

## CITY OF BEACON - Workshop Minutes – September 14, 2009

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Workshop was opened at 7:00pm on September 14, 2009, with Mayor Steve K. Gold thanking all for coming to this Workshop.

### Attendance:

Mayor Steve K. Gold

Council Member Casale

Council Member Fredericks

Council Member Kelly

Council Member Leake

Council Member Pasti

### Excused:

Council Member Thompson

### Also in Attendance:

Administrator – Meredith Robson

City Attorney – Richard Wolf

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**Transit Oriented Development Discussion** – These are comments made by constituents at the September 8<sup>th</sup> Council Meeting and the Mayor would like to have some answers to the constituents.

A breakdown of comments that were presented at the last Council Meeting was put into a spreadsheet with the Constituent Name, Main Topic and any kind of resolution and or recommendations that the Council has.

The Mayor understands that the Council just received this report and will take each item one by one.

After much discussion, it was decided that the spread sheet will be recreated with all the same suggestions together with the constituents name along with the suggestions.

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**Capital Projects – City Administrator Meredith Robson** handed out a revised Capital Budget Schedule, which includes the Highway Garage, and really should not be included.

In addition, City Administrator distributed a memo from PDCTC which is the MPO that decides on funding for Federal Funding Projects from the County. This is to keep the Fishkill Avenue/Teller Avenue Project alive along with any other projects:

MEMO FROM Eoin Wrafter, Transportation Program Administrator of PDCTC

This memo is in response to your questions regarding the Fishkill Avenue (PIN # 875730) and Teller Avenue (PIN # 875780) projects that are listed on the 2008-2012 TIP.

There are two main items that determine a project's progression:

1. Federal Approvals: In order for a federally funded transportation project to progress to construction, the project must follow a federal approval process. This process requires that project sponsors complete each step in order before proceeding to the next step. Some of the major items include:
  - Preliminary Engineering Authorization
  - Design Criteria Approval
  - Completion of NEPA/SEQR

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- Right of Way (ROW) Clearance Certificate
- PS&E (Plans, Specs, and Estimates) Approval
- Construction Contract Approval
- Bid and Award Project

The City, through their consultant, works with the NYSDOT Region 8 Local Projects Unit to ensure that the above process is followed and that all required approvals are obtained. The federal approvals process includes two important milestones:

- ROW acquisition or actual construction must occur within 10 years of Preliminary Engineering Authorization. Teller Avenue was authorized in September of 2000 and Fishkill Avenue was authorized in August of 2001.
- Construction must begin within 20 years of authorization for ROW acquisition. Based on the current 2008-2012 TIP, both projects are expected to receive construction funds in May of 2012.

I have attached an overview of the Federal Aid Process produced by NYSDOT Region 8.

2. Funding: Transportation projects receive federal funding for specific phases that entail the work described above. This is a reimbursement program subject to the agreement between project sponsors and NYSDOT. In order for a phase to be approved and the funding obligated by DOT, LPU must have approved all of the previous steps in accordance with federal standards. LPU must also ensure that the funding is available both in the amount and the year requested. There are several issues related to federal funding:
  - Fiscal Constraint - The TIP, by federal legislation, is constrained both by fund source and by year. This means that we have a finite amount of funding in any given year and by fund source within that year.
  - Offsets - We cannot carry-over unused funds that were not expended in a prior year. In order for a project to be progressed earlier than currently scheduled, another project must be identified whose funding can be delayed to "offset" the original project's early funding request.
    - An offset is first looked for from the project's sponsor. If they cannot identify an offset, the next step is to identify an offset from another sponsor within Dutchess County and then from within NYSDOT Region 8 as a whole.
    - As project costs have increased and project schedules have been delayed, we are now faced with a large number of projects that cost more than what was originally programmed. Sponsors are trying to progress these projects in the next two years, which has made it extremely difficult to identify offsets.
  - The PDCTC, in concert with NYSDOT Region 8, began a Program Update process in the fall of 2008 to update project costs and schedules to better reflect sponsors' needs and priorities. The ARRA or "stimulus" program with its condensed timeframe and priority funding delayed adoption of the Program Update and the routine TIP update.

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- As part of the update, construction costs for both of the City's projects together have been estimated at over \$5 million dollars, which is well above the \$1.2 million currently shown in the TIP.
- A major update of the PDCTC TIP will begin shortly, building upon the work started in late 2008. This will establish a new, fiscally constrained TIP for Federal Fiscal Years (FFY) 2010 through 2014.

The following Capital Projects funds will be coming from the Water Fund, Sewer Fund CDBG (old) Capital roads, Grants

The following projects to begin working on were approved by the Council: Gas Chlorination Project, Melzingah Dam, Stormwater GIS #1, Stormwater GIS #2, Orchard Street (2008), Talbot Street (2008), South Avenue/Tioronda Sewer and Water lines, Teller Avenue, Fishkill Avenue, Ralph and Mackin Avenues and Fairway Cemetery.

It was the consensus of the Council to begin repairing Fishkill/Teller Avenue that will last at least ten years, which will stop the clock with Federal Guidelines. Get the right away letters sent out. The DOT will have comments for the City of Beacon by next week.

It would be very beneficial to pave the entire roadway of Fishkill and Teller our entrance way to Beacon as your first impression is the lasting impression. The residents would be extremely happy that the City will be fixing these roads as they have been in such disrepair for a very long time. Spend the \$40,000 stop the clock and the City will have an additional twenty years to do these roads correctly.

Using Chips Money first and then if that is not enough use Capital Fund and get Fishkill Avenue and Teller Avenue repaved.

Regarding the Capital Projects all projects except the Highway Garage the City Council agreed to go forward with these projects.

Tioronda Bridge – Council will need to make a decision on what to do. The design that will be prepared now is to make it a Pedestrian Bridge, with the option down the road to build a road bridge. CDBG funds will be used for this project.

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**Lower Melzingah Dam** – City Administrator Robson, went up to the dam to see the current condition of this Dam with a representative of DEC regarding a violation. The City was told many years ago that this dam must be breached

DEC will not be responsible if the Lower Melzingah Dam gives away.

Council Member Casale asked about putting a pipe at the lower damn to have the water trickle slowly so if the dam does become full it will not cause a major flood to the residents below. City Administrator asked if that could be done and the answer was no. DEC wants it breached. Council Member Casale asked City Administrator Robson to call DEC and invite them to a meeting to talk to them about the options other than breaching this damn.

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History is that at one time there was a pipe which was not being maintained and trees, and debris were caught up in the pipe, which caused the water from the dam to run over the top, and that is what brought the DEC in to investigate the situation. DEC at that time told the City of Beacon to remove the pipe and to breach the dam.

City Administrator asked the DEC to have this work done early next spring

It was noted that the City bought insurance to protect the City from any damages that the dam would cause if in fact it broke, but it is unclear at this moment what exactly the insurance would cover.

The engineer is working on the outlining which actually needs to take place.

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### **University Settlement Camp Report**

City Administrator spoke with the consultant and they are finalizing things with the engineer. A report will be forthcoming within the next week.

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### **Authorize Mayor to apply for and to accept \$15,000 in NYS Department of State Environmental Protection Funds to help fund the construction of the Kayak Deck at Long Dock Beacon.**

All members of the Council received the proposed resolution. Scenic Hudson is requesting the City of Beacon to apply for this grant, with the understanding Scenic Hudson will pay in full the twenty five percent match in funds that is required by the State of New York.

This is like a launch, a short wooden launch which will be on a pebble beach, in-between the Boat Club and where the George Trackus Broadwalk is. Right now there is concrete slab, which will be removed and turned into a pebble shore.

Mayor Gold strongly recommends that Beacon residents to have the opportunity to use this launch, or any Kayak business that located in Beacon. Scenic Hudson will require any organization wanting to use this launch a certificate of insurance and any other materials to operate a business. As far as giving Beacon residents and kayak business first opportunity to use over another business not in Beacon will have to be addressed by Margery Groten.

Part of the grant requirement is that this Kayak Deck is open to the public. Businesses need to provide the proper paper work to use this area. An individual will not need to provide nor there a charge to dock off this Kayak Deck.

There will be two parking spaces by the Beacon's Sloop Club, Citizens and residents will be able to park right behind those spaces. There will be a pavilion with attached facilities. Proposed plans were displayed to the Council if what it will look like.

There will be no charge to citizens nor companies to use the Kayak Deck.

This project was initiated due to a grant that became available.

The Mayor would like the citizens and the business in Beacon to have an opportunity to use this Kayak Deck, whenever possible.

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**It was the consensus of the Council to place this item on the September 21<sup>st</sup> Council Meeting for the City of Beacon to apply and accept funds with Scenic Hudson having full responsibility to pay for the twenty five percent of the match.**

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**Special Use Permit – New Apartment Building Six – One Bedroom Units – 4 State Street – Applicant Del-Tra Holding, LLC – Set Public Hearing for Monday, October 5, 2009**

The applicant was present at this meeting to ask any questions.

The Mayor opened up the Blue Prints for this Proposed Project for all Council Members to review and ask questions, and/or comments.

This is a vacant lot, just under a quarter of an acre. The applicant is proposing a Six Unit, One Bedroom Apartment Building located on 4 State Street. There is four parking spots, including handicapped parking. It will be paved with macadam, with a fence along the residential property; there is an existing retaining wall which separates this proposed apartment building from the Bombay Grill. There was a question why is this a special use permit? Part it is zoning which this area is residential single family homes not for apartment building. There was a public hearing via the Planning Board and no one from the surrounding parcels was available to speak about this project. It was noted that this applicant does not have any other apartments in the City of Beacon.

**It was the consensus of the Council to place this item on the September 21<sup>st</sup> Council Meeting to set a Public Hearing for Monday, October 5<sup>th</sup>. Again, the surrounding properties will be notified of this Public Hearing on October 5<sup>th</sup> for their input if any.**

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**Ratifications** – W.H. Mase Hook and Ladder – Michael Davis move from Exempt Status to Active Status

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### **TOWN HALL MEETING:**

It was the consensus of the Council to have a Town Hall Meeting on Thursday October 1<sup>st</sup> at the Memorial Building at 7pm. Executive Assistant, Colleen Swift will make a phone call to see if the Memorial Building is available on this date.

Workshop Meeting of September 14, 2009 was adjourned at 10:00pm.

Respectfully submitted,

Colleen Swift

September 15, 2009