

Regular Meeting

The regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on May 3, 2010, was called to order beginning with the Pledge of Allegiance to the Flag. This was immediately followed by Mayor Gold's acknowledgement of the passing of Shawn Antalek. Council Member Casale offered some words to commemorate Mr. Antalek, a lifelong resident and longtime contributor to the city, particularly as a volunteer fireman and junior baseball coach. A moment of silence was observed.

Council Members Present:

Steve Gold, Mayor

Marlene Fredericks, Council Member – At Large

George Mansfield, Council Member – At Large

Jerry Landisi, Council Member – Ward One

Charles Kelly, Council Member – Ward Two

Randy Casale, Council Member – Ward Three

Sara Pasti, Council Member – Ward Four

Also Present:

Meredith Robson, City Administrator

Nicholas M. Ward-Willis, City Attorney

Addition to the Agenda:

Resolution to support the effort of keeping Stony Kill Farm Open. Motioned by Council Member Landisi, seconded by Council Member Kelly. **All in favor, motion passed.**

First Opportunity for Public Comments: Each speaker may have one opportunity to speak for up to four minutes on any subject matter.

Bob Schlegel – 99 Wilson Street. The house across the street from him (94 Wilson Street) has been written up numerous times for code violations with no action from the owner. According to the Building Department, taxes have gone unpaid for five years. Why hasn't this house been seized/auctioned? Are his water bills being paid?

Dennis Pavelock -34 Judson Street. Regarding fireworks, hopefully extra money can be raised so we can do a laser light show. It was ridiculous to make parents pay for their kid to play on bounce houses last year; that should not be repeated. Regarding the news of Shawn Antalek's passing, he will be sorely missed.

Betty DiPompo – 6 Pearce Place. The April 5 council meeting is only being televised at 2:00 in the afternoon, meaning that working people can't see it. Regarding recent automobile vandalism, the city's needs to address what she considers a growing gang problem. Lastly, she hopes that now that Lee Kyriacou is back in Beacon, he "will not come to Council."

John Gilvey – 162 Main Street. Regarding the Mayor's recent YNN.com interview: the MTA is not going to spend hundreds of millions on the Beacon waterfront, though they may stand to make lots of money. He doesn't know where the Mayor gets his figure of the TOD generating 600 permanent positions on the waterfront; he doesn't believe even Main Street has that many jobs.

Tom Baldino – 19 North Street. Once again, our area received an F for air quality. Dutchess County does very little to ameliorate this situation. The county executive is inclined to go ahead with an incinerator that pollutes the atmosphere; this needs to be shut down and replaced with more widespread recycling.

Nicole Ashey – 149 Main Street. She supports the Roundhouse project. She spoke of her organizational work with Electric Windows; the Roundhouse would similarly provide an anchor for the east end of town.

Chris Ruhe – 37 Dutchess Terrace. In Far Rockaway, huge landfills are being covered with more soil than usual, allowing forests to grow as opposed to simply grass. He's convinced the same can be done here.

Kathy Deutermann – 27 South Brett Street. Cablevision has not been automatically crediting customers for service lost in the winter storm; they're only crediting those who call and force the issue. Verizon automatically provided credit.

Regarding 23 West Center Street, formerly occupied by BCC: becoming a hangout after dark; she fears vandalism. The playground there is made of wood, but most playgrounds did away with wooden playground equipment because of the toxins.

Information in newspapers has been inadequate, particularly regarding the school budget and candidates. Since we award these papers official status, they make money from our legal notices and in return should provide the same level of coverage as other municipalities receive. Generally, the city needs to make better use of print media as not everyone uses the internet or watches Cablevision.

Public Hearings:

Proposed Local Law Regarding Parking for Proposed Development Projects within Proximity of the Train Station (adjourned from meetings of 4/5/2010 and 4/19/2010).

Mr. Ward Willis explained that the new draft is largely similar to previous drafts, but specified that it pertains specifically to uses with 25 spaces or more – thereby excluding smaller homes and businesses.

Marie Peloga, Hammond Plaza. She's worried about the seven-story building proposed in the TOD and its disruption to the viewshed. What happens to Main Street when all this new commercial property is built? Why wasn't anything said about this beforehand? There won't be enough room for the new traffic generated.

Lisa Gallina, Hammond Plaza. The council is not sufficiently communicating with the public regarding the TOD. This project will add drivers and traffic to the neighborhood. This project will have negative environmental, commercial and cultural impacts. Other greener, more progressive options exist.

Motion by Council Member Landisi to adjourn public hearing until the next council meeting; seconded by Council Member Mansfield. All voted in favor - public hearing adjourned to May 17, 2010.

Special Use Permit – Round House @ Beacon Falls for proposed use at 2 East Main Street and 10 Leonard Street, applied for by 10 Boulevard, LLC and 10 Leonard Street, LLC.

Aryeh Siegel, Developer. He described the plan for the site and offered its chief benefits: it follows the recommendations of the comprehensive plan, clean up an underutilized area and provide an anchor for the east end of Main Street.

Dennis Pavelock, 34 Judson Street. What's the giveback to Beacon residents with this project – something residents can go use, like a rec center, spa or gym? Joan Pagones (the supervisor in Fishkill) ensures that developers give something to the town before projects are approved.

Jim Korn, 19 South Brett Street. How will community ensure that this project preserves access to the creekside? Does it need to be zoned a certain way, or worded appropriately in the special use permit? He presented maps from ParcelAccess with a line indicating his proposal for a public walkway.

Nicole Ashe – 149 Main Street. This project will bring this section of town and its history back to life, with financial benefits for the rest of Main Street. It will also provide an official vantage point for the falls.

Pam Seegler – 64 Dinan Street. It doesn't seem like there's sufficient room for all these new cars that would come with the residential and commercial units; please be careful in looking at the parking and traffic flow.

Noah Rosaler – 276 Fishkill Avenue. Great project, but what will the traffic flow and parking look like?

Aryeh Siegel, Developer. All parking for the project is onsite. Some of the traffic consultant's recommendations are already included in the plan.

Mayor Gold stated that the Council wanted to establish as much public access as possible on both sides of the creek; this is harder to accomplish on the Main Street side. This would be memorialized via language in the special use permit, guaranteeing access to a certain extent. **Council Member Casale** stated that it's a good project, creating an anchor for that end of Main Street. The traffic problems can be mitigated; he'd like to see residential traffic directed through the commercial side so that cars exit there, rather than Leonard Street. Other council members mentioned possible strategies; Mayor Gold indicated that these would be discussed further at workshop.

Dennis Pavelock – 34 Judson Street. This building is in worse shape than the Tuck-Tape buildings that were demolished, so it seems that discrimination is taking place here.

Kathy Deutermann – 27 South Brett Street. The public would feel more comfortable about access and a view of the falls if they could see something concrete before this is finalized. Leonard Street features two churches with parking lots on Leonard Street, so there's extra traffic from weddings and church services. This could combine with new commercial traffic from the project to create excessive volume for the area. The daycare center in the area is also sensitive to dangerous traffic. Lastly, does this project get the tax breaks of the Empire Zone? To this last point, **the developer** indicated that part of it is in the Empire Zone (the Roundhouse side).

Dennis Vetrano - 492 Main Street. Thrilled, as a business owner in that area, to see these buildings restored and that the city and developers are acting with open minds to bring more business to this section of Main Street.

John Gilvey – 162 Main Street. It's been a long time coming and looks like a great project. He encourages the council to work with the developer to make this happen.

Michael Benzer -71 Maple Street. Happy to see that there are local businesses working with the developer. He hopes the MTA would be similarly generous in the TOD project.

Motion by Council Member Pasti, seconded by Council Member Kelly to adjourn public hearing until May 17. All voted in favor.

Mayor's Proclamation of May 3, 2010 as Dennis Pavelock Day in recognition of his work with the Concerned Citizens of Beacon and various other community endeavors.

Administrator's Report

1. She and the police chief will be discussing with the school superintendent the possibility of sharing a school resource officer with the city.
 2. There is a lengthy time period of review on NYSERDA's end, so the process will move slowly once the Council votes on the solar panel project.
 3. Leak detection grant for water line monitors is going well, though it's taking a lot of staff time. They're about a third of the way through the installation.
 4. The city will be applying for a newly-announced grant for a fire pumper. Other items may be added, as is permitted for this grant.
 5. 94 Wilson Street is on a list of delinquent properties to be addressed by the city.
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Announcements

There will be a Mayor's Roundtable Discussion. This is a comprehensive meeting encompassing all city departments, boards, commissions and planners. The subject will be development plans in Beacon, with various city organizations given an opportunity to discuss how these developments will impact them. The proposed date is May 24, the open council date as May has five Mondays.

Council Members' Activity Reports

Council Member Landisi, Ward One – featured below the minutes.

Council Member Kelly, Ward Two

1. Met with constituent regarding potential city codes pertaining to tires stored on auto repair shop in her neighborhood; the constituent fears they will become a breeding ground for mosquitoes He commends Dave Buckley for his quick response, but there is no code preventing the shop from storing these tires.
2. Met with a representative from the DEC regarding keeping Stony Kill Farm open. They see Stony Kill's mission as crop farming rather than raising animals. Council Member Kelly fears that a temporary closure would become in fact a permanent closure. Given New York's history as a dairy state, this would be unfortunate. He thinks there's still time to turn this around; DEC is rational and open-minded on this matter.
3. The Dog Parade was great; events like this enhance Beacon's image as a receptive community.

Council Member Mansfield, At Large

1. The Visitor's Center is progressing. The foundation is finished. Completion by the end of June is expected. Local 5 Bricklayers and Allied Craftworkers dispatched 9 workers who spent two days laying the foundation for free - thanks to them and especially Beacon's Pat Kerr. Central Construction donated three days of excavation work.
2. Attended the baseball and soccer openings as well as the Dog Parade.
3. Attended stormwater management seminar at Clearwater's headquarters at University Settlement Camp; their renovations have added several generations of life to that building.
4. Attended farewell brunch for Dennis Pavelock. He's contributed so much to our community.

Council Member Fredericks, At Large

1. Commends the Beacon Chamber of Commerce for their great job with the annual Bachelor Auction. This was to benefit the Vassar Brothers Hospital Pediatric Cancer Unit.
2. Viewed the Dog Parade from the sidelines – a very busy day for Beacon.

3. A resident reported that excessive speed is being used by cars on Goodrich Street and Duncan Street; apparently a small child on Goodrich was almost hit by a car. The residents would like "Children At Play" signs to be erected.
4. A well-known and loved resident asked again about getting swings for older children at Riverfront Park. Can we look into this again?
5. A happy 91st birthday to Pete Seeger.
6. Regarding the TOD: neither the council nor the mayor are trying to keep anything from the public. Where does this idea come from? The last public meeting was well-advertised. We are thinking of 120 square feet of commercial space and 40 feet of retail.

Council Member Casale, Ward Three

1. The lights on Main Street, referred to in earlier meetings, are still out. Central Hudson needs to respond more promptly to needs.
2. We need to find a way to continue to pick up brush; a constituent complained about pickup ending. Rainy days should free up some workers to do this. Also, people who need to do community service should be utilized for this. **Mayor Gold** indicated that plans were underway to do additional pickup; residents may be provided a number to call to initiate targeted pickups. **Council Member Casale** also suggested closing the recycling center one day a week and using those personnel for pickup.
3. A constituent mentioned that he wants to recycle electronic products, but the county's five days for electronic recycling all take place in the northern part of the county. Can we run a drop-off in Beacon at our own site? Can we petition the county legislature to hold a recycling day down in this section of the county?
4. A constituent complained that agendas and minutes haven't been available on the website; **Mayor Gold** indicated that his executive assistant has been on medical leave and he would identify someone else who could perform those tasks.
5. Regarding the house on Wilson Street: the city's nuisance ordinance provides several avenues through which to address this problem property. Along the lines of what Council Member Mansfield mentioned, can noise be added to this, so that repeat noise offenders can be addressed through the nuisance ordinance?
6. Thanks to Meredith for getting us a printout of the budget this week.

Council Member Pasti, Ward Four

1. People in her ward have volunteered to help with their trucks and manpower to assist with brush pickup.
2. A constituent reported several unlicensed (sic) cars parked in the street, raising questions as to whether this is legal – she reports that the code allows unlicensed cars in driveways or on property if a permit is obtained and a fee paid.
3. Thank you to Dennis Pavelock for playing an important role in the community.
4. Spoke with some Main Street merchants regarding the TOD; they brought up the former county-run trolley as a means of connecting the TOD with Main Street. Some of the merchants are eager to see this trolley reinstated before the TOD is completed. They would be interested in working with the city to develop a business plan and move this along.

Mayor's Response to Public Comments

As mayor, it is my responsibility to advance ideas for the council's consideration. Putting forth information, ideas and zoning for debate does not indicate an opinion, but rather an obligation. These are in fact the same ideas put forth by the MTA and my predecessor as Mayor. It is slanderous to say that I am "on the side of the MTA", and I take exception to it.

Mayor's Activity Report – featured below the minutes.

New Business - Resolutions

Resolution 62 of 2010: Set Public Hearing for Monday, May 17th to consider a Proposed Local Law to amend Chapter 134 (Historic Preservation) of the Beacon City Code with respect to permitted uses.

Motion by Council Member Fredericks, seconded by Council Member Pasti.

All voted in favor. Motion passed.

Resolution 63 of 2010: Set Public Hearing for Monday, May 17th to consider a Proposed Local Law to amend Chapter 134-14 of the Beacon City Code to add to the Historic District and Landmark Overlay Zone the real property located at 211 Fishkill Avenue, identified on city tax maps as 6054-21-065896.

Motion by Council Member Pasti, seconded by Council Member Landisi.

All voted in favor. Motion passed.

Resolution 64 of 2010: Set Public Hearing for Monday, May 17th to consider a Proposed Local Law to amend Chapter 200 of the Beacon City Code regarding taxicabs.

Motion by Council Member Fredericks, seconded by Council Member Mansfield.

All voted in favor. Motion passed.

Resolution 65 of 2010: Set Public Hearing for Monday, May 17th to consider a Proposed Local Law to amend Chapter 163 of the Beacon City Code regarding peddling and solicitation.

Motion by Council Member Landisi, seconded by Council Member Mansfield.

Discussion: Council Member Casale asked if this would be a good opportunity to address the proximity issue with vendors peddling too close to like businesses; **Ms. Robson and Mr. Ward-Willis** confirmed that language was in place in the new amendment to accomplish this.

All voted in favor. Motion passed.

Resolution 66 of 2010: Set Public Hearing for Monday, May 17th to consider a Proposed Local Law to amend Chapter 119 of the Beacon City Code regarding inspection fees.

Motion by Council Member Pasti, seconded by Council Member Mansfield.

All voted in favor. Motion passed.

Resolution 67 of 2010: Consideration of the resolution in support of pension reporting requirements.

Motion by Council Member Landisi, seconded by Council Member Kelly.

Discussion: Mr. Ward-Willis confirmed that an amendment was necessary to add the name, days of the week, term (at will), days to be worked in a month (20) and that the administrator is not part of the record-keeping system.

Amendment motioned by Council Member Fredericks, seconded by Council Member Kelly. **All voted in favor. Amendment passed.**

All voted in favor. Motion passed as amended.

Resolution 68 of 2010: Consideration of the resolution to award of solar panel bid.

Motion by Council Member Kelly, seconded by Council Member Pasti.

Discussion: Council Member Mansfield asked if there were any costs expected in modifying the building to ensure its readiness for the panel installation; **Ms. Robson** said that funds has been set aside for a structural engineer to examine this issue and that no further costs were anticipated.

Voting in favor: Fredericks, Gold, Kelly, Landisi, Mansfield, Pasti. **Voting against:** Casale, Landisi. **Motion passed, 5-2.**

Council Member Casale indicated that his No vote was based on the fund balance – he is not against solar panels; **Council Member Landisi** concurred. **Council Member Casale** inquired about the length of warranty; **Ms. Robson** and **Mr. Mansfield** stated that it's a 25-year warranty (on the modules themselves) with an expected life more like 35 years.

Announcements

Grievance Day for the City of Beacon is the fourth Wednesday of May, 5/26/2010.

Annual City-Wide Yard Sale will be held on Saturday, June 5. Register with Mark Price, Recreation Director; applications are in Building Department.

Fireworks Celebration will be Saturday, July 3 at Memorial Field. Funds are still being raised.

Public Comments: Each speaker may have one opportunity to speak up to **five** minutes on any subject matter.

Tom Baldino, 19 North Street. Provided some history on Pete Seeger and the Beacon Sloop Club's early days.

Tom DiCastro, 8 Duncan Street. The railroad crossings at East Main and Churchill street are in terrible condition; perhaps the city can contact the railroad owners and get them repaired (like in Glenham). Regarding litter on Matteawan Road, perhaps the city can ask the state to provide workers from Beacon Correctional Facility for cleanup, since they're in close proximity.

Next Workshop: May 10, 2010

Next Council Meeting: May 17, 2010.

Mayor's Roundtable: May 24, 2010

Executive Session

Mayor Gold indicated that the Council would now enter executive session to discuss litigation; afterwards the Council would return simply to adjourn the meeting.

Motion by unknown Council Member to go into executive session; seconded by Council Member Pasti. All voted in favor.

Adjournment

Not included in video footage.

Respectfully submitted,

Brian D. Kelly

Interim Executive Assistant to Mayor Steve K. Gold