

Regular Meeting

The regular meeting of the Beacon City Council held at the Municipal Center, One Municipal Plaza on November 2, 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

Pasti, Sara – Council Member – Ward Four

Council Members Excused:

Leake, Deanna – Council Member – Ward One

Thompson, Eleanor – Council Member – At Large – Left Early

Also Present:

City Administrator – Meredith Robson – Excused

City Attorney – Richard Wolf

Media Represented by:

Goldie Green – Beacon Free Press

Residents at Beginning of Meeting: 51

Mayor Steve Gold wished to express a few items prior to the three minute Public Comments. In today's newspaper was the revised Mayor's Budget for 2010 which includes where originally the City of Beacon had five to six full time employee positions that were going to be eliminated; now only one position will be eliminated. In addition, there were furloughs up to twelve days for non essential employees also have been removed. City Administrator will be presenting the Budget this afternoon.

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.

Rubin Simmons – 34 Goodrich Street – Stated that he is the Union President for the Public Workers and wanted to introduce himself to the Council. He stated that he is finding out everything through the press, and his emails have been going unanswered. Mayor Steve Gold stated that Mr. Simmons should contact his office or email him a mayor@cityofbeacon.org.

Lou Amoroso – 40 Vail Avenue – At the workshop last Monday there was discussion regarding the budget. He stated that he wanted to be included when the City spends his tax dollars.

Clark Gebman – 2 Wilson Street – Surprised that the budget included the Hiddenbrooke reimbursement. City Attorney failed to notify of this information to the City Administrator when making out the budget.

Anita Barber – 2 Lincoln Avenue – In the Beacon Free Press on October 21, 2009 – There was a Council Member entered in candidacy and election, “based on her employment status, and the need for money and benefits that can be provided by this position as Council Member” Another candidate went from one political party to another. Mayor Steve Gold stated to Ms. Barber that nothing in political in nature can be discussed during these segments. Further for all that is in attendance this evening that they remain in a professional manner when expressing their

comments. If there is an issue that the City can put on the table to discuss and vote on then the Council will by all means listen. It is that time of the year when there is a lot of politicking taking place and this meeting is not the forum for that. Council Member Kelly stated that this type of comment should be addressed to the City Party not to the Council. All Council Members agreed with Mayor Gold that this is not the forum to discuss politics.

Dennis Pavelock – Judson Street – Regarding the Route 9D Maintenance Agreement and the twenty four thousand dollars. Is that less that the City would have to buy salt for this road? The Red Cross Seminar says Wednesday but it took place a week ago. Mr. Pavelock further read newspaper articles regarding the City of Newburgh, bombs, Swine Flu.

Ester Carrington – Beacon Street –Beacon Street is like a freeway, there are quite a few children that play in this area. An accident took place about one month ago. Something needs to be done. Properties on South Cedar and DeWindt have hedges bordering their properties are there any specific laws regarding having these hedges as it makes it hard to see around them? The four way intersection at South Brett and DeWindt there is a three way stop in this area is also a tragedy waiting to happen as no one stops at these stop signs either. Mayor Gold made an announcement to the public regarding obstruction because of hedges as you approach an intersection and you cannot see, please contact the Building Department and they will sent someone down as there are regulations.

Gwen Crenshaw – 190 Main Street – At Cross Street and Verplanck there is a blind spot if you are coming off Main up Cross Street you cannot see what is coming from Route 9D. It would help if there was a stop sign at Cross Street for the vehicles coming off Main onto Cross Street.

The Lottery on the Parking Lot on Cliff Street there was very short notice to see it in the Beacon Free Press. Ms. Crenshaw really would have liked to be notified a little bit earlier about the lottery. There is no handicap parking for this parking lot on Cliff Street.

Another issue is the visible garbage from residents living in the building by the Cliff Street parking lot. It always looks messy and wishes these residents would put their trash in back of their home.

Timaleen Hall – 165 Main Street – Has a concern with the possibility of the fourteen percent tax hike. The City is pushing the live long residents out of our City that “we” built.

We all pay property and school taxes, goes to library every day to the homework program, every single day there are children sitting on the back of the bench in front of the Library smoking cigarettes, using profound language, selling drugs.

Kathy Deuterma – 27 South Brett Street – Halloween, nice night, many children out, wished that the City of Beacon set a curfew. Her tires were punctured on that evening. Our surrounding communities had a curfew, and wished that Beacon followed suit for next year.

Public Hearings:

PLEASE TAKE NOTICE that the City of Beacon will hold a public hearing on Monday, November 2nd 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 a Special Use Permit for Three (3) Artist Live/Work Spaces, Applied for by IG4, LLC, identified on City tax maps as Section 6054, Block 22, Lots 253891, 244895 and 241894.

A copy of the proposal is available for inspection at the Municipal Center, lower level, One Municipal Plaza, Beacon, New York during regular business hours (Monday-Friday 8:30a.m.– 3:30 p.m.)

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

Comments:

Naomi baat Cannan – Davis Street – Artist space and living in Beacon. The rents have been approximately between fifteen and twenty hundred dollars. Also places for sale starting at two hundred and fifty thousand. These places are unaffordable to artists.

Motion to Close Public Hearing by Council Member Fredericks regarding the Special Use Permit – Waterfront Development Concept Plan and Special Use Permit for Long Dock Beacon, Seconded by Council Member Pasti. All presented voted favorably.

Public Hearing closed.

PLEASE TAKE NOTICE that the City of Beacon will hold a public hearing on Monday, November 2nd 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 a Special Use Permit for a Bed & Breakfast establishment, Applied for by Yuan Lee, @ 300 South Avenue, identified on City tax maps as Section 5954, Block 16, Lot 755455.

A copy of the proposal is available for inspection at the Municipal Center, lower level, One Municipal Plaza, Beacon, New York during regular business hours (Monday-Friday 8:30a.m.– 3:30 p.m.)

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

Comments:

Greg Grann – 310 South Avenue – We spoke at the City of Beacon Planning Board with regards to this Bed and Breakfast Business at 300 South Avenue, to raise our judgments regarding this Special Use Permit. Specifically using our property and driveway for this business of Mr. Lee. Correspondences have been sent to the Beacon Planning Board, including a letter sent to City Attorney Richard Wolf. This is the City of Beacon responsibility to protect our rights of our property and not give Mr. Lee the use of this property. This facilitates traffic to Mr.

Lee's business. There have calls into the Police Department regarding workers of Mr. Lee speeding up the driveway. A sign has been placed at the end of the driveway stating "Please do not speed up the driveway." This will most likely go into litigation. Both my wife and I have no objections Mr. Lee using his own property for his business and not ours. Thank you for listening.

Jack Dunne – Wodenethe Drive – Mr. Dunne stated that he borders Mr. Lee's property to the north, and fully in support of this Bed and Breakfast. This is something that this City needs. Mr. Lee has done a phenomenal job restoring this home that he now wishes to use as a Bed and Breakfast.

Naomi baat Cannon – Davis Street – Stated that a B&B would be marvelous in this City. The problem is the residential right away. What the City is allowing is a residential right away not a commercial right away.

Aryel Siegel – Architect representing Mr. Lee stated that the references to 310 South Avenue have been removed from the latest drawings. What this means is there is a driveway that Mr. Lee has a right over and as of this date that is the only driveway to Mr. Lee's property. We are working with the City Engineer to create a new driveway, which will be the new access so the references to address 310 South Avenue have been removed.

Michael Martin - The easement issue there is no attorney, no lawsuit has been filed, reviewed the chain of title for both properties with the City Attorney. The issue of this being a Residential right away vs. Commercial Right away, these items are not found in the contract or deed agreement between the two land owners. The two landowners entered into a contract that specifically said "a driveway has to be ten feet wide to benefit one land owner at the expense of the other landowner". When these two parties bought their properties they each had an opportunity to review this agreement. This has nothing to do with the City Council.

Karen Grann – 310 South Avenue This property was bought ten years ago. At the time of purchase the driveway in question is for residential use. Now we have strangers go up and down this residential driveway to the Bed & Breakfast. There are so many workers, transients, and have had items stolen off the front steps of her house. Further I am not pleased nor do I want people knocking at her door asking where the B&B is. I would like Mr. Lee to put in a separate driveway and that would be dedicated to the Bed and Breakfast.

Clark Gebman – 2 Wilson Street – As the law stands currently regarding Bed & Breakfast. Mr. Gebman paid fourteen hundred dollars for an application fee to afford a Restaurant and Bed & Breakfast to the mansion that is opposite of DIA which Mr. Gebman owns. Planning stated that you have to have a certain amount of property and that is no good. He believes that the law needs to be in terms of identifying of those B&B that are useful. Council Member Kelly stated that he finds it difficult to sit here and have a member of the public make erroneous statements. That there are people who are paying for permits or paying for favorable treatment, because it is not factually true. There is public record on who contributes to any political campaign and I dear say that any citizen can go to the Board of Elections and look who are the contributors. It is

offenses for the all politic parties for a constituent to state that people pay to play. What Mr. Gebman stated is false and the record will show this. Council Member Thompson addressed Mr. Gebman stating that she did not know what he was talking about to tell the public I don't know the gentleman they are talking about but has never contributed to her campaign.

Ester Carrington – Voiced that the only problem with this Special Use Permit is the driveway. And if a homeowner buys a piece of property that has a shared driveway there will be some problems down the road.

Hank Dutch – 98 Spring Valley Street – Stated that he agrees with the last speaker. He believes a private driveway should be a private driveway regardless of any easement that was made. When the use is changed it changes the relationship drastically.

Kathy Deuterman – 27 South Brett – The property in question is absolutely stunning. He has spent a tremendous amount of money, and this home is perfect for a bed and breakfast. Everything hinges on getting this special use permit.

Council Members Kelly, Thompson, Pasti is all in agreement that it is the driveway is an issue. If Mr. Lee is working with the planning board on installing another driveway that this has nothing to do with the Special Permit.

Motion to Close Public Hearing by Council Member Thompson regarding the Special Use Permit – Waterfront Development Concept Plan and Special Use Permit for Long Dock Beacon, Seconded by Council Member Casale. All those present voted to close the public hearing

Community Segment: - 2010 Proposed Mayor's Budget

City Administrator stated that the Proposed Budget will be on the website, and there will be upcoming meetings with the Department Heads where the public will have an opportunity to ask questions.

Minutes: **NONE**

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

Clark Gebman – 2 Wilson Street – Spoke with regards to Presrock Settlement. When the City bought Hiddenbrooke for 2 million dollars was assessed at 700,000, now should be assessed at 500,000. Mr. Gebman is asking the City to reimburse money with interest.

Betty Harkins – 17 Cross Street - I am one of the residents who have attended these meetings most of time has witnesses what has been going on, and is very pleased on how the Council and City Administrator has handled issues.

UNFINISHED BUSINESS

Resolutions: NONE

Local Laws and Ordinances: NONE

NEW BUSINESS

Resolutions:

Resolution of 20009 – Authorize City Attorney to Execute Consent Judgment – Preshrock Corp.

WHEREAS, the City of Beacon and Preshrock Corp. have settled their Supreme Court litigation concerning the review of tax assessments charged to Preshrock Corp. for the assessment years 2005, 2006, and 2007; and

WHEREAS, the City of Beacon and Preshrock Corp. have settled these matters pursuant to a proposed Consent Judgment covering Westchester Supreme Court Case Index Nos. 12177/2005, 12878/2006, and 13400/2007; and

WHEREAS, the agreed upon amount of assessed valuation reduction for 2005 is \$135,115, for 2006 \$238,959 and no reduction for 2007; and

WHEREAS, the City Council of the City of Beacon approves the terms of the proposed Consent Judgment.

NOW, THEREFORE BE IT RESOLVED, that the City Attorney of the City of Beacon be and he hereby is authorized to execute and consent to the entry of the foregoing Consent Judgment.

Mayor Gold stated that this was not included in the Council Packet and was not discussed at Workshop.

Motion to add this to the Agenda by Council Member Kelly to add this to tonight's Agenda.
TABLE - Authorize City Attorney to Execute Consent Judgment – Preshrock Corp.,
Seconded by Council Member Pasti.

Comments: **Council Kelly** questioned if any of the taxes have been paid to this date. Mr. Wolf stated "yes". **Council Pasti** asked if these taxes have been disputed since the payment. Mr. Wolf stated "yes, at the appropriate time. **Council Thompson** stated in 2007 it was not reduced. Mr. Wolf stated "this property was never assessed." The City would be forced to pay back the first two years if this in fact was voted on favorably. **Council Pasti** is not pleased that she is just hearing about this tonight and would have liked to ask more questions, and to have the assessor here to answer any questions. **Council Thompson** stated that she is having a hard time

understanding this. Mr. Wolf stated “He cannot explain the assessor calculations. **Council Casale** asked how much money the City will have to pay. City Attorney stated that information will have to come from the Assessor. How can property go up from one year to the next? **Council Kelly** stated that it would be in order to have the assessor to come to one of the workshop meetings to discuss these numbers.

Motion to TABLED by Council Member Casale, Seconded by Council Member Pasti.

All present voted to table this Resolution.

Resolution 157 of 2009 – Authorize Local Match for Green Innovation Grant Program – Leak Detection System

WHEREAS, the New York State Environmental Facilities Corporation has accepted the City’s application to purchase leak detection equipment to monitor the City’s water mains; and

WHEREAS, the Environmental Facilities Corporation will fund up to 90 percent of eligible project costs and the City will contribute 10 percent matching funds from the Water Fund balance, including documented in-kind services;

NOW THEREFORE BE IT RESOLVED, that the City Council hereby authorizes the disbursement of the 10 percent match for the purchase of leak detection equipment from the City’s Water Fund balance and documented in-kind services.

Motion by Council Member Thompson to **Authorize Local Match for Green Innovation Grant Program – Leak Detection System** Seconded by Council Member Pasti.

Comments: **Mayor Gold** stated as far as the Grant Writer is concerned and will get a letter out to the Council all the work she has worked on for the past year. This would be necessary when we look at the budget. This is a significant grant and a beneficial one. The matching portion does not have to be in dollars it can be in kind services. So the public knows what this is about it is a sensing device that almost every intersection or every major place in Beacon in the infrastructure and what this does is detect any leaking before it becomes a major problem and the highway department can get there to close it up.

On a roll call: Council Member Thompson – Yes, Council Member Leake – yes, Council Member Kelly – yes, Council Member Casale – yes, Council Member Pasti - yes, Council Member Fredericks – yes Mayor Steve K. Gold – yes. Motion passes.

RESOLUTION 157 OF 2009 – Approve Emergency Management Plan

Be it Hereby Resolved, that the City Council approves the Emergency Management Plan dated November 2, 2009

Motion by Council Member Casale to **Approve Emergency Management Plan** Seconded by Council Member Kelly.

Comments: **Council Thompson** asked if we checked with the State to see if they had any programs? This was completed by the Committee. City Administrator is not aware of any funds that could go towards this. **Mayor Gold** requested that a report be submitted to him when any meeting takes place.

All present voted in Favor to adopt this Resolution.

RESOLUTION 158 of 2009 Authorize Release of Maintenance Bond for Public Improvements – Delavan Avenue Extension

WHEREAS, a Maintenance Bond was posted to make sure public infrastructure improvements constructed as part of the Delavan Avenue Subdivision extension of Delavan Avenue were done in a satisfactory manner.

WHEREAS, Lanc & Tully has verified that the public improvements for this phase of the project have been completed; and

NOW, THEREFORE, BE IT RESOLVED, that the Maintenance Bond No. RSB402249 issued on behalf of Metro Park Developers is hereby released.

Motion by Council Member Fredericks **Authorize Release of Maintenance Bond for Public Improvements – Delavan Avenue Extension**, Seconded by Council Member Thompson.

Comments: **City Administrator** stated that all the improvement has been made. **Council Casale** asked if the City received funds to build the cul-de-sac, **City Administrator** confirmed that the money has been received.

All present voted in Favor to adopt this Resolution.

RESOLUTION 159 of 2009 Approve Special Use Permit/EAF – Applicant Lee Balter – Artist Live Workspace – Hanna Lane (300 Fishkill Avenue former Tallix Site)

WHEREAS, IG4, LLC (Lee Balter) has applied for a Special Use Permit from the City Council requesting approval for Artist Live/Work space in a building located at (310 Fishkill Avenue Former Tallix Site); and

WHEREAS, the Planning Board has recommended the City Council issue said permit subject to final site plan approval by the Planning Board; and

1. The location and size of the use, nature and intensity of the operations involved in such use, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, are such that it would be in harmony with the appropriate and orderly development of the district in which it is located; and

2. The location, nature and height of the buildings, walls and fences, together with the nature and extent of the landscaping of the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings; and

3. The operations in connection with the proposed Artist/Live Work space is not more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics, than would be the operation of any permitted use not requiring a special use permit; and

4. Parking areas are of adequate size for the particular use, are properly located and the driveways are laid out to achieve maximum safety; and

WHEREAS, the City Council has determined that the application submitted by IG4, LLC (Lee Balter) for a Special Use Permit is an action subject to the provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the City Council has the broadest powers to investigate the impact of the authorization for the proposed Artist Live/Work space in the building located at (310 Fishkill Avenue former Tallix Site) and since the Council has the capability to provide a thorough Environmental Assessment of the proposed action, now, therefore, be it

RESOLVED, that the City Council hereby declares itself lead agency under SEQRA relative to the application by IG4, LLC (Lee Balter) for a Special Use Permit, and be it further

RESOLVED, that the City Council as lead agency under SEQRA, has reviewed the submitted Environmental Assessment Form and has determined that the proposed action is an unlisted action, and that the proposal will not have a significant effect on the environment, and a Draft Environmental Impact Statement need not be prepared, and be it further

RESOLVED, that a Special Use Permit be hereby issued to IG4, LLC (Lee Balter) subject to providing the truck routing plan and traffic control signage being added to the plan and subject to final site plan approval of the Planning Board in accordance with the conditions set forth above pursuant to Section 223-18 of the City of Beacon Zoning Ordinance, which the ordinance will include the construction of the appropriate new access on the applicant property.

Motion by Council Member Casale **Approve the EAF – Artist Live/Work Space**, Seconded by Council Member Fredericks.

Comments: At this time the Council was asked by the City Attorney to go over the EAF. **Council Pasti** stated that this talk about three artist live/work space within the existence structure or an additional expansion itself. City Attorney stated that his understanding that it is within the original structure. City Attorney stated that on page 2 A & B is not applicable. Section D is not relevant. **Council Pasti** asked if the Site Plan has been approved with the exception of the requirement that the Planning Board approve a truck routing plan and signage. City Attorney stated that it has not been approved. It was noted that there is a condition.

All present voted in Favor of the Approval of the EAF Artist Live/Work Space.

Motion by Council Member Pasti **Approve– Artist Live/Work Space**, Seconded by Council Member Casale.

Comments: All Council Agreed that a blue print should be made available to all Council Members to review prior to meetings. **Council Casale** – Question the price of these Artist Live Work/Space do we have any way to determine that. The City is working on spaces based on affordable housing of ten units or more. Furthermore, Council Casale stated that this particular applicant is applying for three units at a time. If this applicant keeps going by three's they will be above the ten units, and there will be no affordable space. The Council should consider when an applicant applies for a Special Use Permits and they go over the ten units, then it should fall under the affordable housing law. **Mayor Gold** suggested adding an amendment to the Affordable House Law to make reference to this.

All present voted in Favor to adopt this Resolution.

RESOLUTION 160 of 2009 Approve Special Use Permit – Yuan-Yuh Lee – Bed & Breakfast Facility – 300 South Avenue

WHEREAS, Yuan-Yuh Lee has applied for a Special Use Permit from the City Council requesting approval for a Bed & Breakfast Facility; and

WHEREAS, the Planning Board has recommended the City Council issue said permit subject to final site plan approval by the Planning Board; and

1. The location and size of the use, nature and intensity of the operations involved in such use, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, are such that it would be in harmony with the appropriate and orderly development of the district in which it is located; and
2. The location, nature and height of the buildings, walls and fences, together with the nature and extent of the landscaping of the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings; and
3. The operations in connection with the proposed Bed & Breakfast Facility are not more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics, than would be the operation of any permitted use not requiring a special use permit; and
4. Parking areas are of adequate size for the particular use, are properly located and the driveways are laid out to achieve maximum safety; and

WHEREAS, the City Council has determined that the application submitted by Yuan-Yuh Lee for a Special Use Permit is an action subject to the provisions of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the City Council has the broadest powers to investigate the impact of the authorization for the proposed Bed & Breakfast Facility and since the Council has the capability to provide a thorough Environmental Assessment of the proposed action, now, therefore, be it

RESOLVED, that the City Council hereby declares itself lead agency under SEQRA relative to the application by Yuan-Yuh Lee for a Special Use Permit, and be it further

RESOLVED, that the City Council as lead agency under SEQRA, has reviewed the submitted Environmental Assessment Form and has determined that the proposed action is an unlisted action, and that the proposal will not have a significant effect on the environment, and a Draft Environmental Impact Statement need not be prepared, and be it further

RESOLVED, that a Special Use Permit be hereby issued to Yuan-Yuh Lee subject to final site plan approval of the Planning Board in accordance with the conditions set forth above pursuant to Section 223-18 of the City of Beacon Zoning Ordinance

Motion by Council Member Fredericks **Approve Special Use Permit – Bed & Breakfast – 300 South Avenue**), Seconded by Council Member Kelly.

By Council Member Fredericks **Approve Special Use Permit – Bed & Breakfast – 300 South Avenue**, Seconded by Council Member Kelly.

Comments: Mr. Richard Wolf stated that the special stimulation regarding adding a second driveway should be included on both the EAF and the Resolution. Mr. Wolf distributed the EAF for Council to Review. The Mayor or Administrator will sign the EAF if the Council is in agreement. Critical part is to include the special request to have a second driveway on the Applicants property NOTE: On the EAF Section C6 and E is NO.

Comments: Mayor Gold spoke with the Building Department about Bed & Breakfast. In the City of Beacon Code it states that B&B's are considered residential.

All present voted in Favor to adopt this Resolution

Local Laws and Ordinances: **None**

ANNOUNCEMENTS:

- **Board of Assessment – Five Year Term**
One – Unexpired Term – Term to Expire September, 2012
One – Vacancy – Term to Expire September, 2014
- **Board of Ethics – Five Year Term**
Two – Vacancies – Expired

- **Human Relations Commission – Two Year Term**
Five – Vacancies – Expire
- **Recreation Commission – Three Year**
Unexpired Term – Term to Expire December, 2009 - Will continue with an additional three years expiring 12/31/12
Unexpired Term – Term to Expire December, 2010

BUDGET AMENDMENTS:

1. Amend the General Fund Contingency expense (Code: A1990.400001) in the amount of 15,785. This amount is needed to cover the contract with AKRF Environmental and Planning Consultants for the cost of services analysis for proposed zoning actions (Code: A8010.452013).

Motion by Council Member Pasti **Amend the General Fund Balance**, Seconded by Council Member Kelly.

Comments: City Administrator stated that the Council should have the DRAFT Cost of Service within a week. This cost of service report has to do with all the Waterfront Zoning Projects. This company is taking a very hard look with regards to the public input.

On a roll call: Council Member Thompson – Yes, Council Member Leake – yes, Council Member Kelly – yes, Council Member Casale – yes, Council Member Pasti - yes, Council Member Fredericks – yes Mayor Steve K. Gold – yes. Seven Ayes.

2. Amend the General Fund Police Department Crossing Guard expense (Code: (A3120.102000) by transferring \$3,850 to the Police Department Uniform Allowance expense (Code: 3120.119000). This will cover the necessary amount needed for the contractual amount received by the police department for 2009.

Motion by Council Member Thompson **Amend the Sewer Fund Balance**, Seconded by Council Member Pasti.

Comments: **Council Casale** questioned if the City will have enough money to get through the rest of the year for our Crossing Guards. City Administrator – stated “I believe so, yes”.

On a roll call: Council Member Thompson – Yes, Council Member Leake – yes, Council Member Kelly – yes, Council Member Casale – yes, Council Member Pasti - yes, Council Member Fredericks – yes Mayor Steve K. Gold – yes. Seven Ayes.

3. Amend the Water Fund Balance (Code F0911) in the amount of #2,400. This is the amount required in the Fairview Cemetery road project expense (Code: F8340.240001.2815) in order to complete the project.

Motion by Council Member Kelly; **Amend the General Fund Balance**, Seconded by Council Member Thompson.

Comments: **Council Casale** stated that this was mandated by the Courts, which an affirmative answer was giving.

On a roll call: Council Member Thompson – yes, Council Member Leake – yes, Council Member Kelly – yes, Council Member Casale – yes, Council Member Pasti - yes, Council Member Fredericks – yes Mayor Steve K. Gold – yes. Seven Ayes.

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

Clark Gebman – 2 Wilson Street – Would like to respond to the earlier statement made earlier this evening. Edgewater property that is owned by Bil Erlich was the land for one hundred million project is assessed at 209,000. This should have been assessed at ten million dollars. Continued to speak about different properties with regards to the assessment on all of the Erlich's properties.

City Administrator stated that there is a formula for non-homestead properties.

Cindy Tremble – Makin Avenue – I end up on the Agenda as her name was mentioned in a Council Members report. In accordance with the City of Beacon Bylaws – No Council Member shall mention any person by name in a disparaging manner. Ms. Tremble wished to clear her name in public and in the newspaper.

Rubin Simmons – 34 Goodrich Place – Stated that he is the Union President for Public Works and would like to be more in the loop without finding things out in the public. Regarding the Budget the Council went from four to five people possible layoffs to only one person. Mr. Simmons is still concerned about that one person. There are workers who are guaranteed to retire. What does that give to that one person who is being laid off? There is going to be more manpower missing in DPW during the summer hours. As for as DIA, Mr. Rubin suggested getting fifty cents per ticket to give back to the City. We the City Workers do work for DIA, trimming trees, and shovel the sidewalk. Mr. Simmons asked for some backing for the employees that are working out on the streets. They are encountered with harassment from the residents. Council Pasti mentioned that residents should bring to the Council on how to save more money. Mr. Simmons stated that he has formed a labor management committee. Who knows how to save then the actual person doing the work? Experience is good knowledge, and further he has a bachelor's degree, but I do not know everything and count on the workers who have been here for 25 years and more. He believes losing jobs is the answer, as **Council Casale** stated earlier, losing employees is losing services.

REPORTS

Correspondence Report:

City Administrator: Meredith Robson

1. The Cliff Street Parking Lottery was mentioned, and only received one form. The Lottery is Wednesday at 2pm. There are nine spots available, and the City of Beacon will re-advertise this.
 2. The Leak Detection System Grant documentation is being finalized. There was a questioned rose regarding the ten percent match which is on the agenda just for approving the match, which the Council has already approved the grant documents.
 3. There is an application going out regarding the efficiency study going to NYSERTA.
 4. I have been spending most of my time with the Budget and the Revised Budget.
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Council Member Thompson:

1. After December I will not be here, and hope that many constituents come to these meetings. Council does not have power unless you come, as we represent you. We do not know what you want if you do not voice yourself.
2. I spoke to Mr. Dexter about the sign on Main Street, in addition called the Mayor about it. Our Charter says there are no rules for political signs. However, that if you are going to run for office you have to learn that we live in a very diverse community. No constituent stated that it reminds her of Nazi Germany. Council Thompson does not feel that way, and believes it was not the artist intent. Another constituent stated that they were intimidated by the fist.
3. Budget fourteen and seven percent. Well it could have been bad, it could have been worse, but the bottom line is that it is affecting all of us. I do know that the Mayor and City Administrator have been working very hard on this. I have been sitting on edge since last January, but it is here now and we are going to face it. We will find a way to bring this number down. One item that comes to mind is the Dutchess County Chamber of Commerce why are we paying it twice. Another item is the Economic Development Zone \$19,500. What is this doing for us?
4. Then we have the thought of partnering with Fishkill for recreational activities. Why is the part time recreation worker making \$35,000, why is that. We should not pay an employee of the City of Beacon who works in recreation who is not eligible to take the Civil Service Exam.
5. The Grant Writer – Went over to Newburgh and they are getting five hundred thousand dollars in a grant for their Recreation Department. Why are our grants not that much money? I am not too happy with our Grant Writer. Then I learned there is a local citizen who was willing to write grants for us for free. Maybe the City of Beacon should start to negotiate for commission or some other way instead of paying a consultant fee. I would like to eliminate the 15,000 that this grant writer receives.
6. With our uniform employees they work very hard and put their lives on the line. This is not coming from me; it is coming from you the people in the City of Beacon – Close one of the Fire Houses is expensive.
7. All cell phones need to be discontinued unless it is an emergency and only an emergency. The Mayor does not get reimbursed for his cell phone.

8. Clothing allowance realizes that this is part of the union negotiations. The City of Beacon needs to disband from this benefit the employees are entitled to. The only employees that should be reimbursed are the police, fire and public works.
9. Council Thompson praised the Council for all the work.

This campaign is not about party, it's about people caring about people.

Council Member Kelly: Thank for being here, encourage all to come out and vote tomorrow. Discussions regarding Political Signs placed on public property and along route 52. Both political parties are responsible for placing their signs. Signs are to be placed on private property only. After the election all politic signs need to be removed immediately. With regards to absentee landlords who rent to irresponsible tenants. The building department was notified. I informed the constituent that the Mayor and this Council is committed to preserving neighborhoods, which is one of our highest goals.

Spoke to the City Administrator regarding the budget. I made suggestions regarding labor costs and to avoid layoffs. I commended the Mayor and City Administrator for finding the funds so the City can avoid layoffs. The reason the budget is so high is a lose revenue. It is not because of increase in spending.

Council Member Casale: Stated that he would be working hard going through every line item, making cuts where I see necessary. Before there are any layoffs, or furloughs, the City should have a bare bones budget. The economic development line item is 19,500 which are very high. The Grant Writer, Council Casale received an email from a resident who would be willing to write grants pro bono. He has been a grant writer for years. If the City Council feels that there should be layoffs, or furloughs, I am all for closing one of the firehouse.

Received an email, and would like the City Administrator to look into this: Are you certain that your municipality is receiving the full amount due under the cable franchise agreement. Audit Masters would like the opportunity to introduce themselves, which their sole mission is to ensure that the City of Beacon Municipality is receiving the full amount due under its cable franchise agreement..... Would like the City Administrator to look into this company and if it does not cost money, would like this service completed.

Complaints from constituents about disturbing noises and desires that our new "Noise Ordinance" will become effective to stop this noise. Family Dollar on Route 52 has someone sweeping their parking lot from 12:30am to 5:00am. This noise if very loud and is keeping the surrounding residents not able to sleep. Code enforcements needs to contact the owners and ask them to perform this work during the ordinance specifications.

Senior Citizens have contacted Council Casale during these tough times there is no major transportation. The rest of the County has dial-a-bus, I know this is a County program and most likely a fee. During this budget time, I would like to know what the fee would be so our Senior Citizens can have the opportunity to use the Dial-A-Bus. Council Thompson stated that the City of Beacon gave Martin Luther King money to get a van for the dollar a ride program for seniors and for the disabled.

Cameras on Main Street – Where is the City on this project? City Administrator stated that the company is coming back this week and by week's end should be able to give an idea of completion. Should be completed but will not know until the end of the week.

If a landlord is behind in their taxes, and they have a tenant, do we notify the property owner that their taxes are in the arrears? City Administrator stated that they were. Council Casale stated that there is an absentee landlord that has been in the arrears for five years and has never received a notice. If the City does not have a procedure on collecting taxes we should start a procedure.

Council Member Pasti

At the last City council workshop, City Council members and the public got our first look at the mayor's proposed budget. As we all know, this is going to be a very hard year for Beacon.

Since last week's meeting I've heard many suggestions from residents as to where budget cuts might take place so as not to disable the City and drive low-income residents from their homes. In addition, one resident suggested that there may be revenues to be found if the City's recycling center was able to receive and sell materials for which there is a market—like metal.

A senior resident suggested to me that if the city taxes could be paid on the 15th of the month rather than the 1st of the month, this could help seniors who rely for their income on pension and social security checks meet their tax obligations in a timely way. I understand from the City Administrator that this is a state requirement, but suggest that we speak with representatives at the state level to see whether this might be done.

I encourage residents to send in recommendations for how the city can save or earn money. I would also suggest that the City Council consider developing criteria by which we can evaluate the priority of city expenses when we examine the budget line-by-line. If we can agree on what we consider to be Beacon's most important priorities at this challenging time, then we can use these criteria to help guide us as we go through the budget and examine our city's expenses and decide which ones we must keep and which can be set aside and restored to the budget at a future time.

Here are the kinds of questions that might constitute criteria that we could use in our budget review:

1. Does this expense support an essential City service, including emergency services like Fire, Police and Ambulance, or highway and road maintenance?
2. Does this expense support an investment in the economic well-being of the City?
3. Does this expense provide critical services to individuals in our community who are in need?
4. Can funding to support this expense be raised through means other than taxation? For example, is this a service that could be considered a charitable service and supported through the donations of individuals, through government grants or through corporate or foundation sponsorships?

Council Member Fredericks – The Budget – Council Fredericks spend the better part of the weekend analyzing the proposed 2010 Mayors Budget. We the City of Beacon needs to cut cost. Council Casale and Thompson both agree to close one of the firehouses and so do I. We are counting on Beacon residents to share with this Council any suggestions where the City can cut cost. Our Police, Firefighters and DPW are all doing a fine job. Hopefully, the Mayor and Council Members would be willing to reduce their salaries. Beacon fiscal fiasco mirrors just about every other municipality nationwide this year. This too shall pass away and better ways are on the way. In the mean time Mayor, Council Members will go over the budget line for line to cut any increase. Please, as constituent please bring any suggestions to cut this budget so your taxes will not increase 14.5%

I do not like to bring politics to this table there was an article that was in the Beacon Free Press on October 21st, which I responded to on October 29, 2009 in the Beacon Free Press. I find it appalling that the head of the GOP when into Council Fredericks personal business. Let it be known that I was gainfully employed when I became a Council Member back in 2008, I did not have City Benefits until October 21st. Council Fredericks further stated she did not know that she as a Council Person was entitled to health benefits. Again, I resent the fact that the head of the GOP, dared put something like that in the newspaper of Council Fredericks personal life. I encourage all including the head of the GOP read the response on October 29th.

City Attorney: Richard Wolf

1. Consent judgments have been negotiated
2. Department of Justice is virtually complete.
3. Planning Board – Special Use Permits and other matters.
4. The FOIL have been reviewed with some substantial privacy concerns have been raised.
5. Reviewed some of the Taxi Cab Ordinance
6. Working with Staff with regards to Water Bills whether to rebate them or not.
7. Research for Council Casale on the Hiddenbrooke matter, which was forwarded to him.
8. Ongoing research on the tax abatement.

Mayor Steve K. Gold: Council Member Fredericks statement “this too shall pass” is a very true statement when it comes to the budget. There is a lot of interest in Beacon, which has been over the last couple of years, yet it surprises me, with the economic down fall on how many people called my office wanting to develop who would like to develop in Beacon. There have been restaurants that have opened up in 2009, where others have closed. When constituents approach the Mayor he receives many compliments regarding our Main Street and the interesting shops and great places to dine. The Budget we had last year the City of Beacon, which began the bad economic downturn which the City of Beacon had to use the General Fund to balance that budget, which turned out to be an 8% tax increase. And the years before that was 0% and before that it was 4%. In order to have only an 8% tax increase the City had to withdraw \$1,250,000.00 from the General Fund (savings account) unfortunately this is not a possibility this year.

The Sales Tax Revenue even though the City of Beacon tried their best to see what it would be for 2009 it was missed by 500,000. We were able to make up this money, with City Administrator going over all the accounts finding that the money was really there. So our 2009 budget should be what it was expected to be. So, not only did we miss less revenue of 500,00 in 2009 in sales tax revenue, we are anticipate not only losing 500,000 but losing additional 150,000 or more in 2010. So what the City had to make up from the very start 1,250,600. City Administrator Robson was able to explain on ways she was able to make up this revenue. What the City found after going back over accounts for several years that there was money that the State of New York owed the City of Beacon that they never paid. City Administrator stated that there was one particular project that they owed us 530,000 on. The other day there was another 160,000 that fits in that same category. We the City of Beacon are still running short. The City had slated five to six layoffs, we still have one person that is slated for this, and will talk to Council about this position and will be notifying this person this week. So the City went to four to five potential layoffs to one. In addition we also discussed about furloughs for twelve days for non-essential personal and that also was abolished.

There will be a Town Hall meeting to be held possibly the last week in December. The benefit of these meetings, the public has a better chance to exchange with the Council regarding their suggestions are with the Proposed 2010 Mayor's Budget.

Regarding the Dial a Ride I will reach out to the Martin Luther King Center, as they do have a program and they were waiting for the bus is fixed. If for some reason this bus cannot be fixed, Dial A Ride through Dutchess County will be notified.

The University Settlement Camp – Visited this camp over the weekend, and took this time to thank the DPW for all the work that has been done. Boarded up all the bungalows, took down the bungalows that were not safe. The colored boards match the shutters and the bungalows themselves. Thanks goes to the Digger Phelps family as they have donated some of the funds for the boards that went up. The Council will have a discussion on when the USC will be opened to the public.

Mayor Gold took the time to thank Toni Tracy, Financial Director.

CHECK LIST:

NEXT WORKSHOP: **November 7th**

NEXT COUNCIL MEETING: **November 14th.**

Executive Session to talk about Negotiations – Motion by Council Thompson, Seconded by Council Fredericks

Respectfully submitted,
Colleen Swift
Executive Assistant to Mayor Steve K. Gold

Date: January , 2009 Date Approved: