

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on October 7, 2019. Please note that the video recording of this meeting is available at <https://vimeo.com/365258404>

Council Members Present:

Lee Kyriacou, At Large
George Mansfield, At Large
Terry Nelson, Ward One
John Rembert, Ward Two
Jodi McCredo, Ward Three
Amber Grant, Ward Four
Randy Casale, Mayor

Council Members Absent:**Also Present:**

Anthony Ruggiero, City Administrator
Nick Ward-Willis, City Attorney

A moment of silence was observed for those who serve and have served in the US military.

First Opportunity for Public Comments: Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight.

Theresa Kraft

Ms. Kraft spoke about the building moratorium. She said that four-story buildings and fourth floor setbacks should not be allowed in the City of Beacon. The Boutique hotel is lit up like a skyscraper and it abuts residential neighborhoods. The proposed development at 23-28 Creek Drive has variances which were not passed with unanimous votes. The project was also met with opposition by Beacon residents. She spoke about the dedicated work of the entire community to turn Beacon around.

Anna West

Ms. West said that something needs to be done about the Air BnB's in Beacon. Her neighbor at 59 Dutchess Terrace has an Air BnB and it is ridiculous. She does not feel safe.

Stosh Yankowski

Mr. Yankowski urged those who live on Howland Avenue to contact the City to request a radiation background check before Verizon implements its cellular facility in the area. Radiation is harmful no matter what the FCC says.

He said he is not colluding with Theresa Kraft. Stop allowing four-floor buildings, starting with Main Street. The Creek Drive project may be presented by a developer who is a friend of the Council's, but do not allow it.

Budget Presentation

Mayor Casale

The Mayor introduced the 2020 proposed budget with a brief message which can be found at the end of these minutes.

Anthony Ruggiero, City Administrator

The City Administrator took the public through a presentation highlighting some points throughout the proposed 2020 budget. The presentation can be found at think link:

<http://agenda.cityofbeacon.org/MeetingView.aspx?MeetingID=494&MinutesMeetingID=393&doctype=Agenda>

Additional, more specific budget presentations will take place at the next several workshops and a Public Hearing will take place on November 18th.

There is a decrease in the cost of workers compensation for the City. Health insurance costs have increased. Recycling disposal has increased. The solar farm has been a bright spot, offsetting some of the electricity costs for City Hall and the LED street lights. Three firefighters have been added thanks to a SAFER grant. An additional police officer will work on Main Street. A full-time human resources official will be added. The Deputy City Clerk will become full time. The Climate Smart Communities Coordinator will be in the budget for next year. There will be \$20,000 for the Workforce Investment Board. Dial-A-Ride will be added. The Free Loop Bus will continue. There will be no rate increase for the Water and Sewer Fund. The City is at the tax cap rate. The overall assessed homestead and non-homestead value increased. The non-homestead tax rate is decreasing for the fifth consecutive year. The homestead tax rate is decreasing for the fourth consecutive years. For a \$300,000 homestead property the tax would be \$2,309.90 which would be about a \$65 increase. A copy of the budget will be available in the library and a pdf will be available on the City's website.

Public Hearing:**Public Hearing for a Special Use Permit Application for 305 Main Street**

Theresa Kraft

Ms. Kraft was concerned that the bar is in close proximity to the Howland Public Library, it is however compliant with regulations. The theme and signage look very low-key, she would like to see this go forward.

Anna West

Ms. West asked about the parking for this establishment. Does the applicant still need to have three dedicated parking spots? She said that the handicap parking is not located correctly. Further, there should be ten-minute parking near the library.

Stosh Yankowski

Mr. Yankowski said that he is in favor of this project. It is good to have variety. The parking could be a problem but not a big one.

Brad Will of Ashokan Architecture and his client Doug Ballinger

Mr. Will spoke about the site plan. He mentioned that there will be no outdoor music and there will be low lighting. They expect 14 - 19 vehicles at maximum capacity.

Council Person Rembert

Mr. Rembert asked how many jobs this business will create.

Doug Ballinger

5 – 8 people will be employed at any one time.

Mayor Casale

The Mayor asked if the applicant could receive deliveries in the morning. The applicant agreed to have morning deliveries.

John Clark, City Planner

Mr. Clark mentioned that there is a possibility for receiving deliveries in the rear of the building. He also said that it would be helpful if the applicant conducted a proper parking survey.

Council Person Kyriacou

Mr. Kyriacou asked the City Attorney for counsel regarding parking requirements for this special use permit.

Nick Ward-Willis

There is not adequate onsite parking but there is adequate parking offsite and that would satisfy the criteria for a special use permit in the CMS.

- Motion to Close Public Hearing
- Motion by Council Person Grant
- Second by Council Person Rembert
- Motion Passes 7 - 0

Public Hearing Resuming from August 19, 2019 Regarding 248 Tioronda Avenue

Nick Ward Willis said that the City Council adjourned the Public Hearing from August 19, 2019 to give the applicant time to receive the jurisdictional determination from the Army Corps of Engineers regarding the wetlands delineation.

Theresa Kraft

Ms. Kraft said that she is concerned about what the extensive buildout may dig up.

Mayor Casale

The Mayor said that if the applicant adds four additional units as has been discussed in the past, he would like those units to be workforce affordable.

- Motion to Adjourn the Public Hearing to October 21, 2019
- Motion by Council Person Grant
- Second by Council Person McCredo
- Motion Passes 7 - 0

Public Hearing to Discuss a Proposed Local Law to Amend Chapter 149, Article II of the Code of the City of Beacon Regarding Nuisance

Nick Ward-Willis, City Attorney

Mr. Ward-Willis reintroduced the Council to the Nuisance Policy. He said Beacon's Nuisance Policy is similar to that of another municipality's policy. The other municipality's policy was found to be unconstitutional. Therefore, Beacon is updating their own policy to bring it in line with federal law.

Stosh Yankowski

Mr. Yankowski asked the City Attorney how violations of building codes affect the owners of said buildings.

Nick Ward-Willis

There has to be a correlation between the conduct being complained about and an actual public nuisance. Violations can occur for the interior or exterior of a building.

Amber Grant

Ms. Grant asked why marijuana was listed separately.

Anthony Ruggiero

Mr. Ruggiero said that marijuana is listed separately because it is treated differently in the penal code.

Nick Ward-Willis

Mr. Ward-Willis said that they would get a more detailed answer to the Council before they are to vote on it.

- Motion to Close Public Hearing
- Motion by Council Person Grant
- Second by Council Person Nelson
- Motion Passes 7 - 0

Speakers:

Council Reports

Terry Nelson

Mr. Nelson congratulated Beacon resident Ed Benavente on the Dutchess County Arts Award that he received.

Council Person Jodi McCredo

Ms. McCredo said that she is working with a local attorney to write a resolution to make marijuana enforcement the lowest enforcement priority for City of Beacon Police Officers.

Ms. McCredo said that she is interested in bringing municipal broadband to Beacon. She would like to partner with the school district so students can have internet at home. If anyone is interested please email her at jmccredo@cityofbeacon.org

Council Person Mansfield

Mr. Mansfield thanked and congratulated Ed Benavente for his work in the community, his generous spirit and his award from Dutchess County.

Council Person Kyriacou

Mr. Kyriacou said he is glad to see everyone at the Council meeting.

Council Person Rembert

Mr. Rembert said that the voter registration deadline is Friday.

He wants to talk about handicap parking at the next workshop, particularly on Main Street.

Council Person Grant

Ms. Grant would like to discuss the marijuana resolution mentioned by Council Person McCredo.

There is a renter's rights forum taking place in Newburgh on October 16th at Kaplan Hall on the SUNY Orange campus.

She asked about the status of a mailing to landlords that she recommended the City send out to inform them of the new rent laws.

Anthony Ruggiero, City Attorney

Mr. Ruggiero said that the City Attorney has written a draft of the letter which someone at the county level is currently reviewing.

She would like Beacon to explore participating in Hope Not Handcuffs to help individuals with dependency on drugs and alcohol.

Mayor Casale

Mayor Casale thanked Gwenno James and all of the organizers of the Spirit of Beacon Day. The festival exemplified Beacon's diversity and unity.

He congratulated Ed Benavente on his award, saying Mr. Benavente has been a godsend to the community.

Anthony Ruggiero.

Mr. Ruggiero spoke about the CDBG grant for the walkway on Wilkes Street. The contractor has requested night construction in order to minimize inconvenience for residents. The Water Department is in the process of asking the residents in the neighborhood for their opinions on the matter.

He spoke about the Phillips Street construction, saying that there was a request for Saturday construction. The City has granted this request for Saturday, October 12, in order to complete the project before the winter.

Mr. Ruggiero announced that Beacon has enacted Stage 1 of the City's Drought Alert.

Resolutions, Ordinances and Local Laws:

1. A Resolution Approving the Promotion of George Joseph to Water and Sewer Maintenance Mechanic

- Motion by Council Person Grant
- Second by Council Person Nelson

- Resolution passes 7 - 0

2. A Resolution Approving Hiring a Part-Time Employee in the Transfer Station

- Motion by Council Person Rembert
- Second by Council Person McCredo
- Resolution passes 7 - 0

3. A Resolution to Enter into an Agreement with New Windsor Treatment, LLC

Nick Ward-Willis

This agreement is an expansion of an agreement from 2008 which allows New Windsor Treatment Plant to pre-pay for a certain amount of waste for budgeting purposes. It also allows for convenient delivery times. Additionally, this expands upon the increase of fees the city will collect and it increases the insurance and indemnification protection for the city.

- Motion by Council Person Grant
- Second by Council Person Rembert
- Resolution passes 7 - 0

4. A Resolution Setting a Public Hearing to Discuss the Submission of the Fiscal Year 2020 Dutchess County Community Development Block Grant Program Application for Construction of a Walkway in Memorial Park Along Wilkes Street for October 21, 2019

- Motion by Council Person Mansfield
- Second by Council Person Rembert
- Resolution Passes 7 - 0

5. A Resolution Setting a Public Hearing to Discuss a Local Law to Amend Chapter 149 and Chapter 224, Section 29 of the Code of the City of Beacon Regarding the Noise Ordinance for October 21, 2019

- Motion by Council Person Grant
- Second by Council Person Nelson
- Resolution passes 7 - 0

6. Resolution Setting a Public Hearing to Discuss a Proposed Local Law to Amend Chapter 223, Article III, Section 7 of the Code of the City of Beacon Regarding Conformity Required for Land Use Approvals for October 21, 2019

- Motion by Council Person McCredo
- Second by Council Person Grant
- Resolution passes 7 - 0

7. Resolution Setting a Public Hearing to Discuss a Special Use Permit for 23-28 Creek Drive, LLC for November 4, 2019

- Motion by Council Person Nelson
- Second by Council Person McCredo
- Resolution passes 7 - 0

Approval of Minutes

Motion to approve council minutes from September 16, 2019

- Motion by Council Person McCredo
- Second by Council Person Mansfield
- Motion passes 7-0

Council Person Grant asked for an amendment to the Minutes, she said that she was speaking of the noise ordinance, not the nuisance policy at the September 16th meeting.

Second Opportunity for Public Comments: Each speaker may have one opportunity to speak for up to three minutes on any subject matter on which the Council can take action.

Speakers:

No speakers

Adjournment:

- Motion by Council Person Rembert
- Second by Council Person Grant
- Motion passes 7-0

Next Workshop: October 15, 2019

Next Meeting: October 21, 2019

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www.cityofbeacon.org

October 7, 2019

Before I introduce my 2020 Budget, I would like to thank the City Administrator, Anthony Ruggiero, M.P.A; our Finance Director, Susan Tucker, CPA. and all our Department Heads for the work they have done on this budget.

This is the 6th year in a row that we have received a “no designation” classification from the NYS Comptroller’s Office with a score of 5%. We have an Aa2 Moody’s bond rating. This shows our tax dollars are being managed thoughtfully and responsibly.

This is the 7th straight year we were able to stay under the 2% tax cap while continuing to provide the services that keep our city safe, invest in our infrastructure and improve the quality of life for our citizens.

In this year’s budget our homestead tax rate shows a decrease of -6.7219% and the non-homestead rate dropped -2.9146%.

This year our water and sewer rates will show no rate increases. These funds are healthy and the City will continue to make up-grades to both facilities and our aging infrastructure.

I will look forward to working together with the City Council as we discuss the finer points and details of the 2020 Budget at our upcoming workshops. Workshops will be held on October 15th, October 28th and November 12th at 7:00 p.m. with department heads present. The public hearing is proposed to be scheduled for November 18, 2019 at 7:00 p.m.
