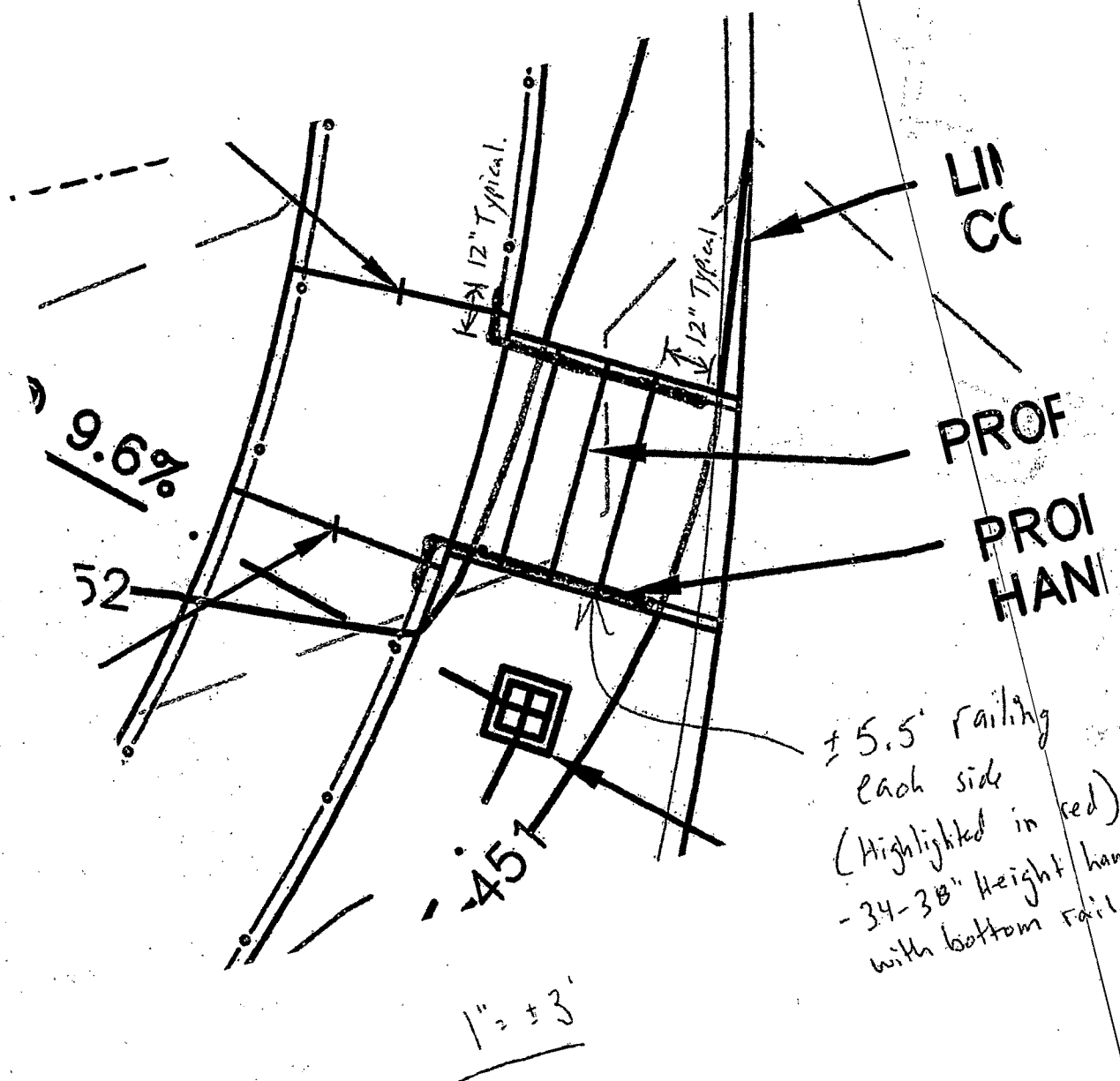
Railings for Beekman Town Hall Project Add Alternate 3. All railings are to be built to code,  
Galvanized, powder coated and installed. Design is as previously installed.

**New railings from Add Alternate 3 to street-**

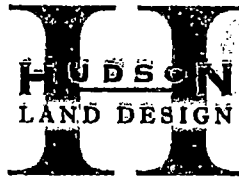
## ITEMIZED ~~ESTIMATE~~ ESTIMATE

Add Alternate 3- (\$46,500.00 original estimate)	\$ 46,500.00
Material purchased December 2021 for Add Alternate 3	\$ (2,800.00)
Measuring and Drawing work for Add Alternate 3	\$ (1,960.00)
<b>New Railing extending from Add Alternate 3 to street</b>	<b>\$ (4,500.00)</b>
<b>Add Alternate 3- Credit</b>	<b>\$ 37,240.00</b>

This is an estimate only, not a contract for services. This estimate is for completing the job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems arise after the work has started.



Sketch of Railing Change  
 associated with Add-Alt 3  
 for Beekman Town Hall  
 Accessibility Improvement Project



*Civil & Environmental Engineering Consultants*  
174 Main Street, Beacon, New York 12508  
Phone: 845-440-6926 Fax: 845-440-6637  
[www.HudsonLandDesign.com](http://www.HudsonLandDesign.com)

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September 12, 2022

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

Re: Gardner Hollow Road Bridge Replacement Project  
Contractor Request for Payment #1

Dear Supervisor Covucci and Members of the Town Board:

Hudson Land Design (HLD) is in receipt of Application and Certificate for Payment #1 dated August 31, 2022 from OCS Industries, Inc. requesting payment in the amount of \$16,704.00 less 5% retainage (\$835.20) for a total of \$15,868.80 (see attached). 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 through August 31, 2022. HLD has reviewed the request and agrees with the quantity of work completed per the continuation sheet.

Therefore, we suggest that the Town Board authorize payment to OCS Industries, Inc. in the amount of \$15,868.80 in order to satisfy Application and Certification for Payment #1. 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 "Dan H. Koehler", written in a cursive style.

Daniel G. Koehler, P.E.  
Principal

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

enc: Application and Certificate for Payment #1 with Continuation Sheets  
Certified Payroll  
Partial Release

**APPLICATION AND CERTIFICATION FOR PAYMENT**

Owner:  
Town of Beekman  
Dutchess County, NY

Project:  
Gardner Hollow Bridge  
Dutchess County, NY

APPLICATION NO: 1  
APPL. DATE August 31, 2022  
PERIOD FROM:  
PERIOD TO:

Distribution to:  
 OWNER  
 ARCHITECT  
 CONTRACTOR

Contractor:  
OCS Industries, Inc.  
327 Mill Street  
Poughkeepsie, NY 12601

Engineer:  
Hudson Land Design  
174 Main Street,  
Beacon, NY 12508

Contract Number RFB-OC052-22

CONTRACT DATE:

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid to the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payments shown herein show the

- 1. ORIGINAL CONTRACT SUM - 711,491.00
- 2. Net change by Change Orders - additional work request \$ 0.00
- 3. Allowance Overrun 0.00
- 4. CONTRACT SUM TO DATE (Line(s) 1-3) \$ 711,491.00
- 5. TOTAL COMPLETED \$ 16,704.00
  
- 7. RETAINAGE:
  - a. 5 % of Completed Work \$ 835.20  
(Column D + E on G703)
  - b. 0 % of Stored Material \$ 0  
(Column F on G703)
  - Total Retainage (Lines 5a + 5b or Total) \$ 835.20
- 8. TOTAL EARNED LESS RETAINAGE \$ 15,868.80
- 9. Previous Certificate(s) for Payment \$ 0.00
- 10. CURRENT PAYMENT DUE \$ 15,868.80
- BALANCE TO FINISH \$ 694,787.00

CONTRACTOR: OCS Industries

Michael DiValentino

By: 

Date: 9/7/22

NOTARY PUBLIC STATE OF NEW YORK  
 No. 01483920  
 Qualified in Dutchess County  
 My Commission Expires 05-04-2024  
 Michelle D'Amico

**CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on on-site observations and the data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor

is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED . . . . . \$ \_\_\_\_\_

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

By: \_\_\_\_\_

Date: \_\_\_\_\_

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month	\$ -	
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order	\$0.00	\$0.00



OWNER: Town of Beekman  
Dutchess County, NY  
4 Main St  
Poughquag NY 12570

ENGINEER: Hudson Land Design  
174 Main Street  
Beacon, NY 12508

**PAYMENT APPLICATION FORM**

Project Name: Gardner Hollow Bridge  
Contract #: RFB-OC052-22  
Application #: 1  
Period Ending: August 31, 2022  
Attention: Daniel Koehler

CONTRACTOR:  
OCS Industries, Inc.  
327 Mill Street  
Poughkeepsie, NY 12501

Specs # Act ID	Item Description	Unit #	Bid QTY	Unit Price	Contract Price	Comp	Quantity Completed			Work Remaining
							Previous	This Period	Total	
	<b>Phase 0</b>				\$ 115,443.00	14.51%	\$ 16,704.00	\$ 16,704.00	\$ 16,704.00	\$ 88,739.00
1A	Mobilization, MP&T, Temp Facilities-Access	1	1	\$22,272	\$ 22,272.00	75.00%	\$ -	\$ 16,704.00	\$ 16,704.00	\$ 5,568.00
1B	Cleaning and Grubbing	1	1	\$6,600	\$ 6,600.00	0.00%	\$ -	\$ -	\$ -	\$ 6,600.00
1C	Set-up Sump and Remove Existing Features	1	1	\$21,850	\$ 21,850.00	0.00%	\$ -	\$ -	\$ -	\$ 21,850.00
1D	Install Culvert Extension	1	1	\$16,142	\$ 16,142.00	0.00%	\$ -	\$ -	\$ -	\$ 16,142.00
1E	Temp Road Surface & Barriers	1	1	\$42,081	\$ 42,081.00	0.00%	\$ -	\$ -	\$ -	\$ 42,081.00
1F	MP&T	1	1	\$6,198	\$ 6,198.00	0.00%	\$ -	\$ -	\$ -	\$ 6,198.00
	<b>Phase 1</b>				\$ 442,875.00	0.00%	\$ -	\$ -	\$ -	\$ 442,875.00
2A	Excavation Demolition of Existing Developments	1	1	\$85,505	\$ 85,505.00	0.00%	\$ -	\$ -	\$ -	\$ 85,505.00
2B	Cast in Place Concrete	1	1	\$162,231	\$ 162,231.00	0.00%	\$ -	\$ -	\$ -	\$ 162,231.00
2C	Backfill and New Scour Install	1	1	\$137,145	\$ 137,145.00	0.00%	\$ -	\$ -	\$ -	\$ 137,145.00
2D	Install Bridge Seat	1	1	\$10,256	\$ 10,256.00	0.00%	\$ -	\$ -	\$ -	\$ 10,256.00
2E	Masthead Barrier and Sealer	1	1	\$12,034	\$ 12,034.00	0.00%	\$ -	\$ -	\$ -	\$ 12,034.00
2F	Set Bridge on Abutments	1	1	\$45,165	\$ 45,165.00	0.00%	\$ -	\$ -	\$ -	\$ 45,165.00
2G	Survey	1	1	\$12,500	\$ 12,500.00	0.00%	\$ -	\$ -	\$ -	\$ 12,500.00
	<b>Phase 2</b>				\$ 131,472.00	0.00%	\$ -	\$ -	\$ -	\$ 131,472.00
3A	Establish Grade for New Bridge	1	1	\$4,165	\$ 4,165.00	0.00%	\$ -	\$ -	\$ -	\$ 4,165.00
3B	Paving	1	1	\$31,275	\$ 31,275.00	0.00%	\$ -	\$ -	\$ -	\$ 31,275.00
3C	Remove Bypass and Dispose	1	1	\$36,572	\$ 36,572.00	0.00%	\$ -	\$ -	\$ -	\$ 36,572.00
3D	Final Grade and Landscape	1	1	\$15,585	\$ 15,585.00	0.00%	\$ -	\$ -	\$ -	\$ 15,585.00
3E	Guide Rail	1	1	\$13,876	\$ 13,876.00	0.00%	\$ -	\$ -	\$ -	\$ 13,876.00
	<b>BASE BID TOTAL</b>				\$ 711,491.00	0.00%	\$ -	\$ 16,704.00	\$ 16,704.00	\$ 694,787.00
1	Supply of nuts and bolts not in inventory for Mobio Bridge	1	1	\$ 397.61	\$ 397.61					
<b>TOTAL</b>	<b>FIXED-UNIT CONTRACT INCLUDING CO'S</b>				\$ 711,491.00	14.51%	\$ 16,704.00	\$ 16,704.00	\$ 16,704.00	\$ -

Mobilization and MP&T by 8/31. Traffic Lights and Jersey Barriers in Sept. SOV Outstanding

**CONTRACTOR/SUBCONTRACTOR**  
**PARTIAL RELEASE AND LIEN WAIVER**

Date:	<u>8/26/2022</u>	Contract Date:	<u>July 28, 2022</u>
Project:	Gardner Hollow Road Bridge	Contract Price:	<u>\$711,491.00</u>
Address:	Gardner Hollow Road	Net Extras & Deductions:	<u>\$387.61</u>
City:	Poughquag, New York 12570	Adjusted Contract Price:	<u>\$711,878.61</u>
County:	Dutchess	Amount Previously Paid:	<u>\$0.00</u>
State:	New York	Current Payment Due:	<u>\$15,868.80</u>
Owner:	Town of Beekman	Balance Due:	<u>\$694,787.00</u>
Contractor:	OCS Industries, Inc.		

In the consideration of payment made by **TOWN OF BEEKMAN** to OCS Industries, Inc. for all work, labor, materials, equipment and services furnished through the period ending August 31, 2022 and pursuant to Payment Application #1 in connection with the project named above.

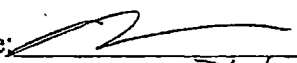
The UNDERSIGNED hereby releases the Contractor/Subcontractor listed above, through the date of this Partial Release and Waiver of Lien, from any and all claims and demands of every kind and character, including, but not limited to claims for labor and/or materials and/or equipment and/or additional work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

The UNDERSIGNED further warrants that:

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

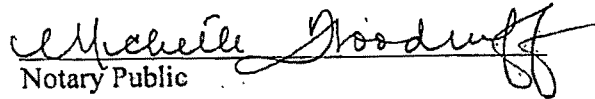
IN WITNESS WHEREOF, the contractor or subcontractor named below has executed this Partial Release and Lien Waiver this 9<sup>th</sup> day of September 2022.

CONTRACTOR/SUBCONTRACTOR:

Signature:   
Print Name: Michael DiValentino  
Title: President

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

On this 9<sup>th</sup> day of September, in the year 2022, before me personally came Michael DiValentino, to me known, who, being by me duly sworn, did depose and say that he resides at Millbrook, NY that he is the President of the OCS Industries, Inc., the corporation described in and which executed the foregoing Partial Release and Lien Waiver, and that he signed his name thereto by authority of the Board of Directors of the corporation.

  
Notary Public

MICHELLE WOODRUFF  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01WO6345920  
Qualified in Ulster County  
My Commission Expires 05-04-2024

PAYROLL

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



U.S. Wage and Hour Division

Rev. Dec. 2008

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

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/> <p style="text-align: center;">OCS Industries, Inc.</p>	ADDRESS 327 Mill St Poughkeepsie, NY 12601	OMB No.: 1235-0008 Expires: 01/31/2015
PAYROLL NO. 22-043 #1	FOR WEEK ENDING 08/07/2022	PROJECT AND LOCATION Gardner Hollow Bridge Replacement Gardner Hollow Bridge
		PROJECT OR CONTRACT NO. 2022-0113-2

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY.	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				M	T	W	T	F	S	S				FICA	WITH- HOLDING TAX	Medicare	NYS	OTHER		
				1	2	3	4	5	6	7				TOTAL DEDUCTIONS						
Buchner, Brian (8700)		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00		8.00	\$481.28	\$32.64	\$29.33	\$7.63	\$18.37	\$54.31	\$142.28	\$339.00
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00										
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

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

Date 8/8/2022

I, Michael DiValentino President  
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

OCS Industries, Inc.

on the

(Contractor or Subcontractor)

Gardner Hollow Bridge

; that during the payroll period commencing on the

(Building or Work)

1 day of August, 2022, and ending the 7 day of August, 2022,

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

OCS Industries, Inc.

from the full

(Contractor or Subcontractor)

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

(4) That:

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

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


(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

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

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE: Michael DiValentino  
President SIGNATURE: 

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

**U.S. Department of Labor**  
Wage and Hour Division

**PAYROLL**

(For Contractor's Optional Use; See Instructions at [www.dol.gov/whd/forms/lwh347instr.htm](http://www.dol.gov/whd/forms/lwh347instr.htm))



U.S. Wage and Hour Division  
Rev. Dec. 2008

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

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		OMB No.: 1235-0008 Expires: 01/31/2015	
OCS Industries, Inc.		327 Mill St Poughkeepsie, NY 12601			
PAYROLL NO. 22-043 #2	FOR WEEK ENDING 08/14/2022	PROJECT AND LOCATION Gardner Hollow Bridge Replacement Gardner Hollow Bridge		PROJECT OR CONTRACT NO. 2022-0113-2	

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK		
				M	T	W	T	F	S	S				FICA	WITH- HOLDING TAX	Medicare	NYS	OTHER		TOTAL DEDUCTIONS	
				8	9	10	11	12	13	14											
Buchner, Brian (8700)		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.00	60.16	\$541.44	\$32.64	\$29.33	\$7.63	\$18.37	\$142.28	\$230.25	\$311.19
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00											
Mills, Rich (2600)		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		46.10								
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00											
Poladian, Harry (7490)		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		43.30								
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00											
			O																		
			S																		
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

**Public Burden Statement**

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

Date 8/15/2022

I, Michael DiValentino President  
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

OCS Industries, Inc. on the

(Contractor or Subcontractor)

Gardner Hollow Bridge; that during the payroll period commencing on the

(Building or Work)

8 day of August, 2022, and ending the 14 day of August, 2022,

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

OCS Industries, Inc. from the full

(Contractor or Subcontractor)

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

(4) That:

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

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

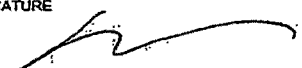
(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

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

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE Michael DiValentino President	SIGNATURE 
--	--

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

U.S. Department of Labor  
Wage and Hour Division

PAYROLL

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



U.S. Wage and Hour Division  
Rev. Dec. 2008

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

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		PROJECT AND LOCATION		PROJECT OR CONTRACT NO.	
OCS Industries, Inc.		327 Mill St Poughkeepsie, NY 12601		Gardner Hollow Bridge Replacement Gardner Hollow Bridge		2022-0113-2	
PAYROLL NO. 22-043 #3		FOR WEEK ENDING 08/21/2022					

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF HOLIDAYS WITH HOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	OT. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				M	T	W	T	F	S	S				FICA	WITH-HOLDING TAX	Medicare	NYS	OTHER		TOTAL DEDUCTIONS
				15	16	17	18	19	20	21				HOURS WORKED EACH DAY						
NO WORK PERFORMED Buchner, Brian (8700)		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00		60.16								
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00										
Mills, Rich (2600)		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00		46.10								
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00										
Poladian, Harry (7490)		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00		43.30								
			S	0.00	0.00	0.00	0.00	0.00	0.00	0.00										
			O																	
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

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





U.S. Department of Labor  
Wage and Hour Division

PAYROLL

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

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



U.S. Wage and Hour Division

Rev. Dec. 2008

NAME OF CONTRACTOR <input checked="" type="checkbox"/> OR SUBCONTRACTOR <input type="checkbox"/>		ADDRESS		OMB No.: 1235-0008	
OCS Industries, Inc.		327 Mill St Poughkeepsie, NY 12601		Expires: 01/31/2015	
PAYROLL NO. 22-043 #4		FOR WEEK ENDING 08/28/2022		PROJECT AND LOCATION Gardner Hollow Bridge Replacement Gardner Hollow Bridge	
				PROJECT OR CONTRACT NO. 2022-0113-2	

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF HOURS EXEMPTIONS	(3) WORK CLASSIFICATION	OT OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK				
				M	T	W	T	F	S	S				FICA	WITH- HOLDING TAX	Medicare	NYS	OTHER		TOTAL DEDUCTIONS			
				22	23	24	25	26	27	28				HOURS WORKED EACH DAY									
NO WORK PERFORMED Buchner, Brian (8700)		Operator	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.00	60.16	/	\$481.28	\$32.64	\$29.33	\$7.63	\$18.37	\$54.31	\$142.28	\$339.00	
			S	0.00	0.00	0.00	0.00	8.00	0.00	0.00													
Mills, Rich (2600)		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.00	46.10	/	\$368.80	\$22.88	\$46.88	\$5.36	\$17.44	\$50.16	\$142.72	\$226.08	
			S	0.00	0.00	0.00	0.00	8.00	0.00	0.00													
Poladian, Harry (7490)		Laborer	O	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8.00	41.30	0.00	/	\$346.40	\$21.44	\$6.16	\$5.04	\$15.92	\$30.00	\$78.56	\$267.84
			S	0.00	0.00	0.00	0.00	8.00	0.00	0.00													
			O											/									
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

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

Date 8/29/2022

I, Michael DiValentino President  
(Name of Signatory Party) (Title)

do hereby state:

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

Gardner Hollow Bridge; that during the payroll period commencing on the  
(Building or Work)  
22 day of August, 2022, and ending the 28 day of August, 2022,

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

OCS Industries, Inc. from the full  
(Contractor or Subcontractor)

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

(4) That

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

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

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

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

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE: Michael DiValentino  
President  
SIGNATURE: 

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

August 17, 2022

TO: Mary Covucci, Supervisor  
Town of Beekman

RE: Phillip Capalbo

The Town of Beekman Conservation Advisory Council is authorized to have nine members, and we currently have one opening. Mr. Phillip Capalbo has requested to be considered to fill this position.

When considering candidates for the CAC, I require that they have a strong desire to serve the Town of Beekman, have a concern for protecting the environment and that they will work well with the other CAC members. In addition to having a lifelong knowledge of the town, Mr. Capalbo is highly qualified to fill the opening.

As Chairman of the CAC, I recommend that the Beekman Town Board approve his appointment to the Town of Beekman CAC.



---

Clifford P. Schwark, Chairman  
Beekman Conservation Advisory Council

Enclosures: Phillip Capalbo's Resume  
Letter of Interest



**KONICA MINOLTA**



234 Holmes Road  
Holmes NY 12531  
PH 845-878-5114  
FX 845-319-6384  
[Intone1@aol.com](mailto:Intone1@aol.com)

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6/3/22

**TOWN OF BEEKMAN RECREATION**  
29 RECREATION CENTER ROAD  
POUGHQUAG NY 12570  
845-274-5300

New Color printer

Because the current market and world events we are experiencing shortages and extremely high price increases on equipment. Although you requested just a printer here is the last color desk top machine we are going to have for a while due to back orders. It is priced right in the range of a good color printer but also offers up copying, printing, scanning, and faxing.

I believe this machine will fit your needs perfectly ... Commercial grade with low-cost consumables this is a fantastic choice to consider.

The KYOCERA M5526cdw ... \$699.00 current price (includes shipping)

- 27 pages per minute
- 250 sheet paper drawer / 50 sheet bypass feed tray letter & legal sizes (expandable)
- Duplex copy, print, scan and fax
- 50 sheet dual scan document feeder (scans both sides single pass)
- Network print, scan, Fax with Color scanning
- Apple air print / Mobil print
- Wireless and WIFI capable
- Setup and delivery with start supplies
- One year warranty Parts & labor on-site
- Toners are \$49 each and black yields up to 4000 prints, colors yield up to 3000 prints

See attached brochure.

Let me know if you have any questions or suggestions.

Sincerely

Maurice Coryea

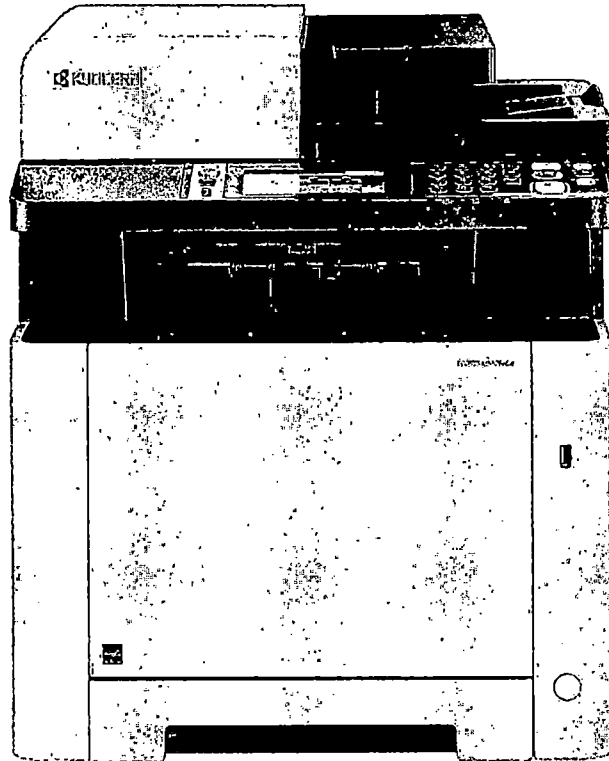
**ECOSYS**

> PRINT > COPY > SCAN > FAX

**ECOSYS M5526cdw**

COLOR MULTIFUNCTIONAL  
PRINTER

ECONOMICAL.  
ECOLOGICAL.  
ECOSYS  
TECHNOLOGY.



GOOD DESIGN  
AWARD 2016

The compact **ECOSYS M5526cdw** offers exceptional four-in-one convenience and unmatched economy, as a versatile desktop color printer, copier, scanner and monochrome fax. Designed to support the demands of today's mobile workforce, the network-/wireless-ready ECOSYS M5526cdw delivers professional color and crisp black-and-white output at up to 27 pages per minute. And with intuitive walk-up operation and software tools, this flexible system enables users to create, access, store and share information faster than ever before—whether in the office or on the go.

- > Fast Output Speed at up to 27 Pages per Minute in Black and Color
- > Standard Color Print, Copy, Scan and Black and White Fax
- > User-friendly 4.3" Color Touch Screen Control Panel

- > Standard 50-sheet Dual Scan Document Processor for Quick Scanning of 2-sided Originals
- > Standard Duplex Printing to Reduce Paper Consumption
- > Wide Media Support and Paper Sizes up to 8.5" x 14"
- > High-speed Gigabit Ethernet Interface Optimizes Network Efficiency
- > USB Host Interface Supports On-the-Go Printing and Scanning
- > Standard Wireless Printing and Wi-Fi Direct
- > Apple AirPrint®, Google Cloud Print™, KYOCERA Mobile Print and Mopria® Compatible for a Mobile Printing Solution
- > ECOSYS Long Life Consumables for Low Cost-per-Print and Minimal Waste

 **KYOCERA**

Document Solutions

# ECOSYS M5526cdw

## ECOSYS TECHNOLOGY

Kyocera ECOSYS printers provide advanced office solutions that enable businesses to achieve fast return-on-investment, with minimal impact on the environment. Specifically, ECOSYS printers utilize imaging technology that is comprised of our patented long-life drum and separate toner cartridges. This eliminates drum replacement when toner is depleted, reducing both cost-per-print and landfill waste. As such, Kyocera's best-in-class ECOSYS printers support our customers' sustainability initiatives—while driving down operating costs.

### BASIC SPECIFICATIONS

**Configuration:**  
Color Multifunctional Printer – Print / Scan / Copy / Fax  
**Pages Per Minute:**  
Black – Letter: 27 ppm, Legal: 22 ppm, A4: 26 ppm  
Color – Letter: 27 ppm, Legal: 22 ppm, A4: 26 ppm  
**Warm Up Time:** 29 Seconds or Less (Power On), 13 Seconds or Less from Sleep  
**First Page Out:**  
**Copy:** 8 Seconds or Less Black, 10 Seconds or Less Color  
**Print:** 9.5 Seconds or Less Black, 10.5 Seconds or Less Color  
**Display:** 4.3" Color Touch Screen Control Panel (TSI)  
**Resolution:** 600 x 600 dpi, 9600 x 600 dpi, 1200 x 1200 dpi<sup>1</sup>  
**Memory:** Standard 512MB, Upgradable to 1.5GB  
**Duplex:** Standard Stackless Duplex Supports Statement to Legal (5.5" x 8.5" – 8.5" x 14"), 16 lb – 32 lb Bond (60 – 120gsm)  
**Dimensions / Weight:** 16.4" W x 16.9" D x 19.5" H / 57.3 lbs  
**Maximum Monthly Duty Cycle:** 65,000 Pages per Month

### POWER CONSUMPTION

**Electrical Requirements:** 120V, 60Hz, 8.6A; 220 – 240V, 50/60Hz, 4.5A  
**Typical Electricity Consumption (TEC):** 120V: 1,040 Wh/week; 220 – 240V: 1,024 Wh/week  
**Maximum (Including options):** 120V: 1,019 W; 220 – 240V: 1,090 W  
**Copying / Printing:** 120V: 380 W; 220 – 240V: 375 W  
**Ready Mode:** 120V: 41 W; 220 – 240V: 41 W  
**Sleep Mode:** 120V: 1 W; 220 – 240V: 1 W  
**Power Off:** 120V: 0.2 W; 220 – 240V: 0.2 W





### PAPER SUPPLY

**Standard Paper Sources:** Single 250 Sheet Drawer, 50 Sheet Multi-purpose Tray  
**Standard / Maximum Paper Sources:** 2 / 3 Including Multi-purpose Tray  
**Standard / Maximum Paper Capacity:** 300 Sheets / 550 Sheets  
**Paper Size:** Standard / Optional / MPT Drawers: 5.5" x 8.5" – 8.5" x 14" (Statement to Legal)  
**Paper Weight:** Standard / Optional Drawers: 16 lb Bond – 90 lb Index (60 – 163gsm); MPT: 16 lb Bond – 120 lb Index (60 – 220gsm)  
**Input Materials:** Standard / Optional Drawer: Plain Paper, Bond Paper, Recycled Paper; MPT: Labels, OHP, Envelopes, Coated Paper  
**Standard Output Tray Capacity:** 150 Sheets

Specifications and design are subject to change without notice. For the latest on connectivity visit [www.kyoceradocumentsolutions.com/us](http://www.kyoceradocumentsolutions.com/us). ECOSYS, Prescribe, Command Center RX and KYOCERA Mobile Print are trademarks of the KYOCERA Companies. Mac and AirPrint are trademarks of Apple, Inc. Google Cloud Print is a trademark of Google, Inc. All other trademarks are the property of their respective owners.

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Headquarters: 225 Sand Road, Fairfield, NJ 07004-0008, USA  
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IC# 855D400477

## HARNESS THE POWER OF YOUR ECOSYS PRINTER WITH CUSTOMIZED BUSINESS APPLICATIONS

-  **KYOCERA MOBILE PRINT:** Simply and conveniently print files, web pages, and images using your smartphone or tablet.
-  **APPLE AIRPRINT:** Driverless printing from iOS and OS X products to select KYOCERA devices.
-  **COMMAND CENTER RX:** View toner levels, paper availability and device status via users' Web browser.
-  **PRESCRIBE:** Create, store and print frequently used forms directly from a KYOCERA printer.

### PRINT SPECIFICATIONS

**Standard Controller:** Cortex-A9 / 800MHz  
**PDLs / Emulations:** PRESCRIBE, PCL6 (PCL5c/PCL-XL), KPDL3 supporting AES, PDF Direct Print, XPS/OpenXPS Direct Print  
**Fonts:** 93 Scalable Fonts for PCL6, 93 Fonts for KPDL3, 8 Fonts for Windows Vista, 1 Bitmap Font  
**Windows OS Compatibility:** Windows XP/Vista/7/8/8.1/10/Server 2003/Server 2008/Server 2008 R2/Server 2012/Server 2012 R2; Linux  
**Mac OS Compatibility:** Apple Macintosh OS X 10.5 or later  
**Interfaces:** Standard: 10/100/1000BaseTX, High-speed USB 2.0, 1 USB Host, Wireless LAN IEEE 802.11b/g/n, Wi-Fi Direct  
**Mobile Printing:** Apple AirPrint®, Google Cloud Print™, KYOCERA Mobile Print, Mopria®  
**Network Print and Supported Protocols:** TCP/IP, IPv4, IPv6, NetBEUI, FTP, LPR, IPP, WSD Print/Scan, DHCP, DNS, Apple Bonjour, LDAP, SNMP v1/v2, HTTP, SMTP, POP3, PDF Direct Print (using KYOCERA NET Direct Print utilities)  
**Drivers:** KX Driver, KX Driver for XPS, PCL Mini Driver, KPDL Mini Driver, Network Fax Driver, TWAIN Driver, WIA Driver, MAC Driver, Linux Driver  
**Utilities:** KYOCERA Net Direct Print, File Management Utility, KYOCERA Mobile Print, KYOCERA Print Center, KYOCERA Net Admin, KYOCERA Net Viewer, Quick Setup, ID Register, Wi-Fi Setup Tool  
**Additional Print Features:** EcoPrint; Quick Copy<sup>2</sup> and Job Storage<sup>3</sup>; Private Print<sup>3</sup> and Proof and Hold<sup>3</sup>

### SCAN SPECIFICATIONS

**Scan Type:** Color and Black & White Scanner  
**Scan Resolution:** 300 x 600 dpi, 300 dpi, 600 dpi  
**Scanning Functions:** Scan to Folder (SMB), Scan to Email, Scan to FTP, Scan to FTP over SSL, WSD Scan, Scan to USB, TWAIN/WIA Scan  
**File Formats:** TIFF, PDF, High-compression PDF, XPS, OpenXPS, JPEG, Encrypted PDF, PDA/A-1  
**Scan Speeds through DSDP:**  
**Simplex BW / Color:** @300 dpi – 30 lpm / 23 lpm; @600 dpi – 18 lpm / 6 lpm  
**Duplex BW / Color:** @300 dpi – 24 lpm / 16 lpm  
**Original Size:** Through Document Processor: Statement to Legal (5.5" x 8.5" – 8.5" x 14"); Glass: Up to 8.5" x 11"

### COPY SPECIFICATIONS

**Image Mode:** Text, Photo, Text & Photo, Map, Print Original Mode  
**Continuous Copy:** 1-999 / Auto Reset to 1  
**Job Management:** Job Accounting, 20 Department Codes, Shortcut Keys  
**Magnification / Zoom:** Full Size, 7 Reduction, 5 Enlargement, Preset Ratios, 25 – 400% (In 1% Increments)  
**Additional Copy Features:** Auto Repeat, Auto Zoom, Auto Duplex

### SECURITY SPECIFICATIONS

**Standard:** Local Authentication, Network Authentication, IPsec, SNMPv3, LDAP over SSL, IEEE 802.1x, IPP over SSL/TLS, HTTPS, FTP over SSL/TLS, SMTP over SSL/TLS, POP3 over SSL/TLS, Enhanced WSD over SSL/TLS  
**Optional:** Card Authentication Kit (B)

### DOCUMENT PROCESSOR

**Type / Capacity:** Standard Dual Scan Document Processor (DSDP) / 50 Sheets  
**Acceptable Originals:** Statement to Legal (5.5" x 8.5" – 8.5" x 14")  
**Acceptable Weights:** Simplex: 13 – 42 lb Bond (50 – 160gsm), Duplex: 13 – 32 lb Bond (50 – 120gsm)

### FAX SPECIFICATIONS

**Compatibility / Data Compression:** ITU-T G3 Fax / MMR, MR, MH, JBIG  
**Transmission Speed / Modem Speed:** 3 Seconds or Less / 33.6Kbps  
**Fax Memory:** 3.5MB  
**Fax Functions:** Simplex Transmission / Duplex Reception, One Touch Dial (500 numbers), Quick Dial (100 numbers), Sequential Broadcast (500 numbers), Density Adjustment, Original Image Quality, Continuous Scan, Timer Send, Fax Reports

### PAPER HANDLING OPTION

**PF-5110:** 250 Sheet Paper Feed Drawer  
**Paper Size / Weight:** 5.5" x 8.5" – 8.5" x 14" (Statement to Legal) / 16 lb Bond – 90 lb Index (60 – 163gsm)  
**Dimensions / Weight:** 16.5" x 19" x 6" / 8 lbs.

### ADDITIONAL OPTIONS

**Memory:** 512MB DIMM Memory, 1GB DIMM Memory  
**SD Card:** 16 / 32GB  
**Security:** Card Authentication Kit (B)  
**Print Management:** ThinPrint (UG-33)

### Note:

- <sup>1</sup> At reduced speed
- <sup>2</sup> Requires optional SD Card
- <sup>3</sup> Requires optional Memory or SD Card



 **KYOCERA**  
Document Solutions

MARCUS J. MOLINARO  
COUNTY EXECUTIVE



EOIN WRAFTER, AICP  
COMMISSIONER

**COUNTY OF DUTCHESS**  
DEPARTMENT OF PLANNING AND DEVELOPMENT

August 25, 2022

To: Town Board, Town of Beekman  
Re: ZR22-212, LL regarding 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 Board is considering adoption of a local law to regulate short-term rentals.

**COMMENTS**

We have reviewed the draft regulations and offer the following comments, listed as they appear in the proposed law:

- Section 126.1-3 (A) notes that, in addition to a short-term rental permit, planning and zoning approvals may be required for short-term rentals. However, these approvals are not detailed in the proposed local law. We suggest the Board either include details on when additional approvals would be required, or remove the reference to "requisite planning and zoning approvals" in this section.
- Section 126.1-3 (B) refers to "where such use is permitted by Chapter 155" but we do not see any changes proposed to the use table within the zoning code. The *Permitted Uses* table (Schedule A) should be updated to reflect the short-term rental use.
- The Town could consider rewording Section 126.1-3 (C) to clearly state that that this requirement is referring to the *online* listing of the property.
- Section 126.1-7 (B) requires that a property owner only operate a short-term rental on one parcel in the Town. As this requirement is specifically zoning-related, we suggest restating this requirement in Section 155-39.1 (C).
- We note that Section 126.1-10 and Section 126.1-11 identify the Building Department and the Building Inspector, respectively, as the parties responsible for denying and revoking short-term rental permits. Was it the Town's intent to have different parties listed in these roles? Many responsibilities within this chapter seem to fall specifically to the Building Inspector. The references could be brought into alignment with each other.
- The Town proposes to create two sets of regulations which will govern the regulation of short-term rentals in Beekman: Section 126.1 (Short-Term Rentals) is its own chapter of the Town Code and Section 155-39.1 (Short-Term Rentals) resides with the Zoning Code. For ease of reference for both the Town and applicants applying for these permits, we suggest each code section reference the other.



- Section 155-39.1 (C)(5) outlines that "hosted" short-term rentals are permitted within a single-family dwelling in all zoning districts in the Town. As stated earlier, short-term rentals should be added to Schedule A, *Permitted Uses*, in accordance with this regulation. We also note that this is the first reference to "hosted" short-term rentals in the proposed local law. The Town should add definitions of "hosted" and "unhosted" short-term rentals to both short-term rental code sections (126.1 and 155-39.1), and clearly state within Section 155-39.1 that "unhosted" short-term rentals are prohibited within the Town.
  - The Town could also consider adding a footnote on Schedule A, *Permitted Uses*, which restates that short-term rentals are only permitted within single-family residences.
- The proposed local law also details the parking requirement for these uses, which is "1 per guest room/bedroom available for rent." This standard may be appropriate for 1- or 2-bedroom residences, but would likely require more parking spaces than needed for 3 bedrooms or more. The Town could consider giving the Planning Board discretion to reduce this requirement on a case-by-case basis.

As always, we would be happy to discuss our comments further with representatives from the Town.

Please also note that in 2019, Dutchess County began contracting with a web-based service known as Host Compliance (now partnered with Granicus), a program that helps to identify short-term rentals, aiding in the collection of the required hotel bed tax pursuant to Dutchess County Local Law. Host Compliance/Granicus can also work directly with local municipalities to provide a variety of services related to short-term rental identification, compliance monitoring, and more. We recognize permitting and enforcement of zoning ordinances can present a challenge to municipal officials and local budgets. We are pleased to share that Dutchess County will cover the cost of Host Compliance's Address Identification and Compliance Monitoring modules for local municipalities who have adopted short-term rental regulations and are looking for assistance in communicating those regulations. The County would continue to pay the renewal of the subscription each year, provided that the funding is approved in the budget by the Legislature. The County's Department of Finance will be taking the lead in coordinating this shared services opportunity between Host Compliance, the municipality, and the County. To learn more about this opportunity, please reach out to Heidi Seelbach, Dutchess County Commissioner of Finance, at (845) 486-2033.

#### 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



Shelby Frangk  
Planner

**Dutchess County Department of Planning and Development**

Exempt 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: LL re 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: 8/9/2022

Entered By: abbatantuono, laureen

\*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: 7/27/2022	Notes:	<input type="checkbox"/> Major Project
Date Received: 7/27/2022		Referral #: ZR22-212
Date Requested: 8/9/2022		
Date Required: 8/25/2022	<input type="checkbox"/> Also mailed hard copy	Reviewer: <i>Shelley Frank</i>
Date Transmitted: 8/25/2022		

**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: **Planning Board**

Tax Parcel Number(s):

Project Name: **Local Law No.1 to Amend the Code of the Town of Beekman Concerning Administrative Fees and Penalties**

Applicant: **Town of Beekman**

Address of Property: **4 Main Street, Poughquag NY 12570**

Please Fill in this section

<p><b>Exempt Actions:*</b> 239 Review is NOT Required</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 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 checked="" type="checkbox"/> Other (Describe): <b>Admin Fees and Penalties</b></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:

Entered By: **abbatantuono, laureen**

\*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 checked="" 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 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>8/11/2022</b>	Notes: <b>Administrative code amendments are exempt from GML 239 review per the intermunicipal agreement between the Town and County.</b>	<input type="checkbox"/> Major Project
Date Received: <b>8/11/2022</b>		Referral #: <b>ZR22-226</b>
Date Requested:		
Date Required: <b>9/9/2022</b>	<input type="checkbox"/> Also mailed hard copy	Reviewer: <i>Shelly Fraugh</i>
Date Transmitted: <b>9/6/2022</b>		

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The **TOWN BOARD OF THE TOWN OF BEEKMAN**, as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** In the Matter of Local Law No. 2 of 2022  
AMENDING THE TOWN'S ZONING CODE FOR THE PURPOSE OF ADDING  
REGLATIONS FOR SHORT TERM RENTALS

**SEQR Status:** Type 1   
Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

The Town of Beekman Town Board has found that it is reasonable and appropriate, and in the best interests of the residents of the Town, to amend the Town Code to include provisions permitting short-term rentals, under certain limited conditions, in the Town.

**Location:** Town of Beekman, Dutchess County, New York.

**Reasons Supporting This Determination:**

1. The proposed activity is to add regulations for short-term rentals to the Town Code.
2. Adopting the Local Law would not create (a) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, (b) a substantial increase in solid waste production, or (c) a substantial increase in potential for erosion, flooding, leaching or drainage problems.
3. Adopting the Local Law would not result in (a) the removal or destruction of large quantities of vegetation or fauna, (b) substantial interference with the movement of any resident or migratory fish or wildlife species, (c) impacts on a significant habitat area, (d) substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or (e) other significant adverse impacts to natural resources.
4. Adopting the Local Law would not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14(g);
5. Adopting the Local Law would not create a material conflict with the Town of Beekman's current plans or goals as officially approved or adopted.
6. Adopting the Local Law would not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

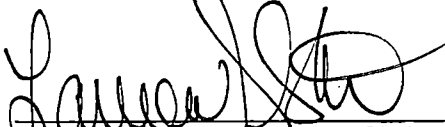
7. Adopting the Local Law would not result in a major change in the use of either the quantity or type of energy.
8. Adopting the Local Law would not create a hazard to human health.
9. Adopting the Local Law would not result in a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
10. Adopting the Local Law would not encourage or attract a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.
11. Adopting the Local Law would not create a material demand for other actions that would result in one of the above consequences.
12. Adopting the Local Law would not create changes in two or more elements of the environment, no one of which has a significant impact on the environment, but which, when considered together, result in a substantial adverse impact on the environment.

**For Further Information:**

Mary Covucci, Supervisor  
Town of Beekman Town Board  
Town Hall  
4 Main St.  
Poughquag, NY 12570

The foregoing Negative Declaration was duly adopted by the vote of a majority of the members of the Town of Beekman Town Board, the Lead Agency, at a regular meeting held on September 13, 2022.

By:

  
\_\_\_\_\_  
Lauren Abbatantudno, Town Clerk  
Town of Beekman

STATE OF NEW YORK  
**DEPARTMENT OF STATE**

ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001  
HTTPS://DOS.NY.GOV

KATHY HOCHUL  
GOVERNOR

ROBERT J. RODRIGUEZ  
SECRETARY OF STATE

September 21, 2022

Town Clerk  
Town of Beekman  
4 Main Street  
Poughquag NY 12570

**RE: Town of Beekman, Local Law 2 2022, filed on July 16 2022**

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.ny.gov](http://www.dos.ny.gov).

Sincerely,  
State Records and Law Bureau  
(518) 473-2492



**Department  
of State**

# Local Law Filing

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

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

County  City  Town  Village  
(Select one.)

of BEEKMAN

FILED  
STATE RECORDS  
SEP 16 2022

DEPARTMENT OF STATE

Local Law No. 2 of the year 2022

A local law A LOCAL LAW CONCERNING SHORT-TERM RENTALS WITHIN THE  
(Insert Title)  
TOWN OF BEEKMAN

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of BEEKMAN

as follows:

SEE ATTACHED

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2022 of the (County)(City)(Town)(Village) of BEEKMAN was duly passed by the TOWN BOARD on SEPTEMBER 13 2022, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20  , in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



**5. (City local law concerning Charter revision proposed by petition.)**

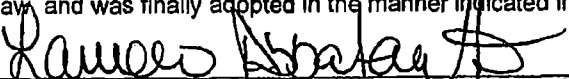
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

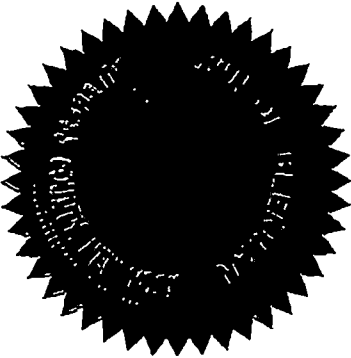
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 9/14/22



**RESOLUTION NO. 09:13:22 - 11**  
**RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN**  
**ADOPTING LOCAL LAW NO. 2 OF THE YEAR 2022, A LOCAL LAW CONCERNING SHORT-TERM RENTALS WITHIN**  
**THE TOWN OF BEEKMAN"**

**WHEREAS**, the Town of Beekman introduced a local law, known as Local Law No. 2 of the year 2022 establishing a new Chapter 126.1 of the Code of the Town of Beekman to be known as "Short-Term Rentals," and to amend Chapter 155 of the Code of the Town of Beekman entitled "Zoning," regarding short-term rentals; and

**WHEREAS**, a public hearings were duly held on July 26, 2022, August 09, 2022 and September 13, 2022 at Town Hall, 4 Main Street, Poughquag, NY regarding Local Law No. 2 of 2022; and

**WHEREAS**, the Town Board was given the opportunity to hear concerns of all Beekman residents;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman does hereby affirm and adopt Local Law No. 2 of 2022 entitled, "A LOCAL LAW TO ESTABLISH A NEW CHAPTER 126.1 OF THE CODE OF THE TOWN OF BEEKMAN TO BE KNOWN AS "SHORT-TERM RENTALS," AND TO AMEND CHAPTER 155 OF THE CODE OF THE TOWN OF BEEKMAN, ENTITLED "ZONING," REGARDING SHORT-TERM RENTALS"; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized and directed to file forth with a copy of this local with the New York Secretary of State.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILWOMAN WOHRMAN**

**ROLL CALL VOTE:**

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

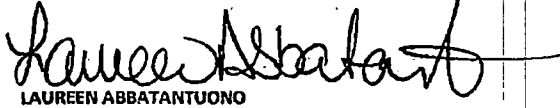
**Dated: September 13, 2022**

**CERTIFICATION**

I, LAUREEN ABBATANTUONO, the duly qualified and acting Clerk for the Town of Beekman Town Board, Dutchess County, State of New York, do hereby certify that attached hereto is a true and correct copy of an extract from the minutes of a regular meeting of the Town Board of the Town of Beekman, held on the 13<sup>th</sup> day of September, 2022 and that the Resolution set forth herein is a true and correct copy of the of the Town Board of said Town adopted at said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town, this 14<sup>th</sup> day of September, 2022

  
LAUREEN ABBATANTUONO  
TOWN CLERK





**COUNTY OF DUTCHESS**  
DEPARTMENT OF PLANNING AND DEVELOPMENT

August 25, 2022

To: Town Board, Town of Beekman  
Re: ZR22-212, LL regarding 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 Board is considering adoption of a local law to regulate short-term rentals.

**COMMENTS**

We have reviewed the draft regulations and offer the following comments, listed as they appear in the proposed law:

- Section 126.1-3 (A) notes that, in addition to a short-term rental permit, planning and zoning approvals may be required for short-term rentals. However, these approvals are not detailed in the proposed local law. We suggest the Board either include details on when additional approvals would be required, or remove the reference to "requisite planning and zoning approvals" in this section.
- Section 126.1-3 (B) refers to "where such use is permitted by Chapter 155" but we do not see any changes proposed to the use table within the zoning code. The *Permitted Uses* table (Schedule A) should be updated to reflect the short-term rental use.
- The Town could consider rewording Section 126.1-3 (C) to clearly state that that this requirement is referring to the *online* listing of the property.
- Section 126.1-7 (B) requires that a property owner only operate a short-term rental on one parcel in the Town. As this requirement is specifically zoning-related, we suggest restating this requirement in Section 155-39.1 (C).
- We note that Section 126.1-10 and Section 126.1-11 identify the Building Department and the Building Inspector, respectively, as the parties responsible for denying and revoking short-term rental permits. Was it the Town's intent to have different parties listed in these roles? Many responsibilities within this chapter seem to fall specifically to the Building Inspector. The references could be brought into alignment with each other.
- The Town proposes to create two sets of regulations which will govern the regulation of short-term rentals in Beekman: Section 126.1 (Short-Term Rentals) is its own chapter of the Town Code and Section 155-39.1 (Short-Term Rentals) resides with the Zoning Code. For ease of reference for both the Town and applicants applying for these permits, we suggest each code section reference the other.

- Section 155-39.1 (C)(5) outlines that "hosted" short-term rentals are permitted within a single-family dwelling in all zoning districts in the Town. As stated earlier, short-term rentals should be added to Schedule A, *Permitted Uses*, in accordance with this regulation. We also note that this is the first reference to "hosted" short-term rentals in the proposed local law. The Town should add definitions of "hosted" and "unhosted" short-term rentals to both short-term rental code sections (126.1 and 155-39.1), and clearly state within Section 155-39.1 that "unhosted" short-term rentals are prohibited within the Town.
  - The Town could also consider adding a footnote on Schedule A, *Permitted Uses*, which restates that short-term rentals are only permitted within single-family residences.
- The proposed local law also details the parking requirement for these uses, which is "1 per guest room/bedroom available for rent." This standard may be appropriate for 1- or 2-bedroom residences, but would likely require more parking spaces than needed for 3 bedrooms or more. The Town could consider giving the Planning Board discretion to reduce this requirement on a case-by-case basis.

As always, we would be happy to discuss our comments further with representatives from the Town.

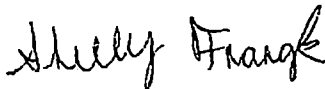
Please also note that in 2019, Dutchess County began contracting with a web-based service known as Host Compliance (now partnered with Granicus), a program that helps to identify short-term rentals, aiding in the collection of the required hotel bed tax pursuant to Dutchess County Local Law. Host Compliance/Granicus can also work directly with local municipalities to provide a variety of services related to short-term rental identification, compliance monitoring, and more. We recognize permitting and enforcement of zoning ordinances can present a challenge to municipal officials and local budgets. We are pleased to share that Dutchess County will cover the cost of Host Compliance's Address Identification and Compliance Monitoring modules for local municipalities who have adopted short-term rental regulations and are looking for assistance in communicating those regulations. The County would continue to pay the renewal of the subscription each year, provided that the funding is approved in the budget by the Legislature. The County's Department of Finance will be taking the lead in coordinating this shared services opportunity between Host Compliance, the municipality, and the County. To learn more about this opportunity, please reach out to Heidi Seelbach, Dutchess County Commissioner of Finance, at (845) 486-2033.

#### 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



Shelby Frangk  
Planner

**Dutchess County Department of Planning and Development**

Fax Info Only

To \_\_\_\_\_  
Co./Dept. \_\_\_\_\_  
Fax # \_\_\_\_\_

Date \_\_\_\_\_ #pgs \_\_\_\_\_  
From \_\_\_\_\_  
Phone # \_\_\_\_\_

**239 Planning/Zoning Referral - Exemption Communities**

Municipality: **Town of Beekman**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **LL re Short Term Rentals**

Applicant: **Town Board**

Address of Property:

Please Fill in this section

**Exempt Actions:\*  
239 Review is NOT Required**

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

**No Authority to review these Actions**

- Subdivisions / Lot Line Adjustments
- Interpretations

Exempt Action submitted for informal review

**Actions Requiring 239 Review**

- Comprehensive/Master Plans
- Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- Rezoning involving all map changes
- Architectural Review
- Site Plans (all)
- Special Permits for all non-residential uses
- Use Variances for all non-residential uses
- Area Variances for all non-residential uses
- Other (Describe):

**Parcels within 500 feet of:**

- State Road:
- County Road:
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

Date Response Requested: **8/9/2022**

Entered By: **abbatantuono, laureen**

\*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**

- No Comments:**
- Matter of Local Concern
  - No Jurisdiction
  - No Authority
  - Withdrawn
  - Incomplete - municipality must resubmit to County
  - Exempt from 239 Review
  - None

- Comments Attached:**
- Local Concern with Comments
  - Conditional
  - Denial
  - Incomplete with Comments- municipality must resubmit to County
  - Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **7/27/2022**

Date Received: **7/27/2022**

Date Requested: **8/9/2022**

Date Required: **8/25/2022**

Date Transmitted: **8/25/2022**

Notes:

Major Project

Referral #: **ZR22-212**

Also mailed hard copy

Reviewer:

*Shelley Frangk*

# 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: **Planning Board**

Tax Parcel Numbers(s):

Project Name: **Local Law No.1 to Amend the Code of the Town of Beekman Concerning Administrative Fees and Penalties**

Applicant: **Town of Beekman**

Address of Property: **4 Main Street, Poughquag NY 12570**

Please Fill in this section

<p><b>Exempt Actions:*</b>  <b>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 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 checked="" type="checkbox"/> Other (Describe): <b>Admin Fees and Penalties</b></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:

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 checked="" 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 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>8/11/2022</b>	Notes: <b>Administrative code amendments are exempt from GML 239 review per the intermunicipal agreement between the Town and County.</b>	<input type="checkbox"/> Major Project
Date Received: <b>8/11/2022</b>		Referral #: <b>ZR22-226</b>
Date Requested:		
Date Required: <b>9/9/2022</b>	<input type="checkbox"/> Also mailed hard copy	Reviewer: <i>Shelly Frank</i>
Date Transmitted: <b>9/6/2022</b>		

*Local Law Filing*

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

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

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

**TOWN OF BEEKMAN  
LOCAL LAW NO. 2 (PROPOSED) OF THE YEAR 2022**

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

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

**SECTION 1. LEGISLATIVE INTENT**

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

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

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

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

## **SECTION 2. APPLICATION**

This Local Law shall apply within the Town of Beekman.

## **SECTION 3. SEVERABILITY**

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

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

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

### **CHAPTER 126.1. SHORT-TERM RENTALS**

#### **§ 126.1-1. Purpose.**

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

#### **§ 126.1-2. Definitions.**

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

#### **PRIMARY RESIDENCE**

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



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

**OWNER**

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

**PERSON**

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

**SHORT-TERM RENTAL**

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

- (1) Hosted short-term rental. A short-term rental where the property owner is residing in the dwelling overnight with their guest(s).
- (2) Unhosted short-term rental. A short-term rental where the property owner is not present in the dwelling overnight with their guest(s). Unhosted short-term rentals are prohibited within the Town.

**§ 126.1-3. Short-Term Rental Permit.**

- A. Permit required. It shall be unlawful to use, establish, maintain, operate, rent or lease, or advertise for rent or lease, any property as a short-term rental within the Town of Beekman without first having obtained a short-term rental permit for such purpose in accordance with provisions of this chapter. The failure or refusal to obtain a short-term rental permit prior to the commencement of a short-term rental use shall be deemed a violation of this chapter.
- B. Zoning use authorized. Subject to the conditions set forth in this chapter and in Chapter 155, including §155-39.1, a short-term rental shall be a permitted accessory use to a lawful single-family dwelling.
- C. Advertisement. If a property owner advertises their rental online or in print, the short-term rental permit number issued by the Town must be included in the listing.
- D. Presumptive evidence. The presence or existence of any of the following shall create a rebuttable presumption that a property is being utilized as a short-term rental:
  - (1) The property is offered for lease or rent on a short-term rental website, including but not limited to Airbnb, HomeAway, VRBO or similar websites; or
  - (2) The property is offered for lease or rent by the use of any other advertising mechanism for a period of fewer than thirty (30) consecutive days.



**§ 126.1-4. Term of Permit.**

A short-term rental permit shall be issued annually and shall expire on the last day of December next succeeding the date of issuance, unless sooner terminated, revoked or suspended. A property owner may apply for renewal for the following calendar year up to 90 days prior to the expiration of the permit, but no later than 30 days prior to such expiration.

**§ 126.1-5. Application for permit.**

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

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

**§ 126.1-6. Renewal of permit.**

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

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

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

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

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

**§ 126.1-8. Denial or revocation of application.**

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

applicant may submit written objections, and any other information the applicant deems advisable or necessary.

**§ 126.1-9. Reapplication for a permit.**

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

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

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

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

**§ 126.1-11. Revocation of a permit.**

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

A. Permanent Revocation.

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

B. Temporary Revocation/Suspension.

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



- (2) The receipt by the Town of more than six (6) complaints about the short-term rental use within a forty-five-day period shall cause the permit to be revoked for a period of time to be determined by the Building Inspector, such time to be determined based upon the type and nature of the complaint, the complainant, and the ability to remedy the complaint.

**§ 126.1-12. Appeals.**

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

**§ 126.1-13. Effect of Revocation.**

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

**§ 126.1-14. Violations and Enforcement.**

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

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

**§ 126.1-15. Penalties for offense(s).**

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

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

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

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

**§ 155-39.1. Short-term rentals.**

- A. Purpose. The purpose of this section, and of chapter 126.1 of the Town Code, is to regulate short-term rentals within the Town of Beekman in a manner that protects the public health, safety, and welfare.
- B. Definitions. As used in this section, the following words shall have the meanings indicated:

**PRIMARY RESIDENCE**

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

**OWNER**

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

**PERSON**

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

**SHORT-TERM RENTAL**

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

include the rental or lease, for a period of fewer than 30 days, of the entirety of a single-family dwelling, and does not include dormitories, hotel or motel rooms, bed-and-breakfast establishments, or inns as regulated by the Town of Beekman Zoning Law, and does not include the use of any accessory structure(s) for dwelling purposes. The following are types of short-term rentals:

- (1) Hosted short-term rental. A short-term rental where the property owner is residing in the dwelling overnight with their guest(s).
  - (2) Unhosted short-term rental. A short-term rental where the property owner is not present in the dwelling overnight with their guest(s). Unhosted short-term rentals are prohibited within the Town.
- C. Subject to the requirements set forth in this section, short-term rentals shall be permitted as follows:
- (1) A short-term rental shall only be permitted as an accessory use to a single-family dwelling.
  - (2) The single-family dwelling shall be the primary residence of the property owner.
  - (3) A property owner may only operate a short-term rental on one parcel in the Town.
  - (4) A short-term rental shall only be permitted within a principal building, not an accessory building.
  - (5) A short-term rental shall not be permitted on the same lot as an accessory dwelling unit or a home occupation.
  - (6) Zoning districts. Hosted short-term rental shall be permitted in any single-family dwelling in all zoning districts within the Town of Beekman.

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

Short-term rental	1 per guest room/bedroom available for rent
-------------------	---

#### **SECTION 6. EFFECTIVE DATE**

This local law shall take effect immediately upon the filing in the office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law, or as soon as permissible thereafter.

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The **TOWN BOARD OF THE TOWN OF BEEKMAN**, as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** In the Matter of Local Law No. 2 of 2022  
AMENDING THE TOWN'S ZONING CODE FOR THE PURPOSE OF ADDING  
REGLATIONS FOR SHORT TERM RENTALS

**SEQR Status:** Type 1   
Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

The Town of Beekman Town Board has found that it is reasonable and appropriate, and in the best interests of the residents of the Town, to amend the Town Code to include provisions permitting short-term rentals, under certain limited conditions, in the Town.

**Location:** Town of Beekman, Dutchess County, New York.

**Reasons Supporting This Determination:**

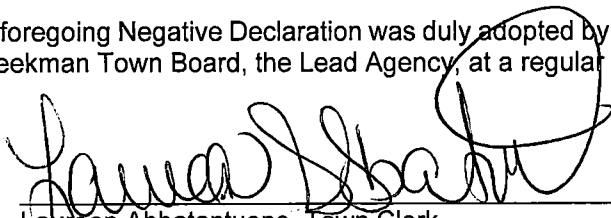
1. The proposed activity is to add regulations for short-term rentals to the Town Code.
2. Adopting the Local Law would not create (a) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, (b) a substantial increase in solid waste production, or (c) a substantial increase in potential for erosion, flooding, leaching or drainage problems.
3. Adopting the Local Law would not result in (a) the removal or destruction of large quantities of vegetation or fauna, (b) substantial interference with the movement of any resident or migratory fish or wildlife species, (c) impacts on a significant habitat area, (d) substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or (e) other significant adverse impacts to natural resources.
4. Adopting the Local Law would not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR 617.14(g);
5. Adopting the Local Law would not create a material conflict with the Town of Beekman's current plans or goals as officially approved or adopted.
6. Adopting the Local Law would not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.

7. Adopting the Local Law would not result in a major change in the use of either the quantity or type of energy.
8. Adopting the Local Law would not create a hazard to human health.
9. Adopting the Local Law would not result in a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.
10. Adopting the Local Law would not encourage or attract a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.
11. Adopting the Local Law would not create a material demand for other actions that would result in one of the above consequences.
12. Adopting the Local Law would not create changes in two or more elements of the environment, no one of which has a significant impact on the environment, but which, when considered together, result in a substantial adverse impact on the environment.

**For Further Information:** Mary Covucci, Supervisor  
Town of Beekman Town Board  
Town Hall  
4 Main St.  
Poughquag, NY 12570

The foregoing Negative Declaration was duly adopted by the vote of a majority of the members of the Town of Beekman Town Board, the Lead Agency, at a regular meeting held on September 13, 2022.

By:

  
\_\_\_\_\_  
Laureen Abbatantuono, Town Clerk  
Town of Beekman

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Adoption of Town of Beekman Short-Term Rental Local Law		
Project Location (describe, and attach a general location map): Entire Town of Beekman		
Brief Description of Proposed Action (include purpose or need): The Town Board of the Town of Beekman is considering the adoption of a local law regulating short-term rental uses within its borders. The Town Code currently contains no provisions for short-term rentals. The proposed local law seeks to enact a regulatory framework to permit the safe and orderly use of a portion of a property as a short-term rental, while at the same time also protecting the interests of the owners of the neighboring properties, community character, and the aesthetic qualities of the Town as a whole. Because the proposed amendments create regulations for this potentially objectionable use, they will have a positive environmental effect. Since the changes to the Code affect the entire Town, the adoption of the amendments is a Type I action under SEQRA.		
Name of Applicant/Sponsor: Town Board of the Town of Beekman, Attn: Town Clerk	Telephone: 1 (845) 724-5300 Ext 221	E-Mail: townclerk@townofbeekmanny.us
Address: Town Hall, 4 Main Street		
City/PO: Poughquag	State: New York	Zip Code: 12570
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board - adoption of local law	7/12/22
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
Townwide - so all zoning districts within the Town

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Arlington Central School District

b. What police or other public protection forces serve the project site?  
Dutchess County Sheriff's Office and New York State Police

c. Which fire protection and emergency medical services serve the project site?  
The Beekman Fire District, which includes Beekman Rescue, and M Star

d. What parks serve the project site?  
The Town is served by Bever Park, Doherty Park, Recreation Park and Town Center Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
 \_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  Yes  No  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
\_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
\_\_\_\_\_  
\_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
\_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources. \_\_\_\_\_  
\_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
\_\_\_\_\_  
\_\_\_\_\_

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
\_\_\_\_\_

- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
\_\_\_\_\_

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
\_\_\_\_\_

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
\_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No

ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

ii. During Operations:

- Monday - Friday: \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally, describe the proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_



m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
If Yes:  
i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
ii. Source(s) of description or evaluation: \_\_\_\_\_  
iii. Extent of community/habitat:  
• Currently: \_\_\_\_\_ acres  
• Following completion of project as proposed: \_\_\_\_\_ acres  
• Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
If Yes:  
i. Species and listing (endangered or threatened): \_\_\_\_\_  
\_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
If Yes:  
i. Species and listing: \_\_\_\_\_  
\_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
\_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
i. If Yes: acreage(s) on project site? \_\_\_\_\_  
ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
If Yes:  
i. Nature of the natural landmark:  Biological Community  Geological Feature  
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
\_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
If Yes:  
i. CEA name: \_\_\_\_\_  
ii. Basis for designation: \_\_\_\_\_  
iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

---

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

---

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Laureen Abbatantuono Date 7/12/2022

Signature  Title Town Clerk

**PRINT FORM**

# **P**oughkeepsie Journal **MEDIA GROUP** *Delivering Customers. Driving Results.*

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Ad #	Advertisement/Description	Zone	Items	# Col x # Lines	Cost
0005337424	NOTICE OF PUBLIC HEARING INTRODUCING LOCAL LAW NO. 20 OF THE YEAR 2022 LEGAL NO.		Legal Notices	2 col x 18 lines	\$19.22
			Affidavit of Publication Charge	1	\$25.00
			Tearsheet Charge		\$0.00
			<i>Subtotal:</i>		\$44.22
			Agency Commission	0	\$0.00
<b>Net Total Due:</b>					<b>\$44.22</b>

Read - Editions Dated : 07/15/2022

**The Poughkeepsie Journal**  
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**AFFIDAVIT OF PUBLICATION  
FROM**



Linda Tuttle being duly sworn says that he/she is the principal clerk of **THE  
POUGHKEEPSIE JOURNAL**, a newspaper published in the County of Dutchess and the State of New York, and the  
notice of which the annexed is a printed copy, was published in the newspapers editions dated below :

Zone:

Read- Editions Dated:  
07/15/2022

Linda Tuttle  
Signature

Sworn to before me, this 15 day of July, 2022

Sarah Bertelsen  
Notary Signature State of Wisconsin County of Brown

7/27/25  
My commission expires

SARAH BERTELSEN  
Notary Public  
State of Wisconsin

Ad Number: 0005337424

**NOTICE OF PUBLIC HEARING INTRODUCING "LOCAL LAW NO.2 OF THE YEAR 2022**

LEGAL NOTICE IS HEREBY GIVEN that the Beekman Town Board will hold a Public Hearing on Tuesday July 26th, 2022 at 7:00pm at the Beekman Town Hall, 4 Main Street, Poughquag, NY. PURPOSE of the Hearing is to introduce "LOCAL LAW NO.2 OF THE YEAR 2022 , INTRODUCING SHORT-TERM RENTALS IN THE TOWN OF BEEKMAN, It hereby is introduced before the Town Board of the Town of Beekman in the county of Dutchess and State of New York;

BY ORDER OF THE TOWN BOARD  
TOWN OF BEEKMAN  
LAUREN ABBATANTUONO  
TOWN CLERK  
Dated: 13 July, 2022

Date: July 15, 2022  
0005337424



TOWN OF  
**BEEKMAN**  
*New York*

4 Main Street  
Poughquag, NY 12570  
[www.townofbeekman.com](http://www.townofbeekman.com)  
(845) 724-5300.

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BY ORDER OF THE TOWN BOARD  
TOWN OF BEEKMAN  
LAUREN ABBATANTUONO  
TOWN CLERK  
Dated: 13 July, 2022