BEEKMAN TOWN BOARD REGULAR MEETING AGENDA JULY 22, 2025

6:00 PM

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

6:00 PM - PUBLIC HEARING -BESS MORATORIUM

REPORTS

TOWN BOARD MEETING

- Supervisor Comments
- Comments on Agenda Items (3 Minute Limit)

RESOLUTIONS

- 1. Extending BESS Moratorium for 6 Months
- 2. Approve Emergency Repairs for Playground Equipment at Rec Park
- 3. Approve Budget Revision #2025-7
- 4. Correct Board Appointment Term for ZBA member
- 5. Amending Resolution 04:22:25-11 Climate Smart Community
- 6. Authorize the Installation of a Security Fence around Beekman Landfill Property
- 7. Close Capital Project Funds
- 8. Authorize to Go Out to Bid for Highway Garage Doors and Improvement Project
- 9. Settlement for Property Damage
- 10. Unused Highway Equipment Out to Auction
- 11. Agreement with Town of Dover for Use of Recreation Swim Area
- 12. Payment of Claims
- Other Town Board Business
- General Town Board Comments
- Public Comments (3-Minute Limit)
- Next Regular Town Board Meeting: Tuesday, August 26, 2025 at 6:00 PM

ADJOURN

RESOLUTION NO. 07:22:25-1 RE: RESOLUTION AUTHORIZING A MORATORUM ON THE DEVELOPMENT OF LARGE SCALE BATTERY ENGERY STORAGE SYSTEM INSTALLATIONS

The following Resolution was introduced by: Councilman Capollari and seconded by: Councilman Lemak

WHEREAS, on October 22, 2024 the Town Board adopted a moratorium on the development of Large Scale Battery Energy Storage System Installations, finding that the Town Code does not adequately regulate such facilities and that such facilities have the potential to create risks to public health and safety and adverse impacts on environmental resources and neighborhood character, which potential impacts and changes need to be better understood; and

WHEREAS, the initial moratorium lasted for nine (9) months, and it will soon expire; and

WHEREAS, since the initial moratorium was enacted, the Town has taken multiple steps to gather information and evaluate options for regulating Large Scale Batter Energy Storage System Installations ("BESS"), meeting with local firefighting experts, consulting with other town supervisors via the Dutchess County Mayors and Supervisors Association and attending a county planning workshop on BESS and town zoning codes; and

WHEREAS, additional research is planned in coming months, including, reaching out to the Beekman Fire District Chief, and hosting a joint meeting with Town and Fire District representatives; and

WHEREAS, to enable the Town Board to continue its analysis of potential impacts and determination whether legislative action is required, it is necessary to preserve the *status quo* as to the approval and development of Large Scale Battery Energy Storage System Installations; and

WHEREAS, the Town Board hereby determines that it is in the best interest of the citizens and property owners of the Town of Beekman to continue a temporary moratorium on the acceptance and processing of applications for, the consideration and approval by the Town Planning Board of site plans and special use permits for Large Scale Battery Energy Storage System Installations, the issuance of building permits therefore, and the consideration, approval and issuance of building permits therefore, and the consideration, approval and issuance by the Zoning Board of Appeals of

variances and interpretations relating to Large Scale Battery Energy Storage System Installations, for an additional period of six months; and

WHEREAS, the Town Board determines that the proposed action is a Type II Action not subject to environmental review pursuant to 6 NYCRR §617.5(c)(36),

NOW, THEREFORE, BE IT RESOLVED, that the recitations above set forth are incorporated in this resolution as if fully set forth and adopted herein, and

BE IT RESOLVED, that the Town Board of the Town of Beekman does hereby waive the verbatim reading of said Local Law.

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Capollari	_x	
Councilman Battaglini	_x	
Councilman Lemak	_x	
Councilwoman Wohrman	x	
Supervisor Covucci	_x	

RESOLUTION NO. 07:22:25-2 RE: APPROVE EMERGENCY REPAIRS FOR RECREATION PLAYGROUNDS

WHEREAS, the two playgrounds at the Recreation Center through years of use are in

need of some repairs, and

WHEREAS, in accordance with the Town's Procurement Policy this action is deemed to

be an emergency; and

WHEREAS, a quote was received from Playground Medic, 50 Broadway, Hawthorne, NY 10532 for the removal and disposal of the old playground parts and the installation of

the new replacement playground parts; and

WHEREAS, the equipment and improvements at Rec Park are a replacement in kind

which is a Type II action under SERQ pursuant to 6 NYCRR 617.5 (31) and does not have

a significant impact on the environment,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign the quote

from Playground Medic, 50 Broadway, Hawthorne, NY 10532 in an amount not to

exceed \$34,893.00 for the items as specified.

Introduced: Councilman Battaglini

Seconded: Councilwoman Wohrman

ROLL CALL VOTE:

Councilman Capollari AYE

Councilman Battaglini AYE

Councilman Lemak AYE

Councilwoman Wohrman AYE

Supervisor Covucci AYE

RESOLUTION NO. 07:22:25-3 RE: APPROVE TOWN OF BEEKMAN BUDGET REVISIONS #2025-7

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

NOW, THEREFORE, BE IT RESOLVED that the following itemized revisions are approved by the Town of Beekman Town Board identified as Budget Revision Number #2025-7

Budget Revisions for July 2025 # 2025-7

Revision #	Account #	Account Title Increase		<u>Decrease</u>
GENERAL FUN	<u>D</u>			
2025-07-01	A-1680-0200 A-1990-0400	EDP Equipment Contingency -Transfer New Equipment	18,044	18,044
2025-07-02	A-5132-0430 A-5132-0417	Garage Refuse Garage Supplies -Transfer for Refuse Removal	150	150
2025-07-03	A-7020-0401 A-7020-0400	Rec Office Supplies Rec Office Expense -Transfer for Supplies	100	100
2025-07-04	A-7118-0401 A-7118-0400	Remembrance Park Supplies Remembrance Park Expense -Transfer for Supplies	400	400
2025-07-05	A-8160-0200 A-1990-0400	Land Fill Equipment Contingency Account -Transfer for Fence Installation	31,956	31,956
HIGHWAY FUN	<u>ID</u>			
2025-07-06		Equipment Purchase	344,422	
	DA-0000-9911	Fund Balance Committed -Money Committed for New Truck	344,422	

CAPITAL FUND

2025-07-07	H-7197-0400 H-7197-0440	Pond Improvement Expense Pond Engineering -Transfer for Project Expense	912	912
2025-07-08	H-9901-0900 H-1622-0400 H-1622-0440	Transfer Out Generator Expense Generator Expense	3,000	2,635 365
		-Transfer to Close Project		

Introduced: Supervisor Covucci

Seconded: Councilman Battaglini

ROLL CALL VOTE:
Councilman Capollari AYE
Councilman Battaglini AYE
Councilman Lemak AYE
Councilwoman Wohrman AYE
Supervisor Covucci AYE

RESOLUTION NO. 07:22:25-4 RE: CORRECT BOARD APPOINTMENT TERM TO THE ZONING BOARD OF APPEALS

WHEREAS, by Resolution 06:23:25 2 the Town of Beekman Town Board appointed David Garland to the Zoning Board of Appeals; and

WHEREAS the end date of his term was incorrectly stated,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Beekman Town Board does hereby make the following appointment,

David Garland to the Zoning Board of Appeals with a term to expire December 31, 2028, and

BE IT FURTHER RESOLVED that all appointments are contingent upon completion and submission of the Disclosure of Interest Statement pursuant to Chapter 19-9 of the Town Code; and

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

Introduced: Councilman Lemak

Seconded: Councilman Capollari

ROLL CALL VOTE:
Councilman Capollari AYE
Councilman Battaglini AYE
Councilman Lemak AYE
Councilwoman Wohrman AYE
Supervisor Covucci AYE

RESOLUTION NO. 07:22:25-5 RE: AMENDING RESOLUTION 04:22:25-11 CLIMATE SMART COMMUNITY

WHEREAS, the Town of Beekman (hereinafter "local government") believes that creating a Climate Smart Community will benefit the residents; and

WHEREAS, we believe that our response to Climate Smart Communities provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, the Town of Beekman wishes to protect the rural nature of our community and provide actions that will assist in having the Town of Beekman address issues and create solutions in moving forward in the future with the best interest of the community always at the forefront of decision making.

IT IS HEREBY RESOLVED that Town of Beekman, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action

Introduced: Councilwoman Wohrman

Seconded: Councilman Lemak

ROLL CALL VOTE:

Councilman Capollari AYE Councilman Battaglini AYE Councilman Lemak AYE Councilwoman Wohrman AYE Supervisor Covucci AYE Dated: July 22, 2025

RESOLUTION NO. 07:22:25-6 RE: RESOLUTION AUTHORIZING THE INSTALLATION OF A SECURITY FENCE AROUND THE BEEKMAN LANDFILL PROPERTY

The following Resolution was introduced by Councilman Capollari and seconded by Councilman Battaglini

WHEREAS, the Town of Beekman owns and operates a landfill facility located at 110 Pleasant Ridge Road, commonly known as Tax Map Parcel No. 6859-00-265016 and further identified as New York State Department of Environmental Conservation ("NYSDEC") Site #14S06; and

WHEREAS, the Town Board recognizes the importance of securing the landfill property to protect public health and safety, prevent unauthorized access, dumping and damage to the facilities, and deter potential hazards; and

WHEREAS, unauthorized access by all terrain and other motorized vehicles over the past several months has damaged the cap of the landfill requiring repairs by the Town, including installation of a temporary construction fence, and mandated security upgrades to the fence are required by the NYSDEC per email of April 9, 2025; and

WHEREAS, the Town Board deems it necessary and in the best interests of the residents of the Town to install a fence around the perimeter of the landfill property for security and safety purposes and for continued compliance with NYSDEC Part 360 requirements; and

WHEREAS, the proposed fence will be of height and materials acceptable to the NYSDEC, designed to adequately secure the premises while complying with all applicable local, state, and federal regulations regarding fencing on public property and around landfill facilities; and

WHEREAS, the Town Board has reviewed the proposed fence location and acknowledges that all required permits and approvals will be obtained before commencement of the installation, including but not limited to, the NYSEC and any other relevant agencies;

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

- 1. State Environmental Quality Review Act Compliance: The Town Board hereby deems this action Type II in accordance with Part 617.5(c)(2): replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, thereby concluding the SEQR process.
- 2. Approval of Installation: The Town Board hereby approves the installation of a security fence around the Beekman Landfill property located at 110 Pleasant Ridge Road, Tax Map Parcel No. 6859-00-265016, consistent with the location presented to the Town Board, which is generally the same location as existed at the time of the original landfill closure.
- 3. Authorization of Funds: The Town Board authorizes the Supervisor to allocate and expend necessary funds for the purchase and installation of the fence, as approved in the Town Budget, or as otherwise determined necessary by the Town Board, in an emergency capacity to ensure that the work is completed in a timely manner to maintain compliance with NYSDEC requirements.
- 4. Authorization to Obtain Permits: The Town Supervisor and/or other designated Town officials are hereby authorized to take all necessary steps to obtain any required permits and approvals from relevant agencies, including the NYSDEC, to ensure the legal and proper installation of the fence.
- 5. Authorization for Contract: The Town Board authorizes the Supervisor to enter into a contract with a qualified vendor for the purchase and installation of the fence, subject to review and approval by the Town Attorney as to form and content.

B I A V

6. Effective Date: This resolution shall take effect immediately.

A \/ E

DULY ADOPTED this 22nd day of July, 2025, by the Town Board of the Town of Beekman.

<u>AYE</u>	<u>IVA Y</u>
x	
x	
x	
x	
x_	
	x

DOLL CALL

CERTIFICATION:

I, Laureen Abbatantuono, Town Clerk of the Tow	•				
the foregoing is a true and exact copy of a resolution duly adopted by the Town Bo					
the Town of Beekman at a regular meeting thereof held on the day of					
, 2025.					
Laureen Abbatantuono					
Town Clerk					
Town of Beekman					

RESOLUTION NO. 07:22:25-7 RE: RESOLUTION TO CLOSE CAPITAL PROJECT FUND

WHEREAS, the Town OF Beekman authorized various Capital Project Funds to make improvements to equipment and facilities; and

WHEREAS, the GASB & GAAP Best Practices recommends the official closing of Capital Projects by the Governing Body, and

WHEREAS, the following completed Capital Projects summarized now should be officially closed and the disposition of unexpended balances approved as follows:

Capital Project Improvement Description	Project <u>Budget</u>	Final Expenses	Unexpended <u>Balance</u>	Disposition of <u>Unexpended Balance</u>
Town Hall Generator	\$ 90,000	\$ 87,000	\$ 3,000	Return to General Fund
Rec Pond Improvement Project	250,000	215,000	35,000	Return to General Fund

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Beekman officially approves the closing of the above Capital Projects with the unexpended balances returned to the General Fund Designated for Capital Projects Use.

Introduced: Councilman Battaglini

Seconded: Councilwoman Wohrman

ROLL CALL VOTE:

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

RESOLUTION NO. 07:22:25-8 RE: AUTHORIZE TO GO OUT TO BID FOR HIGHWAY GARAGE DOORS AND IMPROVEMENTS PROJECT

WHEREAS, the Town Engineer has requested that the Town Board authorize Michael R. Berta, AIA (project architect) to release a Request for Bids package on or about July 23, 2025 for the purpose of releasing bidding documents related to the Garage Door Replacement, Minor Repairs and all Required Electrical Improvements to the Highway Garage Buildings Project;

NOW, **THEREFORE**, **BE IT RESOLVED**, that the Town Clerk is hereby authorized to seek bids for the Improvements to the Highway Garage Building No.1 & No.2; and

WHEREAS, the equipment and improvements to Highway Garage No.1 & No. 2 are a replacement in kind which is a Type II action under SERQ pursuant to 6 NYCRR 617.5 (31) and does not have a significant impact on the environment, and

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

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

NOW, **THEREFORE**, **BE IT RESOLVED**, that the Town Clerk is hereby authorized to advertise for bids for the Improvements to the Highway Garage Building No.1 & No.2 as attached here within, in the Poughkeepsie Journal, on the Bulletin Board in the Town Clerk's Office, and on the homepage of the Town of Beekman Website.

Introduced: Supervisor Covucci Seconded: Councilman Capollari

ROLL CALL VOTE:

Councilman Capollari AYE Councilman Battaglini AYE Councilman Lemak AYE Councilwoman Wohrman AYE Supervisor Covucci AYE Dated: July 22, 2025

RESOLUTION NO. 07:22:25-9

RE: RESOLUTION AUTHORIZING DIRECT PAYMENT FOR VEHICLE DAMAGES TO SUSAN STEVENS IN THE INTEREST OF MUNICIPAL COST SAVIGS

The following Resolution was introduced by Councilman Lemak and seconded by: Councilman Battaglini

WHEREAS, a claim for damages to a vehicle owned by Susan Stevens ("Stevens" or "claimant") of 236 Pleasant Ridge Road, Poughquag, New York 12570 was submitted to the Town of Beekman on March 26, 2025, alleging damages resulting from her vehicle hitting a stand-alone, short wooden post near the area in and around the pavilion on Tuesday, March 25, 2025 at approximately 7:00 pm at Town Center Park in Poughquag, New York; and

WHEREAS, the Town and/or Legal Counsel has investigated the circumstances surrounding this claim and the Town Board has determined that each party could be found partially responsible for the damages incurred by claimant; and

WHEREAS, the estimated cost of repairs to claimant's vehicle range from \$4,353.07 to \$5,570.84, as evidenced by the repair estimates attached hereto as Exhibit "A"; and

WHEREAS, the deductible on the Town's municipal liability insurance policy exceeds the claim making further litigation of this matter an ineffective use of town resources and monies; and

WHEREAS, the Town Board has determined that a payment to claimant for partial repair costs of \$2,500.00 represents a financially prudent course of action for the Town, as it avoids the insurance deductible and reduces administrative overhead associated litigating this property claim; and

WHEREAS, the Town Board finds it to be in the best interest of the Town and its taxpayers to resolve this claim amicably and efficiently, and recognizes the inconvenience caused to Ms. Stevens.

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

1. The Town Supervisor is hereby authorized to enter into a settlement agreement with Susan Stevens for the payment of vehicle damages in an amount not to exceed \$2,500.00; and

- 2. The Town Financial Department is hereby authorized and directed to issue a check in the amount of \$2,500.00 payable to Susan Stevens upon the execution of a full release of all claims related to the property damage incident involving Susan Stevens.
- 3. The Town Attorney is authorized to draft and execute any necessary documents to effectuate this settlement, including release of claims.
- 4. Effective Date: This resolution shall take effect immediately.

DULY ADOPTED this 22 day of July, 2025, by the Town Board of the Town of Beekman.

ROLL CALL:	<u>AYE</u>	<u>NAY</u>			
Councilman Capollari	X				
Councilman Battaglini	X				
Councilman Lemak	X				
Councilwoman Wohrman	X_				
Supervisor Covucci	X				
CERTIFICATION:					
I, Laureen Abbatantuono, Tov the foregoing is a true and ex the Town of Beekman at a reg	act copy of a re	esolution duly	y adopted by	y the Town Boa	
Laureen Abbatantuono		-			
Town Clerk					
Town of Beekman					

RESOLUTION NO. 07:22:25-10

RE: TOWN BOARD RESOLUTION AUTHORIZING EMERGENCY INTERMUNICIPAL AGREEMENT FOR RECREATIONAL LAKE ACCESS WITH THE TOWN OF DOVER

The following Resolution was introduced by Councilwoman Wohrman and seconded by Councilman Lemak

WHEREAS, the Town of Dover has experienced an unforeseen event or emergency, necessitating temporary alternative recreational facilities for its residents and particularly its campers; and

WHEREAS, the Town of Beekman possesses a recreational lake called Beekman Rec Lake located at 29 Recreation Road, Poughquag, New York 12570, hereinafter referred to as "the Lake," that may be suitable for temporary use by campers from the Town of Dover; and

WHEREAS, intermunicipal cooperation is encouraged by the State of New York to enhance the effectiveness and efficiency of local government service delivery; and

WHEREAS, General Municipal Law Article 5-G, § 119-o, authorizes municipalities to enter into agreements for the performance of their respective functions, powers, and duties on a cooperative or contract basis; and

WHEREAS, the Town Board of Beekman has determined that providing temporary recreational lake access to campers from the Town of Dover is in the best interest of regional cooperation and community well-being, while ensuring the safety and enjoyment of residents of Beekman; and

WHEREAS, the proposed Intermunicipal Agreement is for temporary access one day per week for next 3 successive weeks and the parties intend to provide for a cost allocation (if any), liability, and other necessary provisions; and

WHEREAS, the Town of Dover has provided insurance and liability waivers that are acceptable to the Town of Beekman;

NOW, THEREORE, BE IT FURTHER RESOLVED, that the Supervisor, upon review and approval of the final Intermunicipal Agreement by legal counsel, is authorized to execute the agreement on behalf of the Town of Beekman;

DULY ADOPTED this 22 day of July, 2025, by the Town Board of the Town of Beekman.

ROLL CALL:	<u>AYE</u>	<u>NAY</u>			
Councilman Capollari	x				
Councilman Battaglini	x				
Councilman Lemak	x				
Councilwoman Wohrman	x				
Supervisor Covucci	x				
CERTIFICATION:					
I, Laureen Abbatantuono, Tow the foregoing is a true and exa the Town of Beekman at a reg , 2025.	act copy of a r	esolution duly	adopted by	the Town Boa	
		_			
Laureen Abbatantuono					
Town Clerk					
Town of Beekman					

RESOLUTION NO. 07:22:25-11 RE: AUTHORIZE SALE OF EQUIPMENT AT AUCTION

WHEREAS, the Highway Department has two vehicles that are no longer of use to the department and are in need of repair and can be sold; and

WHEREAS, the Town Board is desirous in disposing of the following is equipment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes Tony Coviello, Highway Superintendent, to place these items for sale at auction, with the proceeds going to the Reserve for Equipment DA-0882.

One (1) 1986 Ford N8M

VIN #1FDYR80U2GVA60493

One (1) 2008 Ford F350 Super Duty XLT Utility Body

VIN #1FDWF37R08EA02193

Introduced: Councilman Capollari

Seconded: Councilman Battaglini

ROLL CALL VOTE:

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

RESOLUTION 07:22:25-12 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	\$ 239,355.81
Claims to be paid from the DA-Highway Fund	\$ 393,010.34
Claims to be paid from the SS-Dover Ridge Sewer	\$ 6,848.99
Claims to be paid from the SW-Dover Ridge Water	\$ 946.68
Claims to be paid from the T-Trust Fund	\$ 3,921.52
Claims to be paid from the H-Capital Fund	\$ 229,548.80
	\$ 873,632.14
07/03/2025 Payroll #14	
General Fund	\$ 47,950.56
Highway Fund	\$ 24,260.93
	\$ 72,211.49
07/17/2025 Payroll #15	
General Fund	\$ 67,595.29
Highway Fund	\$ 24,019.51
	\$ 91,614.80

Introduced: Councilman Battaglini

Seconded: Councilman Capollari

ROLL CALL VOTE:

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