



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

Councilmember Terry Nelson, Ward 1  
Councilmember Air Rhodes, Ward 2  
Councilmember George Mansfield, At Large  
Councilmember Jodi M. McCredo, Ward 3  
Councilmember Amber J. Grant, At Large  
Councilmember Dan Aymar-Blair, Ward 4  
City Administrator Anthony Ruggiero  
Mayor Lee Kyriacou

March 2, 2020  
7:00 PM  
City Council Agenda

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Public Comment:**

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. Please sign in at the podium. This segment will last no longer than thirty minutes, with speakers recognized in the order they appear on the sign-in sheet. A second public comment opportunity will be provided later in the meeting for those who do not get to speak during this first segment.

**Community Segment:**

- Community Development Forums Summary

**Reports:**

- Council Member Terry Nelson
- Council Member Air Rhodes
- Council Member George Mansfield
- Council Member Jodi M. McCredo
- Council Member Amber J. Grant
- Council Member Dan Aymar-Blair
- City Administrator, Anthony Ruggiero
- County Legislators
- Mayor Lee Kyriacou

**Local Laws and Resolutions - Consent Agenda:****Local Laws and Resolutions:**

1. Resolution Approving a License Agreement Between the City of Beacon and Things You Love Events, LLC.
2. Resolution Approving an Amended 2020 City of Beacon Council Meeting Schedule

**Approval of Minutes:**

- City Council Meeting Minutes February 18, 2020
- City Council Meeting Minutes February 3, 2020

**2nd 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. This segment will last no longer than thirty minutes. Those who spoke at the first public comment segment are not permitted to speak again.

**Adjournment:****Upcoming Agenda Items:**

**City of Beacon Council Agenda**  
**3/2/2020**

**Title:**

**Community Development Forums Summary**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Community Development Forums Presentation

Type

Presentation

**Beacon Community Forum**  
**February 20, 2020 - 7:00 pm**  
**Memorial Building**

**Agenda:**

**Welcome and Introductions**

**Mayor Lee Kyriacou**

**Planning and Zoning Presentation**

**John Clarke, City Planner**

**Open Discussion and Questions**

**David Church, AICP, Facilitator**

**Next Steps**

**Mayor Lee Kyriacou**

# Planning and Zoning Process: Involved Parties

## Community

- Elects City Council
- Participates in Comprehensive Plan development
- Voices input at City Council and board meetings

## City Council

- Approves Comprehensive Plan
- Adopts and amends Zoning Law
- Appoints board members
- Approves certain special permits

## Planning Board

- Reviews site plans, subdivisions, special permits
- Provides recommendations to Council and ZBA
- Usual SEQRA/environmental review Lead Agency
- Must follow Zoning Law requirements

## Zoning Board of Appeals

- Reviews requests for zoning variances
- Subject to state law standards

## Building Department

- Issues building permits, certificates of occupancy
- Monitors, confirms compliance; reports violations

# Planning and Zoning Process:

## Comprehensive Plan

- Overall roadmap based on community input/public workshops
- City Council adopts Plan's goals, objectives, and recommendations

## Zoning Law

- Council establishes districts, permitted uses, design requirements
- Zoning must be consistent with Comprehensive Plan

## Site Plan

- Required for any sizeable project needing a building permit
- Planning Board reviews architecture, landscaping, engineering, etc.

## Special Permit

- City Council or Planning Board review , depending on Zoning Law
- Permitted use, but subject to additional conditions

## SEQRA

- State Environmental Quality Review Act
- Lead Agency determines potential significant impacts

## Variance

- Zoning Board of Appeals approves, consistent with state criteria
- Use variance much more difficult to justify than area variance



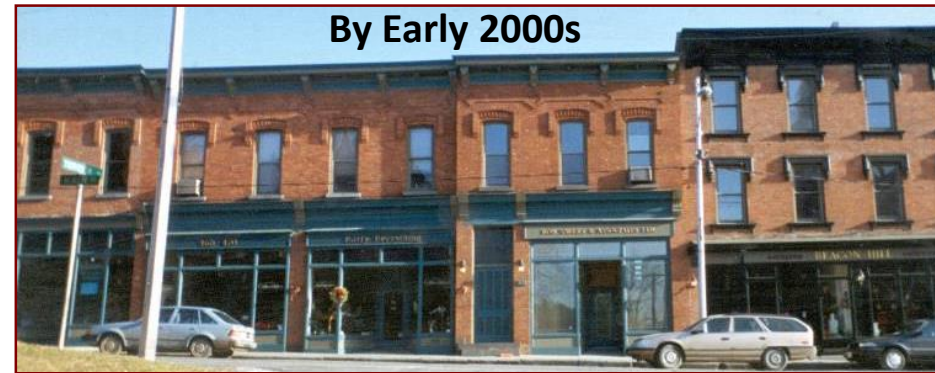
# Redevelopment of Historic Main Street Buildings



Late 1980s – Early 1990s



By Early 2000s





## **2007 Comprehensive Planning Process**

**F. P. Clark Associates with 14-Person Committee**

**Printed Survey Mailed to Every City Household**

**524 Surveys Returned and  
Summarized in July 2006 Report**

**4 Public Visioning Workshops at Diverse Locations  
and Additional City Council Public Hearings**

## **2017 Comprehensive Plan Update Process**

**BFJ Planning with 16-Person Committee**

**Public Workshop #1 September 22, 2016  
Approximately 120 Participants**

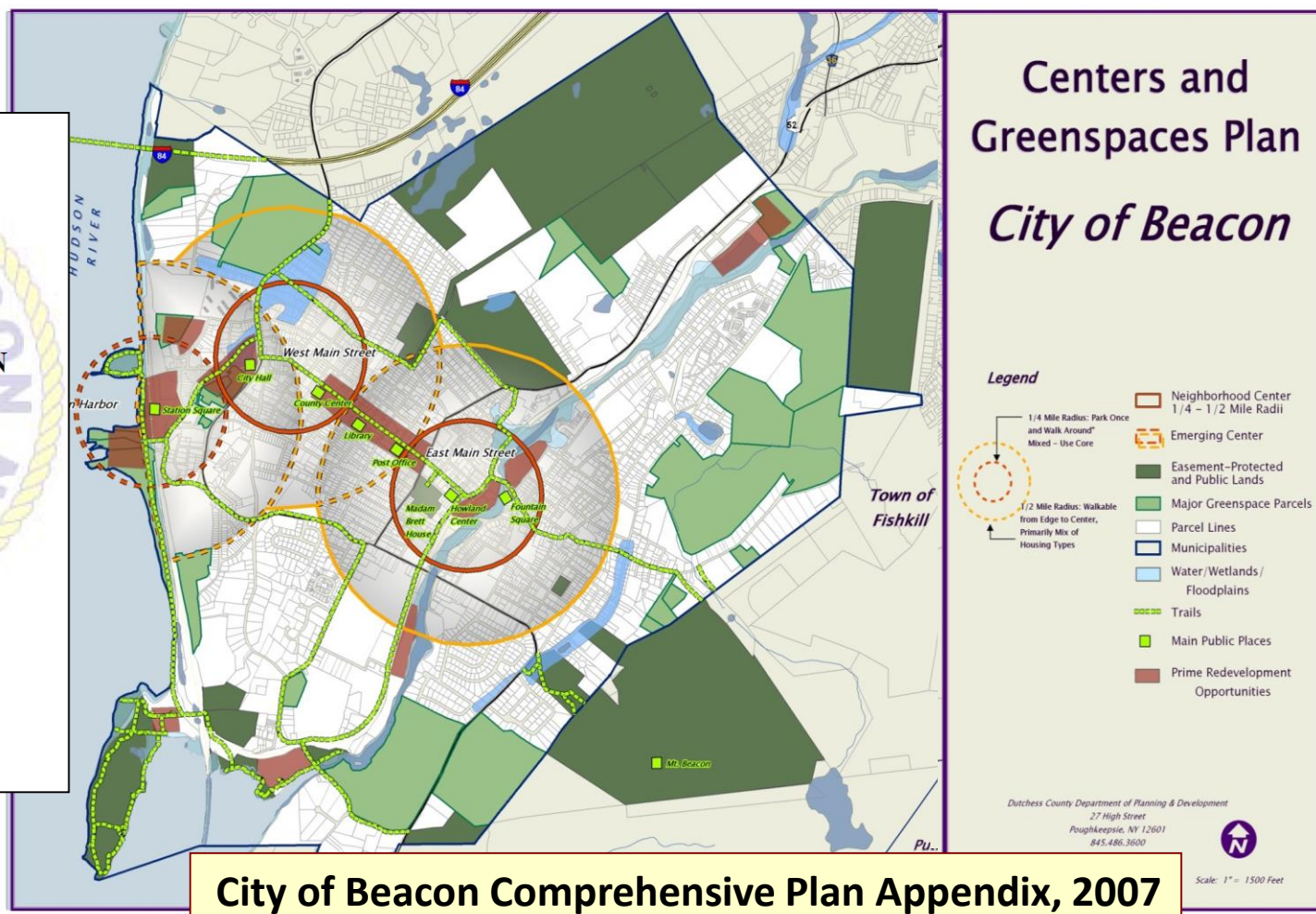
**Public Workshop #2 November 17, 2016  
Approximately 100 Participants**

**Additional City Council Public Hearings**

**22-Page Summary of Workshops at end of Plan**





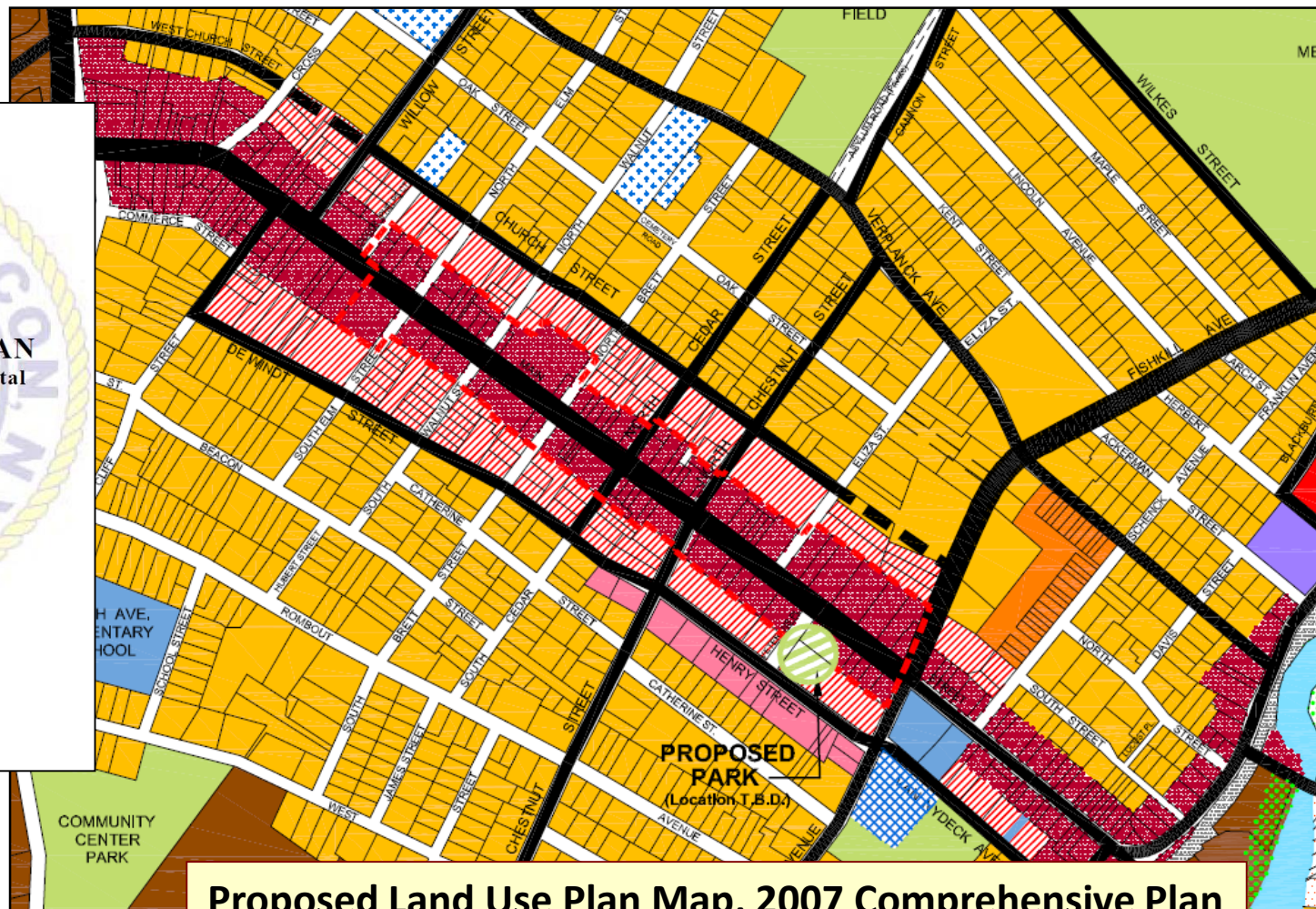
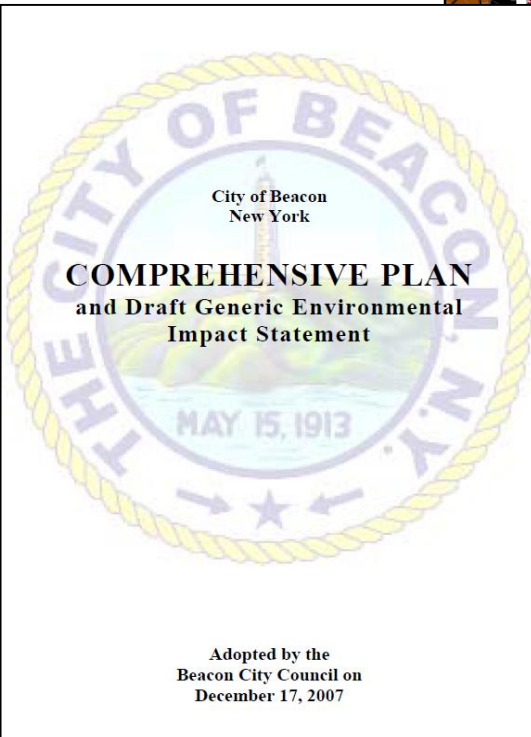


## Page 1:

This Comprehensive Plan builds on the City's past successes and proposes a combination of new open spaces and parks balanced with new opportunities for commercial and residential development in the following three key areas:

- Main Street's Central Business District
- Former industrial sites along the Fishkill Creek
- Waterfront/Train Station area between City Hall and the Train Station



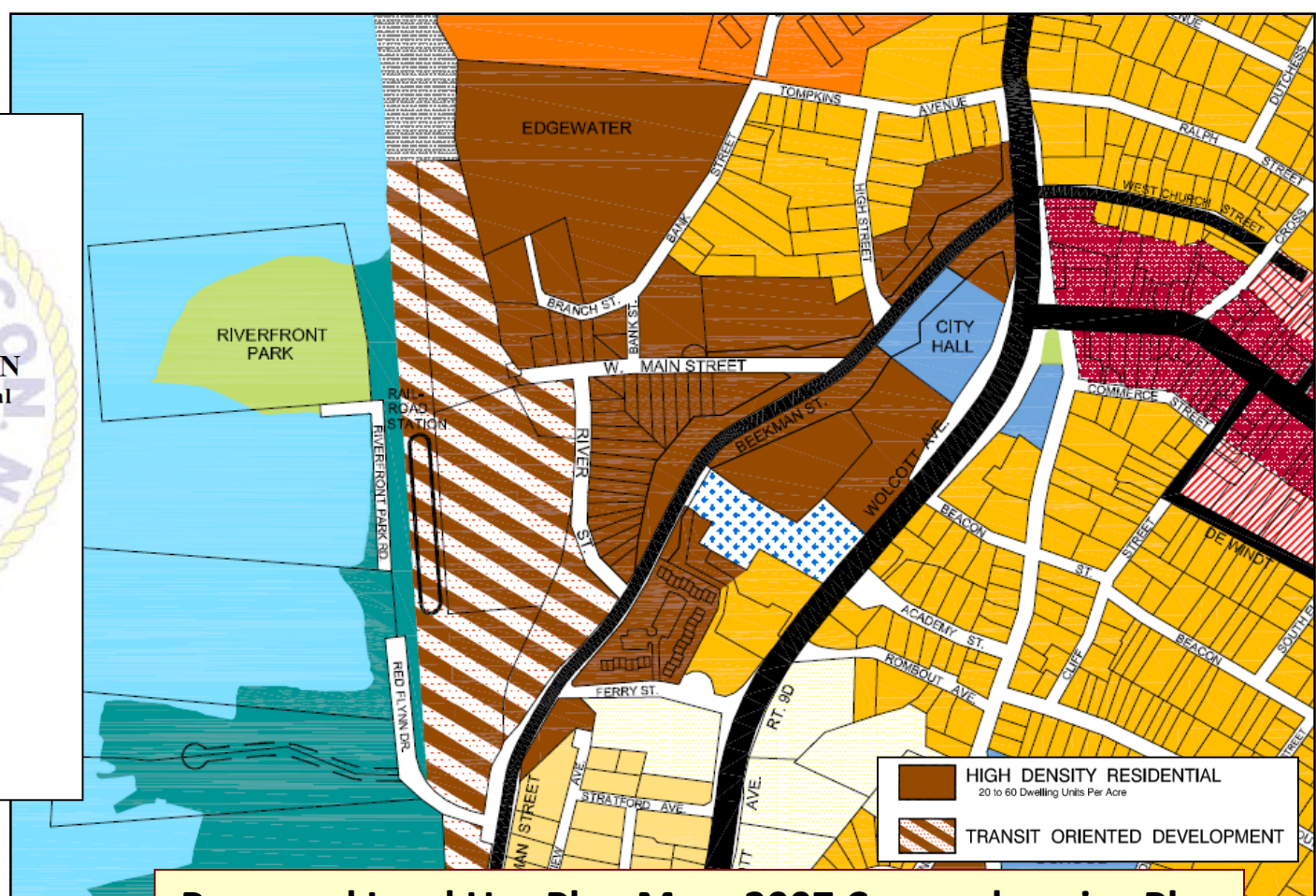
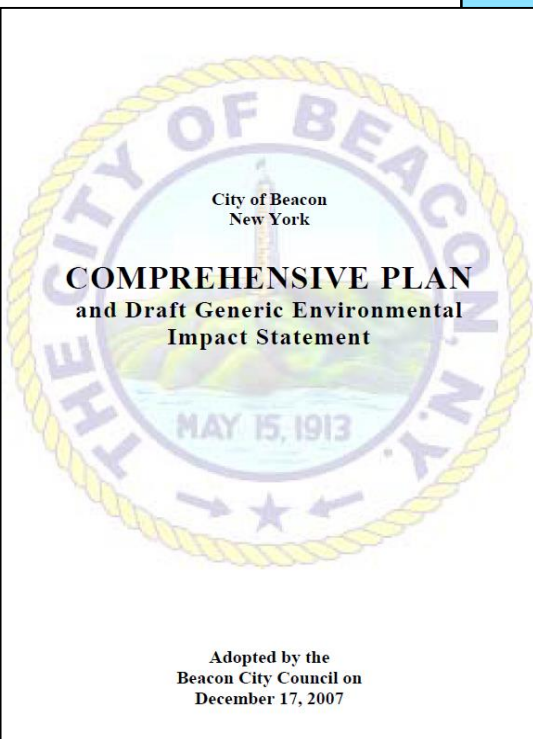


**Proposed Land Use Plan Map, 2007 Comprehensive Plan**

### **Pages 62-64:**

**The Main Street business district needs an increased residential population in the area near Main Street in order to support a larger market necessary for long-term economic viability.**

**Increase the allowable density within the Central Business District, particularly in the area between Digger Phelps Street and Teller Avenue, where four-story buildings should be allowed.**



**Proposed Land Use Plan Map, 2007 Comprehensive Plan**

## **Page 111:**

**This Land Use Plan proposes allowing increased residential densities in the Waterfront/Train Station area (the area between City Hall and the train station)...Building heights should be limited to a maximum of 4 stories...New residents would be expected to patronize established business districts in the City, thus securing the economic resurgence of the City. New residents will also contribute to the tax base through property taxes, and because of the housing types involved, are not expected to have a large impact on demand for public school services.**

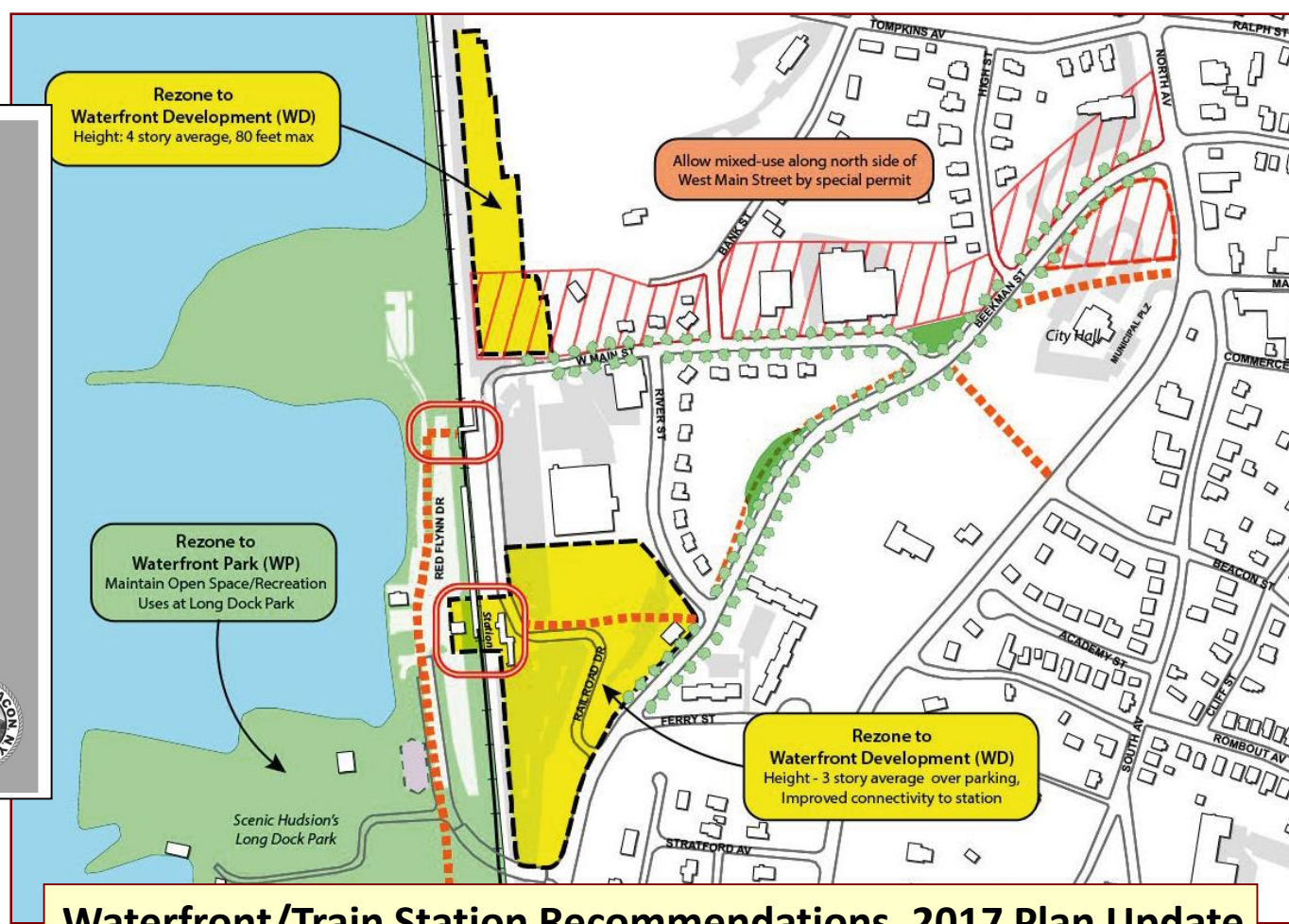




# City of Beacon Comprehensive Plan Update

Adopted April 3, 2017

BET Planning



## Waterfront/Train Station Recommendations, 2017 Plan Update

### Page 11:

The changes proposed in the 2017 Plan consist primarily of restricting development along the waterfront...Property would be reduced in height and density from what was proposed in the previous Comprehensive Plan. This is intended to preserve upland views of the Hudson River and reduce traffic impacts.

Page 10: It is recommended that the City rezone all of the area west of the train station and railroad tracks to Waterfront Park (WP).



City of Beacon  
Comprehensive Plan Update

Adopted April 3, 2017

BET Planning



Waterfront/  
Train Station

River

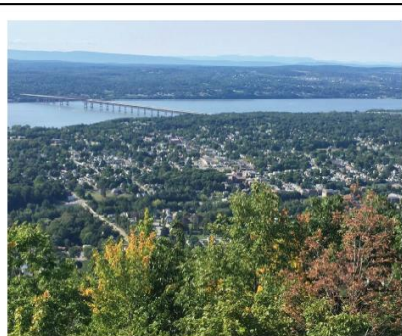
Potential Main Street/Train Station Loop, 2017 Plan Update

## Page 12:

One of the main goals for the 2017 Plan is to improve connections between Main Street, the waterfront/station area, and Dia:Beacon. Recommendations that address this include:

- Improve streetscape between Main Street and train station;...
- Support rubber wheeled trolley service connecting Main Street to train station area;
- Encourage infill development along Main Street as well as pocket parks at identified nodes of activity;...

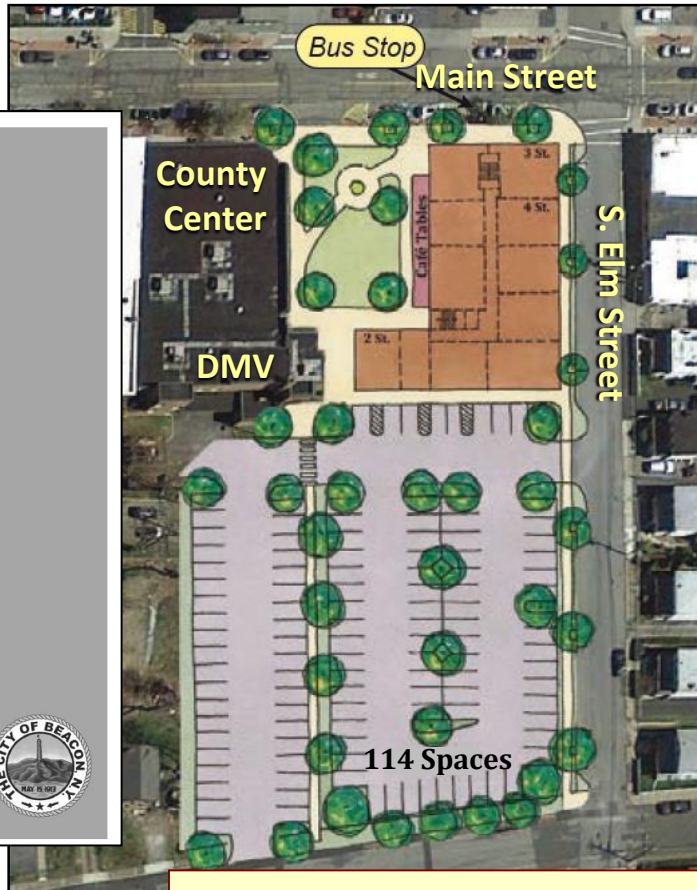




City of Beacon  
Comprehensive Plan Update

Adopted April 3, 2017

BET Planning



## Potential Main Street Park Locations, 2017 Plan Update

### Page 66:

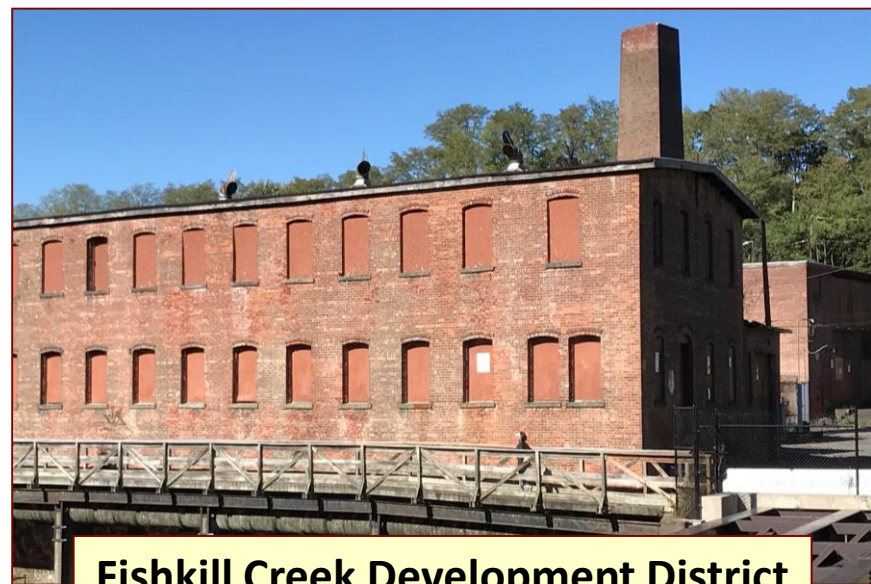
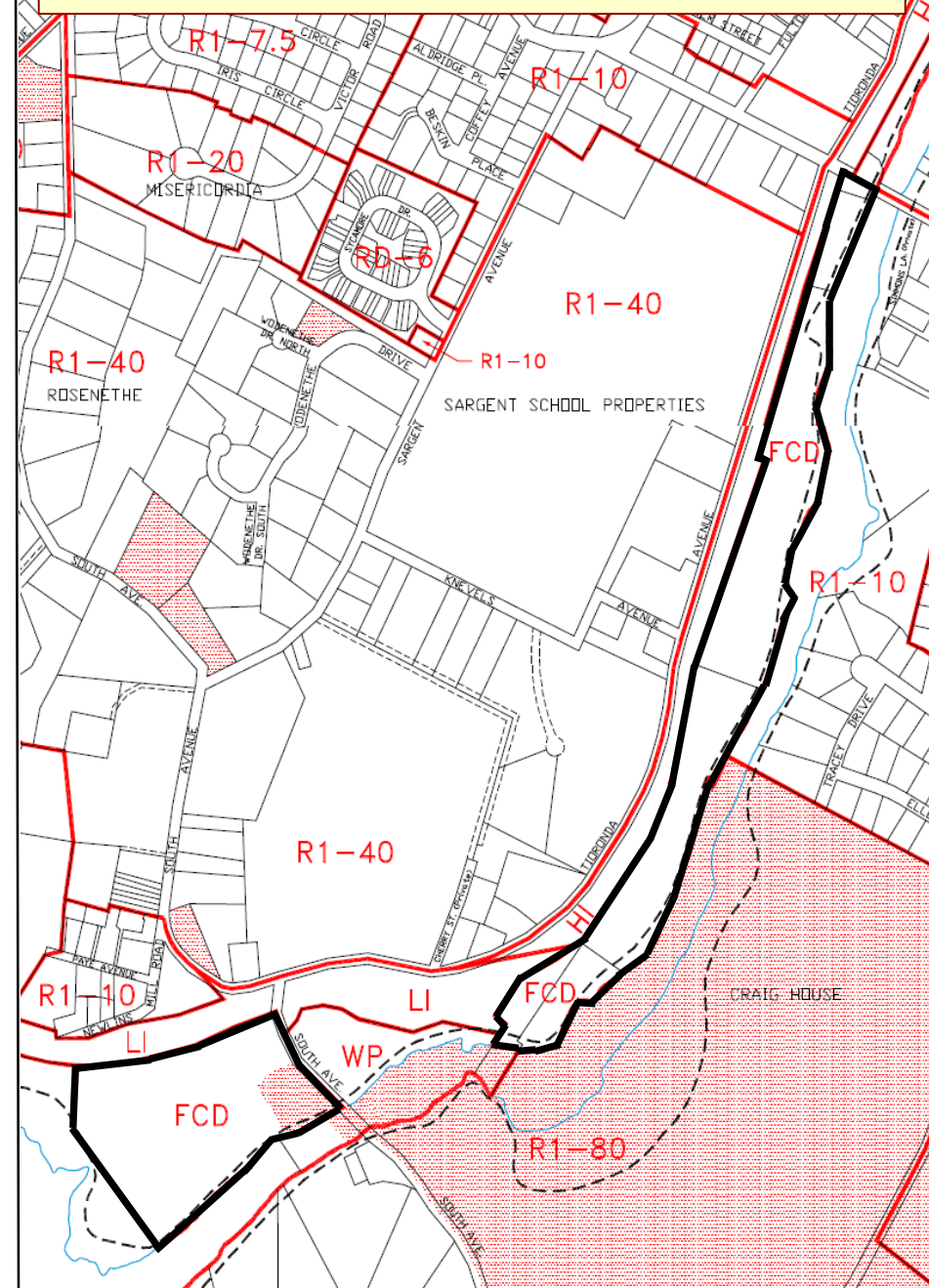
#### Main Street recommendations:

- 4.1 Develop a Main Street Corridor Plan to address the urban design of the corridor, identification of activity centers, future parking improvements, public transportation improvements and outdoor public spaces.

### Page 175:

There are two pocket parks proposed for Main Street...One potential location is at Veterans Place, and the other is at the Dutchess County offices at South Elm Street...The Main Street plan may involve multiple small parks or squares.

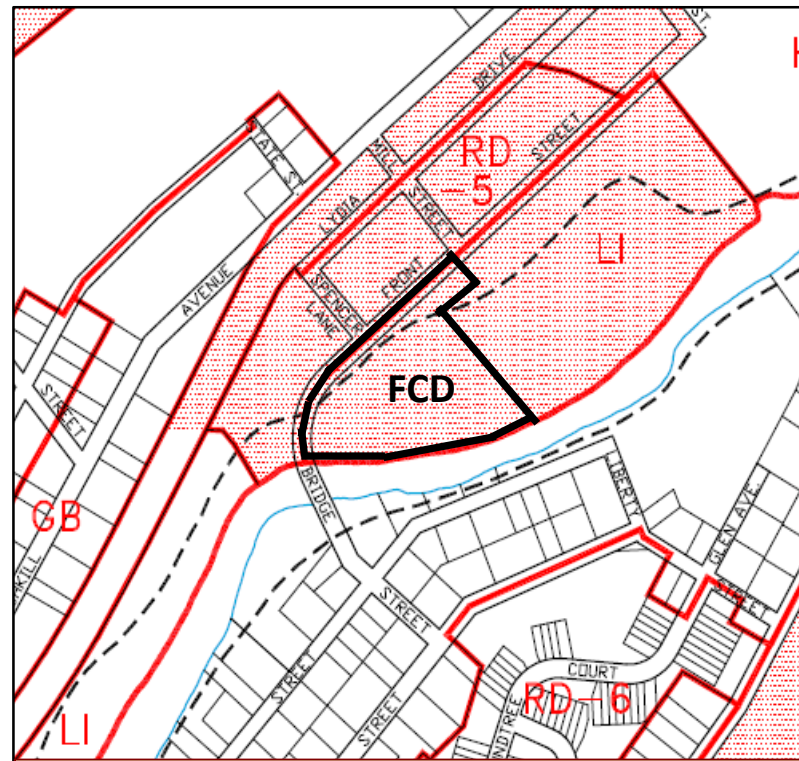
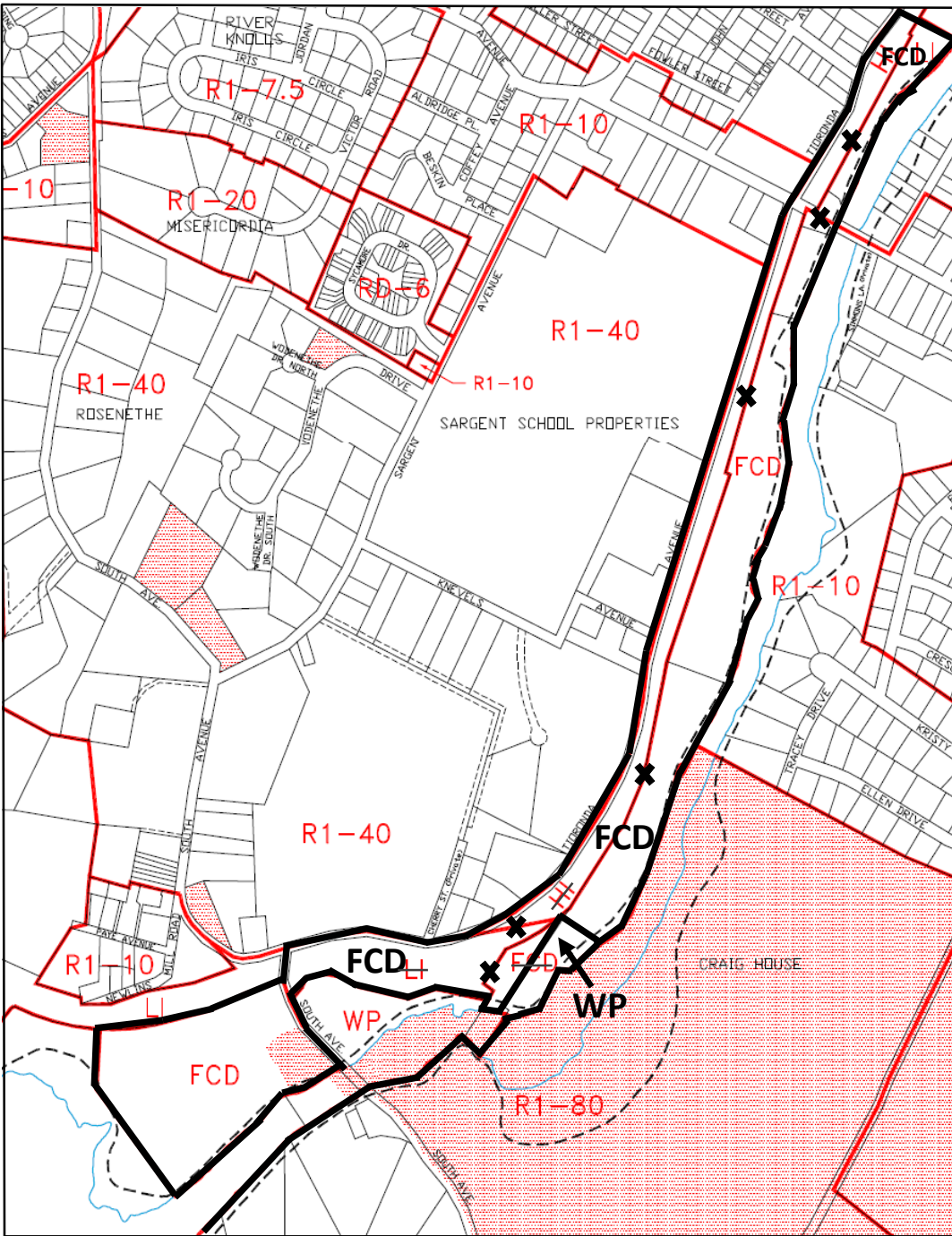
# Zoning Amendments 2010 - 2020



## Fishkill Creek Development District Created in 2010

- Encourage the redevelopment of vacant or underutilized industrial properties with a mix of residential and non-residential uses.
- Preserve open space corridors along the Fishkill Creek, including a greenway buffer and trail to be constructed by the developer and maintained by the owner.
- Lowered development potential from previous 29 units/acre to 11 units/acre;
- Bonus allowed 15 units/acre if commercial is included in the proposal;
- Building Height set at 35 feet, or 45 feet with extra buffer from creek.

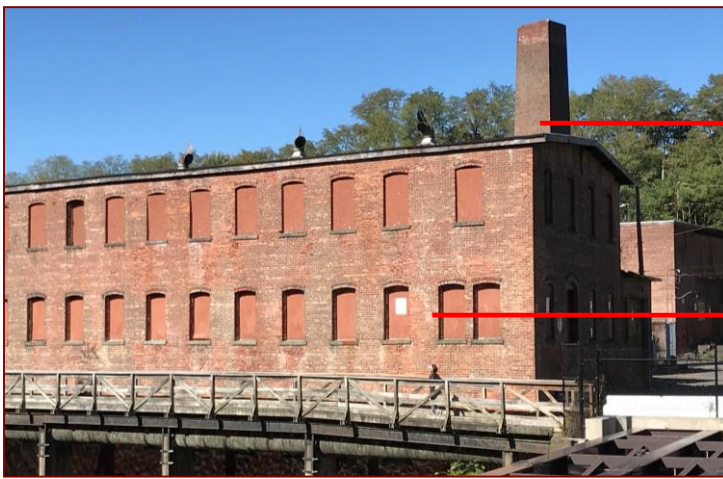




## Fishkill Creek Development District 2017 Amendments

- Expanded the FCD district;
- Required 25% non-residential use;
- Building Height set at 3 stories/40 feet;
- Added detailed design standards, including illustrative examples.

## FCD Design Standards Illustrative Examples



555 South Avenue and Tioronda Bridge

Industrial artifacts, such as stacks, towers, window frames, loading doors, and docks, should be incorporated into the design.

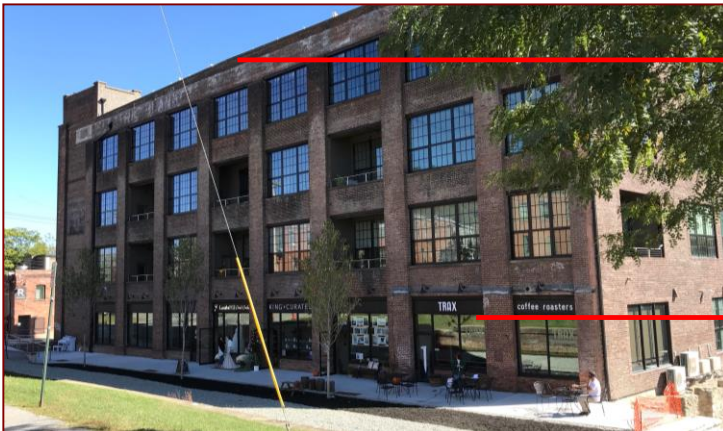
Historic mill buildings generally had simple forms and repetitive window openings with flat or low-pitched gable roofs.



248 Tioronda Avenue Former Factory Buildings

A tower one story above the building height may add architectural interest and encourage access to rooftop gardens.

Buildings shall have an emphasized entrance doorway to visually connect the building to the street and sidewalk.



One East Main Street

New construction should have rooftop cornices, capstones, parapets, railings, or projecting eaves.

Commercial buildings shall have at least 70% glass on the first-floor facades. Residential floors shall have at least a 30% glass to wall ratio.



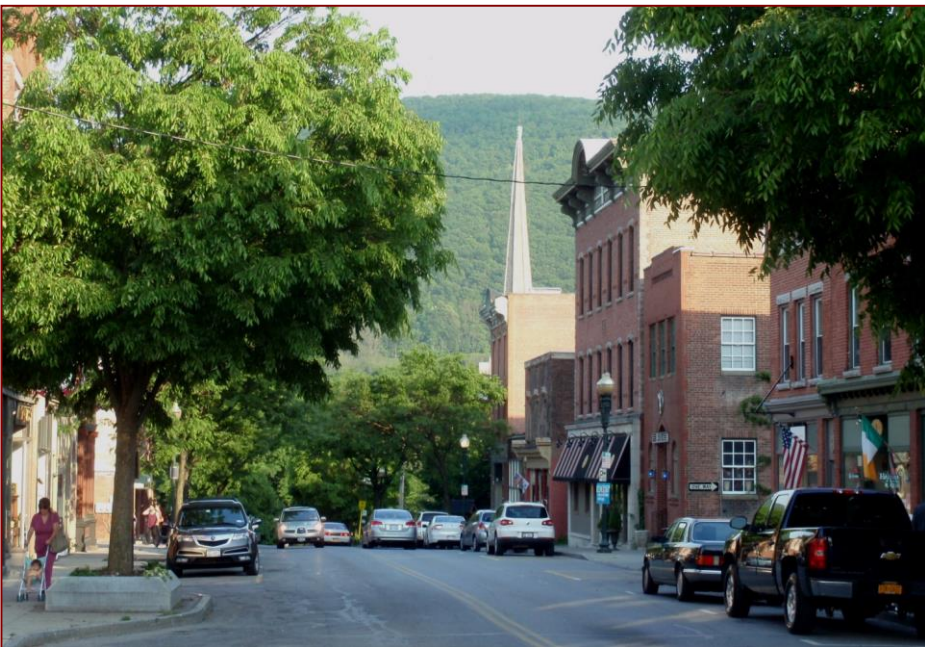
## Urban Renewal and 1974 Zoning

- Clear Out Older Neighborhoods;
- Separate Housing from Businesses;
- One-Story Stores/High-Rise Housing;
- Rely on Cars and Large Parking Lots.



**Main Street Vision, Beacon Center Renewal Plan, 1965**





**Eastern Main Street Historic District**



**Western Main Street Historic District**

## **Central Main Street Form-Based Code, 2013**

- **Build On Historic District Precedents;**
- **Integrate Residential with Commercial;**
- **Multi-Story Housing Over Storefronts;**
- **Make Pedestrian Activity High Priority.**



**Central Main Street**



**FIGURE 18-3: LOTS THAT FRONT ON MAIN STREET**

**Western Main  
Historic District**

## Central Main Street District 2013

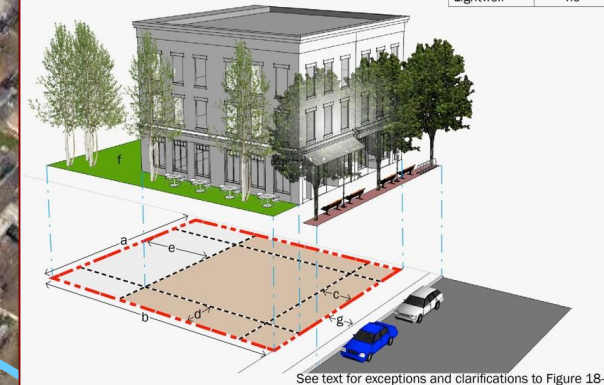
- Increased building height to 4 stories with a minimum of 2 stories;
- Allowed 5<sup>th</sup> story with stepback on north side or corner tower by Special Permit;
- Required 0- to 10-foot front setbacks;
- Lowered minimum parking requirements;
- Added illustrated design standards.

**Eastern Main  
Historic District**

LOT STANDARDS		
	Min.	Max.
(a) Lot Area	--	--
(a) Lot Width	--	--
(b) Lot Depth	75'	--
F.A.R.	--	--
(c) Front Setback	0'	10'
(d) Side Setback	0'	--
(e) Rear Setback	25'	--
(f) Landscaped Area	10%	--
Frontage Occupancy, detached building	80%	--
Frontage Occupancy, buildings w/shared side wall	100%	--
(g) Pedestrian Clearway	8'	--

BUILDING HEIGHTS		
South Side of Main St.		
front	front	corner
2	4	4
1	3	3
1	2	2
1	1	1
minimum		
allowed by-right		
special permit		
North Side of Main St.		
front	front	corner
2	4	5
1	3	4
1	2	3
1	1	2
minimum		
allowed by-right		
special permit		

FRONTAGE TYPES	
	Allowed
Storefront	yes
Forecourt	yes
Stoop	no
Porch	no
Lightwell	no





# Illustrated Design Standards (CMS and L)

**Traditional  
Main St.  
Example**



Façade and roof line breaks at intervals of no more than 35'

Top floor cornice feature

Bay windows, balconies and open porches may encroach up to 4' over the sidewalk

Primary window proportions greater in height than in width

Secondary storefront cornice or first floor articulation

Commercial first floor facing Main Street

**More Modern  
Example**



## **Design Standards Consistent Examples**

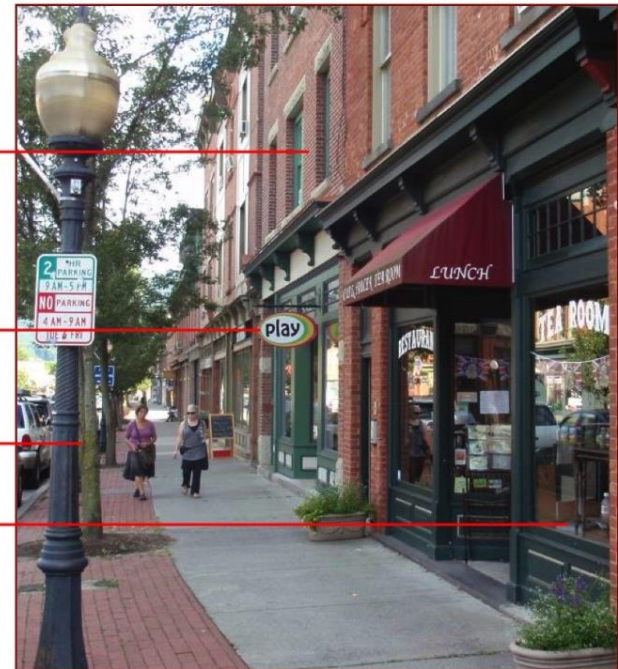


Wood, brick, stucco, stone, or fiber-cement siding and trim recommended

Metal, glass, or canvas-type awnings and canopies or projecting signs may encroach up to 6 feet over the sidewalk above 7 feet

Street trees planted on average 30' - 40' apart

Commercial buildings shall have at least 70% glass on first floor facades between 2' and 10' above the sidewalk







**226 Main Street**

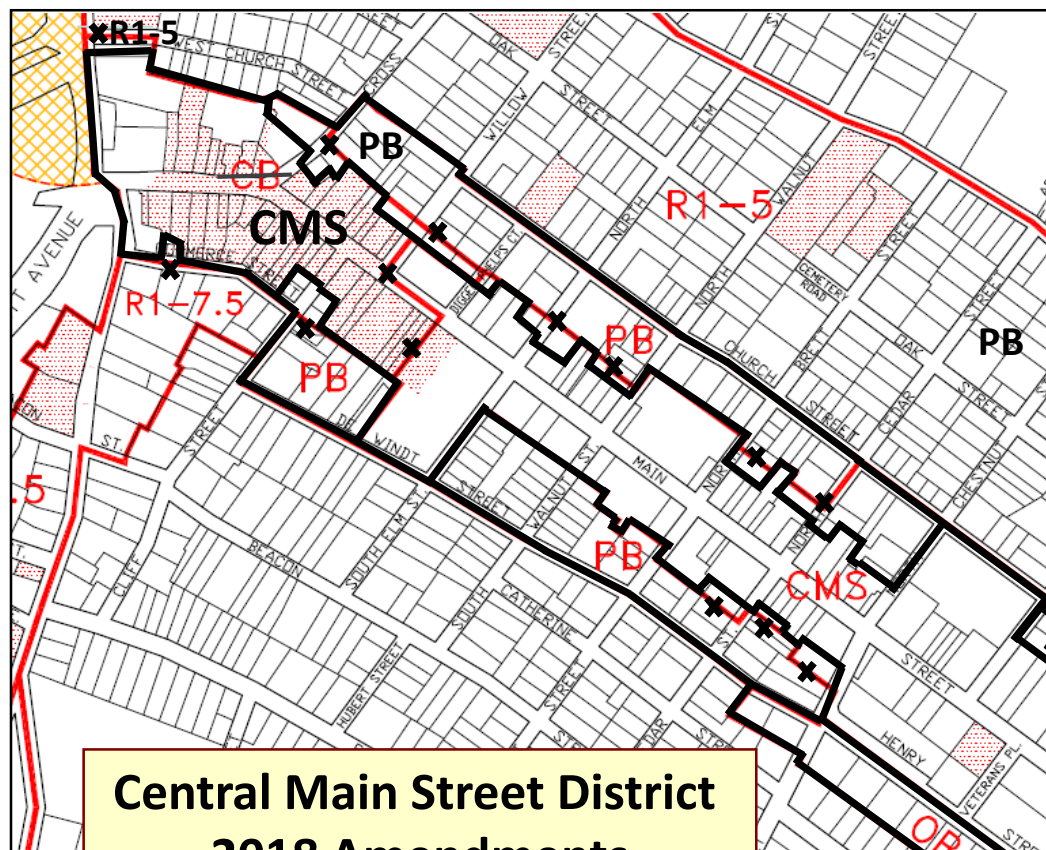
**Previous Buildings**



**249 Main Street**





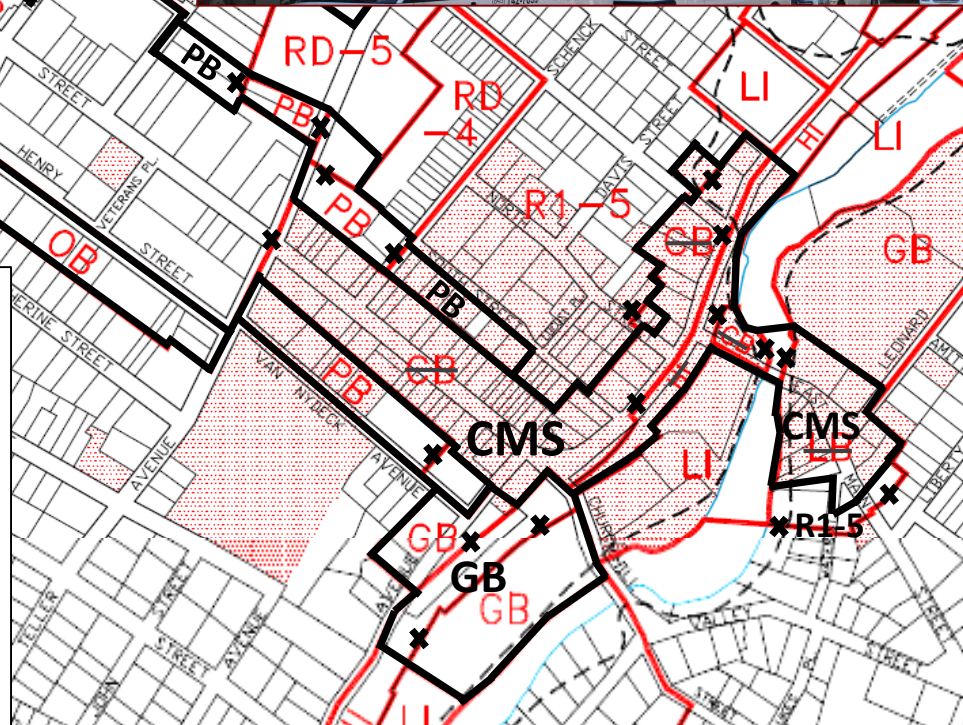


## Central Main Street District 2018 Amendments

- Extended CMS to all of Main Street with updated design standards;
- Included lots not facing Main Street in PB;
- Eliminated 5<sup>th</sup> story option and required 4<sup>th</sup> story stepbacks along any street frontage or within 40 feet of another zoning district;
- 4<sup>th</sup> story needs Special Permit by City Council in or abutting an Historic District parcel.

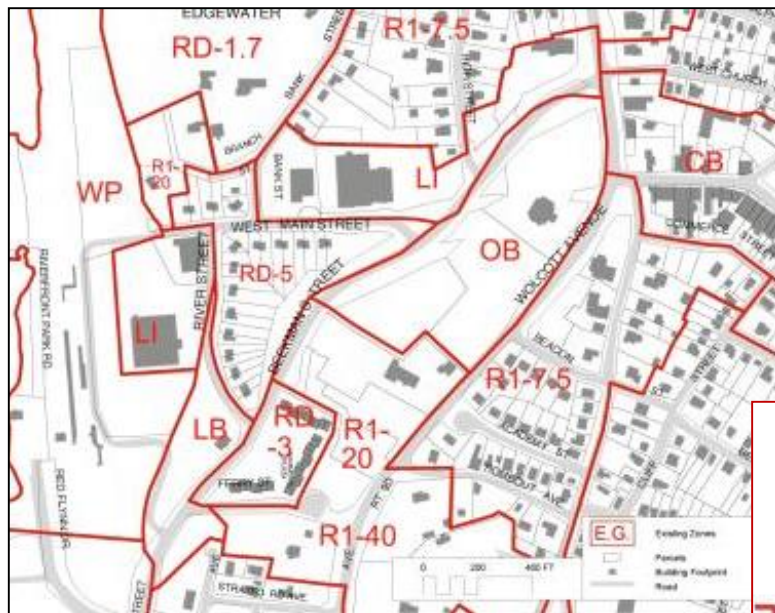


**The Inn at Beacon  
151 Main Street**



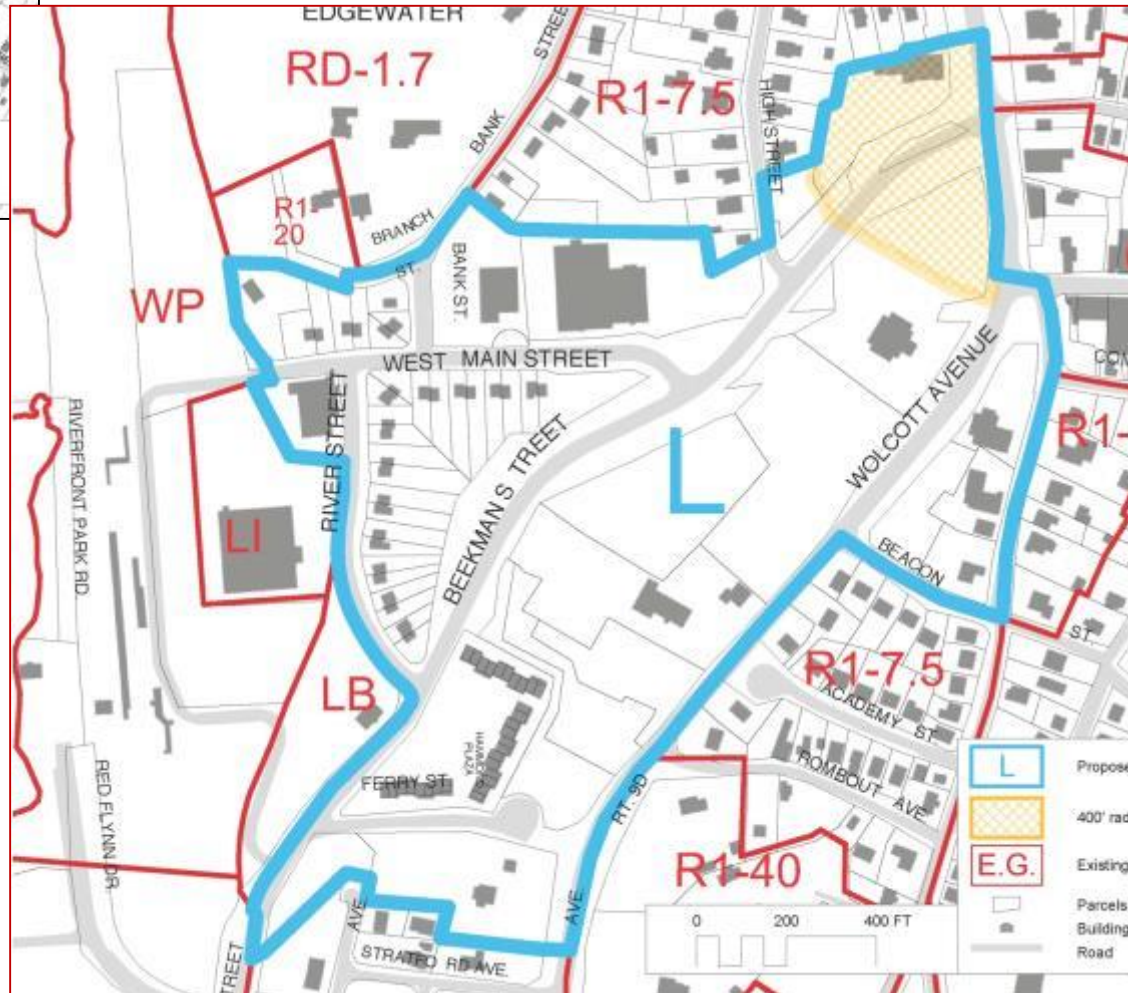


## Previous Zoning Districts



## Linkage District 2013

- Replace 7 previous zones with one integrated district;
- Increase the vitality, attractiveness, and marketability of the area from Main Street to the Train Station by providing more residential uses and enhanced urban form;
- 4 stories with 4<sup>th</sup> floor stepback;
- Similar form-based streetscape and design standards as CMS district.





## 2014 and 2017 Plan Update Rezoning

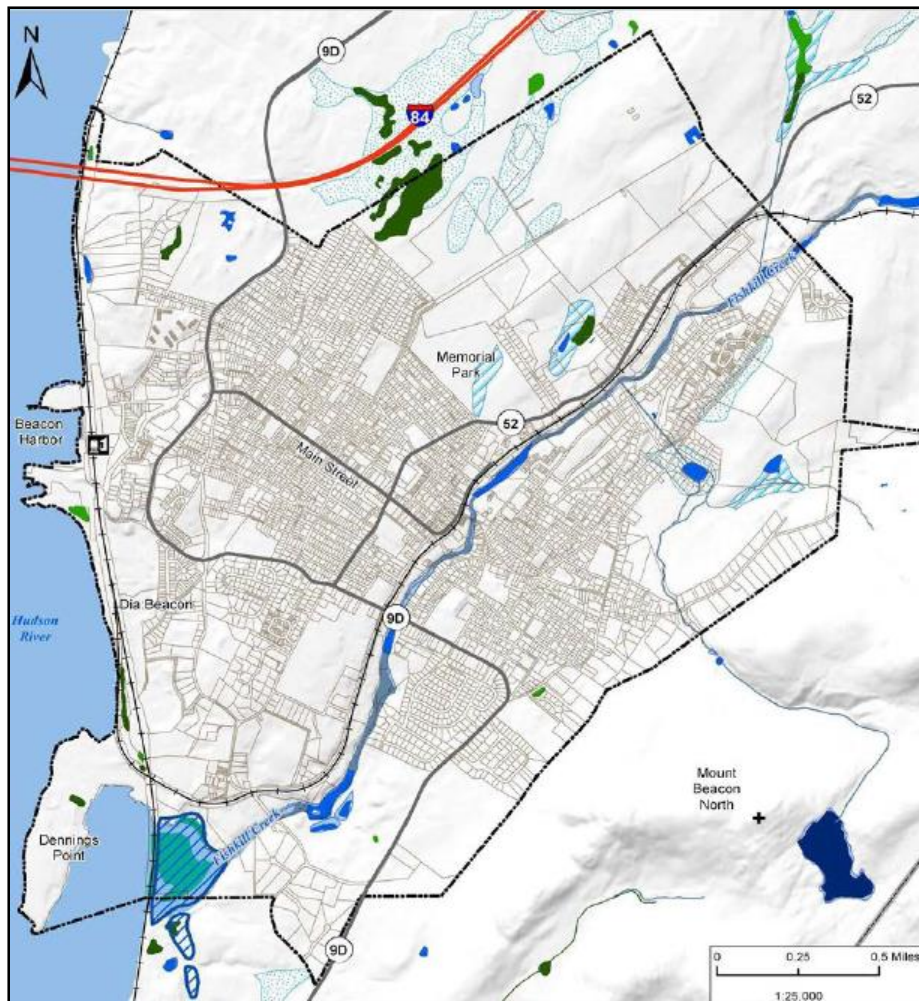




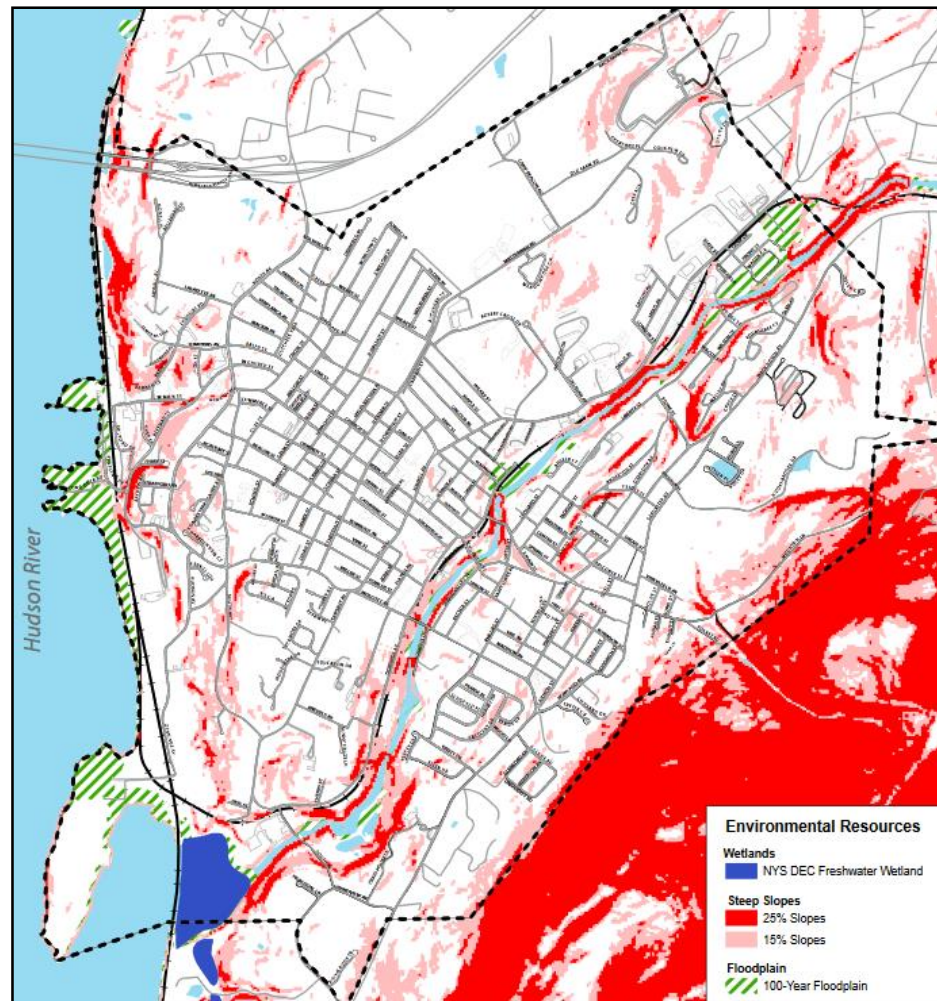
## 2020 Linkage District Update







**Regulated Wetlands Map**



**Steep Slopes Map**

### 2018 Lot Area Amendment

The lot area per dwelling unit calculation shall first deduct any area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing very steep slopes of 25% in a R1, RD, or Fishkill Creek Development Zoning District.

# Planning and Zoning Process: 2020 Agenda

## Expand Historic District Near Main Street

- Only Post Office now protected in Central Main Street area
- Consider 35 buildings for historic overlay status
- Revise Historic Preservation Law based on public comments

## Revise and Simplify Zoning Tables

- Current 1974-based tables difficult to use and interpret
- Simplify table format from 9 pages to less than 4 pages
- Comprehensive revisions to district uses and special permits

## Update Linkage District Standards

- Expand commercial options along West Main/Beekman St.
- Consider changes at edges of district

## Main Street Access

- Set up committee of residents and business owners
- Recommend pedestrian, biking, transit, traffic, and parking improvements for short-term and longer-term actions

## Green Initiatives

- Adopt Natural Resources Inventory (NRI)
- Incorporate NRI into Zoning Law
- Begin work on Open Space Plan

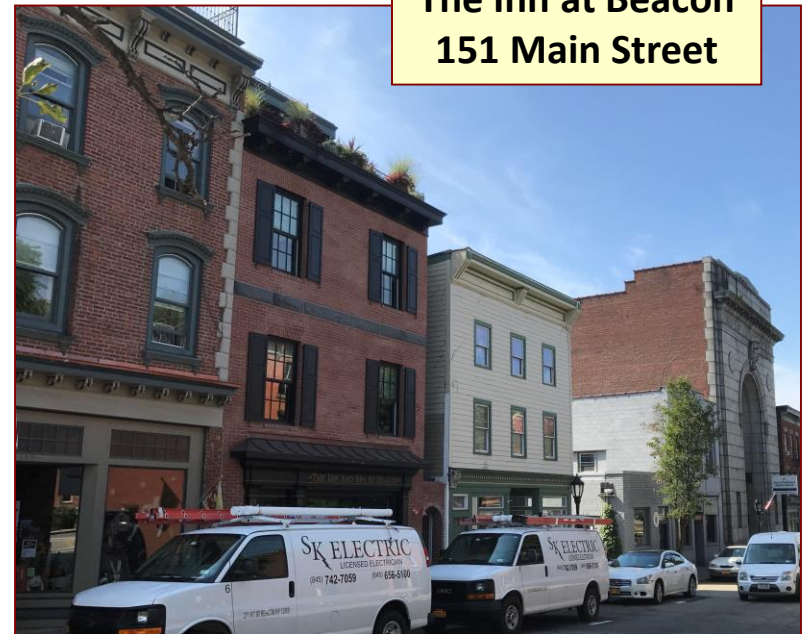
## Main Street Urban Design Plan

- Design series of plazas/greenspaces along Main Street
- Integrate with transit stops and visitor information stations



# Summary Points:

- Both Comprehensive Plans maintained that Main Street needed increased population, especially within walking distance, to support a successful business district and recommended incentives to promote that goal;
- Initial zoning changes designed to attract new development in the central section of Main Street, between Main Street and the Train Station, and on a few former factory sites along the Fishkill Creek;
- Zoning amendments in last two years have removed the incentives, scaled back the heights, and reduced the excesses;
- Moving forward, design standards promote infill buildings that fit the historic context, like the pocket hotel at 151 Main Street;
- Council is setting up a Main Street Access Committee to address pedestrians, biking, transit, traffic, and parking improvements.



**City of Beacon Council Agenda**  
**3/2/2020**

**Title:**

**Resolution Approving a License Agreement Between the City of Beacon and Things You Love Events, LLC.**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution Approving a License Agreement Between the City of Beacon and Things You Love Events LLC.	Resolution
License Agreement	Agreement
Flea Market Map	Map





**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_\_\_ OF 2020**

**RESOLUTION APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF  
BEACON AND THINGS YOU LOVE EVENTS, LLC.**

**WHEREAS**, the City of Beacon approves the execution of the License Agreement between the City of Beacon and Things You Love Events, LLC. regarding the use of certain and real property known as the Henry Street Parking Lot #1, located at the intersection of Henry Street and South Chestnut Street, Beacon, New York, as a flea market, on certain limited dates and with certain terms and conditions.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor of the City of Beacon or the City Administrator is authorized to execute said License Agreement with Things You Love Events, LLC. and any documents consistent therewith.

<b>Resolution No. _____ of 2020</b>			<b>Date: <u>March 2, 2020</u></b>				
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call			<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Amber Grant</b>					
		<b>Air Rhodes</b>					
		<b>Dan Aymar-Blair</b>					
		<b>Mayor Lee Kyriacou</b>					
<b>Motion Carried</b>							

## **LICENSE AGREEMENT**

This LICENSE AGREEMENT (the “Agreement”), is made and entered into as of March \_\_\_, 2020, between the City of Beacon, a municipal corporation, duly organized and existing under the laws of the State of New York, having its principal office at One Municipal Center, Beacon, New York 12508 (hereinafter “Licensor” or the “City”) and Things You Love Events, LLC, duly organized and existing under the laws of the State of New York, having its principal place of business at 35 North Elm Street, Beacon, New York 12508 (hereinafter “Licensee”).

## **RECITALS**

A. The City is the owner of certain real property known as the Henry Street Parking Lot #1, located at the intersection of Henry Street and South Chestnut Street, Beacon, New York (the “Property”).

B. Licensee has requested a license to enter upon and use the Property for the purpose of operating a flea market on the Property on Sundays during the months April through November, from 7:00 a.m. to 4:00 p.m.

C. Licensor is willing to grant the requested permission subject to and upon the following terms and conditions:

## **AGREEMENT**

**NOW, THEREFORE**, in consideration of the covenants and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

(1) **GRANT**: Subject to the terms and conditions of this Agreement and upon representation from Licensor that it is the owner of the Property the Licensor hereby grants to Licensee a non-exclusive license (the “License”) to enter upon and use the Property solely for the purpose of the Permitted Use as defined in Paragraph Four (4) below.

(2) **TERM**: Subject to the terms of this Agreement, the term of the License shall commence upon the date of execution of this Agreement by the parties hereto and continue until November 30, 2020. The Property shall not be used by Licensee on the Spirit of Beacon day. The City further reserves the right, upon two (2) weeks prior notice, to make the Property unavailable for Licensee’s use in the event it is required for use by the City for a City event or a third party event the City has authorized to use the Property. Either party, without cause, may terminate this Agreement on thirty (30) days written notice.



(3) **FEE:** In exchange for and as consideration for this License, Licensee agrees to pay to Licensors the sum of Two Hundred and Twenty (\$220.00) Dollars for each day the flea market operates on the Property, beginning April 2, 2020, through the date of the expiration or termination of this Agreement. To the extent the flea market is unable to operate because of inclement weather or due to the actions of the City, or the Licensee advises the City in writing via e-mail to the City Administrator by 5:00 p.m. the Friday before the anticipated use, Licensee shall not be required to pay a fee for the week in question. The fee shall be payable monthly and payment shall be due on the fifteenth day of each month commencing on April 15, 2020.

(4) **PERMITTED USE:** The License granted hereunder shall be solely for the Permitted Use described in sections 4(a) through 4(k) herein. Use of the Property by Licensee for anything other than the Permitted Use shall be deemed a breach of this License Agreement. The following is permitted under this Agreement:

- a. The Licensee shall operate a flea market on the Property;
- b. The layout for the operation of the flea market, including the location of entrances and exits and proposed locations for vendors, is set forth on Exhibit "A" attached hereto;
- c. Walk-in spaces on the Property as set forth in Exhibit "A" shall be reserved for Beacon residents until 7:30 a.m. on Sunday morning;
- d. A portable toilet shall be installed on the Property by Licensee from the period April 1 through November 30, in the location set forth on Exhibit "A", and Licensee shall be responsible for installing and maintaining the portable toilet;
- e. The Property will be closed off with barriers installed by Licensee starting at 8:00 p.m. on Saturdays before the day the flea market is to operate. Licensee is responsible for the installation and removal of all barriers and must permit vehicles located on the Property prior to 8:00 p.m. to vacate the Property at all times. In the event the flea market anticipates it is not going to operate on any Sunday between April 1 and November 30, Licensee shall not install any barriers the previous Saturday. Notwithstanding the provisions in Paragraph Three (3) above, if barriers are installed on the previous Saturday, and the flea market is unable to operate on Sunday for any reason not caused by the City, the Licensee shall remain responsible for the payment of the required fee;
- f. A sign shall be posted at Licensee's sole cost and expense notifying persons using the Property for parking that the parking lot will be closed on Saturday starting at 8:00 p.m. until Sunday at 4:00 p.m. from April 1 to November 30. Licensee shall use its best efforts to

have owners remove vehicles from the Property starting Saturday evening before the flea market is scheduled to operate. The City shall have no obligation to ensure that vehicles are removed from the Property. Any vehicles remaining on the Property after 8:00 p.m. on a Saturday shall be roped off in a manner to protect them from damage and a notice placed on the car with a phone number for the owner to call in the event the owner wishes to remove the vehicle. Licensee shall cooperate with the car owner so the car may leave the Property;

- g. During the period the flea market is in operation, the entrance into the Property from South Chestnut Street and the Southeast exit from the Property onto Henry Street will remain open. The Southwest exit onto Henry Street shall be closed during the operation of the flea market;
- h. The Licensee shall maintain four to six trash barrels distributed throughout the Property during the operation of the flea market. All trash barrels shall be maintained by Licensee and emptied and removed each Sunday at the time the flea market operations conclude;
- i. The Licensee shall offer at least one stall to the City of Beacon School District during any week the flea market is in operation, at no charge; and
- j. No food or beverage vendors will be allowed to operate on the Property.
- k. The installation, at Licensor's discretion, during the term of this Agreement, at Licensee's cost, of the following signs (to be provided by Licensee) within the public right of way in the following locations: (i) Two signs back to back at Teller and Henry on an existing aluminum lamp pole; (ii) One sign on an existing pole on Wolcott and Teller; (iii) Two signs on opposite sides of Wolcott, approaching Main Street, on existing posts.

(5) **MAINTENANCE:** The Licensee shall be responsible for maintaining the Property at all times the Property is being used for the Permitted Use. Licensee shall ensure that the Property is clean, that all garbage is disposed of properly and that all vendor's equipment and barriers are removed by 4:00 p.m. each Sunday following the operation of the flea market.

(6) **SUPERVISION:** Licensee shall be responsible for and take all precautions for the protection of all persons and of real and personal property using the Property for the Permitted Use.



(7) **HOURS OF OPERATION:** The Permitted Use shall be allowed from April 1 through November 30, on Sundays during the hours 8:00 a.m. to 4:00 p.m., weather permitting. Vendors may arrive at the Property at 7:00 a.m. on the day the flea market is to operate. The Property shall be closed to vehicle parking beginning at 8:00 p.m. Saturday the evening before the flea market is to operate.

(8) **NON-ASSIGNABILITY:** It is expressly understood between the Parties herein that this License does not run with the Property, is not coupled with any other interest, is not assignable, and may be terminated by Licensors at any time for a breach of this Agreement, or without cause on thirty (30) day notice as set forth in Paragraph Two (2) above. This Agreement shall not be Recorded.

(9) **INSURANCE:** Throughout the term of this Agreement, Licensee shall obtain and maintain, at Licensee's sole cost and expense, and keep in force for the benefit of Licensee, with Licensors named as an additional insured, insurance policies providing the following coverage:

A comprehensive policy of general public liability insurance, protecting and indemnifying Licensors and Licensee against any and all liabilities and claims for damages to persons or property occasioned on or about any part of the Property, and all other areas adjacent to the Property, with such policy to be in the minimum amount of One Million Dollars (\$1,000,000.00) combined single limit per occurrence with an aggregate of Two Million Dollars (\$2,000,000.00), for personal injury and property damage;

All insurance policies required to be procured and maintained hereunder shall (i) be issued by financially responsible insurance companies acceptable to Licensors; (ii) be written as primary policy coverage and not contributing with or in excess of any coverage which Licensors may carry; (iii) insure and name Licensors as an additional insured; and (iv) contain an express waiver of any right of subrogation by the insurance company against Licensors and/or its agents and employees. Neither the issuance of any insurance policy required hereunder, nor the minimum limits specified herein with respect to any insurance coverage, shall be deemed to limit or restrict in any way the liability of Licensee (or its invitees arising under or out of this Agreement). On or before the execution of this Agreement by the parties herein, Licensee shall deliver to Licensors certificates of insurance evidencing all of the coverages required hereunder. Each insurance policy (and any renewal or extension thereof) required to be carried hereunder shall provide that, unless Licensors shall first have been given thirty (30) days prior written notice, (i) such insurance policy shall not be canceled and shall continue in full force and effect; (ii) the insurance carrier shall not, for any reason whatsoever, fail to renew such insurance policy; and (iii) no material changes may be made in such insurance policy (which changes shall also require Licensors's prior written approval).

Licensee shall not do or permit to be done any act or thing upon the Property that will invalidate or be in conflict with any insurance policies covering the same. Licensee shall

promptly comply with all insurance underwriters, rules, orders, regulations, or requirements relating to such insurance policies, and shall not do or permit anything to be done in or about the Property which shall increase the rate of insurance on the Property.

(10) **INDEMNIFICATION:** Licensee shall defend, indemnify, protect, and hold harmless Licensor and its respective elected officials, officers, employees, agents, contractors, subcontractors or legal representatives, (the "Licensor Parties") from and against any and all claims, actions, suits, damages, liabilities, costs, and expenses, including, without limitation, reasonable attorneys' fees and disbursements, that: (i) arise from or are in any way connected with the License granted hereunder for the Property or any portion thereof or any of Licensee's activities on the Property, unless caused by the acts or omissions of Licensor; (ii) arise from or are in any way connected with any act or omission of Licensee or Licensee's invitees; (iii) result from any default of this Agreement or any provision hereof by Licensee; (iv) result from the presence of Licensee's or the Licensee's invitees' property or equipment on the Property; or (v) result from injury to any person or property or loss of life sustained in or about the Property caused by or arising out of Licensee or Licensee's acts or omissions, all regardless of whether such claims are asserted or incurred before, during, or after the term of this Agreement. Licensee's obligations under this paragraph shall survive the revocation or termination of this Agreement.

(11) **WAIVER OF RESPONSIBILITY:** Neither Licensor nor the Licensor Parties shall be liable for, and Licensee waives, all claims for loss or damage, economic or otherwise, to persons or property sustained by Licensee or any person claiming by, through or under Licensee resulting from any accident or occurrence in, on or about the Property, or any part of the Property, including, without limitation, claims for loss, theft or damage, resulting from any cause whatsoever, except for willful misconduct by Licensor. To the maximum extent permitted by law, Licensee shall use and occupy the Property and such other portions of the Property as Licensee is herein given the right to use, at Licensee's own risk.

(12) **VACATION OF PREMISES:** Upon termination of this Agreement, Licensee shall promptly (i) refrain from accessing and/or using the Property, and (ii) return the Property to its original condition prior to the Permitted Use. Licensee shall repair any damage to the Property caused by Licensee's use thereof.

(13) **GOVERNING LAW:** This Agreement shall be governed and construed in accordance with the laws of the state in which the Property is located and shall not be modified, altered, or amended except in writing as agreed to by the parties hereto.

(14) **NOTICES:** All notices or other communications provided for under this Agreement shall be in writing, signed by the party giving the same, and shall be deemed properly given and received (i) when actually delivered and received, if personally delivered; or (ii) three (3) business days after being mailed, if sent by certified mail, postage prepaid, return receipt requested; or (iii) one (1) business day after being sent by overnight delivery service, all to the following addresses:



If to Licensor: City of Beacon  
One Municipal Plaza  
Beacon, New York 12508

Attention: City Administrator

With a Copy to: Keane & Beane, P.C.  
445 Hamilton Avenue, 15<sup>th</sup> Floor  
White Plains, New York 10601  
Attention: Nicholas Ward-Willis, Esq.

If to Licensee: Things You Love Events, LLC  
35 North Elm Street  
Beacon, New York 12508

Attention: Emma Dewing

Each party shall have the right to designate other or additional addresses or addressees for the delivery of notices, by giving notice of the same in the manner as previously set forth herein.

(15) **COUNTERPARTS:** This Agreement may be executed in multiple counterparts, each of which shall be an original, but all of which shall constitute one and the same Agreement.

**IN WITNESS WHEREOF**, the parties hereto have signed this Agreement as of the date first written above.

**THINGS YOU LOVE EVENTS,  
LLC**

**CITY OF BEACON**

By: \_\_\_\_\_  
Emma Dewing

Title: \_\_\_\_\_

By: \_\_\_\_\_  
Anthony Ruggiero

City Administrator  
\_\_\_\_\_

STATE OF NEW YORK                    )  
  )     SS.:  
COUNTY OF DUTCHESS                )

On the \_\_ day of \_\_\_\_\_ in the year 2020 before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

---

Signature and Office of individual  
taking acknowledgement

STATE OF NEW YORK                    )  
  )     SS.:  
COUNTY OF DUTCHESS                )

On the \_\_ day of \_\_\_\_\_ in the year 2020 before me, the undersigned, personally appeared Anthony Ruggiero, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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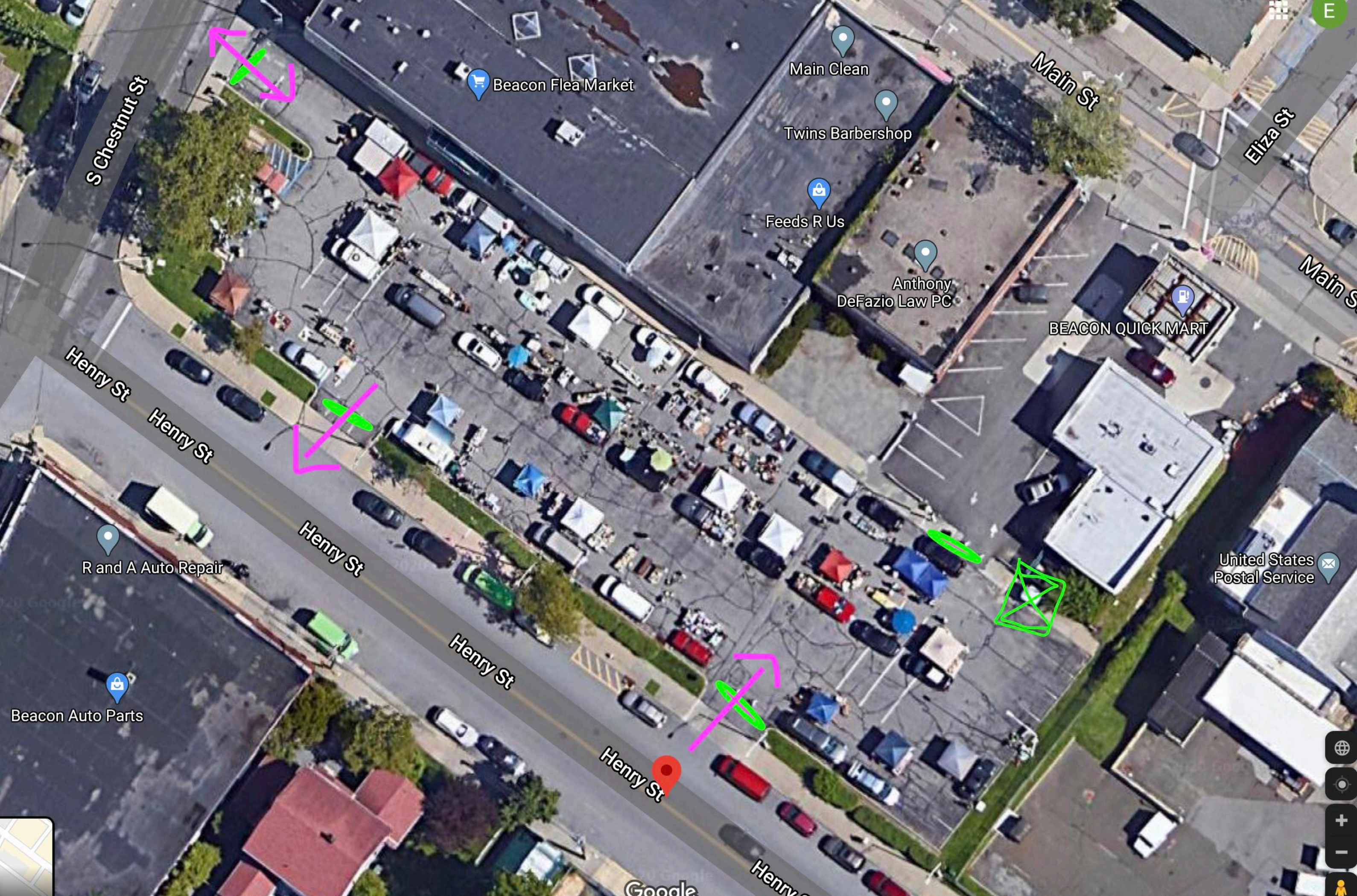
Signature and Office of individual  
taking acknowledgement



**EXHIBIT A**

**Property**







**City of Beacon Council Agenda  
3/2/2020**

**Title:**

**Resolution Approving an Amended 2020 City of Beacon Council Meeting Schedule**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Resolution Approving an Amended 2020 City of Beacon City Council Meeting Schedule	Resolution



**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_\_\_\_ OF 2020**

**RESOLUTION APPROVING AN AMENDED 2020 CITY OF BEACON CITY  
COUNCIL MEETING SCHEDULE**

**WHEREAS**, the City Council wishes to accommodate residents and interested parties who would like to take part in Earth Day activities on Saturday, April 18, 2020; and

**WHEREAS**, the City Council wishes to accommodate residents and interested parties who cannot attend Monday evening City Council meetings.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby approves moving the City Council meeting scheduled for Earth Day, Saturday, April 18, 2020, back to Monday, April 20, 2020.

**BE IT FURTHER RESOLVED**, that the City Council approves moving the City Council meeting schedule for Monday, May 18, 2020 to Saturday, May 16, 2020.

<b>Resolution No. ____ of 2020</b>			<b>Date: <u>March 2, 2020</u></b>				
<input type="checkbox"/> Amendments			<input type="checkbox"/> 2/3 Required				
<input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call <input type="checkbox"/> 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Amber Grant</b>					
		<b>Air Rhodes</b>					
		<b>Dan Aymar-Blair</b>					
		<b>Mayor Lee Kyriacou</b>					
		<b>Motion Carried</b>					



**City of Beacon Council Agenda**  
**3/2/2020**

**Title:**

**City Council Meeting Minutes February 18, 2020**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
City Council Meeting Minutes February 18, 2020	Minutes

**Regular Meeting**

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on February 18, 2020. Please note that the video recording of this meeting is available at <https://vimeo.com/392511368>

**Council Members Present:**

Amber Grant, At Large  
George Mansfield, At Large  
Terry Nelson, Ward One  
Air Rhodes, Ward Two  
Jodi McCredo, Ward Three  
Dan Aymar-Blair, Ward Four  
Lee Kyriacou, Mayor

**Council Members Absent:****Also Present:**

Anthony Ruggiero, City Administrator  
Drew Gamils, City Attorney

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Councilmember Dan Aymar-Blair shared the City's gratitude towards Veteran's, public servants, volunteers and all of those who commit themselves to making our democracy and community stronger and safer. He also acknowledged that the City Council meeting was being held on ancestral lands of the Lenape, Mohecan, and Wappinger peoples.

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Councilmember Jodi McCredo made a motion to move a resolution appointing four firefighters to the top of the agenda. Councilmember Grant seconded the motion. The motion passed 7 – 0.

Resolution Appointing Dar Sims, Kevin Glinksy, Kari-Leigh Lahey, and Ahmed Ismail as City of Beacon Firefighters

- Motion by Councilmember McCredo
- Second by Councilmember Rhodes
- Motion passes 7 – 0

Fire Chief Gary VanVoorhis said that all four candidates scored at least 100 on the Civil Service Exam, passed the physical agility test, background check, physical and interview process. All four are Emergency Medical Technicians. All four were volunteer firefighters.

Mayor Kyriacou welcomed the new firefighters, saying that the City Council is pleased to see a strong and diverse firefighting capability in Beacon. The City is committed to modernizing its firefighting capabilities, encouraging hiring diversity, and limiting tax increases while keeping Beacon safe.



He said that three new firefighting positions are partially funded by a SAFER grant the City received in 2019. He said that the quantity of volunteer firefighters in Beacon, the surrounding areas and across the country are dwindling. Beacon cannot afford to be the only department in southern Dutchess County, other than the VA, to have paid responders. Current arraignments will not solve this problem, he respectfully called on the Fire Departments in the region to work together to solve this problem. He read a quote from Dutchess County Executive Marcus Molinaro, "I congratulate Beacon on its expanded career firefighter staff, and agree with Beacon's Mayor that declining fire and emergency volunteers will not be solved without municipal cooperation. As County Executive, I stand ready to encourage and potentially offer exploratory funding for municipalities working together to tackle this difficult problem."

Mayor Kyriacou then swore in the four new firefighters.

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

**Speakers:**

Dennis Pavelock

Mr. Pavelock voiced his displeasure of the upcoming closure of Beacon Engine. The necessary repairs to Beacon Engine were cosmetic and never made. Now, major repairs are needed. Although there is only one firefighter at Beacon Engine, that firefighter can get to and add water to the fire, preventing it from spreading to neighboring houses, all while before backup arrives. By closing Beacon Engine, the leaders of Beacon are saying that the founders of Beacon never existed and their legacy is all for nothing.

Clara Lou Gould

Dennis Pavelock read a letter on behalf of Clara Lou Gould. Ms. Gould is concerned about response time and EMS services if Beacon Engine closes. She would like to have an antique firetruck in a fire station. Please see her letter attached to the end of these minutes.

Jeremy Suckow

Mr. Suckow discussed the vacant parcel on Melio Bettina Place. He said that his wife is sick and the family moved to Beacon to be closer to be their family. The parcel next to his own went into foreclosure. He was under the impression that the lot was unbuildable. However, when the City took the parcel over for back taxes and then put out a Request for Proposals for the parcel, he was informed that the parcel is buildable. However, the size of the lot does not meet buildable standards according to zoning. He submitted a proposal thinking he would be the only bidder who would not need a variance since he was the adjacent parcel owner. He was informed by the Mayor's Office that his bid was less than half of the other proposer's bid. He was told by the City that the lot was offered as a buildable lot because it is a non-conforming lot, however that is not consistent with the zoning. He said that if a sale wasn't procured before the charter, the parcel would lose its buildability.

Pat Kelleher

Mr. Kelleher commended the Council for hiring four new career staff. He spoke about the closing of Beacon Engine. He said that the fire stations have been studied over the last fifteen years. Each study found the same thing, the stations should be consolidated and the department should have proper staffing. The new study is going to cram the department into two buildings that still have to be upgraded. He asked the Council what information they need to make a decision; he asked why another study has been commissioned. He has been an active firefighter for 50 years. The volunteers are just about gone. Regionalizing fire service has to be done at the political level; the departments won't do it themselves.

Jan Dolan

Ms. Dolan spoke on behalf of the Howland Public Library. She said that the Board of Trustees of the library are holding an election for Trustees on April 30, 2020. She invited any City of Beacon School District resident over the age of 18 to consider running. She has found her time on the board to be a wonderful experience. Petition packets can be picked up at the library; 30 signatures need to be submitted by March 30<sup>th</sup> in order for the candidate to appear on the ballot.

Theresa Kraft

Ms. Kraft said that it is a sad day in Beacon when budget cuts require Beacon Engine to become obsolete. Beacon Engine would make a wonderful museum of Beacon's history.

She said she hopes that the rumors that individual Councilmembers are privy to insider deals with business partners hiding behind the infamous city-wide LLCs are just rumors. The money grabs from Urban Renewal have never ended in Beacon. The backroom deals must stop.

Terry Hockler

Ms. Hockler asked when Beacon Engine was sold. She also asked if the private Beacon Engine building is on the tax rolls.

Mayor Kyriacou said that the original Beacon Engine is owned by the Beacon Engine Fire Company. They are a private entity, a non-profit organization, not affiliated with the City of Beacon. The newer third of Beacon Engine was built and is owned by the City of Beacon. The maintenance and utility of the entire building has been paid by taxpayer funds without any agreement or legality. In order to stop the illegality, the City entered into an agreement with Beacon Engine Company at the end of December, 2019 which gave the City a 60 day out clause. One of his first actions as Mayor was to exercise that clause so that public funds stop being used for a private entity. Then they will figure out how to honor Beacon Engine.

After continually interrupting Mayor Kyriacou, Ms. Hockler was ruled out of order.

Tom Dicastro

Mr. Dicastro said that he has been a member of the Beacon Fire Department for many years. He has been through all of the presentations. He said that he doesn't understand how the City can close Beacon Engine without knowing the cost of renovating the other two stations. He said he doesn't understand why the City is not looking at building a brand-new state of the art facility while keeping the existing stations operational until the new building is fully developed. He accepts that Beacon Engine will close, his wish is that all three stations are closed and a new building is built to replace them.

John Williams

Mr. Williams is a member of Beacon Engine. He said he was speaking as a homeowner. It is important to have someone at the Beacon Engine Fire Station, especially before and after school to serve any kids who may be in trouble. He said it is a mistake to close Beacon Engine at this time.

Fire Chief Gary VanVoorhis

Mr. VanVoorhis said that an RFP was put out to create a conceptual plan to upgrade Mase Hook and Ladder and Lewis Tompkins Hose Station. A firm will provide conceptual drawings to upgrade the two stations.



Anthony Ruggiero

Mr. Ruggiero asked about the operational procedures with two stations.

Chief VanVoorhis said that the firefighters will safely operate the fire apparatuses in pairs rather than individually.

Mayor Kyriacou

Mayor Kyriacou said that this is not a feasibility study.

Councilmember Aymar-Blair

Mr. Aymar-Blair asked the Fire Chief to speak about the impact on response times of consolidating from three stations to two.

Fire Chief Gary VanVoorhis

Chief VanVoorhis said that Beacon is five square miles with three stations. The next closest station to Beacon Engine is less than four tenths of a mile. Moving to two stations will only add seconds to the response time. For years the Beacon Fire Department has responded, during daytime hours, from Lewis Tompkins Hose. There is no threat to safety by moving from three stations to two stations.

Councilmember McCredo

Ms. McCredo asked about the impact on the morale of the firefighters.

Fire Chief Gary VanVoorhis

Moving from three stations to two will hurt the morale of the volunteers but it will improve the career firefighter's morale since they can now work together rather than being on their own.

## **Community Segment**

### **2020 Census and Digital Equity**

Greta Byrum of the New School and Carolyn Bennett Glauda of the Southeastern New York Library Council gave a presentation on the importance of taking part in the 2020 Census. They said that residents will receive a letter with instructions to take the census online. If residents do not take the census online, a census worker will visit their home to complete the census. You can view the entire presentation here <http://agenda.cityofbeacon.org/CoverSheet.aspx?ItemID=8610&MeetingID=566>

## **Public Hearings**

Public Hearing to Discuss a Proposed Local Law to Amend Chapter 134 of the Code of the City of Beacon Regarding Historic Preservation

Drew Gamils and Mayor Kyriacou

Ms. Gamils and Mayor Kyriacou introduced the legislation by saying that there are no fees for a certificate of appropriateness. Only substantial alterations to the exterior will require a review, unless otherwise specifically enumerated.

Theresa Kraft

Ms. Kraft said that she hopes residents take part in the historic designation process. It is better for the environment to restore old buildings. Allowing Beacon to expand its historic district helps ensure that the special character of the district is maintained.

- Motion to Adjourn to March 16<sup>th</sup> by Councilmember Nelson
- Second by Councilmember
- Motion Passes 7 -0

Continuation of a Public Hearing to Discuss the Designation of 35 Properties as Landmarks Pursuant to the City Code of the City of Beacon Chapter 134, Historic Preservation

Peg Suttentfield, Representing Joe Donovan, property owner

Ms. Suttentfield said they are committed to responsible stewardship of their buildings. They have invested a huge amount of time, energy and money into property maintenance. Inclusion in the HDLO will hinder their ability to maintain the integrity of their buildings. She submitted a letter for the record which can be found at the conclusion of these minutes.

Theresa Kraft

Ms. Kraft said that having a property in an historic district is a source of pride and honor. However, many people feel it may be a burden. She asked that even if a property is not placed on the historic district register that it be considered for such designation upon sale. Repair is preferred over replacement and often because the investment is better protected over time. Owners know that the aspect which makes a particular neighborhood special will be retained. Home owners will not be forced to improve a building. HDLO homes will not be singled out for additional taxes. Preservation projects can take place in a number of ways. New buildings should constantly be proposed for historic designation throughout the city.

- Motion to Adjourn the Hearing to April 20, 2020 by Councilmember Grant
- Second by Councilmember McCredo
- Motion Passes 7 – 0

Public Hearing to Discuss a Proposed Extension of a Water Moratorium

Drew Gamils

Ms. Gamils introduced the public hearing as an opportunity for the public to comment on a proposed extension of a water moratorium.

Anthony Ruggiero

Mr. Ruggiero said that the City is going out to bid for a well pump. The additional work is not part of the moratorium; however, the City is exploring the utility of a potential third well.

Theresa Kraft

Ms. Kraft said she is in full support of the extended moratorium. It should however be extended by six months and not simply three months because of the pending development and the impact it will have on the water



resources. She said that in Fishkill there are big projects that will take up a lot of parking and water. She asked what kind of water impact the development will have on Beacon's water and sewer resources.

- Motion to Close the Public Hearing by Councilmember Grant
- Second by Councilmember McCredo
- Motion Passes 7 – 0

## **Council Reports**

Jodi McCredo

Ms. McCredo thanked residents for coming to the meeting. She said that the intersection in front of Memorial Park at Ron's Ice Cream has a yield sign, however it is only placed in one direction. She heard a request to put a stop sign at the intersection. She asked if the new stop signs at the intersection of Grove Street and Liberty Street could also have a sign that reads "Four Way Stop." She reminded people that the Howland Public Library is holding elections and people should seriously consider running and taking part.

Amber Grant

Ms. Grant said she had the pleasure of visiting the opening of an exhibit honoring Black History Month at the Howland Public Library. She thanked the library for hosting the event and Barbara McCaskill for the work she put into organizing the exhibit. The exhibit can be viewed during the library's regular business hours until March 1<sup>st</sup>.

Ms. Grant gave an update on the Sustainability Initiative. She, along with Councilmember Air Rhodes met with the Conservation Advisory Committee, Green Beacon Coalition and the City's Climate Smart Coordinator. She thanked everyone for their enthusiasm. Waste, compost, and trees have emerged as three themes moving forward. They are going to be working to garner public input on the matter. They are moving quickly to meet grant deadlines. She asked the Council to consider moving the April 18<sup>th</sup> Council meeting to allow the City to celebrate Earth Day.

Councilmember Mansfield

Mr. Mansfield reminded the public of the Community Development Forums, the first of which will be on February 20<sup>th</sup> at 7 pm at the Veteran's Memorial Hal.

Terry Nelson

Mr. Nelson said that he will be holding Office Hours from 11-1 this Saturday at the Howland Public Library. He'll try to answer as many questions as he can. He said that there are five open positions on the library board. He spoke about Underground Beacon, a local comic book store which is closing for many reasons. One reason is rising rental costs which are making operation prohibitive. Catalyst Gallery is also closing because of higher rents. A third business faces an uncertain future on Main Street because of a rent increase. The Council has to think of something to combat this. If the City of Beacon is a wonderful growing City then the closing shops are a problem and they can't continue. He reminded residents to drive the speed limit.

Air Rhodes

Mx. Rhodes said that they met with the Tree Committee as part of the Sustainable Beacon initiative. One way the public can weigh in on Beacon's sustainability initiatives will be to complete a survey which will be

available at the conclusion of the Beacon Community Development Forums and eventually online. The Councilmember gave an update on the NRI, saying it will come back before the Council shortly.

Dan Aymar-Blair

Mr. Aymar-Blair said that the annual Soup for Greens event will be held on Sunday, February, 23<sup>rd</sup> at the Memorial Building from 10 am – 2 pm. Soup for Greens raises money for Greens for Greens. He will be volunteering on Sunday.

He reminded residents that the first Community Development Forum will be on February 20<sup>th</sup> at 7 pm. He followed up with the City Administrator about truck traffic on Howland Avenue.

He said that two arts institutions are closing on Main Street because of higher rents. He said that all of the arts are the cornerstone of the community and he wishes that there was something that could be done about the closing comic book store.

Mayor Kyriacou

Mayor Kyriacou said that he is impressed with the efforts of Councilmembers regarding the Sustainable Beacon Initiative. He reminded the public of the Community Development Forums. He has received more than 25 applications for the recently announced Main Street Access Committee. Sara Pasti will co-chair the Committee. At the next workshop the Council will announce the membership of the Committee and offer it a charge.

Regarding fire protection, Mayor Kyriacou said that each of the studies done on the stations quickly came to the conclusion that the City needs a new central fire station. The Tompkins Hose Station was built mindful of being a central station. It never happened because the companies were not comfortable consolidating into each other. This was a great opportunity missed. He continued, saying that the Council has gotten passed the idea of staying at three fire stations; moving in the direction of a single fire station is appropriate. This new project will lay out the requirements needed for two facilities to serve the City of Beacon. This is not another study. After that, the City will get architectural designs. The City believes that it will be far less expensive than building one new station from scratch. He pointed out that the City will not abandon Beacon Engine; they will work with the Beacon Engine Company to maintain their history and the amazing historic physical structure that is Beacon Engine. He said it would be a great historical building with the appropriate use. The City will reach out and offer a hand to the company to work together to preserve the building and find appropriate places to honor the immense historical artifacts. He thanked the Fire Chief for his work.

## **Local Laws and Resolutions**

Resolution Adopting an Amended Municipal Policy on the Naming of Streets and other Municipal Properties

Mayor Kyriacou

The resolution proposes a review of honorific names of municipal property after fifteen years. Further, there would be a preliminary review by staff prior to being reviewed by the City Council.

- Motion to by Councilmember Grant
- Second by McCredo
- Motion Passes 7 – 0

Resolution Authorizing the Sale of Real Property on Melio Bettina Place Tax ID # 30-5954-28-942947-00

Councilmember Aymar-Blair said he would like to discuss this resolution before voting on it.

- Motion to discuss the resolution by Councilmember McCredo
- Second by Councilmember Nelson
- Motion Passes 7 – 0

Councilmember Aymar-Blair asked the City Administrator for information about the RFP process and intent.

Anthony Ruggiero and Drew Gamils said that whoever purchased the parcel would have to conform to the lot size or seek a variance. The area of the lot is legal nonconforming. The lot is being sold with the intent to have the purchaser build a home.

Councilmember George Mansfield

Mr. Mansfield asked if it were possible, going forward, to allow a neighboring property owner to match any bid on an adjacent parcel being sold by the City.

Anthony Ruggiero said that that could be reviewed during Executive Session. He also said that although Dutchess County Parcel Access does not list the parcel as owned by the City of Beacon, it is indeed owned by the City and Parcel Access is not up to date.

Drew Gamils

Ms. Gamils said that it is an unlisted action and the Council would have to adopt a negative declaration before authorizing the sale.

Jeremy Suckow

Mr. Suckow requested that the City Council delay the vote because he was seeking clarity on the zoning requirements of the parcel. He said that the RFP was incomplete or he wasn't provided the knowledge prior to the submission deadline.

- Motion to move this item to the February 24<sup>th</sup> City Council Workshop by Councilmember Grant
- Second by Councilmember Mansfield
- Motion Passes 7 – 0

Resolution Setting a Public Hearing to Discuss a Special Use Permit Application for 1182 North Avenue for March 16, 2020

- Motion to by Councilmember Grant
- Second by Nelson
- Motion Passes 7 – 0
- Motion by Councilmember Grant to pass the following three resolutions:

Resolution Authorizing the City of Beacon to Enter into a Contract with SURPASS Chemical Company Inc.  
Resolution Authorizing the City of Beacon to Enter into a Contract with SNF Polydyne for the Supply and Delivery of Liquid Polymer



## Resolution Rejecting All Bids for the Supply and Delivery of a Liquid Phase Product

- Second by McCredo
- Motion Passes 7 – 0
- Motion by Councilmember Grant to pass the following four resolutions:

Resolution Approving the Appointment of Joe Waring to the Human Relations Commission

Resolution Approving the Appointment of Scot Sedley to the Human Relations Commission

Resolution Approving the Appointment of Tina Bernstein to the Human Relations Commission

Resolution Approving the Appointment of Joseph Linksman to the Recreation Committee

- Second by Councilmember Nelson
- Motion Passes 7-0

## Resolution Designating Henry Street in Honor of the Scalzo Family

- Motion to by Councilmember Rhodes
- Second by Councilmember Aymar-Blair
- Motion Passes 7 – 0

## Resolution Authorizing the Extension of a Water Moratorium

Mayor Kyriacou noted that rather than have a moratorium for development-related issues due to questionable validity, the Council is extending the water moratorium. The moratorium is taking place because of an issue with one of the City's wells and is not a result of development in the City.

- Motion to by Councilmember McCredo
- Second by Councilmember Nelson
- Motion Passes 7 – 0

## Resolution Granting a Six-Month Extension for the Special Use Permit at Edgewater

Taylor Palmer, Attorney Representing Edgewater

Mr. Palmer said that the applicant has satisfied all of the conditions of the Planning Board's approval resolution and those that are provided by the City Council and the Zoning Board of Appeals. There are two remaining conditions tied directly to deliverables the applicant has prepared. There are some easement agreements and other agreements the City Attorney's office is reviewing. Ultimately the Dutchess County Department of Health is still reviewing and should sign off on the subdivision soon. Once those conditions are resolved, the applicant will proceed to a building permit. The applicant is seeking a six-month extension.

Councilmember McCredo

Ms. McCredo said that although she voted against the original application she will vote in favor of the extension.

- Motion to by Councilmember Nelson
- Second by Councilmember Mansfield

- Motion Passes 7 – 0

**Next Council Workshop: February 24, 2020**

**Next Council Meeting: March 2, 2020**

**Motion to Adjourn**

- Motion to Adjourn by Councilmember Nelson
- Second by Councilmember Aymar-Blair
- Motion passes 7 – 0

## Beacon Engine Comments by Clara Lou Gould

Sorry not able to attend meeting.  
thank Dennis for bringing comments.  
Consolidation of Fire Houses has  
been discussed over the years.

### Two Important Points?

1. Response time - for fire
- EMS Services

2 appropriate use of Historical Buildings  
tourist & Educational attendance

for visitors and Residence including  
Students who might be interested in  
joining Fire Volunteers of the B.F.D.

Possible East End Visitor Center  
Parking lot across the Street.

Adding Parking of Antique Fire Engine in  
building would be a nice attraction?



18 February 2020

City Council  
City of Beacon  
1 Municipal Plaza  
Beacon, NY 12508

Dear Mayor Kyriacou and City Council Members,

As owners of 4 Cross Street, Beacon, NY we are writing this letter to confirm and document our previously expressed opposition to the inclusion of the property at 4 Cross Street as a historic landmark or to its inclusion in the Historic District and Landmark Overlay Zone.

Sincerely,



Joseph Denovan  
Member  
HudsonTodd, LLC  
4 Cross Street,  
Beacon, NY 12508

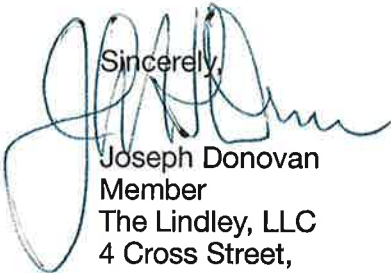
18 February 2020

City Council  
City of Beacon  
1 Municipal Plaza  
Beacon, NY 12508

Dear Mayor Kyriacou and City Council Members,

As owners of 1154 North Avenue, Beacon, NY we are writing this letter to confirm and document our previously expressed opposition to the designation of the property at 1154 North Avenue as a historic landmark or to its inclusion in the Historic District and Landmark Overlay Zone.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JD', with a large loop at the end.

Joseph Donovan  
Member  
The Lindley, LLC  
4 Cross Street,  
Beacon, NY 12508

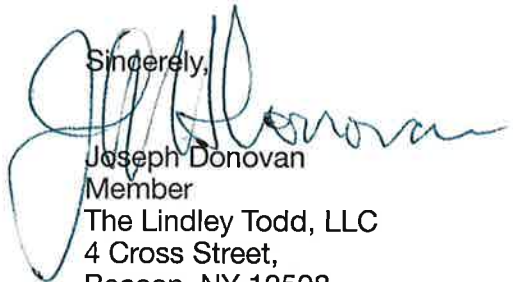
18 February 2020

City Council  
City of Beacon  
1 Municipal Plaza  
Beacon, NY 12508

Dear Mayor Kyriacou and City Council Members,

As owners of 152 Main Street, Beacon, NY we are writing this letter to confirm and document our previously expressed opposition to the inclusion of the property at 152 Main Street in the Historic District and Landmark Overlay Zone.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Donovan", is written over the typed name and address.

Joseph Donovan  
Member  
The Lindley Todd, LLC  
4 Cross Street,  
Beacon, NY 12508

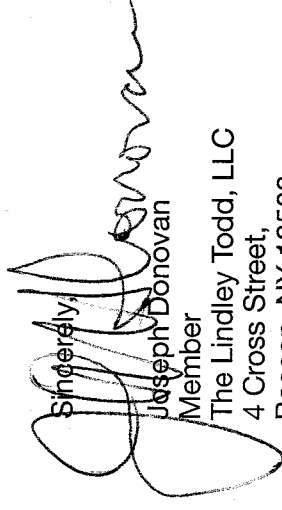


18 February 2020

City Council  
City of Beacon  
1 Municipal Plaza  
Beacon, NY 12508

Dear Mayor Kyriacou and City Council Members,

As owners of 152 Main Street, Beacon, NY we are writing this letter to confirm and document our previously expressed opposition to the inclusion of the property at 152 Main Street in the Historic District and Landmark Overlay Zone.

Sincerely,  
  
Joseph Donovan  
Member  
The Lindley Todd, LLC  
4 Cross Street,  
Beacon, NY 12508

**City of Beacon Council Agenda  
3/2/2020**

**Title:**

**City Council Meeting Minutes February 3, 2020**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
City Council Meeting Minutes February 3, 2020	Minutes

**Regular Meeting**

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on February 3, 2020. Please note that the video recording of this meeting is available at <https://vimeo.com/389239629>

**Council Members Present:**

Amber Grant, At Large  
George Mansfield, At Large  
Terry Nelson, Ward One  
Air Rhodes, Ward Two  
Jodi McCredo, Ward Three  
Dan Aymar-Blair, Ward Four  
Lee Kyriacou, Mayor

**Council Members Absent:****Also Present:**

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

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Mayor Kyriacou held a moment of silence in honor of African American History Month.

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

**Speakers:**

Stosh Yankowski

Mr. Yankowski clarified his comments from the previous meeting. He said he tried to say that he wants to keep Beacon beautiful. He apologized for his comments.

Theresa Kraft

Ms. Kraft said that Alexander Hamilton worked on the Federalist Papers while temporarily living in Beacon. The City of Beacon should protect historic and cultural resources. The Council should focus on affordable and low-income housing. Poughkeepsie and Newburgh are focusing on building new housing units, several of which are for low-income residents. It is imperative that reports and problems are properly shared with other municipalities regarding shared water systems. Regarding water, she asked rhetorically, "How much toxicity is too much toxicity?"

**Community Segment: Comprehensive Plan Discussion/Zoning History in Beacon's Fishkill Creek Development District, Central Main Street District and Linkage District**

John Clarke, City of Beacon Planner

Mr. Clarke gave a presentation on the history of zoning in the Fishkill Creek Development District, the Central Main Street District and the Linkage District in Beacon. To view the entire presentation, please visit the link below: <http://agenda.cityofbeacon.org/CoverSheet.aspx?ItemID=8564&MeetingID=534>



Mr. Clarke discussed the creation of and subsequent expansion of the Fishkill Creek Development District.

He discussed the history of the Central Main Street District as it went from an historic, pedestrian oriented Main Street to an essentially isolated business district designed for vehicular access. Urban Renewal called for low level buildings along Main Street to be sandwiched between parking lots which would be abutted by high rise housing. He then discussed the transition to mixed-use zoning on Main Street. Finally, he touched on the fact that buildings such as 226 Main Street cannot be built as it appears in today's current zoning. Today's zoning is modeled after 151 Main Street thanks to recent amendments.

Mr. Clarke discussed the history of the Linkage District which was created in 2013. It is located between City Hall and the Train Station. The purpose of the zoning was designed to provide more residential uses, commercial was (for the most part) not permitted so as not to compete with Main Street. In 2014 the Linkage District was changed to eliminate peripheral parcels from the District. In 2017, after the Comprehensive Plan update, commercial development was allowed, in limited size and by special permit, primarily along Beekman Street and West Main Streets.

### **Public Hearings**

Public Hearing to Discuss a Proposed Local Law to Amend Chapter 134 of the Code of the City of Beacon Regarding Historic Preservation

Mr. Ward-Willis introduced the Public Hearing as a continuation of a previous public hearing from January 21, 2020.

Peggy Ross

Ms. Ross asked the Council what the benefit would be for religious institutions to be part of the Historic District Landmark Overlay. She said that the Mayor feels that RD5 was too restrictive and changes would be advantageous. She asked if there were some special exemptions that the Council would consider. She posed a hypothetical question, "If the Beacon Hebrew Alliance were to sell their building one day, could they take their windows; how would an economic hardship come into play?"

George Mansfield

Mr. Mansfield said that if the Council were to provide an exemption for a religious institution, the property could not be torn down if it were ever sold.

Theresa Kraft

Ms. Kraft said that the historic district protections should stay with the building upon a sale. She said that the City should have an Historic District Preservation Landmark Commission to review changes to buildings within the HDLO, and make recommendations for additional HDLO nominees. Poughkeepsie, Kingston and Newburgh already have committees such as these. The National Register of Historic Places is a federal program, beyond the scope of Beacon's HDLO guidelines. If Beacon strengthens the HDLO, they will protect the City's cultural resources.

Harvey Kaplan

Mr. Kaplan said that he and his brother Rich Kaplan operate Max's on Main. He said that in 2017 he purchased the building that houses Max's on Main. At the time, they did not know that the building would be included in an Historic District. He would like to know if there is a process for individual building owners to become

exempt from the HDLO. He and his brother will participate with whatever the Council chooses.

The Council directed John Clarke to include site feature recommendations within the HDLO nomination forms.

- Motion to adjourn the Public Hearing to February 18, 2020 by Councilmember Grant
- Second by Councilmember McCredo
- Motion passes 7 – 0

## **Council Reports**

### Councilmember Dan Aymar-Blair

Mr. Aymar Blair said he will hold Office Hours on the second Saturday of every month at Trax Coffee House from 8 am – 9:30 am. He said that this Saturday at 1 pm The Beacon Rising Women’s Choir will perform at the Town Crier. They are raising money for Beacon charities including the Beacon Community Kitchen, the Newburgh LGBTQ Center, Beacon Prison Rides, The Love Quest Foundation and the Compass Arts Community Center.

He inquired about prohibiting the installation of fossil fuel infrastructure related to new construction including large renovations. Brookline Massachusetts and a few places in California have done this. However, the City Attorney discovered that New York State has a prohibitive stance on this for municipalities. State law preempts local governments from legislating in this area. An option for the Council would be to write a resolution to New York State requesting they change this policy.

### Councilmember Amber Grant

Ms. Grant said she met with Joule Energy and provided a program update. The deadline to sign up has been extended to March 31<sup>st</sup>. For each household that signs up, Joule Energy contributes \$50 to a community fund for Beacon. As of January, the fund is “very close” \$10,000. If anyone would like to more information they can visit [hudsonvalleycommunitypower.com/localsolar](http://hudsonvalleycommunitypower.com/localsolar) or call 845 859 9099.

### Jodi McCredo

Ms. McCredo invited people who are interested in creating a working group to discuss municipal broadband to reach out to here at [jmccredo@cityofbeacon.org](mailto:jmccredo@cityofbeacon.org). She will be working with the School District on this project.

### Councilmember George Mansfield

Mr. Mansfield said that parking meters were not discussed as part of the Main Street Access Initiative. The parking problem is a parking management problem and not a problem of a lack of parking. The discussion should be about discouraging the use of vehicles rather than accommodating vehicles. One solution would be to re-open the conversation with MTA about the rail trail before parking structures are discussed.

He said that Mary Kay Verba of Dutchess Tourism has retired and he thanked her for all of the hard work that she has done for Beacon.

### Councilmember Air Rhodes

Mx. Rhodes said that they spent most of the week with the Natural Resource Inventory. The draft version is an excellent, exciting document. It will be adopted in the coming weeks. They have been working with other

Councilmembers to finalize the document.

They reminded everyone to wash their hands because a lot of people are missing work due to sickness.

Councilmember Terry Nelson

Mr. Nelson reminded everyone to obey the speed limit. A deer was struck by a vehicle on Verplanck Avenue, this could have easily been a child.

He thanked everyone who attended his Office Hours; he specifically thanked Michelle Revis for reaching out to him. His next Office Hours will be February 22<sup>nd</sup> from 11 – 1 at the library.

A neo-Nazi group has been putting up signs in Beacon. He reminded people that if they see something, they should say something to the Beacon Police Department.

Mayor Kyriacou

Mayor Kyriacou said that it is very important for City of Beacon residents to participate in the 2020 Census. Legislative seats and federal funds totaling over 600 billion dollars are allocated based upon the number of people counted in Beacon. Information given to the Census Bureau will be kept private.

He pointed out that he is supportive of the City's community solar program however he is cautious about the self-help elements with regards to political gains.

Mayor Kyriacou and Fire Chief Gary VanVoorhis announced a modernization of the fire stations and the closure of Beacon Engine. Their joint report can be found at the end of these Council Minutes.

### **Local Laws and Resolutions**

Resolutions 1- 4 below were voted on together as part of a consent agenda.

- Motion by Councilmember Jodi McCredo
  - Second by Councilmember Terry Nelson
  - Consent Agenda Passes 7 – 0
1. Resolution Amending the 2020 City of Beacon City Council Meeting Schedule
  2. Resolution Approving the Reappointment of Michael Deane to the Human Relations Commission
  3. Resolution Approving the Appointment of Faye Leone to the Conservation Advisory Committee
  4. Resolution Approving the Reappointment of Brian DiFeo to the Conservation Advisory Committee

Mayor Kyriacou and City Administrator Anthony Ruggiero thanked the Water and Sewer Department and the Department of Public Works for the job they did repairing a sewer break on January 31<sup>st</sup>.

5. Resolution Setting a Public Hearing to Receive Comments on the Proposed Local Law to Extend for Three Months the Moratorium Imposed by Local Law 6 of 2019 for February 18, 2020

- Motion by Councilmember Grant



- Second by Councilmember McCredo
- Motion Passes 7 – 0

6. Resolution Setting a Public Hearing to Receive Comments on the Special Use Permit Application for 3 Water Street for March 16, 2020

- Motion by Councilmember Nelson
- Second by Councilmember Rhodes
- Motion Passes 7 – 0

7. Resolution Authorizing the City of Beacon to Enter into a Contract with David Church for Professional Services

- Motion by Councilmember McCredo
- Second by Councilmember Grant
- Motion Passes 7 – 0

8. Resolution Authorizing the City of Beacon to Enter into a Contract with Mitchell Associates Architecture PLLC for Architectural Design Services

- Motion by Councilmember Mansfield
- Second by Councilmember Grant
- Motion Passes 7 – 0

Fire Chief Gary VanVoorhis

None of the fire stations are ADA Compliant, some don't have exhaust pipes or sprinklers.

### **Approval of Minutes**

Resolution Approving the Minutes from the January 21, 2020

- Motion by Councilmember Rhodes
- Second by Councilmember McCredo
- Motion Passes 7 – 0

Budget Amendments

- Motion by Councilmember Nelson
- Second by Councilmember Rhodes
- Motion Passes 7 – 0

### **Second Opportunity for Public Comments**

Louis Amoroso Sr.

Mr. Amoroso Sr. said that no one from the City got in touch with the presidents of the fire companies to tell

them about the closing of Beacon Engine. Speaking to residents in the Third Ward and parts of the Fourth Ward, he said that they will not have good fire service. The City of Beacon has not spent money on the existing fire stations.

**Motion to move to Executive Session**

- Motion by Councilmember Mansfield
- Second by Councilmember Rhodes
- Motion Passes 7 – 0

**Next Council Workshop: February 10, 2020**

**Next Council Meeting: February 18, 2020**

**Motion to Adjourn**

- Motion to Adjourn by Councilmember Grant
- Second by Councilmember Rhodes
- Motion passes 7 – 0



## City of Beacon, New York

Office of the Mayor

Lee Kyriacou, Mayor

FOR IMMEDIATE RELEASE

February 18, 2020

845.838.5011 | [mayor@CityofBeacon.org](mailto:mayor@CityofBeacon.org)

### **BEACON EXPANDS FIRE DEPARTMENT WITH FOUR FULL-TIME HIRES; MAYOR CALLS FOR REGIONALIZED FIRE PROTECTION**

*Beacon, NY:* At a Council Meeting on February 18<sup>th</sup> Beacon Mayor Lee Kyriacou announced today the hiring of four career firefighters, as part of the largest expansion of Beacon Fire Department in decades, while calling for local governments to come together and find tax-efficient regional solutions to dwindling volunteers.

Beacon Fire Chief Gary VanVoorhis introduced the city's four newest firefighters, following unanimous approval of the City Council:

- **Dar Sims** served six years as a firefighter and EMT with the Castle Point Fire Department, six years in the Marine Corps, and holds numerous national and state firefighting certifications.
- **Kevin Glinks** is an experienced firefighter and EMT who served two years with the Global Foundries Emergency Control, and holds several firefighting certifications.
- **Kari-Leigh Lahey** has served as a volunteer firefighter in Beacon for seven years, and has four years of EMT experience with Mobile Life Support Services.
- **Ahmed Ismail** is a volunteer Lieutenant and Captain for the East Fishkill Fire Department, and has served as an EMS Officer at Grand Central Terminal in New York City.

Chief VanVoorhis said: "All of the new firefighters are exceptionally qualified, and Beacon is fortunate to attract them. They each earned perfect scores on the county civil service exam, served as career or volunteer firefighters in the past, and are EMT trained and experienced.

"With these new hires, every shift will increase from three to four career firefighters, 24/7. They will all work out of our Tompkins Hose firehouse during the day, and at night a pair each will be housed in Mase Hook & Ladder and Tompkins Hose. This improves both community safety and the safety of all our firefighters."

Mayor Kyriacou added, "Welcome aboard. Speaking for the entire Council, we are pleased to see both a stronger and more diverse firefighting capability. Our commitment is to modernize the City's firefighting facilities, encourage hiring diversity, and limit tax increases while keeping our city safe."

Three new full-time positions are partially funded by a federal Staffing for Adequate Fire and Emergency Response (SAFER) grant that the City received in 2019. All SAFER funding will end after three years, and thereafter city taxpayers must bear the full expense.

The Mayor spoke about dwindling fire and emergency volunteer counts. "Volunteers – in particular those capable of fighting an interior fire – continue to decline in Beacon and the nearby five fire districts; it is a national trend that affects every community. As interior fire-capable volunteers continue to decline, Beacon cannot afford to be the only municipality in Southern Dutchess with paid



responders (the federal VA hospital also has full-time firefighters). Current arrangements, including mutual aid, will not solve this problem. For the safety of our communities, and the pocketbooks of our taxpayers, I respectfully call for fire services in Southern Dutchess to begin a dialogue on how best to address this common crisis facing us all.”

Marc Molinaro, Dutchess County Executive, agreed: “I congratulate Beacon on its expanded career firefighter staff, and agree with Beacon’s Mayor that declining fire and emergency volunteers will not be solved without municipal cooperation. As County Executive, I stand ready to encourage and potentially offer exploratory funding for municipalities working together to tackle this difficult problem.”

### **About the Beacon Fire Department**

The City of Beacon Fire Department currently has 13 full-time career firefighters (16 are approved in this year’s budget), over 18 volunteer firefighters and two support personnel, with five fire apparatuses in three stations: Beacon Engine (built 1886 at 57 East Main Street), Mase Hook & Ladder (built 1911 at 42 Main Street) and Lewis Tompkins Hose (current building built in 1982 at South Avenue and Route 9D; original 1886 Main Street building now owned by Hudson Beach Glass). The Department responds to more than 1,800 emergency and fire calls per year, and boasts the county’s fastest response time. The fully allocated cost of police and fire services represents an estimated 50% of the budget.

### **About the City of Beacon:**

Beacon, New York is located on the eastern shore of the Hudson River 60 miles north of New York City, with a population of 15,000. Originally a Native American settlement, the area was purchased from the Wappinger Tribe in 1683 and settled by Dutch and other Europeans, leading to the riverfront community of Fishkill Landing on the Hudson, and the mill community of Matteawan on Fishkill Creek. The two communities were incorporated together as the City of Beacon in 1913, named for the Revolutionary War signal fires on Mount Beacon. Beacon thrived as a 19<sup>th</sup> and 20<sup>th</sup> Century factory city, but as factories closed after WWII and the local economy declined, the city went through a period of hard times. Today, Beacon has successfully reinvented itself as a 21<sup>st</sup> Century river community centered around tourism, the arts and access to the scenic Hudson River heritage area. A diverse and thriving small city, it is now home to DIA:Beacon (one of the largest exhibition spaces in the country for modern and contemporary art), a network of Hudson River parks connecting to Fishkill Creek and Mount Beacon trails, and a vibrant historic Main Street of art galleries, shops, cultural venues and restaurants.

# # #

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