

**TOWN OF BEEKMAN TOWN BOARD**  
**Minutes for Tuesday March 26, 2024**

The Town of Beekman Board met for a regular TOWN BOARD meeting on Tuesday March 27th, 2024. The meeting was called to order by Supervisor Covucci at 6:03PM. The following members were present: Supervisor Mary Covucci, Councilman Capollari, Councilman Battaglini, Councilwoman Sharon Wohrman and Councilman Lemak.

Also present were the Town Clerk – Lauren Abbatantuono and Town of Beekman Attorney Craig Wallace.

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

Supervisor Covucci went over the Agenda items: Town Attorney Craig Wallace, RESOLUTION No. 03:26:24-2 RESOLUTION TO MODIFY THE ACCEPTED PERFORMANCE AGREEMENT AND PERFORMANCE BOND FOR SOUTH GREEN HAVEN SOLAR I, LLC, as successor to Borrego Solar Systems, LLC, gave an explanation as to why the Resolution needed to be Adopted again. The version at the last meeting was not the edited version and it wasn't until after the Town Board meeting that we realized it was not correct.

**Public Comments on Agenda items: Bill Crane, 254 Gardner Hollow Road**

**Public Comments:** Jen Mihoka from the Friends of the Beekman Library spoke on the "Little Free Library, Leonard Jerram 112 Beyer Drive thank Legislator Faye Garito for sharing her information on the latest scams, Bill Crain 254 Gardner Hollow Road concerns about the construction of South Greenhaven Solar regarding endangered bats, he also provided details on the Starkdale Farm development meeting and also expressed concerns about the use of the Gardner Hollow Bridge if the development does pass. Michael Caruso Attorney from Cuddy and Feder representing Sean O'Donnell for Stone Ridge Estates. This project we feel, that he's reached a point with the initial improvements and the performance guarantees that are secured by the bond that are below what the board has agreed to tonight. While we acknowledge the 20% reduction on the 244,000 we respectfully object because our client's position is that the only thing that remains is approximately \$4,800 worth of work. We've had some issues trying to get the town on the same page in terms of what is out there, what was secured and what the current status of the improvements are and I think the last communication between the town and the bonding agent was referring to engineering um acknowledging that the value of the improvements to be completed was in the \$4,800 range, so once again our client's position is that 20% is vastly above and beyond what is actually to be secured and what needs to be done. If you will under the original constraints of that Bond, I know what's written on the bond I know what the board's position is relative to that. Our client's position respectfully is that this board can um tailor a reduction proportionate to what actually needs to be done which is much less than what's been secured. On behalf of my client. I am respectfully requesting that the reduction in that Bond be substantially reduced to the \$4,800 figure that's in correspondence with the bonding agent. We're willing and we've expressed our willingness to come out and have Engineers meet on site to review the site conditions, I think Brian Stakosa has put that

clearly in his submissions what he believes the site warrants and the current status, so I don't think we need to speak to that but I know this is the comment period.

**Other Town Board Business:** Councilman Battaglini provided information on a NOTICE OF SPECIAL ELECTION for the Beekman Fire District (see the attached) Laureen Abbatantuono Town Clerk/Tax Receiver gave a report on the 2024 Property Tax collection (see the attached) Supervisor Covucci, wanted to remind everyone on the Relay for Life which will be held on April 6, 2024 (see the attached)

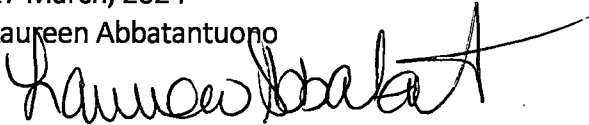
Supervisor Covucci made a motion at 6:32PM to adjourn the Town Board meeting, seconded by Councilman Battaglini.

Respectfully Submitted by Town Clerk

Laureen Abbatantuono

27 March, 2024

Laureen Abbatantuono

A handwritten signature in black ink, appearing to read 'Laureen Abbatantuono', with a long horizontal stroke extending to the right.

**BEEKMAN TOWN BOARD  
REGULAR MEETING AGENDA  
MARCH 26, 2024**

**6:00 PM**

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

**TOWN BOARD MEETING**

- Supervisor Comments
- Public comment on Agenda Items and Resolutions – (3 Minute limit)

**RESOLUTIONS**

1. Accept March 12, 2024 Minutes
2. Modify Performance Bond with South Green Haven Solar I, LLC.
3. Amending Standard Work Day and Reporting Schedule
4. Approval of Reduction in Performance Bond for Stone Ridge Estates
5. Designate Voting Representative for MS4
6. Payment of Claims

- Other Town Board Business
- General Board Comments
- General Public comments – (3 Minute limit)
- Next Regular Town Board Meeting: Tuesday April 9, 2024 at 6:00 PM

**ADJOURN**

**\*AGENDA SUBJECT TO CHANGE**

**RESOLUTIONS WERE NOT AVAILABLE AT TIME OF PUBLICATION**

**RESOLUTION NO. 03:26:24-1**  
**RE: APPROVAL OF PAST TOWN BOARD MINUTES**

**WHEREAS**, Town Clerk Laureen Abbatantuono has provided copies of the minutes of the March 12, 2024 Regular 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 March 12, 2024 Regular Town Board Meeting.

**Introduced: COUNCILMAN CAPOLLARI**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Capollari	<b>AYE</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Woehrman	<b>AYE</b>
Supervisor Covucci	<b>ABSTAIN</b>

**Dated: March 26, 2024**

**RESOLUTION NO. 03:26:24-2**  
**RESOLUTION TO MODIFY THE ACCEPTED PERFORMANCE AGREEMENT AND PERFORMANCE BOND**  
**FOR SOUTH GREEN HAVEN SOLAR I, LLC,**  
**as successor to Borrego Solar Systems, LLC**

**WHEREAS**, Resolution No. 03:12:24-2, put forth and passed by the Town Board, was the incorrect version, the Town Board hereby proposes the following to be the correct version as agreed to by the Town Engineer and the representative attorneys;

**WHEREAS**, South Green Haven Solar I, LLC, (hereinafter "Applicant"), assignee of the original applicant Borrego Solar Systems, LLC, and Carolyn Dickson, as Trustee of the Carolyn Dickson Revocable Trust dated October 6, 2020, ("Owner") obtained site plan, special use permit, and water resource permit approvals for the construction of a solar farm on a parcel of land totaling 29.19 acres that is designated as Tax Parcel 6757-00-082660 on the tax map of the Town of Beekman (the "Property"); and

**WHEREAS**, the Applicant and Owner have made a request, pursuant to § 155-53. 1 of the Code of the Town of Beekman, to allow for limited tree clearing on the Property, prior to the signing of the Final Site Plan, in order to have the trees cut within the allowable season to avoid potential impacts to Indiana Bats; and

**WHEREAS**, the Applicant and Owner delivered to the Town a Performance Bond Agreement ("Agreement") and Performance Bond ("Undertaking") in the amount of \$252,655.00 as a construction completion guarantee of all land development activities related to the Property pursuant to § 155-59(I), § 155-60(M) and § 128-7(A) of the Town Code, which includes the contemplated tree clearing called for in the conditional site plan approval for the Project by the Planning Board dated January 19, 2023 (which has since been extended); and

**WHEREAS**, the terms of the Agreement and Undertaking authorize the Town of Beekman to draw against the aforementioned Performance Bond in the event the Applicant or Owner does not install the stormwater control measures and landscaping on the Property in accordance with the terms of the Agreement and Undertaking; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Performance Agreement and Performance Bond with attached Security Bond computation schedule, in the sum of \$252,655.00, as security for the faithful performance of the completion of the obligations set forth in the Agreement and Undertaking; and

**BE IT FURTHER RESOLVED** that the Applicant is hereby required to have the Performance Bond, as approved herein by the Town Board, in place before any tree clearing on the Property may commence; and

**BE IT FURTHER RESOLVED** that the Town Board hereby establishes the inspection

fees for the site work contemplated in the Agreement and Undertaking pursuant to Town Code § 155-60(N) to be \$5,506.20, based on the estimate attached to this resolution, and the Applicant shall submit payment for such inspection fee accordingly; and

**RESOLVED**, that the Town Clerk is directed to file the aforementioned Performance Agreement and Performance Bond in her records, pending compliance with the terms of the Agreement and Undertaking.

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

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

**Dated: March 26, 2024**

**RESOLUTION NO. 03:26:24-3**  
**RE: AMENDING STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS**

WHEREAS, the Office of the New York State Comptroller requires municipalities to establish Standard Work Days for elected and appointed officials who participate in the New York State and Local Retirement System; and

WHEREAS, by resolution no. 02:13:24-4 hours for the following elected officials were incorrectly calculated;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman hereby establishes the following standard work days for elected and appointed officials and will report the following information for these officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/Day)	Name	Current Term Begin/End Date	Record of Activities Result	Time Keeping
ELECTED OFFICIAL					
Town Justice	6	Linda M. Murray	2/28/2023-12/31/2023	13.07	
Town Councilman	6	Frank Lemak	1/01/2023-12/31/2026	.096	

BE IT FURTHER RESOLVED, that a copy of this Resolution with attachments with any social security numbers and retirement registration numbers redacted shall be prominently posted on the Town's website and the Official Signboard of the Town for a period of not less than 30 days; and

BE IT FURTHER RESOLVED, that within 15 days after the expiration of the posting period, the Town Clerk shall file the completed RS 2417-A form with the Office of the New York State Comptroller.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

Councilman Capollari **AYE**

Councilman Battaglini **AYE**

Councilman Lemak **AYE**

Councilwoman Wohrman **AYE**

Supervisor Covucci **AYE**

Dated: March 26, 2024

**RESOLUTION NO. 03:26:24-4**  
**RE: RESOLUTION APPROVING THE REDUCTION IN THE**  
**PERFORMANCE BOND FOR STONE RIDGE ESTATES**

**WHEREAS**, the Town Board is authorized to approve reductions in performance bonds pursuant to NYS Town Law §277(9)(d); and

**WHEREAS**, on September 3, 2014, by Resolution 09:03:14-10(154), the Town Board established and adopted the performance bond calculation recommended by the Town Engineer in the amount of \$1,221,785.31 to cover all construction improvements related to the subdivision approvals by the Planning Board; and

**WHEREAS**, said Resolution specifically incorporated by reference a "Performance Bond Calculation" created by the developer's engineer which stated the remaining cost of the bond "shall not be reduced to less than 20% of the original construction cost until the project is accepted"; and

**WHEREAS**, on December 2, 2015, the Town Board of the Town of Beekman by Resolution 12:02:15-4 (156) approved the reduction of the performance bond from \$1,221,785.31 to \$384,331.19 pursuant to a reduction request from the developer that was reviewed and recommended by the Town Engineer and Town Highway Superintendent; and

**WHEREAS**, application has been made by the developer of Stone Ridge Estates for a reduction of its performance bond posted in accordance with Chapter 130 of the Town Code; and

**WHEREAS**, the Town Board is in receipt of a review of request letter from the Town Engineer dated March 19, 2024, setting forth his recommendations for a reduction of the performance bond; and

**WHEREAS**, the Town Engineer's letter recommends that the performance bond be reduced from \$384,331.19 to \$244,357.00, based upon the developer's successful completion of additional improvements since the last approved reduction of by this Board; and

**WHEREAS**, the Town Board is desirous of accepting the recommendation of the Town Engineer;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the reduction of the aforementioned bond posted from the applicant from its current amount of \$384,331.19 to \$244,357.00; and be it further

**RESOLVED**, that the substitution of collateral by the developer in the form acceptable to the Town set forth at Ch. 130-46(A) of the Town Code is hereby authorized, as well; and be it further

**RESOLVED**, that upon posting of the aforementioned bond with the Town Clerk, she shall transmit a certified copy of this resolution to the Planning Board Secretary and Building Department forthwith.

Introduced: COUNCILMAN LEMAK

Seconded: COUNCILMAN BATTAGLINI

ROLL CALL VOTE:

Councilman Capollari	ABSTAIN
Councilman Battaglini	AYE
Councilman Lemak	AYE
Councilwoman Wöhrman	AYE
Supervisor Covucci	AYE

Dated: March 26, 2024

RESOLUTION 03:26:24 - 5

RE: RESOLUTION AUTHORIZING THE TOWN OF BEEKMAN TOWN BOARD TO DESIGNATE MERSIN  
CAPOLLARI AS VOTING REPRESENTATIVE TO THE DUTCHESS COUNTY MS4 COORDINATION  
COMMITTEE

WHEREAS, the SPDES General Permit for Storm Water Discharges from MS4's requires that the Town develop, implement and enforce a storm water management program (SWMP) designed to reduce the discharge of pollutants from the town's storm sewer system to the maximum extent practicable as required by federal and state law; and

WHEREAS, the Town of Beekman is an active member in the Dutchess County MS4 Coordination Committee; and

WHEREAS, the Town of Beekman continues to recognize the committee as integral to the safety and efficiency of our Town's soil and water infrastructure; and

WHEREAS, membership allows the Town of Beekman to assign a representative to represent the town and vote in committee procedures;

NOW THEREFORE BE IT RESOLVED, that the Town of Beekman designates Mersin Capollari as a voting member to represent the Town of Beekman on the Dutchess County MS4, and

BE IT FURTHER RESOLVED that the Town of Beekman designates Hudson Land Design as the voting alternate.

Introduced: COUNCILWOMAN WOHRMAN

Seconded: COUNCILMAN LEMAK

ROLL CALL VOTE:

Councilman Capollari	ABSTAIN
Councilman Battaglini	AYE
Councilman Lemak	AYE
Councilwoman Wöhrman	AYE
Supervisor Covucci	AYE

Dated: March 26, 2024

**RESOLUTION NO. 03:26:24-6  
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	\$ 42,700.06
Claims to be paid from the DA-Highway Fund	\$ 87,786.99
Claims to be paid from the SS – Dover Ridge Sewer	<u>\$ 482.32</u>
	<u>\$ 130,969.37</u>

**03/14/2024 Payroll #06**

General Fund	\$ 34,669.41
Highway Fund	<u>\$ 22,708.38</u>
	<u>\$ 57,377.79</u>

**Introduced: COUNCILMAN CAPOLLARI**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

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

**Dated: March 26, 2024**

**BEEKMAN TOWN BOARD  
REGULAR MEETING AGENDA  
MARCH 26, 2024**

**6:00 PM**

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- Supervisor Comments
- Public comment on Agenda Items and Resolutions – (3 Minute limit)

**RESOLUTIONS**

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- Other Town Board Business
- General Board Comments
- General Public comments – (3 Minute limit)
- **Next Regular Town Board Meeting: Tuesday April 9, 2024 at 6:00 PM**

**ADJOURN**

**\*AGENDA SUBJECT TO CHANGE**

**RESOLUTIONS WERE NOT AVAILABLE AT TIME OF PUBLICATION**

**RESOLUTION NO. 03:26:24-1**  
**RE: APPROVAL OF PAST TOWN BOARD MINUTES**

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

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**Introduced: COUNCILMAN CAPOLLARI**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Capollari	<b>AYE</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Woehrman	<b>AYE</b>
Supervisor Covucci	<b>ABSTAIN</b>

**Dated: March 26, 2024**

**RESOLUTION NO. 03:26:24-2**  
**RESOLUTION TO MODIFY THE ACCEPTED PERFORMANCE AGREEMENT AND**  
**PERFORMANCE BOND FOR SOUTH GREEN HAVEN SOLAR I, LLC,**  
**as successor to Borrego Solar Systems, LLC**

**WHEREAS**, Resolution No. 03:12:24-2, put forth and passed by the Town Board, was the incorrect version, the Town Board hereby proposes the following to be the correct version as agreed to by the Town Engineer and the representative attorneys;

**WHEREAS**, South Green Haven Solar I, LLC, (hereinafter "Applicant"), assignee of the original applicant Borrego Solar Systems, LLC, and Carolyn Dickson, as Trustee of the Carolyn Dickson Revocable Trust dated October 6, 2020, ("Owner") obtained site plan, special use permit, and water resource permit approvals for the construction of a solar farm on a parcel of land totaling 29.19 acres that is designated as Tax Parcel 6757-00-082660 on the tax map of the Town of Beekman (the "Property"); and

**WHEREAS**, the Applicant and Owner have made a request, pursuant to § 155-53. 1 of the Code of the Town of Beekman, to allow for limited tree clearing on the Property, prior to the signing of the Final Site Plan, in order to have the trees cut within the allowable season to avoid potential impacts to Indiana Bats; and

**WHEREAS**, the Applicant and Owner delivered to the Town a Performance Bond Agreement ("Agreement") and Performance Bond ("Undertaking") in the amount of \$252,655.00 as a construction completion guarantee of all land development activities related to the Property pursuant to § 155-59(I), § 155-60(M) and § 128-7(A) of the Town Code, which includes the contemplated tree clearing called for in the conditional site plan approval for the Project by the Planning Board dated January 19, 2023 (which has since been extended); and

**WHEREAS**, the terms of the Agreement and Undertaking authorize the Town of Beekman to draw against the aforementioned Performance Bond in the event the Applicant or Owner does not install the stormwater control measures and landscaping on the Property in accordance with the terms of the Agreement and Undertaking; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Performance Agreement and Performance Bond with attached Security Bond computation schedule, in the sum of \$252,655.00, as security for the faithful performance of the completion of the obligations set forth in the Agreement and Undertaking; and

**BE IT FURTHER RESOLVED** that the Applicant is hereby required to have the Performance Bond, as approved herein by the Town Board, in place before any tree clearing on the Property may commence; and

**BE IT FURTHER RESOLVED** that the Town Board hereby establishes the inspection fees for the site work contemplated in the Agreement and Undertaking pursuant to Town Code § 155-60(N) to be \$5,506.20; based on the estimate attached to this resolution, and the Applicant shall submit payment for such inspection fee accordingly; and

**RESOLVED**, that the Town Clerk is directed to file the aforementioned Performance Agreement and Performance Bond in her records, pending compliance with the terms of the Agreement and Undertaking.

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

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

**Dated: March 26, 2024**

**RESOLUTION NO. 03:26:24-3**  
**RE: AMENDING STANDARD WORK DAY AND REPORTING RESOLUTION FOR**  
**ELECTED AND APPOINTED OFFICIALS**

**WHEREAS**, the Office of the New York State Comptroller requires municipalities to establish Standard Work Days for elected and appointed officials who participate in the New York State and Local Retirement System; and

**WHEREAS**, by resolution no. 02:13:24-4 hours for the following elected officials were incorrectly calculated;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman hereby establishes the following standard work days for elected and appointed officials and will report the following information for these officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/Day)	Name	Current Term Begin/End Date	Record of Activities Result	Time Keeping
<b>ELECTED OFFICIAL</b>					
Town Justice	6	Linda M. Murray	2/28/2023-12/31/2023	13.07	
Town Councilman	6	Frank Lemak	1/01/2023-12/31/2026	.096	

**BE IT FURTHER RESOLVED**, that a copy of this Resolution with attachments with any social security numbers and retirement registration numbers redacted shall be prominently posted on the Town’s website and the Official Signboard of the Town for a period of not less than 30 days; and

**BE IT FURTHER RESOLVED**, that within 15 days after the expiration of the posting period, the Town Clerk shall file the completed RS 2417-A form with the Office of the New York State Comptroller.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

- Councilman Capollari      **AYE**
- Councilman Battaglini    **AYE**
- Councilman Lemak        **AYE**
- Councilwoman Wohrman **AYE**
- Supervisor Covucci       **AYE**

Dated: March 26, 2024

**RESOLUTION NO. 03:26:24-4**  
**RE: RESOLUTION APPROVING THE REDUCTION IN THE**  
**PERFORMANCE BOND FOR STONE RIDGE ESTATES**

**WHEREAS**, the Town Board is authorized to approve reductions in performance bonds pursuant to NYS Town Law §277(9)(d); and

**WHEREAS**, on September 3, 2014, by Resolution 09:03:14-10(154), the Town Board established and adopted the performance bond calculation recommended by the Town Engineer in the amount of \$1,221,785.31 to cover all construction improvements related to the subdivision approvals by the Planning Board; and

**WHEREAS**, said Resolution specifically incorporated by reference a "Performance Bond Calculation" created by the developer's engineer which stated the remaining cost of the bond "shall not be reduced to less than 20% of the original construction cost until the project is accepted"; and

**WHEREAS**, on December 2, 2015, the Town Board of the Town of Beekman by Resolution 12:02:15-4 (156) approved the reduction of the performance bond from \$1,221,785.31 to \$384,331.19 pursuant to a reduction request from the developer that was reviewed and recommended by the Town Engineer and Town Highway Superintendent; and

**WHEREAS**, application has been made by the developer of Stone Ridge Estates for a reduction of its performance bond posted in accordance with Chapter 130 of the Town Code; and

**WHEREAS**, the Town Board is in receipt of a review of request letter from the Town Engineer dated March 19, 2024, setting forth his recommendations for a reduction of the performance bond; and

**WHEREAS**, the Town Engineer's letter recommends that the performance bond be reduced from \$384,331.19 to \$244,357.00, based upon the developer's successful completion of additional improvements since the last approved reduction of by this Board; and

**WHEREAS**, the Town Board is desirous of accepting the recommendation of the Town Engineer;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the reduction of the aforementioned bond posted from the applicant from its current amount of \$384,331.19 to \$244,357.00; and be it further

**RESOLVED**, that the substitution of collateral by the developer in the form acceptable to the Town set forth at Ch. 130-46(A) of the Town Code is hereby authorized, as well; and be it further

**RESOLVED**, that upon posting of the aforementioned bond with the Town Clerk, she shall transmit a certified copy of this resolution to the Planning Board Secretary and Building Department forthwith.

**Introduced: COUNCILMAN LEMAK**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Capollari	<b>ABSTAIN</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Woehrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: March 26, 2024**

**RESOLUTION 03:26:24 - 5**

**RE: RESOLUTION AUTHORIZING THE TOWN OF BEEKMAN TOWN BOARD TO DESIGNATE MERSIN CAPOLLARI AS VOTING REPRESENTATIVE TO THE DUTCHESS COUNTY MS4 COORDINATION COMMITTEE**

**WHEREAS**, the SPDES General Permit for Storm Water Discharges from MS4's requires that the Town develop, implement and enforce a storm water management program (SWMP) designed to reduce the discharge of pollutants from the town's storm sewer system to the maximum extent practicable as required by federal and state law; and

**WHEREAS**, the Town of Beekman is an active member in the Dutchess County MS4 Coordination Committee; and

**WHEREAS**, the Town of Beekman continues to recognize the committee as integral to the safety and efficiency of our Town's soil and water infrastructure; and

**WHEREAS**, membership allows the Town of Beekman to assign a representative to represent the town and vote in committee procedures;

**NOW THEREFORE BE IT RESOLVED**, that the Town of Beekman designates Mersin Capollari as a voting member to represent the Town of Beekman on the Dutchess County MS4, and

**BE IT FURTHER RESOLVED** that the Town of Beekman designates Hudson Land Design as the voting alternate.

**Introduced: COUNCILWOMAN WOHRMAN**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

Councilman Capollari	<b>ABSTAIN</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

**Dated: March 26, 2024**

**RESOLUTION NO. 03:26:24-6  
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:

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	<u>\$ 57,377.79</u>

**Introduced: COUNCILMAN CAPOLLARI**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

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

**Dated: March 26, 2024**

DUTCHESS COUNTY

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soil & water  
CONSERVATION DISTRICT  
*Since 1945*

February 27, 2024

Mary Covucci, Supervisor  
Town of Beekman  
4 Main Street  
Poughquag, New York 12570

Dear Supervisor Covucci,

On behalf of the Dutchess County MS4 Coordination Committee (DCMS4CC), Dutchess County Soil and Water Conservation District (DCSWCD) is requesting that each member Municipality submit documentation of who they have chosen as their voting representative for the DCMS4CC. We request this documentation annually to ensure that every municipality is represented at the meetings. Please also remember that each municipality can appoint an alternate voting member in the case that their primary voting member is not able to attend an MS4 meeting. The primary voting member must be a municipal employee; however, the alternate voting member may be a consultant if the municipality chooses to appoint them. It is important that these individuals be able to attend the monthly DCMS4CC meetings, which are held on the 2<sup>nd</sup> Wednesday of every month. I have enclosed a meeting schedule.

This documentation can be a letter from the Supervisor or Mayor or can be in the form of a resolution from the Municipal Board. Enclosed is a form that can be filled out and returned to DCSWCD if you would prefer.

Enclosed with this letter please also find the annual contribution invoice for the DCMS4CC. These contributions are used to help assist the member municipalities with meeting the requirements of the MS4 Program. The Committee has already begun working on identifying what the municipalities will need to complete for the new MS4 General Permit. This new permit will require increased activities from the Committee and member municipalities, including new stormwater mapping requirements, as well as new public education and outreach goals.

Please submit voting documentation and payment by May 1st.

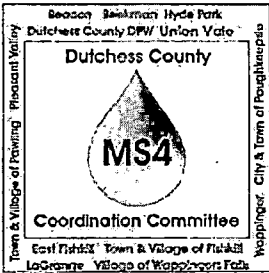
If you are unsure of who the current primary voting member or alternate is for your municipality, or have any other questions, please contact Erin Sommerville at 845-677-8011 ext. 3.

Sincerely,

  
Erin Sommerville  
MS4 Coordinator

Cc. M. Capollari, Councilman

2715 Rt.44, Suite 3 Millbrook, N.Y. 12545  
Phone (845) 677-8011 ext. 3  
[www.dutchessswcd.org](http://www.dutchessswcd.org)



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## Dutchess County MS4 Coordination Committee Voting Member Designation 2024

Please fill in below who has been chosen as your municipality's voting member and alternate.  
The voting member must be a municipal employee; however, the alternate may be a consultant.  
Please also provide us the name and contact number for the person filling out this form.

Contact name: \_\_\_\_\_

Number: \_\_\_\_\_

Municipality: \_\_\_\_\_

### Primary Voting Member

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Alternate Voting Member

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Please return this form by May 1<sup>st</sup> to :  
Erin Sommerville Dutchess County Soil and Water Conservation District,  
2715 Route 44, Suite 3, Millbrook, NY 12545 or [erin.sommerville@ny.nacdnet.net](mailto:erin.sommerville@ny.nacdnet.net)



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

March 19, 2024

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

Re: Stone Ridge Estates Development – Performance Bond Reduction Request

Dear Supervisor Covucci and Members of the Town Board:

We are in receipt of correspondence dated March 4, 2024 from Cuddy & Feder, LLP, acting on behalf of the Developer, to the Town Attorney requesting a performance bond reduction for the above referenced project.

The original performance bond calculation was prepared by Morris Associates as Town Engineer in January of 2013, and the performance bond amount was set at \$1,221,785.31 to cover road, utility and related construction improvements. This was accepted by Town Board Resolution No. 09:03:14 – 10 (154), as follows:

**RESOLUTION NO. 09:03:14 – 10 (154)**

**RE: Accept Bond for Stone Ridge**

**COUNCILMAN DEL VECCHIO** offers the following and moves for its adoption:

**WHEREAS,** O'Donnell & Sons Inc. has requested the establishment Performance Bond for Stone Ridge Estates; and

**WHEREAS,** the Town Attorney has reviewed the proposal; and

**WHEREAS,** the Town of Beekman Planning Board has approved the plans on March 15, 2012 and are available in the Town of Beekman Planning Department;

and

**WHEREAS,** the improvements shall be completed on or before two (2) years from the date of filing of the approved subdivision plat with the Dutchess County

Clerk; now therefore be it

**RESOLVED,** that the Town Board hereby authorizes the establishment of a Performance Bond for the Stone Ridge Estates Subdivision project for the amount of

\$1,221,785.00 as per attached documentation; and be it further

**RESOLVED,** that this Performance Bond be filed in the Town Clerks office.

Seconded **COUNCILMAN STIEGLER**

**ROLL CALL VOTE:**

Councilman Moran	AYE
Councilman Stiegler	AYE
Councilman Del Vecchio	AYE
Councilman Battaglini	AYE
Supervisor Zulauf	AYE

Dated: September 3, 2014

The Town Board resolution specifically references the Performance Bond Calculation as attached documentation, which is attached to this letter.

Town of Beekman  
Stone Ridge Estates – Performance Bond Reduction Request  
March 19, 2024

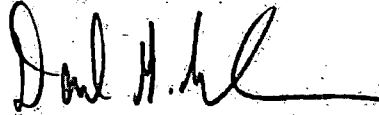
The Town Board, at its December 2, 2015 meeting, resolved to reduce the performance guarantee, based on recommendation by this office and the Highway Superintendent, by \$977,428.81 to \$384,331.19.

Cuddy & Feder, with support from Day & Stokosa Engineering, P.C., last provided a Road Bond Reduction Calculation dated September 5, 2023 (as referenced in the latest March 4, 2024 correspondence). During a video meeting with Cuddy & Feder on September 20, 2023, we believe that it was clear that the requested bond reduction was not accepted as the work was deficient. Despite that, the Developer has successfully completed additional improvements per the approved Subdivision Plan Set, and we opine that a reduction is appropriate. Based on our review of the submitted materials and numerous site observations, we disagree with the calculations prepared by Mr. Stokosa as shown on the attached Road Bond Reduction Calculation, requesting a reduction to \$4,809.60. Further, Morris Associates stipulated that the “remaining cost shall not be reduced to less than 20% of the original construction cost estimate until the project is accepted” by the Town, or \$244,357, which was approved as part of Town Board Resolution No. 09:03:14 – 10 (154).

In summary, we recommend that the Town Board consider a bond reduction to no less than \$244,357, which equates to 20% of the original construction cost estimate.

Should you have any questions, please feel free to call me at 845-440-6926.

Sincerely,



Daniel G. Koehler, P.E.  
Principal

Att: September 5, 2023 Road Bond Reduction Calculation prepared by Day & Stokosa  
Performance Bond calculation dated January 29, 2013 prepared by Morris Associates

cc: Anthony Coviello, Highway Superintendent (via email)  
Craig Wallace, Esq., Town Attorney (via email)  
Michael A. Bodendorf, P.E. (HLD File)



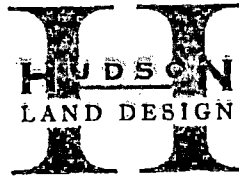
**PERFORMANCE BOND CALCULATION**

PROJECT: STONE RIDGE ESTATES  
 LOCATION: BENTON MOORE ROAD, BEEKMAN, NY  
 DATE: 2013-1-29  
 BY: MORRIS ASSOCIATES, PLLC

	ORIGINAL QUANTITY	COMPLETED TO DATE	2013 UNIT PRICE	UNIT	TOTAL COST	CREDIT FOR COMPLETED	REMAINING COST**
<b>Earthwork</b>							
Site Prep. Clear & Grub	4.6		\$6,180.00	ACRE	\$28,428.00	\$0.00	28,428.00
Strip & Stockpile Topsoil (6" assumed)	3500		\$3.61	CY	\$12,617.50	\$0.00	12,617.50
Cuts and Fills including Ponds	11500		\$3.61	CY	\$41,457.50	\$0.00	41,457.50
Excav to Stockpile	8500		\$1.55	CY	\$13,132.50	\$0.00	13,132.50
Fill Placement and Compaction	3000		\$2.58	CY	\$7,725.00	\$0.00	7,725.00
				<b>SUBTOTAL</b>	<b>\$103,360.50</b>	<b>\$0.00</b>	<b>103,360.50</b>
<b>Water Distribution</b>							
8" Onsite Water Main	1800		\$77.25	LF	\$139,050.00	\$0.00	139,050.00
8" Offsite Water Main	530		\$82.40	LF	\$43,672.00	\$0.00	43,672.00
Water Meter Pit	1		\$51,500.00	EA	\$51,500.00	\$0.00	51,500.00
Mechanical Fittings	1		\$19,055.00	LS	\$19,055.00	\$0.00	19,055.00
Hydrants	4		\$3,090.00	EA	\$12,360.00	\$0.00	12,360.00
Services to Lot Line	18		\$1,030.00	EA	\$18,540.00	\$0.00	18,540.00
				<b>SUBTOTAL</b>	<b>\$284,177.00</b>	<b>\$0.00</b>	<b>284,177.00</b>
<b>Storm Sewer &amp; Sanitary Sewer</b>							
4" PVC underdrain	620		\$15.45	LF	\$9,579.00	\$0.00	9,579.00
15" HDPE	554		\$41.20	LF	\$22,824.80	\$0.00	22,824.80
15" HDPE End Section	1		\$166.86	LF	\$166.86	\$0.00	166.86
18" HDPE	875		\$47.38	LF	\$41,457.50	\$0.00	41,457.50
18" HDPE End Section	2		\$209.09	LF	\$418.18	\$0.00	418.18
24" HDPE	393		\$50.47	LF	\$19,834.71	\$0.00	19,834.71
24" HDPE End Section	1		\$264.71	LF	\$264.71	\$0.00	264.71
30" HDPE	350		\$55.62	LF	\$19,467.00	\$0.00	19,467.00
30" HDPE End Section	1		\$305.91	LF	\$305.91	\$0.00	305.91
Catch Basins w Cleaning	21		\$1,854.00	EA	\$38,934.00	\$0.00	38,934.00
Stormwater Pond Outlet Control Structure	1		\$3,296.00	EA	\$3,296.00	\$0.00	3,296.00
Drainage Manhole	2		\$1,545.00	EA	\$3,090.00	\$0.00	3,090.00
Drainage Manhole w/flow splitter	1		\$2,060.00	EA	\$2,060.00	\$0.00	2,060.00

	ORIGINAL QUANTITY	COMPLETED TO DATE	2013 UNIT PRICE	UNIT	TOTAL COST	CREDIT FOR COMPLETED	REMAINING COST**
<b>Sanitary Sewer</b>							
8" PVC onsite	1730		\$25.75 LF		\$44,547.50	\$0.00	44,547.50
8" PVC offsite	140		\$43.26 LF		\$6,056.40	\$0.00	6,056.40
4" PVC service to lotline	18		\$412.00 EA		\$7,416.00	\$0.00	7,416.00
Sewer Manholes	16		\$1,545.00 EA		\$24,720.00	\$0.00	24,720.00
	<b>SUBTOTAL</b>				<b>\$244,438.57</b>	<b>\$0.00</b>	<b>244,438.57</b>
<b>Additional Services</b>							
Stormwater Access Road	90		\$15.45 SY		\$1,390.50	\$0.00	1,390.50
Stormwater Pond Fencing	580		\$12.36 LF		\$7,168.80	\$0.00	7,168.80
As Built Survey and Drawings	1		\$4,120.00 EA		\$4,120.00	\$0.00	4,120.00
Road and Trail Signs	14		\$309.00 EA		\$4,326.00	\$0.00	4,326.00
Crosswalk Road Striping & Signs	3840		\$0.52 LF		\$1,977.60	\$0.00	1,977.60
Survey Monuments Roads	10		\$257.50 EA		\$2,575.00	\$0.00	2,575.00
Survey Monuments Walking Trail	20		\$257.50 EA		\$5,150.00	\$0.00	5,150.00
Brush Clearing Walking Trail (OS A & C & D)	1750		\$4.12 LF		\$7,210.00	\$0.00	7,210.00
Brush Clearing Walking Trail (OS F)	1300		\$4.12 LF		\$5,356.00	\$0.00	5,356.00
Walking Trail mulch surface	778		\$4.50 SY		\$3,501.00	\$0.00	3,501.00
Gravel & Item Parking Area w/ Paved Entry	2600		\$15.45 SF		\$40,170.00	\$0.00	40,170.00
Benton Moore Road Improvement							
Beekman Portion	1		\$66,950.00 EA		\$66,950.00	\$0.00	66,950.00
East Fishkill Portion	1		\$33,475.00 EA		\$33,475.00	\$0.00	33,475.00
Guide Rail	317		\$36.05 LF		\$11,427.85	\$0.00	11,427.85
Guide Rail End Section	6		\$180.25 EA		\$1,081.50	\$0.00	1,081.50
Temp Seeding and Mulching	1		\$10,300.00 EA		\$10,300.00	\$0.00	10,300.00
Place topsoil, rake and seed behind curbs	1		\$15,450.00 EA		\$15,450.00	\$0.00	15,450.00
	<b>SUBTOTAL</b>				<b>\$221,629.25</b>	<b>\$0.00</b>	<b>221,629.25</b>
<b>Sediment &amp; Erosion Control</b>							
Diversion Ditch (Stone)	1820		\$4.12 LF		\$7,498.40	\$0.00	7,498.40
Silt Fence	1500		\$4.89 LF		\$7,338.75	\$0.00	7,338.75
Grass Sediment Traps	3075		\$1.03 SF		\$3,167.25	\$0.00	3,167.25
Slope Stabilization	1884		\$2.58 SF		\$4,851.30	\$0.00	4,851.30
Catch Basin Erosion Control	22		\$51.50 EA		\$1,133.00	\$0.00	1,133.00
Anti-Tracking Pad at Entrance	1		\$3,296.00 EA		\$3,296.00	\$0.00	3,296.00
	<b>SUBTOTAL</b>				<b>\$27,284.70</b>	<b>\$0.00</b>	<b>27,284.70</b>

	ORIGINAL QUANTITY	COMPLETED TO DATE	2013 UNIT PRICE	UNIT	TOTAL COST	CREDIT FOR COMPLETED	REMAINING COST**
<b>Landscaping</b>							
Street Trees	36		\$309.00	EA	\$11,124.00	\$0.00	11,124.00
Pond Landscaping	1		\$4,326.00	LS	\$4,326.00	\$0.00	4,326.00
Bioretention Area	1		\$1,545.00	LS	\$1,545.00	\$0.00	1,545.00
		<b>SUBTOTAL</b>			<b>\$16,995.00</b>	<b>\$0.00</b>	<b>16,995.00</b>
<b>Paving</b>							
Pavement (Road, Top Course)	385		\$118.45	TON	\$45,603.25	\$0.00	45,603.25
Pavement (Road, Asphalt Binder Course)	952		\$118.45	TON	\$112,764.40	\$0.00	112,764.40
Bankrun Subbase 12"	968		\$36.05	CY	\$34,878.38	\$0.00	34,878.38
"Item 4" Subbase	323		\$46.35	CY	\$14,947.88	\$0.00	14,947.88
Fine Grade	1		\$4,635.00	LS	\$4,635.00	\$0.00	4,635.00
		<b>SUBTOTAL</b>			<b>\$212,828.90</b>	<b>\$0.00</b>	<b>212,828.90</b>
<b>CONSTRUCTION SUBTOTAL</b>					<b>\$1,110,713.92</b>	<b>\$0.00</b>	<b>1,110,713.92</b>
10% contingency					<b>\$111,071.39</b>		<b>\$111,071.39</b>
<b>2013 CONSTRUCTION ESTIMATE</b>					<b>\$1,221,785.31</b>		<b>\$1,221,785.31</b>
Town Inspection Fee (4%)					<b>\$48,871.41</b>		no change
** Remaining Cost shall not be reduced to less than 20% of the original construction cost until the project is accepted.							



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

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August 17, 2023

Chairman John Frustace III  
4 Main Street  
Poughquag, NY 12570

Re: Greenhaven Road Solar  
Tax parcel 6757-00-082660 (±29.2 acres)  
Town of Beekman, New York

Dear Chairman Frustace III:

Hudson Land Design (HLD) is in receipt of a submittal from the Applicant for the Greenhaven Road Solar application. The proposal calls for construction of a solar electric system. The subject parcel is approximately 29.2 acres, is located on the east side of South Greenhaven Road within the Mixed Commercial/Light Industrial Zoning District (C-3) and the Aquifer Overlay District (A-O). In addition, the project results in disturbances to the watercourse buffer; therefore a water resource permit is required to be issued by the Planning Board.

To date, the project has received a Negative Declaration SEQR determination, preliminary site plan, water resource permit, conditional final site plan and special use permit approval. Based on the review of the Resolution of Conditional Approval, dated January 19, 2023, we offer the following comments corresponding to the numbering of conditions within the resolution:

Conditions to be fulfilled prior to signing of the plan:

1. Comments from the December 12, 2022 comment letter:
  10. Final Plans and engineer's reports for this project will need to be signed/sealed by a licensed professional.
  19. *Comment Satisfied. Drainage easement documents for the Ditron drainage pipe have been approved by the Town Attorney, and were filed with the County Clerk as documents 02 2023 1127 and 02 2023 1129.*

2. *Satisfied. The applicant provided a letter to the Town stating that the previous Special Use Permit is no longer in use, and the Town Attorney approved the same. A copy has been sent to the Town building department to place in the file for the property.*
3. An option and lease agreement with an effective date of June 10, 2021 has been reviewed and approved as to form only by the Town Attorney. The applicant has been directed to the Town Solar Law and instructed to comply with all necessary edits and language so that the lease and decommissioning agreement conform to the Code, per email from the Town Attorney on August 17, 2023.
4. The performance bond estimate dated July 14, 2023 of \$252,655 has been accepted by the Town Engineer. A standard performance agreement will be required, along with Town Board resolution accepting the same. A template of the performance agreement has been forwarded to the applicant via email on August 17, 2023.
5. The Town Attorney sent comments via email on August 17, 2023 regarding the decommissioning agreement. A decommissioning cost estimate of \$255,749.63 (25 year) and 110% of that amount equating to \$281,324.59 was accepted by the Town Engineer on March 27, 2023. The total amount of the decommissioning bond, 110% of the cost at the 25-year lease term or \$281,324.59, should be noted in the decommissioning agreement. Reference shall also be made to the bond that will be in place within the decommissioning agreement.
6. The applicant provided a stormwater management system maintenance agreement document on July 27, 2023. The Town Attorney shall confirm that the document is acceptable in form to the Town. Once acceptable, proof of filing with the Dutchess County Clerk shall be provided. Engineering comments on the document are as follows:
  - a. With regard to the Stormwater Facilities Map (Appendix A) attached to the Draft stormwater maintenance agreement, provide a prominent note that the Town may access the stormwater facilities on the site as may be needed. The Site Plan set shall be modified to remove the "defined" access easement, including a revision of notation that provides a blanket easement for the Town to access the stormwater management features.
  - b. With regard to the O&M Plan (Appendix B) attached to the Draft stormwater maintenance agreement:
    - i. In the General section – add reference to the approved SWPPP.
    - ii. In the Access and Easements section – add a reference that a blanket easement permitting Town access is provided (and remove reference to Appendix G)
    - iii. In the Field Inspection Equipment section – remove reference to Appendix D and add a reference to Appendix P of the approved SWPPP
    - iv. In the Inspection Report section – remove reference to 'this Appendix' and add a reference to Appendix P of the approved SWPPP

- v. In the Verification of Inspection and Form Submittal section – remove reference to ‘this appendix’ and add reference to Appendix P of the SWPPP
  - vi. In the Maintenance Forms section – remove reference to ‘this appendix’ and add reference to Appendix P of the SWPPP
7. Any further escrow fees shall be paid. This will be completed as a last part before the plans are signed.
8. *Satisfied. We spoke with the Town’s finance department, and it is noted that the total site plan and special use fee of \$1,000 was received.*
9. *Satisfied. The applicant and owner have signed the Resolution.*

Conditions prior to issuance of building permit or earthwork:

1. The Applicant shall post the performance bond and execute the performance agreement as approved by the Town Attorney.
2. To cover the fees for Town inspections during construction, the Applicant has proposed 4% of the site work cost per the performance bond estimate dated July 14, 2023 which is \$119,700 plus 15% contingency for a total of \$137,655. The calculated inspection fee of 4% is \$5,506.20.
3. The applicant is to obtain a driveway permit from the Dutchess County Department of Public Works.

The applicant shall provide updates on the requested information and revise the submitted materials and submit to the Planning Board along with written responses to each of the above conditions of approval. Should you have any questions, please feel free to call me at 845-440-6926.

Sincerely,



Daniel G. Koehler, P.E.  
Principal

cc: ReJean Deveaux/Terrence Nolan/Gregory Gibbons, for the Applicant (via email)  
Wallace & Wallace, Town Attorney (via email)  
Michael A. Bodendorf, P.E. (HLD file)

**PERFORMANCE BOND AGREEMENT**

**SOUTH GREEN HAVEN SOLAR 1, LLC**, a limited liability company with a principal office at 560 Davis Street, Suite 250 San Francisco, CA 94111 ("Principal"), and **PENNSYLVANIA INSURANCE COMPANY**, ("Surety"), are held and firmly bound unto the **TOWN OF BEEKMAN**, a New York Municipal Corporation, with an address of 4 Main Street, Poughquag, New York 12570 ("Obligee"), for the full and just sum of TWO HUNDRED FIFTY-TWO THOUSAND SIX HUNDRED FIFTY-FIVE (\$252,655.00) DOLLARS pursuant to the provisions set forth herein below, the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, and each of their successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, on January 19, 2023, the Town of Beekman Planning Board ("Planning Board") granted a certain water resource permit, special use permit, and conditional final site plan approval ("Approvals") for the solar facility proposed by the Principal ("Solar Facility") to be located at 97 S. Green Haven Road, Poughquag, County of Dutchess, New York (Tax Map Parcel Identification No. 6757-00-082660) ("Property"), which is more accurately described in **Exhibit A**; and

WHEREAS, the development and installation of certain stormwater control measures and landscaping requirements for the Solar Facility on the Property are set forth in the Approvals and the site plans approved therein, which Site Plans are attached hereto as **Exhibit B**, and subject to a condition of the submission of a Performance Bond Agreement pursuant to the Approvals and Section 128-7(A), 155-59(L), and 155-60(m) of the Code of the Town of Beekman ("Town Code"); and

WHEREAS, the Obligee has agreed to accept a bond for a period of one year, which shall be renewed annually pursuant to the provisions below, guaranteeing the obligations as stated in the Approvals; and

WHEREAS, the Surety has pledged surety and a bond in the principal amount of TWO HUNDRED FIFTY-TWO THOUSAND SIX HUNDRED FIFTY-FIVE (\$252,655.00) DOLLARS ("Penal Sum"), of which \$119,700.00 is allocated for stormwater control measures, \$100,000.00 is allocated for landscaping, including a 15% contingency of \$32,955.00, for the actions of the Principal related to the development, construction, installation, and completion of the stormwater control and landscaping measures tied to the Solar Facility as required by the Town and in accordance with the Approvals; and

WHEREAS, the Surety and Principal agree that the covenants contained herein shall (i) run with the land and (ii) jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Town, jointly and severally, for the completion, construction and installation of the stormwater control measures and landscaping required by the Approvals.

NOW, THEREFORE, THE CONDITIONS OF THE ABOVE OBLIGATION IS SUCH, that if the Principal shall well and truly perform each and every obligation for installation and

completion of the stormwater control and landscaping measures required by the Approvals at the time and in the manner specified during the term of this bond ("Bond"), or during the term of any renewal period of this bond, and shall reimburse said Obligee for any loss which said Obligee may sustain by reason of failure or default on the part of said Principal, than this obligation shall be void otherwise to remain in full force and effect:

1. This Bond is for the term beginning February 14, 2024 and expiring February 14, 2025. The Bond will automatically renew for a one-year period upon the expiration date set forth above and upon each anniversary of such date, unless at least sixty (60) days prior to such expiration date, or prior to any anniversary of such date the Surety provides written notice to both the Obligee and Principal of its intention not to renew this bond. Failure of the Surety to renew this Bond, or failure of the Principal to replace the Bond in the event of non-renewal or termination, no less than thirty (30) days prior to its termination or non-renewal, shall constitute a default for which a claim may be made against this Bond.

2. In the event of default by the Principal, the Town Board, on behalf of the Obligee, shall deliver to Surety by certified mail, a written statement of the facts of such default, within sixty (60) days of the occurrence. In the event of default, the Surety shall, at the option and direction of the Obligee, promptly and at the Surety's expense take one of the following actions:

- (a) Arrange for the Principal, with consent of the Obligee, to perform and complete the construction and installation of the stormwater control measures and landscaping required by the Approvals;
- (b) Undertake to perform and complete the construction and installation of the stormwater control measures and landscaping required by the Approvals; or
- (c) Make payment to the Town in the amount to be incurred by the Obligee to complete the construction and installation of the stormwater control measures and landscaping required by the Approvals, and the amount of this Bond shall be credited for any payments made in good faith by the Surety, provided that the Surety's obligations under this Section 2 shall not exceed the Penal Sum in the aggregate, nor the portion dedicated to stormwater of \$119,700.00 or to landscaping of \$100,000.00, plus the 15% contingency of \$32,955.00, respectively.

3. If the Surety does not proceed as provided for above with reasonable promptness, but in all events within thirty (30) days of receipt of written notice from the Town Board, on behalf of the Obligee, pursuant to Section 2, the Surety shall be deemed to be in default on this bond fifteen (15) days after receipt of an additional written notice from the Town Board, on behalf of the Obligee, to the Surety demanding that the Surety perform its obligations under this Bond, and the Obligee shall be entitled to seek any remedy available to it.

4. No right of action shall accrue on this Bond to or for the use of any person or corporation other than the Obligee named herein or the heirs, executors, administrator or successors of the Obligee.

5. The aggregate liability of the Surety is limited to the Penal Sum on the Bond stated herein, regardless of the number or amount of claims brought against this bond and regardless of the number of years this Bond remains in force.

6. If any conflict or inconsistency exists between the obligations or undertakings as described in this Bond and as described in the Approvals, then the terms of the Approvals shall prevail.

7. The Obligee's acceptance of this Bond and reliance upon it as security constitutes its acknowledgement and agreement as to the explicit terms stated herein under which it is offered and issued by the Surety.

8. The Surety will give prompt notice to the Principal and to the Obligee of any notice received or action filed alleging the insolvency or bankruptcy of the Surety, or alleging any violations of regulatory requirements, which could result in suspension or revocation of the Surety's license to do business, which will be deemed a Surety failure. In the event the Surety becomes unable to fulfill its obligation under the Bond for any reason, or in the event the Principal fails to pay the premium and the Surety has deemed such payment delinquent, notice shall be given immediately to the Principal and to the Obligee.

9. Upon compliance with the terms and provisions of this Bond and the execution of a written Release of Performance Bond by the Obligee, this Bond shall become null and void.

10. The Principal acknowledges that if any default remains in the performance of the obligations created in this Bond, the Obligee, and its Building Department, may consider all options available, including but not limited to, revocation of building permits until such defaults are cured.

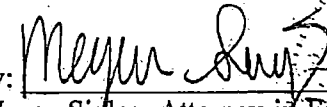
*[Signature pages to follow]*

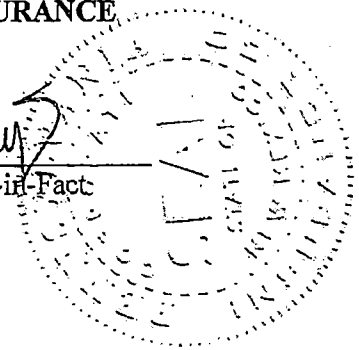
IN WITNESS WHEREOF, the undersigned have executed this instrument this 14<sup>th</sup> day of February, 2024.

**SOUTH GREEN HAVEN SOLAR 1, LLC**

**PENNSYLVANIA INSURANCE  
COMPANY**

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

By:   
Megan Sivley, Attorney-in-Fact



California Insurance Company · Continental Indemnity Company · Illinois Insurance Company · Pennsylvania Insurance Company

10805 Old Mill Road · Omaha, Nebraska 68154

**POWER OF ATTORNEY NO. ALLHOU01\_0323**

KNOW ALL MEN BY THESE PRESENTS: That the California Insurance Company, duly organized and existing under the laws of the State of California and having its principal office in the County of San Mateo, California, and Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, corporations duly organized and existing under the laws of the State of New Mexico and having their principal office in the County of Santa Fe, New Mexico does hereby nominate, constitute and appoint:

Carlos Albelo, Megan Sivley, Melissa Haddick, Orlando Aguirre, Sandra Parker, Stacy Killebrew, Tannis Mattson

Its true and lawful agent and attorney-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship (NOT INCLUDING bonds without a fixed penalty or financial guarantee) provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

"Unlimited"

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of California Insurance Company, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company.

"RESOLVED, That the President, Senior Vice President, Vice President, Assisted Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney of the Company, qualifying the attorney or attorneys named in given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the California Insurance Company, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, California Insurance Company, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer the 16th day of August 2023.

California Insurance Company, Continental Indemnity Company, Illinois Insurance Company, Pennsylvania Insurance Company

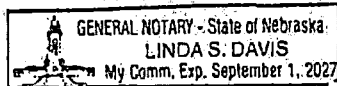
By \_\_\_\_\_

Jeffrey A. Silver, Secretary

STATE OF NEBRASKA  
COUNTY OF DOUGLAS SS:

On this 16th day of August A.D. 2023, before me a Notary Public of the State of Nebraska, in and for the County of Douglas, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Douglas, the day and year first above written.

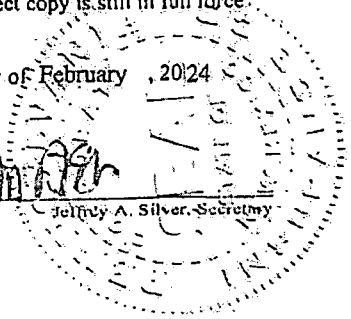


\_\_\_\_\_  
(Notary Public)

I, the undersigned Officer of the California Insurance Company, a California Corporation of Foster City, California, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, New Mexico Corporations of Santa Fe, New Mexico, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 14th day of February, 2024

\_\_\_\_\_  
Jeffrey A. Silver, Secretary



SECURITY BOND COMPUTATION

97 S Green Haven Solar Project

TOWN OF BEEKMAN

7/14/23

ITEM	ORIGINAL QUANTITY	UNIT	UNIT PRICE TOWN CODE ITEMS	(ADJUSTED) VALUE TOWN CODE ITEMS
SURFACE AND STABILIZATION GRADING	4.50	Acre	\$ 10,000	\$ 45,000
TOPSOIL (ROAD/EQUIPMENT PADS)	0.8	Acre	\$ 20,000	\$ 16,000
SILT FENCE	4,000	L.F.	\$ 2.50	\$ 10,000
HYDROSEEDING	4.5	Acre	\$ 3,000	\$ 13,500
CONSTRUCTION ENTRANCE	1	EA	\$ 1,500	\$ 1,500
POND/RAIN GARDEN	3	E.A	\$ 10,000	\$ 15,000
RIP-RAP STONE	1600	S.F.	\$ 10.00	\$ 16,000
STORMWATER PIPING	60	L.F	\$ 20.00	\$ 1,200
STORM PIPE OUTLET PROTECTION	3	E.A	\$ 500	\$ 1,500
SITE WORK SUB-TOTAL				\$ 119,700
LANDSCAPING	1	L.S.	\$ 100,000	\$ 100,000
SUBTOTAL				\$ 219,700
15% CONTINGENCY				\$ 32,955
TOTAL				\$ 252,655

NOTE: Site work sub-total of \$119,700 was used to calculate the 4% site inspection fee of \$5,506.20

# Exhibit A

**EXHIBIT A**  
**Legal Description**

RECORD PROPERTY DESCRIPTION:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF BEEKMAN, COUNTY OF DUTCHESS AND STATE OF NEW YORK, BEING LOT NO. 2 AS SHOWN ON A FILED MAP ENTITLED, "MAP OF SUBDIVISION FOR JEAN AND MARTHA ALLIE" SAID FILED MAP FILED IN THE DUTCHESS COUNTY CLERK'S OFFICE ON FEBRUARY 1, 1991 AS MAP NO. 9184; SAID LOT BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER, A POINT MARKED BY AN IRON PIPE FOUND AT THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OWNED BY CAROLYN J. ALEXIS, TAX PARCEL 6757-00-043585, WITH THE EASTERLY RIGHT OF WAY LINE OF SOUTH GREEN HAVEN ROAD, (COUNTY ROUTE 8);

THENCE RUNNING ALONG THE EASTERLY RIGHT OF WAY OF AFORESAID ROAD THE NEXT THREE (3) COURSES:

NORTH 14° 53' 45" WEST, 160.19 FEET TO A POINT; THENCE -NORTH

21° 45' 33" WEST, 255.69 FEET TO A POINT; THENCE -NORTH

26° 22' 48" WEST, 58.57 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF

LANDS NOW OR FORMERLY OWNED BY DITRON INC., TAX PARCEL 6757-00-016686;

THENCE -RUNNING

ALONG THE SOUTHERLY AND EASTERLY LINES OF AFORESAID PROPERTY THE

NEXT EIGHT (8) COURSES:

NORTH 56° 11' 07" EAST, 132.46 FEET TO A POINT; THENCE -NORTH

50° 54' 47" EAST, 199.50 FEET TO A POINT; THENCE -NORTH

14° 30' 28" WEST, 19.24 FEET TO A POINT; THENCE -NORTH

75° 29' 32" EAST, 35.00 FEET TO AN IRON ROD FOUND FOR CORNER; THENCE -NORTH

14° 30' 28" WEST, 30.00 FEET TO A POINT; THENCE -NORTH

75° 29' 32" EAST, 185.00 FEET TO A POINT; THENCE -NORTH

14° 30' 28" WEST, 355.52 FEET TO A POINT; THENCE -NORTH

36° 30' 03" WEST, 400.00 FEET TO THE NORTHEAST CORNER OF AFORESAID

PROPERTY WITH THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OWNED BY

MAURICE L. CONDON, INC., TAX PARCEL 6657-00-991742; THENCE -NORTH

53° 29' 50" EAST, 261.07 FEET TO THE SOUTHEASTERLY CORNER OF THE

AFORESAID PROPERTY AND THE WESTERLY PROPERTY LINE OF LANDS NOW OR

FORMERLY OWNED BY Lyla 22, LLC; THENCE -RUNNING

ALONG FENCE LINE REMNANTS ON THE WESTERLY LINE OF AFORESAID

PROPERTY THE NEXT TWELVE (12) COURSES:

SOUTH 53° 46' 48" EAST, 196.40 FEET TO A POINT; THENCE -NORTH

61° 35' 26" EAST, 188.51 FEET TO A POINT; THENCE -SOUTH

33° 46' 48" EAST, 62.96 FEET TO A POINT; THENCE -SOUTH

32° 55' 24" EAST, 79.02 FEET TO A POINT; THENCE -SOUTH

31° 35' 08" EAST, 105.84 FEET TO A POINT; THENCE -SOUTH

31° 15' 30" EAST, 105.63 FEET TO A POINT; THENCE -SOUTH

28° 20' 37" EAST, 91.14 FEET TO A POINT; THENCE -SOUTH

32° 47' 46" EAST, 178.56 FEET TO A POINT; THENCE -SOUTH

33° 11' 23" EAST, 163.52 FEET TO A POINT; THENCE -SOUTH

29° 27' 18" EAST, 223.08 FEET TO A POINT; THENCE -SOUTH

33° 10' 09" EAST, 190.27 FEET TO A POINT; THENCE -SOUTH  
30° 00' 30" EAST, 262.96 FEET TO THE SOUTHEASTERLY CORNER OF DESCRIBED  
PARCEL WITH THE NORTHERLY LINE OF PROPERTY NOW OR FORMERLY OWNED BY  
WALTER S. & JENETTE B. KLEIN, TAX PARCEL 6757-00-198491; THENCE -RUNNING  
ALONG AFORESAID PROPERTY THE NEXT FOUR (4) COURSES;  
SOUTH 67° 54' 31" WEST, 318.33 FEET TO A POINT; THENCE -SOUTH  
68° 09' 41" WEST, 210.800 FEET TO A POINT; THENCE -SOUTH  
67° 40' 01" WEST, 333.40 FEET TO A POINT; THENCE -SOUTH  
67° 29' 01" WEST, 38.41 FEET TO THE NORTHERLY LINE OF PROPERTY NOW OR  
FORMERLY OWNED BY MARTA B. MENA, TAX PARCEL 6757-00-059570; THENCE -SOUTH  
68° 48' 30" WEST, 147.64 FEET TO AN IRON ROD FOUND AT THE SOUTHEASTERLY  
CORNER OF PROPERTY NOW OR FORMERLY OWNED BY CAROLYN J. ALEXIS, TAX  
PARCEL 6757-00-043585; THENCE - ALONG AFORESAID PROPERTY THE NEXT TWO (2)  
COURSES;  
NORTH 32° 24' 49" WEST, 220.153 FEET TO A POINT; THENCE -SOUTH  
64° 35' 52" WEST, 203.159 FEET TO THE POINT AND PLACE OF BEGINNING.

# Exhibit B



Beekman Fire District  
NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN,

That a special election of the qualified voters of the Beekman Fire District in the Town of Beekman, Dutchess County, New York will be held at the Beekman Firehouse Beekman Poughquag Road, Poughquag, New York, in said Fire District,

On the 16<sup>th</sup> day of April 2024,  
Between the hours of 6:00 o'clock PM and 9:00 o'clock PM

For the purpose of voting by paper ballot upon the adoption or rejection of the following resolution:

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) FIRE FIGHTING VEHICLES FOR THE BEEKMAN FIRE DISTRICT IN THE TOWN OF BEEKMAN, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$3,200,000.00, AND AUTHORIZING THE ISSUANCE OF \$3,200,000.00 SERIAL BONDS OF SAID FIRE DISTRICT TO PAY THE COST THEROF.



**Little Free Library.**

Take a Book. Share a Book.

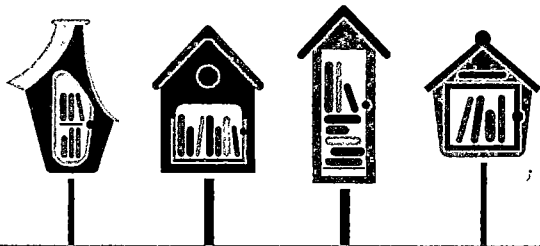
## How This Library Works

### Take Books

Anyone may take a book—neighbors, friends, and passersby—the books are always free.

### Share Books

Book donations are welcome at this Little Free Library. Find other book-sharing boxes with the Little Free Library world map at [LittleFreeLibrary.org/OurMap](http://LittleFreeLibrary.org/OurMap) or with the Little Free Library mobile app, available for download at [LittleFreeLibrary.org/app](http://LittleFreeLibrary.org/app).



Our mission is to be a catalyst for building community, inspiring readers, and expanding book access for all through a global network of volunteer-led Little Free Libraries.

### **Start A Library**

Visit [LittleFreeLibrary.org](http://LittleFreeLibrary.org) for everything you need!

We offer free building plans, official signage, and handmade libraries you can purchase.



### **Donate**

Help bring books where they're needed most! Your financial contribution to Little Free Library will support book exchanges in communities where they will have lasting impact.

### **Connect**

Follow us on Twitter, Facebook, Instagram, and Pinterest.

 [@LtFreeLibrary](https://twitter.com/LtFreeLibrary)  [@LittleFreeLibrary](https://www.facebook.com/LittleFreeLibrary)

 [@LittleFreeLibrary](https://www.instagram.com/LittleFreeLibrary)  [Little Free Library](https://www.pinterest.com/LittleFreeLibrary/)

Download the Little Free Library mobile app at [LittleFreeLibrary.org/app](http://LittleFreeLibrary.org/app)

- **I think my library is leaking, how do I fix it?**
- **What is the recommended maintenance for a Little Free Library?**
- **I'm moving, what do I do with my Little Free Library?**
- **My area gets lots of rain or snow, how can I weatherproof my library?**
- **Are the Little Free Library map and mobile app the same?**




## **What are the rules of Little Free Library?**

A Little Free Library is a free book-sharing box where anyone may take a book or share a book. They function on the honor system. You do not need to share a book in order to take one. If you take a book or two from a little library, try to bring some to share to that same library, or another in your area, when you can. (Tip: use **Little Free Library's mobile app** < <https://littlefreelibrary.org/app/>> to easily find libraries near you!)



### **Registered little libraries <**

**https://littlefreelibrary.org/stewards/registration/>** have a primary caretaker, called a Little Free Library steward. The steward is usually the person who put up the library. The steward takes care of basic maintenance like keeping the library clean and inviting, but it is up to everyone who uses the library to keep it stocked with good books.



## Does Little Free Library Ltd have a trademark on the phrase “Little Free Library”?

Yes, “Little Free Library” is a trademarked term. Little Free Library Ltd first filed for a trademark for the phrase “Little Free Library” on February 21, 2012. It was registered by the US Patent and Trademark Office as a protected mark on October 29, 2013.


Our trademark applies to the full phrase “Little Free Library” as well as variations like “Little Library,” “Little Free Libraries,” and any language that

We use cookies to ensure that we give you the best experience on our website.

OK [PRIVACY POLICY < https://littlefreelibrary.org/privacy-policy/>](https://littlefreelibrary.org/privacy-policy/)



**[about our trademark. < https://littlefreelibrary.org/little-free-library-trademark-faqs/>](https://littlefreelibrary.org/little-free-library-trademark-faqs/)**



## If I bought a library from you do I still need to register it?

No, you do not! If you bought a Little Free Library through our online store, your library is automatically registered. A charter sign is included with your purchase, though it may ship separately. All you need to do is wait for your library and charter sign to arrive and then **set up your steward account < <https://littlefreelibrary.org/docs/how-do-i-set-up-my-steward-account/>>** to add your library's location to the **mobile app < <https://littlefreelibrary.org/app/>>** and **web map. < <https://littlefreelibrary.org/map/>>**

**RESOLUTION NO. 03:26:24-2**  
**RESOLUTION TO MODIFY THE ACCEPTED PERFORMANCE AGREEMENT AND PERFORMANCE BOND FOR**  
**SOUTH GREEN HAVEN SOLAR I, LLC,**  
**as successor to Borrego Solar Systems, LLC**

**WHEREAS**, Resolution No. 03:12:24-2, put forth and passed by the Town Board, was the incorrect version, the Town Board hereby proposes the following to be the correct version as agreed to by the Town Engineer and the representative attorneys;

**WHEREAS**, South Green Haven Solar I, LLC, (hereinafter "Applicant"), assignee of the original applicant Borrego Solar Systems, LLC, and Carolyn Dickson, as Trustee of the Carolyn Dickson Revocable Trust dated October 6, 2020, ("Owner") obtained site plan, special use permit, and water resource permit approvals for the construction of a solar farm on a parcel of land totaling 29.19 acres that is designated as Tax Parcel 6757-00-082660 on the tax map of the Town of Beekman (the "Property"); and

**WHEREAS**, the Applicant and Owner have made a request, pursuant to § 155-53. 1 of the Code of the Town of Beekman, to allow for limited tree clearing on the Property, prior to the signing of the Final Site Plan, in order to have the trees cut within the allowable season to avoid potential impacts to Indiana Bats; and

**WHEREAS**, the Applicant and Owner delivered to the Town a Performance Bond Agreement ("Agreement") and Performance Bond ("Undertaking") in the amount of \$252,655.00 as a construction completion guarantee of all land development activities related to the Property pursuant to § 155-59(I), § 155-60(M) and § 128-7(A) of the Town Code, which includes the contemplated tree clearing called for in the conditional site plan approval for the Project by the Planning Board dated January 19, 2023 (which has since been extended); and

**WHEREAS**, the terms of the Agreement and Undertaking authorize the Town of Beekman to draw against the aforementioned Performance Bond in the event the Applicant or Owner does not install the stormwater control measures and landscaping on the Property in accordance with the terms of the Agreement and Undertaking; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the Performance Agreement and Performance Bond with attached Security Bond computation schedule, in the sum of \$252,655.00, as security for the faithful performance of the completion of the obligations set forth in the Agreement and Undertaking; and

**BE IT FURTHER RESOLVED** that the Applicant is hereby required to have the Performance Bond, as approved herein by the Town Board, in place before any tree clearing on the Property may commence; and

**BE IT FURTHER RESOLVED** that the Town Board hereby establishes the inspection fees for the site work contemplated in the Agreement and Undertaking pursuant to Town Code § 155-60(N) to be \$5,506.20, based on the estimate attached to this resolution, and the Applicant shall submit payment for such inspection fee accordingly; and

**RESOLVED**, that the Town Clerk is directed to file the aforementioned Performance Agreement and Performance Bond in her records, pending compliance with the terms of the Agreement and Undertaking.

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

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

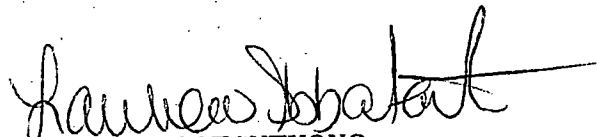
Dated: March 26, 2024

**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 26th day of March, 2024 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 27<sup>th</sup> day of March, 2024



**LAUREEN ABBATANTUONO**

**TOWN CLERK**

**BY ORDER OF THE TOWN BOARD  
LAUREEN ABBATANTUONO, TOWN CLERK**

**DATED:            March 27th, 2024  
                      BEEKMAN, NY**





March 13, 2024

Ms. Lauren Abbatantuono  
Town of Beekman  
4 Main Street  
Poughquag, NY 12570

To Whom It May Concern:

Please see included the executed Performance Bond for the South Green Haven Solar 1, LLC solar project.

Sincerely,

Bethel Gashaw  
Assistant Project Manager  
bethel.gashaw@generatecapital.com

cc: Town Attorney and Town Clerk

**PERFORMANCE BOND AGREEMENT**

**SOUTH GREEN HAVEN SOLAR 1, LLC**, a limited liability company with a principal office at 560 Davis Street, Suite 250 San Francisco, CA 94111 ("Principal"), and **PENNSYLVANIA INSURANCE COMPANY**, ("Surety"), are held and firmly bound unto the **TOWN OF BEEKMAN**, a New York Municipal Corporation, with an address of 4 Main Street, Poughquag, New York 12570 ("Obligee"), for the full and just sum of TWO HUNDRED FIFTY-TWO THOUSAND SIX HUNDRED FIFTY-FIVE (\$252,655.00) DOLLARS pursuant to the provisions set forth herein below, the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, and each of their successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, on January 19, 2023, the Town of Beekman Planning Board ("Planning Board") granted a certain water resource permit, special use permit, and conditional final site plan approval ("Approvals") for the solar facility proposed by the Principal ("Solar Facility") to be located at 97 S. Green Haven Road, Poughquag, County of Dutchess, New York (Tax Map Parcel Identification No. 6757-00-082660) ("Property"), which is more accurately described in **Exhibit A**; and

WHEREAS, the development and installation of certain stormwater control measures and landscaping requirements for the Solar Facility on the Property are set forth in the Approvals and the site plans approved therein, which Site Plans are attached hereto as **Exhibit B**, and subject to a condition of the submission of a Performance Bond Agreement pursuant to the Approvals and Section 128-7(A), 155-59(L), and 155-60(m) of the Code of the Town of Beekman ("Town Code"); and

WHEREAS, the Obligee has agreed to accept a bond for a period of one year, which shall be renewed annually pursuant to the provisions below, guaranteeing the obligations as stated in the Approvals; and

WHEREAS, the Surety has pledged surety and a bond in the principal amount of TWO HUNDRED FIFTY-TWO THOUSAND SIX HUNDRED FIFTY-FIVE (\$252,655.00) DOLLARS ("Penal Sum"), of which \$119,700.00 is allocated for stormwater control measures, \$100,000.00 is allocated for landscaping, including a 15% contingency of \$32,955.00, for the actions of the Principal related to the development, construction, installation, and completion of the stormwater control and landscaping measures tied to the Solar Facility as required by the Town and in accordance with the Approvals; and

WHEREAS, the Surety and Principal agree that the covenants contained herein shall (i) run with the land and (ii) jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Town, jointly and severally, for the completion, construction and installation of the stormwater control measures and landscaping required by the Approvals.

NOW, THEREFORE, THE CONDITIONS OF THE ABOVE OBLIGATION IS SUCH, that if the Principal shall well and truly perform each and every obligation for installation and

completion of the stormwater control and landscaping measures required by the Approvals at the time and in the manner specified during the term of this bond (“Bond”), or during the term of any renewal period of this bond, and shall reimburse said Obligees for any loss which said Obligees may sustain by reason of failure or default on the part of said Principal, than this obligation shall be void otherwise to remain in full force and effect:

1. This Bond is for the term beginning February 14, 2024 and expiring February 14, 2025. The Bond will automatically renew for a one-year period upon the expiration date set forth above and upon each anniversary of such date, unless at least sixty (60) days prior to such expiration date, or prior to any anniversary of such date the Surety provides written notice to both the Obligees and Principal of its intention not to renew this bond. Failure of the Surety to renew this Bond, or failure of the Principal to replace the Bond in the event of non-renewal or termination, no less than thirty (30) days prior to its termination or non-renewal, shall constitute a default for which a claim may be made against this Bond.

2. In the event of default by the Principal, the Town Board, on behalf of the Obligees, shall deliver to Surety by certified mail, a written statement of the facts of such default, within sixty (60) days of the occurrence. In the event of default, the Surety shall, at the option and direction of the Obligees, promptly and at the Surety’s expense take one of the following actions:

- (a) Arrange for the Principal, with consent of the Obligees, to perform and complete the construction and installation of the stormwater control measures and landscaping required by the Approvals;
- (b) Undertake to perform and complete the construction and installation of the stormwater control measures and landscaping required by the Approvals; or
- (c) Make payment to the Town in the amount to be incurred by the Obligees to complete the construction and installation of the stormwater control measures and landscaping required by the Approvals, and the amount of this Bond shall be credited for any payments made in good faith by the Surety, provided that the Surety’s obligations under this Section 2 shall not exceed the Penal Sum in the aggregate, nor the portion dedicated to stormwater of \$119,700.00 or to landscaping of \$100,000.00, plus the 15% contingency of \$32,955.00, respectively.

3. If the Surety does not proceed as provided for above with reasonable promptness, but in all events within thirty (30) days of receipt of written notice from the Town Board, on behalf of the Obligees, pursuant to Section 2, the Surety shall be deemed to be in default on this bond fifteen (15) days after receipt of an additional written notice from the Town Board, on behalf of the Obligees, to the Surety demanding that the Surety perform its obligations under this Bond, and the Obligees shall be entitled to seek any remedy available to it.

4. No right of action shall accrue on this Bond to or for the use of any person or corporation other than the Obligees named herein or the heirs, executors, administrator or successors of the Obligees.

5. The aggregate liability of the Surety is limited to the Penal Sum on the Bond stated herein, regardless of the number or amount of claims brought against this bond and regardless of the number of years this Bond remains in force.

6. If any conflict or inconsistency exists between the obligations or undertakings as described in this Bond and as described in the Approvals, then the terms of the Approvals shall prevail.

7. The Obligee's acceptance of this Bond and reliance upon it as security constitutes its acknowledgement and agreement as to the explicit terms stated herein under which it is offered and issued by the Surety.

8. The Surety will give prompt notice to the Principal and to the Obligee of any notice received or action filed alleging the insolvency or bankruptcy of the Surety, or alleging any violations of regulatory requirements, which could result in suspension or revocation of the Surety's license to do business, which will be deemed a Surety failure. In the event the Surety becomes unable to fulfill its obligation under the Bond for any reason, or in the event the Principal fails to pay the premium and the Surety has deemed such payment delinquent, notice shall be given immediately to the Principal and to the Obligee.

9. Upon compliance with the terms and provisions of this Bond and the execution of a written Release of Performance Bond by the Obligee, this Bond shall become null and void.

10. The Principal acknowledges that if any default remains in the performance of the obligations created in this Bond, the Obligee, and its Building Department, may consider all options available, including but not limited to, revocation of building permits until such defaults are cured.

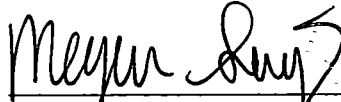
*[Signature pages to follow]*

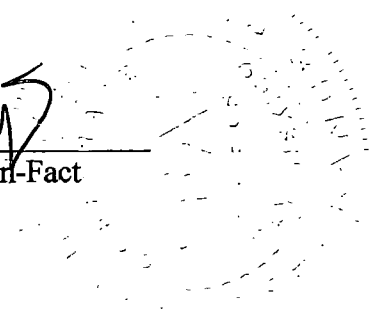
IN WITNESS WHEREOF, the undersigned have executed this instrument this 14<sup>th</sup> day of February, 2024.

**SOUTH GREEN HAVEN SOLAR 1, LLC**

By:   
Margaret Flannery  
Authorized Signatory

**PENNSYLVANIA INSURANCE  
COMPANY**

By:   
Megan Sivley, Attorney-in-Fact



**EXHIBIT A**  
**Legal Description**

**RECORD PROPERTY DESCRIPTION:**

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE TOWN OF BEEKMAN, COUNTY OF DUTCHESS AND STATE OF NEW YORK, BEING LOT NO. 2 AS SHOWN ON A FILED MAP ENTITLED, "MAP OF SUBDIVISION FOR JEAN AND MARTHA ALLIE" SAID FILED MAP FILED IN THE DUTCHESS COUNTY CLERK'S OFFICE ON FEBRUARY 1, 1991 AS MAP NO. 9184; SAID LOT BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER, A POINT MARKED BY AN IRON PIPE FOUND AT THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OWNED BY CAROLYN J. ALEXIS, TAX PARCEL 6757-00-043585, WITH THE EASTERLY RIGHT OF WAY LINE OF SOUTH GREEN HAVEN ROAD, (COUNTY ROUTE 8);

THENCE RUNNING ALONG THE EASTERLY RIGHT OF WAY OF AFORESAID ROAD THE NEXT THREE (3) COURSES:

NORTH 14° 53' 45" WEST, 160.19 FEET TO A POINT; THENCE -NORTH

21° 45' 33" WEST, 255.69 FEET TO A POINT; THENCE -NORTH

26° 22' 48" WEST, 58.57 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF

LANDS NOW OR FORMERLY OWNED BY DITRON INC., TAX PARCEL 6757-00-016686;

THENCE -RUNNING

ALONG THE SOUTHERLY AND EASTERLY LINES OF AFORESAID PROPERTY THE

NEXT EIGHT (8) COURSES:

NORTH 56° 11' 07" EAST, 132.46 FEET TO A POINT; THENCE -NORTH

50° 54' 47" EAST, 199.50 FEET TO A POINT; THENCE -NORTH

14° 30' 28" WEST, 19.24 FEET TO A POINT; THENCE -NORTH

75° 29' 32" EAST, 35.00 FEET TO AN IRON ROD FOUND FOR CORNER; THENCE -NORTH

14° 30' 28" WEST, 30.00 FEET TO A POINT; THENCE -NORTH

75° 29' 32" EAST, 185.00 FEET TO A POINT; THENCE -NORTH

14° 30' 28" WEST, 355.52 FEET TO A POINT; THENCE -NORTH

36° 30' 03" WEST, 400.00 FEET TO THE NORTHEAST CORNER OF AFORESAID

PROPERTY WITH THE SOUTHERLY LINE OF LANDS NOW OR FORMERLY OWNED BY

MAURICE L. CONDON, INC., TAX PARCEL 6657-00-991742; THENCE -NORTH

53° 29' 50" EAST, 261.07 FEET TO THE SOUTHEASTERLY CORNER OF THE

AFORESAID PROPERTY AND THE WESTERLY PROPERTY LINE OF LANDS NOW OR

FORMERLY OWNED BY Lyla 22, LLC; THENCE -RUNNING

ALONG FENCE LINE REMNANTS ON THE WESTERLY LINE OF AFORESAID

PROPERTY THE NEXT TWELVE (12) COURSES:

SOUTH 53° 46' 48" EAST, 196.40 FEET TO A POINT; THENCE -NORTH

61° 35' 26" EAST, 188.51 FEET TO A POINT; THENCE -SOUTH

33° 46' 48" EAST, 62.96 FEET TO A POINT; THENCE -SOUTH

32° 55' 24" EAST, 79.02 FEET TO A POINT; THENCE -SOUTH

31° 35' 08" EAST, 105.84 FEET TO A POINT; THENCE -SOUTH

31° 15' 30" EAST, 105.63 FEET TO A POINT; THENCE -SOUTH

28° 20' 37" EAST, 91.14 FEET TO A POINT; THENCE -SOUTH

32° 47' 46" EAST, 178.56 FEET TO A POINT; THENCE -SOUTH

33° 11' 23" EAST, 163.52 FEET TO A POINT; THENCE -SOUTH

29° 27' 18" EAST, 223.08 FEET TO A POINT; THENCE -SOUTH

33° 10' 09" EAST, 190.27 FEET TO A POINT; THENCE -SOUTH  
30° 00' 30" EAST, 262.96 FEET TO THE SOUTHEASTERLY CORNER OF DESCRIBED  
PARCEL WITH THE NORTHERLY LINE OF PROPERTY NOW OR FORMERLY OWNED BY  
WALTER S. & JENETTE B. KLEIN, TAX PARCEL 6757-00-198491; THENCE -RUNNING  
ALONG AFORESAID PROPERTY THE NEXT FOUR (4) COURSES;  
SOUTH 67° 54' 31" WEST, 318.33 FEET TO A POINT; THENCE -SOUTH  
68° 09' 41" WEST, 210.800 FEET TO A POINT; THENCE -SOUTH  
67° 40' 01" WEST, 333.40 FEET TO A POINT; THENCE -SOUTH  
67° 29' 01" WEST, 38.41 FEET TO THE NORTHERLY LINE OF PROPERTY NOW OR  
FORMERLY OWNED BY MARTA B. MENA, TAX PARCEL 6757-00-059570; THENCE -SOUTH  
68° 48' 30" WEST, 147.64 FEET TO AN IRON ROD FOUND AT THE SOUTHEASTERLY  
CORNER OF PROPERTY NOW OR FORMERLY OWNED BY CAROLYN J. ALEXIS, TAX  
PARCEL 6757-00-043585; THENCE - ALONG AFORESAID PROPERTY THE NEXT TWO (2)  
COURSES;  
NORTH 32° 24' 49" WEST, 220.153 FEET TO A POINT; THENCE -SOUTH  
64° 35' 52" WEST, 203.159 FEET TO THE POINT AND PLACE OF BEGINNING.



10805 Old Mill Road · Omaha, Nebraska 68154

**POWER OF ATTORNEY NO. ALLHOU01\_0323**

KNOW ALL MEN BY THESE PRESENTS: That the California Insurance Company, duly organized and existing under the laws of the State of California and having its principal office in the County of San Mateo, California, and Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, corporations duly organized and existing under the laws of the State of New Mexico and having their principal office in the County of Santa Fe, New Mexico does hereby nominate, constitute and appoint:

Carlos Albelo, Megan Sivley, Melissa Haddick, Orlando Aguirre, Sandra Parker, Stacy Killebrew, Tannis Mattson

Its true and lawful agent and attorney-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship (NOT INCLUDING bonds without a fixed penalty or financial guarantee) provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

“Unlimited“

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of California Insurance Company, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company.

“RESOLVED, That the President, Senior Vice President, Vice President, Assisted Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney of the Company, qualifying the attorney or attorneys named in given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the California Insurance Company, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto.”

IN WITNESS WHEREOF, California Insurance Company, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer the 16th day of August 2023.

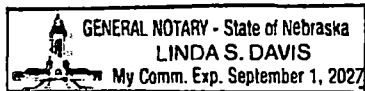
California Insurance Company, Continental Indemnity Company,  
Illinois Insurance Company, Pennsylvania Insurance Company

By \_\_\_\_\_ Jeffrey A. Silver, Secretary

STATE OF NEBRASKA  
COUNTY OF DOUGLAS SS:

On this 16th day of August A.D. 2023, before me a Notary Public of the State of Nebraska, in and for the County of Douglas, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Douglas, the day and year first above written.



\_\_\_\_\_  
Linda S. Davis  
(Notary Public)

I, the undersigned Officer of the California Insurance Company, a California Corporation of Foster City, California, Continental Indemnity Company, Illinois Insurance Company and Pennsylvania Insurance Company, New Mexico Corporations of Santa Fe, New Mexico, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 14th day of February, 2024

\_\_\_\_\_  
Jeffrey A. Silver, Secretary

**RESOLUTION NO. 03:12:24-6**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF BEEKMAN TO SET A FURTHER POLICY REGARDING OVERTIME, CALL IN TIME AND COMPENSATORY TIME FOR THE YEAR 2024**

**WHEREAS**, the Town Board of the Town of Beekman (the "Board") adopted Resolution No. 01:3:24-34, on January 3, 2024, directing all Department Heads for 2024 to obtain approval from the Town Supervisor for all overtime and compensatory time for both CSEA and non-union employees; and that all employees must clock in and out on the Town official Paychex time clocks; and

**WHEREAS**, under the New York State Constitution, the Board may not authorize the gratuitous dispersal of public funds; and

**WHEREAS**, since the adoption of Resolution No. 01:3:24-34, the Board has become aware that time records submitted by or on behalf of certain employees indicating that such employees worked sufficient hours to be entitled to overtime, call in time or compensatory time, but which time records were not corroborated by contemporaneously created time clock "punch" entries on the Town's official time clock; and

**WHEREAS**, numerous discrepancies and variations between the time clock "punch" entries and the time sheets submitted by and on behalf of certain employees raise serious concerns that the hours claimed in such time sheets may be erroneous or fraudulent; and

**WHEREAS**, paying wages for hours not worked, or affording compensatory time for such fictitious hours, would constitute a gratuitous dispersal of public funds in violation of the New York State constitution; and

**WHEREAS**, the Board is entrusted with the general management and control of the Town's finances and possesses absolute authority over, and responsibility for, the Town's budget and for ensuring that all expenditures thereunder are appropriate, legitimate, lawful, and constitutional; and

**WHEREAS**, the Board has determined that additional safeguards, beyond those adopted in Resolution No. 01:3:24-34, are reasonable and necessary to guard against the risks revealed by the numerous variations and discrepancies between time clock "punch" entries and the time sheets submitted by and on behalf of certain employees; and

**WHEREAS**, the adoption of the additional safeguards provided for herein is a necessary and proper exercise of the Board's authority over the general management and control of the Town's finances and the Board's absolute authority over the Town's budget;

**NOW, THEREFORE, IT IS HEREBY:**

**RESOLVED**, that the Board does hereby direct all Department Heads for 2024 to provide to the Town Supervisor a written report whenever a Town employee incurs an entitlement to either overtime, call in time, or compensatory time (the "Report").

**BE IT FURTHER RESOLVED**, that each Report shall provide sufficient detail for the Town Supervisor and the Board to assess whether the payment of such overtime, call in time, or the crediting of such compensatory time, is an appropriate, legitimate, lawful, and constitutional expenditure.

**BE IT FURTHER RESOLVED**, that each Report shall state, at a minimum: whether the hours worked, upon which overtime or compensatory time is based, were approved in advance by the Department Head; the date and time of such approval; the manner in which such approval was given; a copy of such approval, if given in tangible format, or, if given verbally, a description of the factual circumstances of such approval; and the reason and purpose for the work the employee was directed to perform during such hours;

**BE IT FURTHER RESOLVED**, that each such Report shall be accompanied by the contemporaneously created time clock "punch" entries, provided by the Finance Department/Payroll, demonstrating the date and time of the hours worked upon which overtime, call in time or compensatory time is based, or, if such entries are not provided, a signed statement by the Department Head, certified under penalty of perjury as true and accurate, stating the date and time such hours were worked;

**BE IT FURTHER RESOLVED**, that the Finance Department/Payroll is authorized to provide Department Heads with such punch records for purposes of submitting Reports required under this resolution;

**BE IT FURTHER RESOLVED**, that each such Report shall be provided to the Town Supervisor by the Department Head contemporaneously to, and along with, any payroll report or record which the Department Head submits reflecting that an employee is entitled to the payment of overtime, call in time, or the crediting of compensatory time.

**Introduced: COUNCILMAN BATTAGLINI**

**Seconded: COUNCILWOMAN WOHRMAN**

**ROLL CALL VOTE:**

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

Dated: March 12, 2024

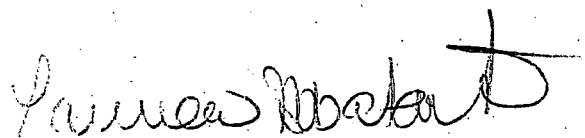
**BY ORDER OF THE TOWN BOARD OF THE TOWN OF BEEKMAN, NEW YORK**

**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 12th day of March, 2024 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 25<sup>th</sup> day of March, 2024.

  
**LAUREEN ABBATANTUONO**  
TOWN CLERK



SECURITY BOND COMPUTATION

97 S Green Haven Solar Project

TOWN OF BEEKMAN

7/14/23

ITEM	ORIGINAL QUANTITY	UNIT	UNIT PRICE TOWN CODE ITEMS	(ADJUSTED) VALUE TOWN CODE ITEMS
SURFACE AND				
STABILIZATION GRADING	4.50	Acre	\$ 10,000	\$ 45,000
TOPSOIL (ROAD/EQUIPMENT PADS)	0.8	Acre	\$ 20,000	\$ 16,000
SILT FENCE	4,000	L.F.	\$ 2.50	\$ 10,000
HYDROSEEDING	4.5	Acre	\$ 3,000	\$ 13,500
CONSTRUCTION				
ENTRANCE	1	EA	\$ 1,500	\$ 1,500
POND/RAIN GARDEN	3	E.A	\$ 10,000	\$ 15,000
RIP-RAP STONE	1600	S.F.	\$ 10.00	\$ 16,000
STORMWATER PIPING	60	L.F	\$ 20.00	\$ 1,200
STORM PIPE OUTLET PROTECTION	3	E.A	\$ 500	\$ 1,500
SITE WORK SUB-TOTAL				\$ 119,700
LANDSCAPING	1	L.S.	\$ 100,000	\$ 100,000
SUBTOTAL				\$ 219,700
15% CONTINGENCY				\$ 32,955
TOTAL				\$ 252,655

NOTE: Site work sub-total of \$119,700 was used to calculate the 4% site inspection fee of \$5,506.20

**RESOLUTION NO. 03:26:24-3**

**RE: AMENDING STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS**

**WHEREAS**, the Office of the New York State Comptroller requires municipalities to establish Standard Work Days for elected and appointed officials who participate in the New York State and Local Retirement System; and

**WHEREAS**, by resolution no. 02:13:24-4 hours for the following elected officials were incorrectly calculated;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Beekman hereby establishes the following standard work days for elected and appointed officials and will report the following information for these officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/Day)	Name	Current Term Begin/End Date	Record of Activities Result	Time Keeping
<b>ELECTED OFFICIAL</b>					
Town Justice	6	Linda M. Murray	2/28/2023-12/31/2023	13.07	
Town Councilman	6	Frank Lemak	1/01/2023-12/31/2026	.096	

**BE IT FURTHER RESOLVED**, that a copy of this Resolution with attachments with any social security numbers and retirement registration numbers redacted shall be prominently posted on the Town's website and the Official Signboard of the Town for a period of not less than 30 days; and

**BE IT FURTHER RESOLVED**, that within 15 days after the expiration of the posting period, the Town Clerk shall file the completed RS 2417-A form with the Office of the New York State Comptroller.

**Introduced: SUPERVISOR COVUCCI**

**Seconded: COUNCILMAN LEMAK**

**ROLL CALL VOTE:**

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

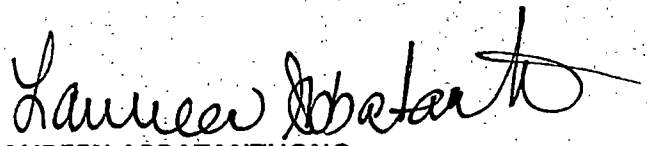
Dated: March 26, 2024

**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 26th day of March, 2024 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 27<sup>th</sup> day of March, 2024



**LAUREEN ABBATANTUONO**  
TOWN CLERK

**BY ORDER OF THE TOWN BOARD**  
**LAUREEN ABBATANTUONO, TOWN CLERK**

**DATED: March 27th, 2024**  
**BEEKMAN, NY**



**RESOLUTION NO. 03:26:24-4**  
**RE: RESOLUTION APPROVING THE REDUCTION IN THE**  
**PERFORMANCE BOND FOR STONE RIDGE ESTATES**

**WHEREAS**, the Town Board is authorized to approve reductions in performance bonds pursuant to NYS Town Law §277(9)(d); and

**WHEREAS**, on September 3, 2014, by Resolution 09:03:14-10(154), the Town Board established and adopted the performance bond calculation recommended by the Town Engineer in the amount of \$1,221,785.31 to cover all construction improvements related to the subdivision approvals by the Planning Board; and

**WHEREAS**, said Resolution specifically incorporated by reference a "Performance Bond Calculation" created by the developer's engineer which stated the remaining cost of the bond "shall not be reduced to less than 20% of the original construction cost until the project is accepted"; and

**WHEREAS**, on December 2, 2015, the Town Board of the Town of Beekman by Resolution 12:02:15-4 (156) approved the reduction of the performance bond from \$1,221,785.31 to \$384,331.19 pursuant to a reduction request from the developer that was reviewed and recommended by the Town Engineer and Town Highway Superintendent; and

**WHEREAS**, application has been made by the developer of Stone Ridge Estates for a reduction of its performance bond posted in accordance with Chapter 130 of the Town Code; and

**WHEREAS**, the Town Board is in receipt of a review of request letter from the Town Engineer dated March 19, 2024, setting forth his recommendations for a reduction of the performance bond; and

**WHEREAS**, the Town Engineer's letter recommends that the performance bond be reduced from \$384,331.19 to \$244,357.00, based upon the developer's successful completion of additional improvements since the last approved reduction of by this Board; and

**WHEREAS**, the Town Board is desirous of accepting the recommendation of the Town Engineer;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the reduction of the aforementioned bond posted from the applicant from its current amount of \$384,331.19 to \$244,357.00; and be it further

**RESOLVED**, that the substitution of collateral by the developer in the form acceptable to the Town set forth at Ch. 130-46(A) of the Town Code is hereby authorized, as well; and be it further

**RESOLVED**, that upon posting of the aforementioned bond with the Town Clerk, she shall transmit a certified copy of this resolution to the Planning Board Secretary and Building Department forthwith.

**Introduced: COUNCILMAN LEMAK**

**Seconded: COUNCILMAN BATTAGLINI**

**ROLL CALL VOTE:**

Councilman Capollari	<b>ABSTAIN</b>
Councilman Battaglini	<b>AYE</b>
Councilman Lemak	<b>AYE</b>
Councilwoman Wohrman	<b>AYE</b>
Supervisor Covucci	<b>AYE</b>

Dated: March 26, 2024

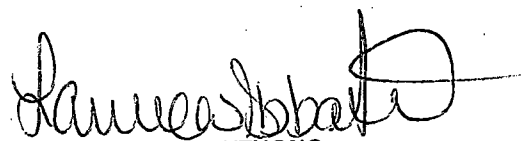
**CERTIFICATION**


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 26th day of March, 2024 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 27<sup>th</sup> day of March, 2024.



  
**LAUREEN ABBATANTUONO**  
TOWN CLERK



# Relay For Life of Dutchess County

**"Spring to Life"**



**Saturday, April 6th | 10am**

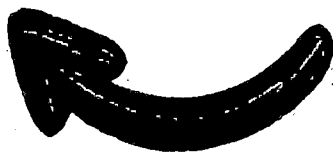
**Town Center Park**

**71 Town Center Blvd  
Hopewell Junction, NY**

**"Fun for ALL"**



Scan QR code to  
Register and get  
more details





Every cancer. Every life.

# RELAY FOR LIFE OF DUTCHESS COUNTY – SPRING TO LIFE

Town Center Park: 71 Town Center Blvd.; Hopewell Junction, NY  
 Saturday, April 6th | 10AM



The American Cancer Society is the leading cancer-fighting organization with a vision to end cancer as we know it, for everyone. We are improving the lives of people with cancer through advocacy, research, and patient support. By supporting your local Relay For Life, you are ensuring everyone has the opportunity to prevent, detect, treat, and survive cancer.

## 2024 SPONSORSHIP LEVELS AND BENEFITS

SPONSOR BENEFIT	ROSE \$2,500	TULIP \$1,000	LILY \$750	IRIS \$500	CARNATION \$200	DAISY \$100
Naming rights on event website homepage: "Relay For Life of Dutchess County Presented by (your company)"	✓					
Sponsors logo included on standard event communication to all participants	✓					
Company logo placement on co-branded event signage track signs ONLY \$75						
Company logo featured on all post-event thank you emails	✓					
Co-branded social media frames and cover photos made available to all event participants	✓					
Promotional space during your local Relay For Life event with an opportunity to provide ACS-approved giveaways	✓	✓	✓			
Rights to promote sponsorship in other publications with co-branded ad (ad templated provided by ACS)	✓	✓	✓			
Company logo placement on co-branded event signage such as banners, track signs, and video where applicable	✓	✓	✓	✓	✓	✓
Luminaria bags to be dedicated by your employees and then displayed at the event (max bags)	25	20	15	10	5	1
Rights to promote sponsorship in company materials with branded image	✓	✓	✓	✓		
Company logo featured on the home page of local Relay For Life event website with link to your company website	✓	✓	✓	✓	✓	
Recognition on your local Relay For Life event social media with in-feed post and story	Premier	Premier	Premier	✓	✓	✓
Verbal recognition during Relay For Life event Opening Ceremony	✓	✓	✓	✓	✓	✓



# 2024 Sponsorship Commitment Form

RELAY FOR LIFE OF DUTCHESS COUNTY – SPRING TO LIFE

Town Center Park: 71 Town Center Blvd.; Hopewell Junction, NY

Saturday, April 6th | 10AM

Business name: \_\_\_\_\_

Street address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Contact name: \_\_\_\_\_

Telephone number (business): \_\_\_\_\_ Email: \_\_\_\_\_

Web address: \_\_\_\_\_ Social Media Handle: \_\_\_\_\_

### Commitment Level

\$2,500 – Rose       \$1,000 – Tulip       \$750 – Lily

\$500 – Iris       \$200 – Carnation       \$100 – Daisy

### Method of Payment To receive all benefits, payment is due by April 1<sup>st</sup>.

Enclosed is my sponsorship check in the amount of \$: \_\_\_\_\_

Pay by Credit Card – Scan the QR Code below to pay your sponsorship by credit card. (Please email [Jessica.morris@cancer.org](mailto:Jessica.morris@cancer.org) after completing payment)

Please send invoice to: \_\_\_\_\_

We are unable to be a designated Relay For Life sponsor this year, but enclosed is our donation of \$ \_\_\_\_\_

Sponsor signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Please sign and retain a copy for your records.)

Please email a **high-resolution logo** (JPG, PNG) to [Jessica.morris@cancer.org](mailto:Jessica.morris@cancer.org) by April 1st, to ensure high-quality printing. Send highest quality available. Note: submitting a low-resolution logo may require signage to be printed in text in order to maintain quality.



**Please return form to the address below:**  
**American Cancer Society**  
**Attention: Relay For Life of Dutchess County**  
**SK: TMUFJK**  
**PO Box 2438 Kennesaw, GA 30156**

Name of team or individual to be credited with this Sponsorship:  
\_\_\_\_\_  
 Not Applicable

RelayForLife.org | 1.800.227.2345

The American Cancer Society cares about your privacy and protects how we use your information. To view our full privacy policy or if you have any questions, please visit us at [cancer.org](http://cancer.org) and click on the "privacy" link at the bottom of the page or call us anytime at 1-800-227-2345.

American Cancer Society, Inc.  
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Organized under IRC 501(c)(3)