

**Regular Meeting**

The regular meeting of the Beacon City Council held at the Municipal Center, One Municipal Plaza on **June 15, 2009** was called to order beginning with the Pledge of Allegiance to the Flag

**Council Members Present:**

Mayor Steve K. Gold  
Casale, Randy – Council Member – Ward Three  
Fredericks, Marlene – Council Member – At Large

Kelly, Charles – Council Member - Ward Two  
Leake, Deanna – Council Member – Ward One  
Pasti, Sara – Council Member – Ward Four

**Excused:**

Thompson, Eleanor – Council Member – At Large

**Also Present:**

City Administrator – Meredith Robson

City Attorney – Richard Wolf

**Media Represented by:**

Goldie Green – Beacon Free Press

**Residents at Beginning of Meeting:**

72 – After Community Segment - 40

**First Opportunity for Public Comments:** Pertaining to any, item Maximum time for this section is thirty minutes. Maximum time for individual public comment is three minutes.

Jerry Landesi – 140 North Walnut Street – Regarding the Website, when trying to view the Council Meeting, there was a problem with the sound. There was a glitch but it is fixed now. So if any other constituent had the same problem, the problem has been corrected.

Vane Lashua - 95 Liberty Street – The Strawberry Festival was wonderful everyone had a nice day. On the Board of Clearwater, the Riverpool is one of the spinoffs of the Sloop Club. Riverpool will be placed in the Hudson this weekend, and on July 4<sup>th</sup> will be in operation. We here in Beacon have the Hudson River to enjoy and we all should be thankful.

Harry Cohen – Rte 9D in Dutchess Junction (Town of Fishkill). He is a member of the City of Beacon School Board. Mr. Cohen wanted to suggest taking in serious discussion, the annexation of Dutchess Junction. This would benefit a lot of people due to the increase in services due to proximately of Beacon. This would be reductions in taxes and in addition, pay double of the water city taxes. Regardless of the taxes to take into consideration, it is the services that are more important, speaks only for his family and himself. If the City of Beacon if interested let Mr. Cohen know and he will take it to the fellow residents, and then pursue with the Town of Fishkill.

Clark Gebman – 2 Wilson Street – With regards to the prior suggestions why not the entire Town of Fishkill. The love in the songs sang by Pete Seeger is remarkable, and it is God's blessing to the City of Beacon. I also share that love regarding the City of Beacon with most things, except he is not happy with the conduct of the City of Beacon over the past two years.

Hank Dutch – 98 Spring Valley Street- Strawberry Festival was Great, it grow every year. A lot of people leaving and arriving, but all day, lots of people enjoying them in a very calming

atmosphere. Kudos to the Sloop Club and all the volunteers. This is the way Beacon is and is becoming more and more so, we have good solid days in this town, and we really have to keep on eye on development as the City goes forward. As developers come into the city it adds more students which causes school taxes to increase. The large developers will try to push their cost off on the residents of the City of Beacon.

Betty DiPompo – 6 Pearse Place – I had asked six weeks ago what was going on with the Hiddenbrooke Property, and was told that the residents will be informed. It is my understanding that now the City has a lawsuit against the realtor? Can you tell us why and what is going on at the next meeting. The City made a lot of money for Hiddenbrooke, would appreciate an update. *Mayor Steve K. Gold explained that he was conversing with the City Administrator and are in the processes of working with an attorney. When we get all the facts from the attorney we will give a report to the Citizens.*

Kathy Deuterma – 27 South Brett Street – Recited the 1<sup>st</sup> Amendment - Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Gary Wood – 110 Anderson Street – Regarding the miscalculation of the non-homestead tax rate over the last ten years. A quote “ The city is not liable to pay the taxes back” I am not affiliated with any political party and voted for some of the current Council, I will be rectifying this mistake in the next couple of years.

Lou Amoroso – 40 Vail Avenue – Two weeks ago I requested through the process of Freedom of Information Law – (FOIL) on Five Churchill Street where the City did work on a piece of private property. I am told that they do not have all the invoices in yet. The law is twenty days to answer a foil request. Second time I am requesting this information.

### **Community Segment:**

#### Proclamation

#### Pete and Toshi Seeger Honorary Resident ship

Whereas the following statements in this proclamation are known to be true: Pete Seeger has international distinction as an American folk music singer and songwriter, was awarded the National Medal of the Arts and the Kennedy Center Honors in 1994, was inducted into the Rock and Roll Hall of Fame in 1996, won his first Grammy Award for Best Traditional Folk Album in 1997, won the prestigious 2009 Free muse Award, won his second Grammy for Best Traditional Folk Album in 2009, and has been honored by the forty fourth President of the United States, Barack Obama.

Pete Seeger has inspired the universal values of peace, justice and freedom for millions of people throughout the world, in the songs he has written “If I Had a Hammer”, “Where Have

All the Flowers Gone” and “Turn, Turn, Turn”. Pete has generously passed on his appreciation of music and the environment to Beacon school children through classroom and auditorium sing-a-longs.

In 1968 Pete founded the sloop Clearwater which has reached international recognition for bringing attention to the environmental cleanup of the Hudson River and has been an inspiration for the environmental movement all over the globe. On this historic day, an agreement will be ratified for the Beacon Harbor to be the home port of the Sloop Clearwater and for the White House of the University Settlement Camp to be the permanent Headquarters of the Clearwater organization. It is because of Pete and Toshi’s fondness for the University Settlement Camp that this location was selected.

Pete and Toshi Seeger worked together with the Beacon community to reclaim a waste site on the Hudson River into a picturesque place now known as the Riverfront Park. Pete and Toshi are vital members of the Beacon Sloop Club and participate in yearly riverfront cleanups, projects, festivals and activities. Pete and Toshi frequently attend events at the Howland Center and participate in Martin Luther Day Celebrations throughout the city. Always together, Pete and Toshi are a couple that exemplify the commitment to marriage, shared values and a lifelong partnership.

Therefore be it resolved that on this the Fifteenth Day of June in the year two thousand and nine, on behalf of the Council of the City of Beacon and its residents, we hereby proclaim Pete and Toshi Seeger to be honorary residents of the City of Beacon.

**Public Hearings:**

PLEASE TAKE NOTICE that the City of Beacon will hold a public hearing on Monday, June 15, 2009 at the City of Beacon Municipal Center, One Municipal Plaza, Beacon, New York at 7:00 p.m. or as soon thereafter as the matter is reached on the agenda, to consider proposed Local Law Adding Section 3.01 to the Powers and Duties of the Mayor to Appoint an Acting City Administrator.

This local law would take effect immediately upon filing with the Secretary of State. Complete copies of the proposed local laws are available at the Municipal Center for inspection during regular business hours.

All interested persons and citizens shall have an opportunity to be heard on said proposals at the date, time and place aforesaid.

**Comments:**

Clark Gebman – 2 Wilson Street – I have heard so much truth come before the City Council by the children and the songs they sung. I rise to the opposition to the proposal; simply I think the Mayor should be responsible for the duties of the City Administrator during Ms. Robson leave. Or, I believe one of the Council Members should be selected to take on the job.

Motion to Close Public Hearing by Council Member Pasti, Seconded by Council Member Leake. All Present Voted in Favor.

**Minutes of April 20, 2009**, Motion by Council Member Pasti, Second by Council Member Casale, All present voted in Favor.

**Minutes of May 4, 2009** Motion by Council Member Kelly, Second by Council Member Fredericks, All present voted in Favor.

**Communication / All Reports from Mayor and Council Members Located at the end of the Minutes**

**Public Comments Pertaining to This Agenda Only: Up to Five Minutes per Person**

Renee – 55 Forrestal Heights – Parklands cannot be used for non park purposes or authorizations from the NYS Legislature. Is it viable for the twenty year lease, as the City of Beacon needs legislative approval.

Clark Gebman – 2 Wilson Street – I am in opposition to the Clearwater leasing the USC, in addition, I think it should be called Pete Seeger Camp. I believe the Council has not given enough thought to this document (lease)

George Mansfield – 5 Churchill Street - I strongly urge the Council to sign this agreement with Clearwater. We have blessed to acknowledge Pete and Toshi Seeger to our Community, by signing this agreement it will bring the spirit of the Seegers to Beacon for many generations.

Kathy Deuterma – 27 South Brett Street – The issues with this contract for USC do not lay with Clearwater. The wording is very weak in this contract. Typically in a contract it is stated what is expected from each party. There are issues with non-recreational uses. We do have park use alienation laws. The City of Beacon needs approval from the State Legislature. There has been a lack of full disclosure. There has not been enough time given to the public to review this lease. Clearwater attorneys have had this least since August of 2008; the public received it last week. The exhibits were not disclosed.

Paul Sund – 2 Forrestal Heights - I have a letter because I am a Vietnam Vet from a person who is in the service serving our country, and could not voice his opinions at this time. I am requesting the lease with Clearwater be tabled, pending further clarifications, twenty years is too excessive. Please listen to the public and table this agreement.

Kathy Hickey – 7 North Cedar Street – Twenty years is far too long to sign for one single lease, especially with no beginning or ending dates in the lease. I support Clearwater and all that they intend to do, but I do not support a monopoly in the middle to Beacon, that Beacon does not own. USC is owned by the State of New York and not by the City of Beacon in order for lease to be valid, a proposition must be brought before the NYS Legislature. I am asking the Council to table this item until further questions and answers are addressed.

Gary Wood – 110 Anderson Street – Are in invoices estimates or just signed contracts. Several contractors are working at the USC none from Beacon, and three are actually outside the county. My opinion is the Beacon Contractors should be considered before seeking contractors outside the city limits. Where did the Council come up with 12,000 a month, is it a square foot price.

## **UNFINISHED BUSINESS**

### **Resolutions:**

#### **Local Laws and Ordinances**

**Resolution 96 of 2009 - Proposed Local Law 9 of 2009** Adding Section 3.01 Of The City Charter To The Powers And Duties Of The Mayor To Appoint An Acting City Administrator

BE IT ENACTED by the City Council of City of Beacon as follows:

#### **Section 1. Title.**

This Local Law shall be entitled “A Local Law Adding City Charter Section 3.01 to the Powers and Duties of Mayor to Appoint an Acting City Administrator.”

#### **Section 2. Intent and Purpose.**

The City Council recognizes there may be occasions where it is necessary to appoint an Acting City Administrator in order to provide for the orderly conduct of the City of Beacon governmental business and activities.

#### **Section 3.**

The City Council hereby creates the position of Acting City Administrator who may be appointed by the Mayor, subject to Council approval, whenever the Mayor determines that:

- A. If the acting Administrator is expected to perform for less than three consecutive months. The acting The City Administrator is medically unable to perform his or her duties full-time;
- B. The City Administrator is or will be on a leave of absence or vacation for more than five days;
- C. The City Administrator is prevented by an emergency from carrying out his or her duties.
- D. The City Administrator has resigned or is terminated.

#### **Section 4. Qualifications.**

A. If the acting City Administrator is expected to perform for less than three consecutive months, the Acting Administrator shall possess a baccalaureate degree from an accredited college or university or at least one (1) year of special training in public administration and finance or at least three (3) years successful experience in a responsible executive position in governmental administration, or by any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration.

B. If the Acting Administrator is expected to or does perform in that capacity for more than three consecutive months, the Acting City Administrator's qualifications shall be a baccalaureate degree from an accredited college or university and at least one (1) year of special training in public administration and finance and at least three (3) years' successful experience in a responsible executive position in governmental administration, or by any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration.

**Section 5.**

Upon determination by the Mayor of the existence of any of the events set forth in Section 3, the Mayor's appointment of the Acting City Administrator shall commence on a date designated by the Mayor. The Acting City Administrator shall have all the powers and perform all the duties of the City Administrator during any period of the City Administrator's absence.

**Section 6.**

The Acting Administrator shall terminate upon the City Administrator's resumption of his or her duties full time.

**Section 7.**

The Acting City Administrator's compensation shall be determined by the Mayor, subject to Council approval.

**Section 8.**

The Mayor or the Council may require certification from a medical doctor that the City Administrator is able to resume full time duties where the City Administrator's absence is due to medical reasons.

**Section 9.**

The Acting City Administrator's term of appointment shall not exceed six (6) months unless reappointed by the Mayor with Council approval prior to the expiration of the six (6) month period.

**Section 10.**

An appointment of an Acting City Administrator shall be made no later than 60 days after any of the events set forth in Section 3 occur as may be determined by the Mayor.

**Section 11. Effective Date.**

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

**Motion** to Adopt Proposed Local Law Adding Section 3.01 Of The City Charter To The Powers And Duties Of The Mayor To Appoint An Acting City Administrator by Council Member Pasti, Second by Council Member Fredericks.

No Comments.

All present voted in favor. Local Law Adopted

**NEW BUSINESS****Resolutions:**

**Resolution of 2009 – First Reading:** Proposed Local law regarding Zoning Ext Amendments to the Waterfront Development (WD) District in Connection with the Long Dock Beacon Project. **Set Public Hearing for July 6, 2009.**

Motion to Set Public Hearing by Council Member Leake, Second by Council Member Fredericks. No Discussions. All present voted in Favor.

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**Resolution 97 of 2009** - Determining No Significant Adverse Environmental Effects Regarding The Agreement Between The City Of Beacon And Hudson River Sloop Clearwater, Inc.

WHEREAS, the City of Beacon (“City”) and Hudson River Sloop Clearwater, Inc., (“Clearwater”) have agreed upon the terms and conditions of Clearwater’s use and rehabilitation of certain property owned by the State of New York and managed by the City on a site known as the University Settlement Camp in the City; and

WHEREAS, the City Council, as lead agency for the environmental assessment of the foregoing action, has determined that the proposed agreement is an unlisted action under the State Environmental Quality Review Act (SEQRA) and, pursuant to SEQRA, the Council has received and reviewed a full Environmental Assessment Form submitted for the proposed project; and

WHEREAS, the City has completed its environmental review and determined that there are no significant adverse environmental effects associated with the action.

NOW THEREFORE BE IT RESOLVED that based upon its assessment of relevant environmental factors pursuant to SEQRA, the City of Beacon finds and concludes that there are no potentially large or significant adverse environmental effects associated with the Agreement with Clearwater regarding the University Settlement Camp property.

**Motion**, by Council Member Kelly, Determining No Significant Adverse Environmental Effects Regarding the Agreement between the City Of Beacon And Hudson River Sloop Clearwater, Inc., Second by Council Member Pasti

Comments: None

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Six – No – Zero. Resolution Adopted.

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**Resolution 98 of 2009** Authorizing Mayor To Sign Clearwater Agreement

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WHEREAS, the City of Beacon (“City”) and Hudson River Sloop Clearwater, Inc., (“Clearwater”) have agreed on terms for Clearwater’s use and occupancy of the White House at the University Settlement Camp; and

WHEREAS, the City Council of the City of Beacon has reviewed the terms of the Agreement and finds it satisfactory and consistent with applicable law and that the Agreement will not result in any significant adverse environmental effects under the State Environmental Quality Review Act; and

WHEREAS, this authorization is conditioned upon State Park’s written approval of the Agreement and satisfactory resolution of any required structural improvements as a result of a written structural analysis of the premises to be promptly undertaken by an appropriate licensed person retained by Clearwater at Clearwater’s expense and provided to the City.

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Beacon is authorized to execute the foregoing Agreement with Clearwater, subject to the above conditions, on behalf of the City of Beacon.

**Motion**, by Council Member Kelly, Authorizing Mayor To Sign Clearwater Agreement, Second by Council Member Fredericks

Comments: Mayor Steve K. Gold stated that there have been many questions brought up regarding, whether we can lease the property. Does Clearwater have to bid out jobs? If this has to go to the State Legislature. Appreciate the public having concerns, and all these items and more have been addressed. Within this contract it clearly states that the State has to “APPROVE” the signing of the Lease Agreement. The State has seen this contract, and has made suggestions regarding the Lease Agreement, over the weekend, by a Senior State Representative. The State is very happy that this joint venture is taking place, and will have a change to put their signature on this document.

Richard Wolf, City Attorney – Stated that the key point of this lease agreement, is for public services. Again, the key is public purposes, that is to say recreation, education, and conservation purposes are being maintained by this agreement, so there is no necessity to get specifies legislation, that is to say there is no diversion of this property from its public property use. Clearwater having an Administrative Office on this property only enhances this property. You should keep that “public purpose” in mind in the case that essentially supports that point.

Council Member Casale stated that a concern is that in the back where the exhibits are the roof was going to get done for \$20,000, electrical was going to get done for \$15,000. He called the State which he talked to Sharon Apulse, she stated she would get an answer for him. Jim James Sponable from NYS Parks and Recreation called back which he verbally stated that anything that is done on that building would have to go by our procurement laws, as it is a State Building on our lease property and Clearwater has to go by our procedure, until our Attorney finds out about this we should table this Agenda Item to Sign the Clearwater Lease Agreement. Mr. Wolf, City

Attorney replied to Council Member Casale that he also has spoken to Mr. Sponable from NYS Parks and Recreation and that is not in that entity in the Office of Comptroller that you were referring to. Council Member Casale stated that he could not get an answer from the Comptroller. Council Member Casale stated that the City of Beacon procurement procedure is a certain amount of money must go to bid, must have a seal on it, it must pay prevailing wages. Richard Wolf, City Attorney stated that it must be for "public work" is defined nowhere in the any statute, it is a case by case concept. An assessment must be made by the entity (City of Beacon) the total character of the arrangement, which means not to require public bidding. Council Member Casale wanted it confirmed that this is a "PUBLIC BUILDING" owned by the State. Mayor Steve K. Gold stated that he has also spoke to people from the State regarding the lease agreement and the New York State Parks Department looked it over and they did not have any problem with it. Again, if the State finds the procedures in this lease agreement not to their liking they will notify us the City of Beacon accordingly. Council Member Casale stated that there are no exhibits attached. City Administrator explained that after the contract is signed the State will then send a letter. Council Member Leake wanted clarification that if in fact the State does not approve it will come back to the City of Beacon and there will be no contract between the City of Clearwater. Mayor Steve K. Gold stated that the State will make suggestions for changes and then we will proceed from there. On number seven, eight lines down it says "Clearwater will consult with the City to identify...", I thought we added City Administrator to this. This will be modified prior to signing the agreement. In addition, I thought we had a right after ten years this arrangement is not working out we have the right to cancel this agreement? Council Member Pasti, stated that she was under the assumption, at any given time if the lease was not being met, it could be terminated. City Attorney Richard Wolf stated that there is a process that must be invoked to reach that conclusion of termination. Council Member Casale stated that in this contract, Clearwater can use other places in the Park, and if Clearwater has any credit it will be applied to any charges they owe the City. At one of the workshop it was discussed that if they were going to use any part of the park they would be charged just like anyone else. Number 23. In addition to the premises, Clearwater..... etc. Council Member Kelly, stated that he does not remember the Council deciding that Clearwater would have to pay cash and not the debit/credit method. Mr. Rumpf stated that he and the Clearwater Board was under the assumption, that if they paid \$25,000 for a roof, and they wanted to use the park for Clearwater use then it would be a credit/debit method of payment using prevailing rates. Mayor Steve K. Gold wanted to clear up the "twenty year term" concern that has been brought up. It was explained that any contract is a negotiation, that the City of Beacon could not say these are the terms this is it final. Well then the Clearwater has their own thoughts to the contract and would like to make some recommendations (or negotiated the terms of the contract.)

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – No, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Five – No – One, Excused - One. Resolution Adopted.

Mayor Steve K. Gold took the time to thank Mr. Jeffrey Rumpf, David Church and all members of their Board, their attorneys, and also City Administrator Meredith Robson, as he can't tell you the amount of hours they put into this Lease Agreement. The difference between the contracts you see here today and the one from last year, is that both parties are in agreement to what is

stated in the Agreement. There were a lot of good points the public brought forth to the table and Mayor Gold thanked them also for all their thoughts.

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**Resolution of 2009 Approve Police Department Rules and Regulations:**

**WHEREAS**, the Police Department has been developing comprehensive updates to departmental rules and regulations, and

**WHEREAS**, the City of Beacon Labor Counsel has reviewed such updates; and

**WHEREAS**, the City of Beacon, City Council has been given a presentation relative to the Rules and Regulations and has been given a copy of the complete documents, and

**WHEREAS**, the City Administrator recommends that the City Council approves such rules and regulations so that the New York State Accreditation process can begin;

**NOW, THEREFORE, BE IT RESOLVED**, that Steve K. Gold as Mayor of the City of Beacon and the City Council of the City of Beacon hereby approves the Police Department rules and regulations completed in May, 2009.

Motion by Council Member Pasti to Approve Police Department Rules and Regulations, Second by Council Member Leake

Comments: Council Member Casale stated that this was not on a workshop to discuss this Agenda item. The Council was giving a CD to review all the policies, which I have some questions about, but it was never put back on the Workshop Agenda to discuss the questions. It was consensus of the Council to Table this Item, and to bring it to the Workshop to go over the questions.

Motion to table Resolution Approval of the Police Department Rules and Regulations by Council Member Pasti, Seconded by Council Member Fredericks. This will be brought back to Workshop to discuss further. All present voted in Favor.

City Administrator requested that all Council Members to please forward all their questions to her so she can have the answers available at the next Workshop.

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**Resolution 99 of 2009 Proclamation of Watershed Awareness Month**

**WHEREAS**: Water quantity and quality are basic ingredients to health and the quality of life in Dutchess County and the City of Beacon; and

**WHEREAS**: Water exists in watersheds that extend beyond municipal boundaries; and

**WHEREAS**: Climate change is causing change to precipitation levels which directly impacts the quantity of water in the watershed; and

**WHEREAS**: Groups are organizing throughout the County to maintain and improve water quantity and quality in specific watersheds; and

**WHEREAS:** There is a need to educate all members of the community about how watersheds contribute to the health and quality of life in Dutchess County and in the City of Beacon, the recreational activities they provide, and how daily actions can affect the quantity and quality of water in the watershed; and

**WHEREAS:** The various watershed groups have collaborated to provide a set of activities to increase educational and recreational use of the watersheds; and

**WHEREAS:** Dutchess County is an innovator in organizing watershed groups; and

**WHEREAS:** 2009 marks the Quadricentennial of Henry Hudson's discovery of the Hudson River, to which many of Dutchess County's watersheds serve as tributaries; and Quadricentennial activities will bring many visitors to Dutchess County.

**NOW BE IT RESOLVED:**

That the City of Beacon proudly proclaims the month of July 2009 as Watershed Awareness Month and encourages all municipal officials and citizens and visitors to participate in the scheduled activities to learn more about watersheds: how they contribute to health and the quality of life, the recreational activities they provide, and how daily actions can affect the quantity and quality of water in watersheds.

**Motion**, by Council Member Casale, Proclaiming Watershed Awareness Month in the City of Beacon., Second by Council Member Leake

Comments: None

All present voted in Favor.-

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**Resolution 100 of 2009 - Of Support Authorizing Submission Of A Smart Growth Grant Program Application For A Shuttle System Operating Plan**

**WHEREAS,** the New York State Department of State is accepting applications for funding under the New York State Smart Growth Grant Program for the Lower Hudson Valley Region; and

**WHEREAS,** the City Council of the City of Beacon is in support of applying for a Smart Growth Grant Program grant to develop a shuttle system operating plan to connect Beacon waterfront locations (including the Metro-North Train Station, Dia: Beacon, Beacon Institute, Beacon Ferry Dock, and Riverfront Park) and the Main Street corridor; and

**WHEREAS,** the New York State Department of State will provide up to 100 percent of eligible costs;

**NOW, THEREFORE, BE IT RESOLVED,** that Meredith S. Robson as City Administrator of the City of Beacon is hereby authorized and directed to file an application for and accept funds from the Smart Growth Grant Program, and upon approval of said request to act on behalf of the City of Beacon in all matters related to this financial assistance.

**Motion**, by Council Member Casale, in Support Authorizing Submission Of A Smart Growth Grant Program Application For A Shuttle System Operating Plan, Second by Council Member Leake

Comments: City Administrator Meredith Robson explained that this grants are coming out quickly with short turnaround time, most of them are for recovery act. The Smart Growth Grant Program total amount in the region is \$250,000, which means any one grant will not be very large. There are principals in the Smart Growth Grants, such as density, climate change, green infrastructure, etc. So these grants are a follow-up to the Main Street Corridor work, some of the priorities which certainly one is the shuttle up Main Street is one of them. There is no cost to the City for any of the three Grants on the table tonight. Council Member Casale stated that these where not discussed at a workshop. Because these grants are not due to the 30<sup>th</sup>, the Council can discuss this further at the 29<sup>th</sup> Workshop. Meredith Robson, City Administrator confirmed.

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Six, One – Excused. Resolution Adopted

**RESOLUTION 101 of 2009** Of Support Authorizing Submission Of A Smart Growth Grant Program Application For [An RFP For A Transit Oriented Development]

WHEREAS, the New York State Department of State is accepting applications for funding under the New York State Smart Growth Grant Program for the Lower Hudson Valley Region; and

WHEREAS, the City Council of the City of Beacon is in support of applying for a Smart Growth Grant Program grant to [issue a Request for Proposals (RFP) to solicit a qualified developer or team of developers to design and construct a transit oriented development on the MTA Metro-North Railroad's Beacon Station facility]; and

WHEREAS, the New York State Department of State will provide up to 100 percent of eligible costs;

NOW, THEREFORE, BE IT RESOLVED, that Meredith S. Robson as City Administrator of the City of Beacon is hereby authorized and directed to file an application for and accept funds from the Smart Growth Grant Program, and upon approval of said request to act on behalf of the City of Beacon in all matters related to this financial assistance.

**Motion**, by Council Member Leake, in Support Authorizing Submission Of A Smart Growth Grant Program Application For [An RFP For A Transit Oriented Development], Second by Council Member Pasti

Comments: Council Member Casale thought MTA did an RFP already. City Administrator Meredith Robson, stated that this is different this is for the design for the development guidelines.

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Six, One – Excused. Resolution Adopted

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**RESOLUTION 102 of 2009** Of Support Authorizing Submission Of A Smart Growth Grant Program Application For A City Center Redevelopment Plan

WHEREAS, the New York State Department of State is accepting applications for funding under the New York State Smart Growth Grant Program for the Lower Hudson Valley Region; and

WHEREAS, the City Council of the City of Beacon is in support of applying for a Smart Growth Grant Program grant to develop a “city center” redevelopment plan for the transition zone between the east and west ends of Main Street; and

WHEREAS, the New York State Department of State will provide up to 100 percent of eligible costs;

NOW, THEREFORE, BE IT RESOLVED, that Meredith S. Robson as City Administrator of the City of Beacon is hereby authorized and directed to file an application for and accept funds from the Smart Growth Grant Program, and upon approval of said request to act on behalf of the City of Beacon in all matters related to this financial assistance

**Motion**, by Council Member Pasti, in Support Authorizing Submission Of A Smart Growth Grant Program Application For A City Center Redevelopment Plan, Second by Council Member Fredericks

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Six, One – Excused. Resolution Adopted

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**Local Laws and Ordinances**

**FIRST READING - LOCAL LAW REGARDING ZONING TEXT AMENDMENTS TO THE WATERFRONT DEVELOPMENT (WD) DISTRICT IN CONNECTION WITH THE LONG DOCK BEACON PROJECT – SET PUBLIC HEARING FOR Monday, July 6, 2009**

BE IT ENACTED by the City Council of the City of Beacon as follows:  
SECTION 1. TITLE

This local law shall be entitled, "A Local Regarding Zoning Text Amendments to the Waterfront Development (WD) District in Connection with the Long Dock Beacon Project."

SECTION 2. INTENT AND PURPOSE

The City Council has received an application for proposed zoning text amendments to the Waterfront Development District in connection with the Long Dock Beacon project. These

zoning text amendments pertain to the bulk regulations pertaining to the WD District, and to the permitted uses in said district. The City Council finds the proposed zoning text amendments to be reasonable and appropriate modifications to the WD District.

### SECTION 3. ZONING TEXT AMENDMENTS

1. Section 223-41.7 of the Zoning Law shall be amended to read as follows:

§ 223-41.7 Bulk regulations applicable to Waterfront Development Zone.

- A. Minimum size of overall waterfront development site: 15 acres of gross development area. Note: The owner of less than 15 acres of gross development area within the WD Zone may apply for approval of a waterfront development project as part of the overall waterfront development, where such land is adjacent to a proposed, approved or constructed waterfront development project. Similarly, the owner of a WD-zoned acreage which adjoins such adjacent land may also apply for approval of a waterfront development project as part of the overall waterfront development.
- B. Maximum building coverage: 35%.
- C. Maximum floor area ratio of gross development area, including residential and all other uses): 0.8.
- D. Minimum building setback from mean high water: 10 feet. Note: Except for buildings or portions thereof elevated above mean high water by piers or located within the required setback from mean high water as a result of creation of new river, but not to exceed 15% of the total footprint of all buildings.
- E. Maximum building height: 2-½ stories/35 feet. Note: All habitable stories must be elevated above the one-hundred-year floodplain. The area below the elevated first habitable story may, but need not, be used for parking. When story heights are provided in these regulations, they are deemed to be habitable or occupiable stories over a parking level or as otherwise elevated above the one-hundred-year floodplain. A basement level used only for parking and not used for dwelling or business purposes shall not be counted as a story. Height may be increased up to 75 feet and up to six stories, provided that such buildings are set back at least five additional feet from mean high water for each one-foot increase in height. Except for buildings or portions thereof elevated above mean high water by piers, or located within the required setback area from mean high water as a result of creation of new river, the height of which shall not exceed 60 feet or four stories.
- F. Minimum gross development area per dwelling unit: Note: This shall be calculated by dividing the gross development area by the number of residential units in the waterfront development. 2,200 square feet.

- G. Minimum frontage of overall waterfront development site on public right-of-way: 50 feet.
2. Section 223-41.B(2)(j) of the Zoning Law shall be amended to read as follows:
- (j) Professional or small business offices ~~on the second floor~~ in ~~retail~~ mixed-use buildings, and not to exceed 20% of the total floor area in ~~retail~~ mixed-use buildings.

#### SECTION 4. RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the Amendments contained herein, the Zoning Law of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

#### SECTION 5. SEPARABILITY

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

#### SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon adoption and filing with the Secretary of State as provided by the Municipal Home Rule Law.

Motion to Set Public Hearing for Monday, July 6, 2009 by Council Member Leake , Second by Council Member Fredericks. No Discussions. All present voted in Favor.

### **RATIFICATIONS / APPOINTMENTS**

**RESOLUTION 103 OF 2009- RATIFICATION** - Beacon Engine Company, No. 1 - Ratify the following to Active Members effective June 2, 2009: Anthony Fraioli

Motion to Ratify Anthony Fraioli by Council Member Pasti , Second by Council Member Leake. No Discussions. All present voted in Favor.

**ANNOUNCEMENTS**

Due to Five Monday's there will be no meeting on Monday, June 22, 2009.

**BUDGET AMENDMENTS**

Amend the General Fund Balance for the Celebrations Hudson Fulton Champlain Celebrations budget in the amount of \$4,700. This is the amount collected in 2008 for the following:

\$2,600	Sponsor funds for calendars (13 sponsors x \$200 each)	Code: A7550.270500.102
\$1,600	Calendar Sales	Code: A7550.277000.102
\$ 500	Natural Heritage Trust (quad mini grant)	Code: A7550.270500.102

The amendment is now needed to make the funds available for payment of invoices in the budget will be amended to the Celebrations Calendar expense (Code: A7550.465300.102) in the amount of \$4,700.

**Motion**, by Council Member Pasti, For this Budget Amendment, Second by Council Member Leake.

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Six, One – Excused. Budget Amendment Adopted

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Amend the General Fund Balance for the Recreation budget Wee Play Playground Donations (Code: 7140.270508) in the amount of \$6,378. These funds were collected between May 31, 2006 and December 31, 2008 specifically as donations toward the playground and this amendment will make them available for current playground expenses.

**Motion**, by Council Member Fredericks, For this Budget Amendment, Second by Council Member Pasti

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Six, One – Excused. Resolution Adopted

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Amend the General Fund Budget by transferring \$1,105 from the Contingency expense (Code: A1220.452000). This transfer is necessary to cover the services of IMI Consultants.

**Motion**, by Council Member Leake, For this Budget Amendment, Second by Council Member Pasti

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Yes, and Mayor Steve Gold – Yes. Yes – Six, One – Excused. Resolution Adopted

**CHECK LIST - \$ 428,692.14**

**PUBLIC COMMENTS:** On any item on any issue you would like to discuss. Maximum of five minutes to speak.

Clark Gebman – 2 Wilson Street – Did not make a point.

Kathy Deuterma – 27 South Brett Street – National Night Out is on August 4<sup>th</sup>. Planning bigger and better than last year. Our Seniors feel left out, as they have no transportation. Can the Council get the Shuttle for this night for our seniors. Parade and Park Permits was always on the Agenda, can we start doing that again, and it was opened for public discussion. Because we the City reduced the Budget and programs how does that impact our youth regarding summer jobs within the City. I was told that someone would get back to me. I still have not heard anything. The City Website is beautiful, but finds it very hard to navigate around to find information.

\_\_\_\_\_ Mayor thank you for settling the USC and potentially opening up back to the BCC. There are only nine days left to school, so if you can somehow get this information out there, so parents are aware of the USC.

Tim Kelleher – 15 Water Street – Regarding Absentee Landlord registration, with a seventy five dollar fee and I do not know what that fee is for. I do not consider myself absentee when I live next door to the property I rent. *Mayor Steve K. Gold suggested that Mr. Kelleher or anyone that does not understand anything that they contact City Hall, or the Mayor to get answers.*

**COMMUNICATIONS:**

Date: June, 2009 – Cornell Cooperative Extension  
RE: Sustainable Landscaping

The Environment and Horticulture Programs of Cornell Cooperative Extension Dutchess County are pleased to present an Open Educational Forum:

**Sustainable Landscaping**

**Wednesday, June 24, 2009**  
**7:00 — 8:30 pm**

With Speakers:

**Cheryl Hearty, CCEDC**  
**Carolyn Klocker, CCEDC**  
**Judy Wolf, CCEDC Master Gardener**

Sustainable landscaping, or “GreenScaping” encompasses a set of landscaping practices that can improve the health and appearance of your lawn and garden, while protecting and preserving natural resources (USEPA).

By incorporating sustainable landscaping principles into your lawn and garden care, you can:

- o **Save Time**, since the use of locally-adapted species requires less care to maintain
- o **Save Money**, by eliminating the need for unnecessary water and chemicals, and
- o **Protect the Environment**, by conserving water supplies, using chemicals properly and only when needed, and reducing yard waste.

Greenscaping can include building and maintaining healthy soils, choosing the plants that are adapted to their locale, practicing smart watering, using a holistic approach to pest management, and practicing natural lawn care. Come to the free forum to learn more about greenscaping, rain gardens, and the benefits to our local natural resources and water supplies.

The Forum will be held at the:

Dutchess County Farm and Home Center  
2715 Rt. 44, Millbrook, NY

This Program is Free and Open to the Public. Light Refreshments are Provided. Registration is not required. For more information, contact Vicky Buono at (845) 677-8223, ext. 153, or [vcb4@cornell.edu](mailto:vcb4@cornell.edu).

Come early to tour the tour the CCEDC Sustainable Gardens from 6:30-7:00pm. The GIS Special Interest Group Meeting is held before the forum from 6:00-6:45pm, and the EMC Meeting is held following the forum from 8:30-9:30pm.

DATE: June, 2009 – Fishkill – Press Release

RE: Dog Bark

Effective June 1<sup>st</sup> the Town of Fishkill announces the following user fees for the Friendly Paws in Park located at Doug Philips Park

Application and tags are available at the Town of Fishkill – Town Clerk’s Office (845-831-7800 ALL DOGS MUST BE LICENSED

Use of Friendly Paws Park (annual user fees)

Town of Fishkill resident \$25.00 annually / dog

Dutchess County resident \$50.00 annually / dog

New York State resident \$75.00 annually / dog

Out of State resident \$100.00 annually / dog

DATE: June, 2009 – Resident

RE: SAFETY on Rte 9D going North Getting onto Newburgh Beacon Bridge East Bound

On Thursday, May 14, I was nearly involved in an automobile accident with a Mazda MPV LX on Route 9D. I am bringing this to your attention (and the attention of those persons/agencies noted at the end of this letter) because it involves a situation that has been present for a long time and is getting worse.

As you know, northbound 9D becomes a two-lane highway after it intersects with Barrett Place. The left lane is clearly identified as being the exclusive lane for I 84/Route 52 westbound crossing the Newburgh-Beacon Bridge. The right lane is clearly identified as being the exclusive lane for 9D northbound.

The problem that concerns me and is a safety issue for motorists traveling on 9D northbound occurs every weekday afternoon and evening after a northbound MetroNorth train discharges its passengers at the Beacon station. Once drivers turn left onto 9D from Beekman St. and clear the light at Verplanck Ave., they have two options: move to the left lane to get onto the bridge, or stay in the right lane to continue northbound on 9D.

I have to admit that most of the Orange County-bound drivers obey the law and move to the left lane. But there are an inordinate amount of drivers who know that they can beat the system. They run the right lane past Rock Hill and Van Ness until they see (or simply want to see) an opening, at which point they cut in front of a driver in the left lane. What this does is save them time from sitting in traffic, waiting for the lights to change (and, I admit, the line of cars can be very long). It also causes law-abiding drivers to slam on their brakes to avoid hitting them. (Ironically, the woman driving the Mazda yelled through her open window at me that I was crazy because I didn't let her in and that I almost caused an accident!!!)

Something must be done with a coordinated effort of all of the involved agencies and resources so that accidents and road-rage situations are eliminated. An increase in police presence (in marked and unmarked cars) is a quick but temporary solution. The use of rubber, semi-permanent lane-dividing stanchions (similar to the ones used in the Lincoln and Holland Tunnels) may be feasible. Security cameras at the corners of Barrett, Rock Hill and Van Ness would immediately identify those who have little regard for the safety and well-being of the other drivers.

I am personally very angry at this entire situation. As a resident of Beacon for almost 41 years, I have watched our struggling community bounce back from a very bleak past because of the belief that its people have in this city. We, the people of Beacon, are very proud of what we, the people of Beacon, have done to make this community what it is. Unfortunately, every weekday afternoon we are forced to give up one of our main thoroughfares to people from other counties who clog our intersections, befoul our air and make the pleasant experience of driving extremely difficult and dangerous.

I do hope that some solution to what I have described can be reached in the near future.

DATE: June, 2009 – Resident

RE: Thanks to the Water Department

I just wanted to let you know about the outstanding service I have always received and continue to receive from Jamie and his staff at the Water Department. I have been a resident for 16 years, and have had two water main breaks from my home to the city lines. In each case, Jamie and the guys were helpful, prompt, knowledgeable and very kind.

I just did some major lawn repair to cover the damage from my 2007 water main break in my new Beacon home at 80 Jessen Place, and I just left Jamie a message about a need and he had been to my house and marked the main before I knew he had come and gone.

It's a great thing to have City staff like them.

DATE: June, 2009

RE: Energy Bulletin – Central Hudson

INVESTING IN OUR ENERGY INFRASTRUCTURE

Central Hudson is planning to invest nearly \$400 million in the local electric and natural gas infrastructure between 2009 and 2013, with more than \$77 million projected in 2009 alone. "These investments are critical to providing safe and reliable electric and natural gas service to meet the needs and requirements of our residential and business customers," said Vice President of Engineering and Environmental Services Paul E. Haering. "The investments are also a key component of our proposed rate filing with the New York State Public Service Commission."

Targeted areas include electric transmission and distribution facilities, substations, hydroelectric plants, and natural gas transmission and distribution systems. "Projects will address a variety of factors, such as improved service reliability, safety, maintenance, and replacement of facilities as needed and required," said Haering.

Projects include rebuilding and replacing electric transmission lines and structures; replacing cast iron and older natural gas mains and services; constructing new electric substations and replacing substation breakers; rebuilding and relocating electric distribution lines, and replacing porcelain with polymer cut-outs; replacing electric cable systems--serving- urban areas;- installing additional electric distribution automation to improve service reliability; enhancing electric production at hydroelectric facilities; and constructing and rebuilding regulator stations along natural gas transmission lines to meet demands in growth areas.

"The improvements will address short and long-term requirements for delivering energy to the Mid-Hudson Valley, and also provide improvements to specific areas where growth has occurred or where facilities must be upgraded," said Haering. They also promote economic vitality, as employers seek areas with infrastructure capable of meeting their needs, including systems providing adequate and reliable natural gas and electric service," he said.

"As a transmission and distribution company, we are committed to meeting the needs of our customers through planned and prudent investments in the facilities that carry electricity and natural gas to our region's homes and businesses,"

A proposed increase of an assessment on utility bills y New York State, opposed by Central Hudson Gas & Electric Corp., would raise energy costs for Mid-Hudson Valley businesses and residents by an average of 2 percent. "We are strongly against this proposed increase, as it would place an unfair additional burden on our electric and natural gas customers," said Denise D. VanBuren, Vice President for Public Affairs.

The State Executive Budget proposes a \$651 million increase in the Section 18-A assessments on utilities, used to help fund government agencies. "This is an existing assessment on utility bills, and is proposed to increase more than six times the current rate," said VanBuren. "The increase would cost Central Hudson customers an additional \$12 million per year, adding nearly 2 percent to the typical residential electric bill, and more than 1 percent to residential natural gas bills and electric bills to businesses," said VanBuren.

"When we file a rate proposal, funds are used to provide direct benefits to customers, such as infrastructure improvements and other costs associated with operating the electric and natural gas systems," said VanBuren. "The increase in this hidden assessment, however, would not fund these direct customer services, and so places an undue burden on utility bills," she said. "New York utility bills are amongst the most heavily taxed in the country -- already, taxes and assessments comprise approximately 25 percent of Central Hudson delivery charges -- and we feel that this increase is inappropriate and unfair to our customers."

For more information on the potential effects of this proposed increase, visit the Business Council of New York at [www.bcnys.org](http://www.bcnys.org)

## REPORTS:

**City Administrator Meredith Robson**

1. I have been spending a considerable amount of time working with David Stolman on various land use ordinances that will be coming before the Council, such as affordable housing, Fishkill Creek, RD-1, T.O.D. These are all expected to come before you within the next couple of months.
2. I joined the Mayor at a meeting set up by Jonathan Drapkin of Pattern for Progress regarding economic development efforts being made by other communities. We are gathering as much information as possible in order to ultimately share with the Council recommendations for improvements and activities in this area.
3. I am working with a new health benefits broker to determine some options for various health benefit changes and offerings that would save the City money.
4. We are working on putting together an RFP for an energy efficiency audit of most of our municipal buildings. This should be out shortly.
5. I have put in a great deal of time on the Clearwater agreement and hope that the Council will find it satisfactory this evening.
6. The purchase order for ADT to complete the Main St. camera work should go out within the next couple of days. The work should be done by mid-August, if not sooner.

**Council Member Leake**

Good Evening everyone, thank you for being here this evening.

Are there monies available from specified recreation funds for swings at Riverfront Park? *City Administrator Robson stated that she has not been able to connect with the City of Beacon Auditor to date, to verify all the accounts, but is pretty sure that swings will be available for adults at Riverfront Park.*

To everyone out there who is involved at Talbot/Orchard project and in answer to the correspondence received, according to the contractors I spoke with today at the site roads/sidewalks are progressing smoothly. However, the uprooting of driveways/lawns that residents are concerned about. Engineers and contractors assured me that these issues are definitely being addressed and when this construction is completed these items will be repaired.

**Council Member Thompson - Excused****Council Member Kelly**

Attended the celebration of the Quadricentennial of the Hudson River and last Sunday the Strawberry Festival. I would like to echo some of the earlier comments about what a pleasure it is to have the riverfront and I would like to commend all those volunteers who put in enormous time and energy to prepare for these festivals.

Received inquiries regarding the Absentee Landlord Law and the fees. I told these constituents that the City Council would be revisiting the law and fee shortly.

### **Council Member Casale**

1. Many residents have asked me about us getting a franchise agreement with FIOS and when this will happen. They see other communities having options of television, phone and Internet services and they would like the same options. Could we have a representative of Verizon come to a workshop or community segment soon to be brought up to date. *Mayor Steve K. Gold stated that there is a committee working on a contract. In order for the City to go forward a contract needs to be signed. The Committee has been looking at other municipalities contracts so we can compare what Verizon is offering us. Mayor Steve K. Gold thinks by law that we will have to accept them, but we do not have to sign a contract that the City does not want to sign. We can arrange for a Verizon FIOS representative come to one of our meetings to discuss their plans.* Council Member Casale suggested having the Committee address the council as well. The longer we wait the longer the resident have to pay Cablevision. Cablevision, takes channels away and increases there rates.
2. I have asked for a letter to be sent out to the utility companies about double poles left on our streets. They have been this way for over a year and they are unsightly. Poles should be removed. Has this been done? *Mr. Thomaselli is looking into this situation, and should have a report for us soon. Mayor Steve K. Gold stated he wanted to have a list of where they are and present to Central Hudson and push forward with this item.*
3. I also asked if we could get the plastic bags off the dummy light and at least make it flash red on East Main Street and yellow on Main Street. What is the status?
4. Can we get an update on the temporary paving of Fishkill and Teller Avenue. The longer we wait the cost of oil continues to go up. *City Administrator is meeting this week with the engineers of the project as well as the County staff who has been involved in the "TIP" so we will know the exactly of the timing is, exactly what the deadline are, whether or not the City will have to come up with funds to complete the job. Mayor Steve K. Gold also stated that he did not want to push to hard with this as we are in the process of preparing a half a year update on the City of Beacon's financial situation. The cost of this project is going to be in the hundreds and thousands of dollars, so on that note, the City needed to know the financial status.*
5. I have residents ask me why we have to pay to dump metals when the city receives money for the metals. Could we put this on a workshop for discussion?
6. Resident on Washington Avenue requested that the City post "Caution, Deer Crossing Signs. The deer are crossing from Cemetery over to the other side of the street were there is an apple tree on the Island of Grace Street and request that this be forwarded to the Traffic Committee.
7. Received a letter from a resident that the BCC was not having there camp up at the USC. The letter that Council Member Casale received read" Unfortunately I was not able to attend the meeting. My fourteen year old daughter attended the Beacon Recreation Summer Camp at Green Street Park for many years, and attended the Lion Sun Camp the following years, my suggestion is that the BCC and Beacon Recreation combine efforts for USC to offer our children of all ages next summer. Sometimes this age group gets lost, as they are too old for summer camp and too young to work. It would be wonderful to have the camp offer to all. What about a Community Day for all at USC so they can become familiar with the pool.

This letter was turned over to the Mayor to give to Mark Price in Recreation. *Mayor Steve K. Gold received a letter from the BCC that they cannot afford the camp, and the rates we charged were very similar to the rates of last year. I asked Gwen Johnson who is the Director at BCC if she would talk to her Board. Mayor Steve K. Gold suggested finding out how many residents would be using the USC and what they would be willing to pay, would the Board be willing to let the children use the pool if the City of Beacon was willing to change the rates. The Board has agreed and is working on a plan to see how much they can pay, which will be discussed at the next workshop. Mayor Steve K. Gold stated that we can not offer a special rate to them and not to anyone else. The Mayor wants the camp open this summer for our residents to enjoy.*

### **Council Member Pasti**

I would like to report and respond to some concerns from various constituents:

#### **One East Main Street**

I received a call from a constituent inquiring about the deteriorating status of the banners on One East Main Street. Today I spoke with one of the members of the Open Space Gallery, one of the two groups that spearheaded the installation of the banners last summer. I learned from them that they have also been concerned about the deterioration of the banners because one of the reasons they were inspired to undertake the project was to help beautify the East End of Beacon's Main Street. The issue for them has been cost, but they have finally raised sufficient funds to repair the banners. This week, on Thursday, they will repair the bottoms of all the loose banners that are still in presentable shape to prevent them from flapping up with the wind. During that time they will re install 2 of the banners that came down over the winter, and will remove the 3 paintings that were damaged during the winter. Those three banners will be repainted by new artists and re installed later in the summer. They had been hoping to have all new banners this year, but the economy has prevented some of their original sponsors from getting involved this year. The group has started looking into grants for next spring that would help them re-do the entire project with 24 new artists and to host another painting event similar to the one held last year.

#### **Beacon Flower Baskets and Plantings**

Several of my constituents who are members of the Tioronda Garden Club called me to let me know that there has been some vandalism of their plantings around town, including the removal of stakes and ripping up of flowers and other plants. They asked me to bring to the public's attention the fact that the flower baskets on Main Street, plantings at the Patriot's Garden, at the statue of George Washington on Teller Avenue and the former Municipal Building on Main Street are the work of the dedicated members of the Tioronda Garden Club. These members, many of whom are retired, pay money out of their own pockets to pay for flowers and supplies to beautify Beacon and it is very discouraging to them to see their efforts damaged. On behalf of the Garden Club, I would ask that Beacon residents keep an eye on these beautiful plantings and report to the City any vandalism that they see happening so that it can be addressed. Also, if people are interested in contributing or joining the club, I understand that the club is looking for younger members who can help lift heavy garden materials.

#### **Clearwater Lease**

Last, I wanted to speak up on behalf of the lease of the white house at the University Settlement Camp to Clearwater. If you were around the harbor this weekend you would have seen the Clearwater leading the Quadricentennial Flotilla into the Newburgh Beacon Bay. And if you listed to the people riding the ferry boats and people in other communities who witnessed the flotilla event, you would have heard that the Clearwater was at the forefront of people's comments because it led the procession of boats and because many people took advantage of the opportunity to ride on the Clearwater. Clearwater is clearly an organization that has a great reputation in the Hudson Valley and Beacon lucky that Clearwater wants to make its home here.

For those of you who are concerned about finances and feel that the many thousands of dollars that Clearwater will be spending to fix up the white house is not enough reason to say yes to this lease, I ask you to consider the business strategy called "loss leader" in which free rent or services are offered to a customer in order to draw in other paying clients. Perhaps it would be helpful to think of this arrangement as the equivalent of a loss leader. Because once Clearwater is based at the University Settlement Camp, it is likely that many good things will follow in its wake.

Last - a reminder:

The second of two public meetings to brainstorm about future uses of the University Settlement Camp takes place tomorrow at 7PM. I attended the first brainstorming and was very impressed with the uses—both money-making and recreational—that Beacon's residents brought to the table and I encourage people who did not attend the first meeting to go to this one.

Council Member Fredericks

Ditto Council Member Pasti on Clearwater and the USC. This would be a plus for Beacon

I was not here for the Strawberry Festival, but my two adult children were in town, and my son moved away at the age of fourteen and wants to move back, he is was very impressed with the City of Beacon and what it has turned into

Two Sundays ago I had the opportunity to attend the Riverfront Flotilla celebration of Henry Hudson's trip up the Hudson River. It was a very crowded venue, with the Market on one side of the landing and Beacon Institute on Long Dock. I was so pleased to see the crowds of people. And there were several of Beacon's restaurants there for our enjoyment and pleasure.

Around 6:30pm the ships rounded the bend and from Long Dock which was shoulder to shoulder people, we could see them heading up. It was a beautiful sight. The fireboats, I presume where in the River shooting great sprays of water and that in itself was beautiful.

People visiting the area could take the ferry over the Newburgh and enjoy those festivities as well. The two ferries were constantly going back and forth and each time they were filled to capacity. What a wonderful experience for all.

Another item I would like to note is that the City of Beacon had a ten/booth and many visitors were coming by to ask questions.

Yet another great cause for Beacon is the Beacon of Hope Foundation. Please donate and ask questions about this great joint venture between the city and concerned citizens. Citizens can check with City Hall or Pam Wetherbee. *Mayor Steve K. Gold stated with regards to the Beacon of Hope Foundations, the Mayor wanted to pay his compliments to all who have been going to these meetings which I have attend all. But in particular Council Member Pasti who originally suggested it. There are three different pools that anyone can make donations to: 1) Clara Lou Arts Foundation, 2) Neighbor to Neighbor Fund, 3) Recreation of the City of Beacon*

A constituent would like to see some places of worship listed on our Website.

### **Mayor Steve K. Gold**

After one year of careful negotiations (and a two week delay) the Clearwater Contract is ready for ratification by both the Beacon City Council and the Clearwater organization. The contract is for the Clearwater to locate its Headquarters at the White House building in the University Settlement Camp and for the Beacon Harbor to be the home port of the sloop Clearwater! The contract is a significant accomplishment for our city from an environmental and eco-tourism viewpoint.

As the Clearwater organization joins the Beacon Institute and Scenic Hudson Long Dock (parks and eventual hotel/conference center) and the Beacon Sloop Club, it will establish the City of Beacon as the epicenter of the environmental movement in the Hudson River Valley. Furthermore, in coordination with the Harbor Management Plan, the Beacon Harbor will be alive as the home port for the internationally renowned Clearwater Sloop, the Beacon Sloop Club Woody Guthrie and the ocean capable research vessels of the Beacon Institute. Together they will lead the way in environmental research, education and Hudson River enjoyment!

BTW, several members of Clearwater live in Beacon including the Clearwater's Captain, Samantha, and Mia the First Mate (both examples of the Clearwater's Women at the Helm Leadership Program).

Clearwater is taking a risk by leaving the safe haven of its headquarters in the City of Poughkeepsie, which they own. They want to move their headquarters to Beacon where they will be in a landlord rental relationship with us and the NYS Parks Department. The contract is set up so that Clearwater's expense for rent will be offset by the value of the improvements they make to the property. At some point in the future when their work equity equals their rental obligation, they will start to pay rent. Costs to repair the building are expected to be around \$100,000. If they want to use the USC camp grounds they are subject to the same fees and conditions as all other not-for-profit organizations.

The advantage for Beacon is that we will not be straddled with the high cost of repairing the White House as the Clearwater will be performing this work. They will also benefit our management of the USC camp grounds being an active participant and a year round anchor tenant.

As logical as it appears to me that the contract should be ratified, I cannot speculate the outcome of the Council vote. Objections have been voiced that the length of the contract (twenty years) and the rent (starting at \$1,200 and will increase over the years) favors the Clearwater. I disagree and know we have the best contract that can be negotiated. There will be no cost to the city for the Clearwater to be located at the USC, the burden of repairing the White House is lifted from our responsibility and we will benefit financially through tourism and the branding of our city as an environmental leader. A classic win-win scenario.

### **City Attorney Richard Wolf**

**NEXT WORKSHOP – June 29, 2009**

**NEXT COUNCIL MEETING – July 6, 2009**

**EXECUTIVE SESSION**

Motion to go into Executive Session by Council Member Kelly and Second by Council Member Fredericks to discuss litigation matters

Meeting Adjourned directly after Executive Session

**Respectfully submitted,**

*Colleen Swift*

*Executive Assistant to Mayor Steve K. Gold*

*Date: July 20, 2009 - Date Approved: July 27, 2009*