

- **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868
- **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120
- **New York City Office**
505 Park Avenue
New York, NY 10022
Phone 646.794.5747

MEMORANDUM

TO: Mayor Lee Kyriacou and Beacon City Council Members

FROM: Keane & Beane, P.C.

RE: The View - Dedication of Lighting System

DATED: April 27, 2020

Dedication of Lighting System

During the negotiation of the Pedestrian Walkway Easement in 2017, the City Council and the developer agreed that the developer will pay for the capital costs of the lighting system for the walkway and will offer the lighting system for dedication to the City after installation, whereupon the City's acceptance of the lighting system will not be unreasonably withheld. The recorded Pedestrian Walkway Easement includes an easement to allow the City access to maintain, repair and replace the lighting fixtures. The City accepted the Easement in September, 2019, but at that time declined to accept the offer of dedication of the lighting system as the trail was not ready to be opened to the public.

The developer submitted an Irrevocable Offer of Dedication and a Bill of Sale for the lighting system. The City Building Inspector confirmed that the lighting system has been installed properly. It is recommended that the City's acceptance of the lighting system should be conditioned upon (1) the developer providing a one year maintenance guaranty in an amount to be approved by the City Engineer and/or City Building Inspector, and (2) payment of any and all outstanding escrow monies due and owing to the City of Beacon for professional review fees.

If the City Council wishes to accept dedication of the lighting system, a resolution to that effect will be prepared for the next available regular City Council meeting.