



CITY OF BEACON, NEW YORK
ONE MUNICIPAL PLAZA
BEACON, NY 12508

Mayor Randy Casale
Councilman Lee Kyriacou, At Large
Councilman George Mansfield, At Large
Councilwoman Peggy Ross, Ward 1
Councilman Omar Harper, Ward 2
Councilwoman Pam Wetherbee, Ward 3
Councilman Ali Muhammad, Ward 4
City Administrator Anthony Ruggiero

City Council Workshop Agenda
June 26, 2017
7:00 PM

Workshop Agenda Items:

1. Memorial Park Tennis Courts - Softball and Skateboarding
2. Acceptance of Dedication of a Portion of Judson Street
3. Kristy Drive Drainage Replacement
4. Chapter 191 Discussion
5. Milling and Paving Presentation

**City of Beacon Workshop Agenda
6/26/2017**

Title:

Memorial Park Tennis Courts - Softball and Skateboarding

Subject:

Background:

City of Beacon Workshop Agenda
6/26/2017

Title:

Acceptance of Dedication of a Portion of Judson Street

Subject:

Background:

ATTACHMENTS:

Description	Type
Judson Street Docs	Backup Material

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS
(INDIVIDUAL OR CORPORATION) FORM 8007

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR
SELLER AND PURCHASER BEFORE SIGNING.

THIS INDENTURE, made this 15 day of May, 2017,

between

PROSPECT REALTY SYNDICATE INC., having a place of business at 1100 Route 9, Fishkill, New
York 12524

party of the first part, and

CITY OF BEACON, a municipal corporation, having an address of One Municipal Plaza, Beacon, New
York 12508

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and No Cents
(\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and
release unto the party of the second part, the heirs or successors and assigns of the party of the second
part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon
erected, situate, lying and being in the City of Beacon, County of Dutchess and State of New York, being
more particularly described in Schedule "A" annexed hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any
streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in
and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the
heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, covenants that the party of the first part has not done or suffered
anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the
party of the first part will receive the consideration for this conveyance and will hold the right to receive
such consideration as a trust fund to be applied first for the purpose of paying the cost of the
improvement and will apply the same first to the payment of the cost of the improvement before using
any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so
requires.


IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year
first above written.

PROSPECT REALTY SYNDICATE INC.

By:

Name:

Title:


ARTHUR DIODONIDIS
PRESIDENT

)

) SS.:

5

(signature and office of individual taking acknowledgment)

[illegible]

SCHEDULE "A"

DESCRIPTION
AREA OF DEDICATION
LANDS OF PROSPECT REALTY SYNDICATE, INC.
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

All that certain plot, piece, or parcel of land situate in the City of Beacon, County of Dutchess, State of New York, said lands begin shown as an area to be dedicated to the City of Beacon for road purposes on a map entitled "Subdivision Plat Prepared for Karn Management Corp., Situate in the City of Beacon, Dutchess County, New York", dated June 11, 1987, prepared by Dennis E. Walden, LS, said lands being more particularly bounded and described as follows:

BEGINNING at a point being the southwesterly corner of lands herein described, said point lying at the intersection of the easterly line of Wolcott Avenue with the northwesterly line of Judson Street;

THENCE running along the easterly line of said Wolcott Avenue, being the westerly line of lands herein described,

- (1) North 01 degrees, 06' 10" West, as per Filed Map No. 8158, a distance of 57.36 feet, to a point lying on the southerly line of Lot 1, as shown on the previously mentioned map;

THENCE running along the southerly line of said Lot 1, being the northerly line of lands herein described,

- (2) On a curve to the left, having a radius of 25.00 feet, an arc length of 57.99 feet, as defined by the chord South 67 degrees, 33' 05" East, 45.84 feet, to a point being the northeasterly corner of lands herein described and lying on the northwesterly line of Judson Street;

THENCE running along the northwesterly line of said Judson Street, being the southeasterly line of lands herein described,

- (3) South 46 degrees, 00' 00" West, a distance of 57.36 feet, to the point or place of BEGINNING;

Containing 0.016 ± acres.

Premises herein described being a portion of Tax Map Lot No. 223470, in Block 13, within Section 6054, as shown on the Tax Maps of the City of Beacon, Dutchess County, New York, dated 2015.

Premises herein described being a portion of the same premises as described in Instrument No. 21999-09238, as filed in the Dutchess County Clerk's Office.

Premises herein described being subject to any easements, rights-of-way, covenants or restrictions of record.

OFFER OF DEDICATION FOR LAND USED FOR JUDSON STREET

WHEREAS, pursuant to Filed Map #8158 dated June 11, 1987, certain property located at 796 Wolcott Avenue was to be dedicated by Karn Management Corp. to the City of Beacon for the realignment of Judson Street; and

WHEREAS, there is no record of the City accepting the offer of dedication and Judson Street was nevertheless realigned and now encroaches upon a portion of 796 Wolcott Avenue; and

WHEREAS, the City must acquire ownership rights to the portion of 796 Wolcott Avenue encroached upon by Judson Street (the "Property") so that Judson Street can continue to operate as a City road; and

WHEREAS, the current owner of 796 Wolcott Avenue, Prospect Park Realty Syndicate, Inc. has executed a deed and supporting documents transferring the Property to the City; and

WHEREAS, the City Council after due consideration, has determined that the City should accept the offer of dedication of the Property.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon City Council, in accordance with Article 8 of the State Environmental Conservation Law and 6NYCRR Part 617 and upon review of the EAF and all other materials prepared for this unlisted action, hereby adopts the attached Negative Declaration; and

BE IT FURTHER RESOLVED, that the Mayor or City Administrator are authorized to accept the offer of dedication of the Property and the Mayor or City Administrator are authorized to sign any and all documents necessary to implement this Resolution.

The undersigned, owner of the property herein, states that he is familiar with the map, its contents, legends, and scale and hereby certifies to all said items and conditions as stated herein and to the filing of this map.

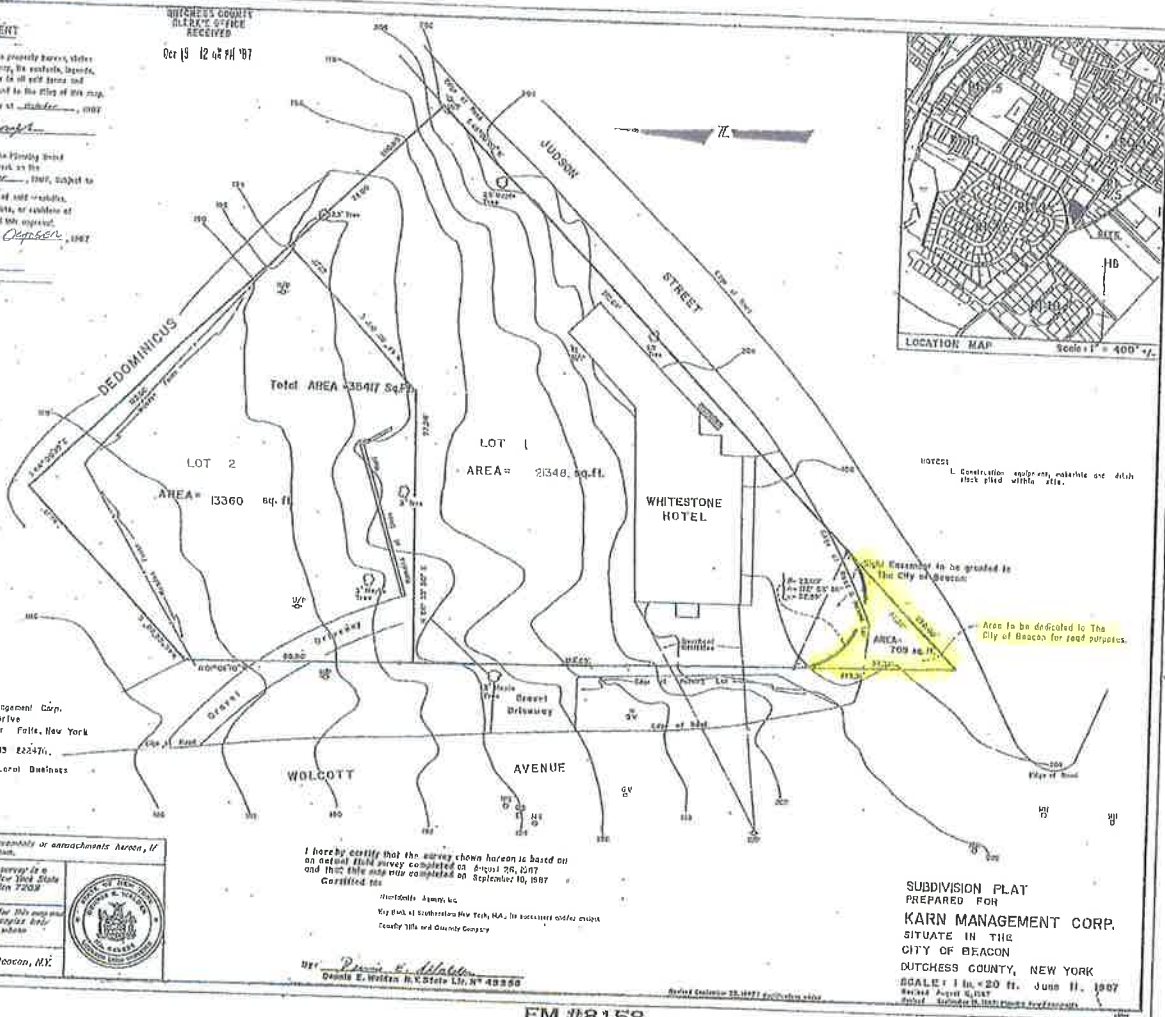
Subscribed and sworn to before me at _____, this _____ day of _____, 1907.

John G. Clark
Approved by a resolution of the Housing Board
of the City of Boston, New York on the
2nd day of October, 1967, subject to
all requirements and conditions of said contract,
his change, measure, or modification, or addition to
the plan on approval, that was duly approved.
Signed this 1st day of October, 1967

[Signature]

QUINCY COUNTY
CLERK'S OFFICE
RECEIVED
Oct 19 12 48 PM '87

Oct 19 12 48 PM '87



FOREST
L Construction equipment, materials and delays
stock piled within area.

Area to be dedicated to The City of Beacon for food purposes.

SITE DATA:

Owner/Subdividers Kern Management Corp.
9 Ada Drive
Wappinger Falls, New York

Tax Map Designation: 0064 13 222476.

Zoning Designation: LB - Local Business

The results of underground investigations or attachments hereto, if any exist, are not verified as shown.

Any alteration or addition to this survey is a violation of Section 7209 of the New York State Election Law, subject as per Section 7208 Sub-Article 2.

All qualifications herein are valid for this area and region thereof only. It sold into or region here. It impressed fact of the vintage when it appears again.

Dennis E. Welden - 9 Miller St. Beacon, N.Y.

I hereby certify that the survey shown hereon is based on an actual field survey completed on August 26, 1987 and that this map was completed on September 10, 1987.

Certified to:

Wardrobe Agency, Inc.
 1000 1st St. N. E. Atlanta, GA 30309
 Tel: 404/525-1111

Dr. David E. Walden
David E. Walden, M.D. State Ltr. No. 48350

SUBDIVISION PLAT
PREPARED FOR
KARN MANAGEMENT CORP.
SITUATE IN THE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
SCALE: 1 in. = 20 ft. June 11, 1987

[illegible]

FM #8158
FILED 10/19/1987

**City of Beacon Workshop Agenda
6/26/2017**

Title:

Kristy Drive Drainage Replacement

Subject:

Background:

ATTACHMENTS:

Description	Type
Kristy Drive Drainage Memo	Cover Memo/Letter
Res. Kristy Drive Drainage	Resolution

LANC & TULLY
ENGINEERING AND SURVEYING, P.C.

John J. O'Rourke, P.E., Principal
David E. Higgins, P.E., Principal

John D. Russo, P.E., Principal
John Queenan, P.E., Principal
Rodney C. Knowlton, L.S., Principal

John Lane, P.E., L.S.
Arthur R. Tully, P.E.

June 19, 2017

Mr. Anthony Ruggiero
City Administrator
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

RE: Kristy Drive Cul-de-sac
Drainage Replacement
City of Beacon
Award Recommendation

Dear Mr. Ruggiero:

A total of three (3) bid proposals were submitted and opened on June 19th, 2017 for the **Kristy Drive Cul-de-sac Drainage Replacement** project. The project entails the replacement of a deteriorated 36" corrugated metal pipe with a new 36" HDPE pipe, at a depth along the line ranging from 16 feet to 8 feet along more than 50% of the run. The three proposals were carefully reviewed; all multiplication between estimated quantities and unit prices checked; and addition of total prices checked against the total contract amount. All proposals submitted were complete.

The following tabulation shows the order from lowest bidder, the name of the bidder, and the total contract amount. The engineer's estimate for the storm drainage replacement was approximately \$75,000.00, given the extreme depths of the line.

NAME OF BIDDER	TOTAL CONTRACT AMOUNT
B&K Excavation, Inc. Pleasant Valley, NY	\$70,773.00
Nicky Diggs Excavation Katonah, NY	\$73,433.50
Sun Up Enterprises, Inc. Wappingers Falls, NY	\$123,378.00

The lowest bidder is B&K Excavation, Inc., with the total base bid amount of \$70,773.00. B&K Excavation has submitted information related to several projects in which they have completed the work as outlined within the proposed project. References supplied were called and checked to verify the work completed by the prospective low bidder, and were found to be acceptable. In our opinion, B&K Excavation should be considered the lowest responsible bidder based upon the submitted information and Chapter 53 of the City Code. Along with the bid, the contractor has submitted a Non-Collusive Bidding Certificate, and a Bid Bond.

It is our recommendation to the City Council to award the ***Kristy Drive Cul-de-sac Drainage Replacement*** project to B&K Excavation, Inc.

If you have any questions, or need any further information, please do not hesitate to contact our office.

Very truly

LANC & TULLY, P.C.



John Russo, P.E.

Cc: Reuben Simmons, Jr., Highway Superintendent
Nick Ward-Willis, City Attorney



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2017

**CONFIRMING THE AWARD OF A CONTRACT FOR
KRISTY DRIVE CUL-DE-SAC DRAINAGE REPLACEMENT PROJECT**

WHEREAS, the City of Beacon issued a Request for Bids for the Kristy Drive Cul-de-Sac Drainage Replacement project; and

WHEREAS, three bids were received in response to the City's Request for Bids; and

WHEREAS, on June 19, 2017 the three bids were opened and reviewed by consulting engineer John Russo, P.E. of Lanc and Tully Engineering and Surveying, P.C.; and

WHEREAS, City staff and consultant believe awarding the contract to B&K Excavation, Inc. of Pleasant Valley, NY to be in the best interest of the City of Beacon; and

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Kristy Drive Cul-de-Sac Drainage Replacement project be awarded to B&K Excavation, Inc. in the amount of \$70,773.00; and

FURTHER RESOLVED, that the City Administrator of the City of Beacon is authorized to execute said Agreement and any documents consistent therewith.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Beacon authorizes entering into the Contract for Kristy Drive Cul-de-Sac Drainage Replacement project and the City Administrator is authorized to sign the Contract and take all actions necessary to implement its terms, subject to approval by the City Attorney as to form and substance of all such agreements.

Resolution No. _____ of 2017			Date: <u>July 3, 2017</u>				
<input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

City of Beacon Workshop Agenda
6/26/2017

Title:

Chapter 191 Discussion

Subject:

Background:

ATTACHMENTS:

Description	Type
Chapter 191 Streets and Sidewalks	Backup Material
LL Chapter 191	Local Law

City of Beacon, NY
Thursday, June 15, 2017

Chapter 191. Streets and Sidewalks

Article III. Installation of Water and Sewer Utilities

§ 191-22. Installation of water and/or sewer utilities on existing city streets where none presently exist.

In the event that an owner of a parcel of real property or a majority of the owners of multiple parcels, which real property is not currently serviced by city water and/or sewer utilities, petitions the City Council for the installation of water and/or sewer utilities on existing city streets, the following criteria shall be applied:

- A. The Assessor and City Engineer must determine that the cost of the City's share of the utilities will be no more than 10% of the property value at completion of the project;
- B. The City Engineer must determine that the property or contiguous properties under the control or formerly under the control of the same owner do not abut a City street with such services;
- C. The City Engineer must determine that the proposed installation is the most cost effective means for providing water and/or sewer;
- D. The City will pay for the work up to 150% of the standard average cost for the installation of utilities in rock-free soil as determined by the City Engineer. In the event the cost exceeds 150% of the standard average cost as set forth above, the owner or owners shall pay any additional cost in a proportion determined by the City Engineer.
- E. The owner or owners of the property to which the utilities are to be provided must agree that the proposed improvements creating the value in Subsection **A** will be made within two years of the installation of the utilities. The owner or owners shall provide a bond or bonds to the City in an amount determined by the City Engineer to insure full compliance with this section.

§ 191-22.1. Installation of water and/or sewer utilities on City streets created by prescription.

[Added 10-15-2007 by L.L. No. 12-2007]

In the event that all owners of parcels of real property located on a City street created by prescription petition the City to replace and upgrade the water and/or sewer utilities servicing said properties, the City will undertake the replacement and upgrade of said water and/or sewer utilities and charge the owners who are benefited their proportionate share of said costs. By petitioning the City, said owners understand and agree that the City Council shall,

in its annual budget, allocate sufficient funds to finance the replacement of said water lines and/or sewer lines, which shall be repaid by the landowners, with interest, over a ten-year period. This water and/or sewer line loan shall become a lien against the improved property and shall be repaid in full in the event that the property is sold or transferred. Once the water and/or sewer line has been installed, the City will maintain said water and/or sewer line.

DRAFT LOCAL LAW NO. ____ OF 2017

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO REPEAL
CHAPTER 191, ARTICLE III OF THE CODE OF THE
CITY OF BEACON**

A LOCAL LAW to
repeal Chapter 191,
Article III concerning
the Installation of Water
and Sewer Utilities.

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. Chapter 191, Article III of the Code of the City of Beacon entitled “Installation of Water and Sewer Utilities” is hereby repealed in its entirety.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 191 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

**City of Beacon Workshop Agenda
6/26/2017**

Title:

Milling and Paving Presentation

Subject:

Background: