

**Regular Meeting**

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on May 6, 2019. Please note that the video recording of this meeting is available at <https://vimeo.com/334576233>

**Council Members Present:**

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

**Council Members Absent:**

Lee Kyriacou, At Large

**Also Present:**

Anthony Ruggiero, City Administrator  
Nick Ward Willis, City Attorney

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

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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 other than those which are the topic of a public hearing tonight.

**Speakers:**

Theresa Kraft

Developers are pulling the strings in the City of Beacon. Main Street development of a four-story building at 172 Main Street should not be allowed. Do not allow developers to increase the height of rooflines in historic areas. There are too many out-of-context new buildings. The city must stop variances for circumstances that are man-made. Beacon must institute a building moratorium in the coming weeks.

Additionally, Ms. Kraft thought that the Council was rude to the Farmer's Market representatives at the previous week's meeting.

Sarah Simon

Ms. Simon spoke as a representative for the Beacon Farmer's Market. She noted that last year they made several concessions to a local business. She said that they were surprised and confused when they were not permitted to stay at Veteran's Place this year. There are about 2,000 weekly visitors to the Farmers Market in the summer. Do not move the Market up and down main Street.

Jessica Jellif

Ms. Jellif spoke as a representative of the Beacon Farmer's Market committee. The Market is an opportunity for people to break bread together with the community; it is akin to a weekly festival to celebrate how much we all love Beacon. Do not move the Market; doing so will not allow the Market to take care of its vendors.

Ava Bynum

Ms. Bynum spoke out in favor the Protect Our Courts Act. ICE has increased their activity within the court system and they are tearing families apart.

Paul Mersfelder

Mr. Mersfelder is an organizer with Nobody Leaves Mid-Hudson. He asked that the Council vote in favor to support the Protect Our Courts Act. In doing so, Beacon can remain a welcoming community to all.

Anthony Vardire

Mr. Vardire stated that the east side of Verlplank Avenue at the waterfall is unsafe. In particular, it is unsafe on top of the cement damn. Let's not be sorry, let's be safe. Can the City of Beacon check to see what can be done to make this area safer for everyone?

Joe Waring

The Beacon Community Kitchen will be hosting a Trivia Night fundraising event at Dogwood on Main Street on Tuesday, May, 14<sup>th</sup> at 7 pm.

Arthur Camins

Mr. Camins spoke on three different topics.

1. He spoke in support of the Support Our courts Act
2. He spoke in support of the Farmers Market staying at Veteran's Place
3. He spoke about protecting green space on Main Street and Ferry Street

Paloma Wake

Ms. Wake introduced herself as a member of the Beacon Farmers Market. She spoke about the history and current state of the Market. Ms. Wake stated that the Market brings additional foot traffic to the business section of town. Many of the vendors at the Market have brick and mortar stores in Beacon. About 2,000 customers come to every market in the summer. The Market organizers run education activities for children. She concluded by stating that she intends to continue to communicate with the community and provide updates on the Farmers Market.

Rich Kaplan

The Farmers Market should not move to the DMV parking lot because there is already very little parking on the west end of Main Street. The DMV parking lot provides 92 valuable spaces.

Stosh Yankowski

Mr. Yankowski spoke out against the proposed project at 172 Main Street. He said that 90 percent of Beacon residents do not want 4 story buildings. If you are going to run for office, run on an anti-development platform. The Council can use eminent domain to take the Ferry Landing property.

Antonia Maeck

Ms. Maeck spoke in favor of the Protect Our Courts Act. Everyone in our town should have access to the court system to advocate for themselves when they have been a victim of a crime. The Municipal I.D resolution was a great decision by the City Council. Additionally, the Farmers Market should not move to the DMV parking lot.

### **Public Hearings:**

#### **No. 1: Public Hearing**

#### Public Hearing on Proposed Local Law to Delete Chapter 183 and Amend Chapter 223 Sections 15 and 63 of the Code of the City of Beacon Regarding the Sign Law

Nick Ward Willis

The City Attorney provided a background on how the proposed sign law has gone through several iterations and has taken into consideration input from both the City of Beacon Planning Board and the Dutchess County Planning and Development Department.

The County does not recommend allowing inflatable signs anywhere in the City of Beacon. Changeable copy signs should also be prohibited. Because the County has made prohibitive statements the law will now need a super majority (5 votes) to pass.

George Mansfield

Asked Nick Ward Willis if the County Planning Board has any scientific research to backup their claims that the specific signs, which were pointed out in their letter, are indeed distracting to drivers. Mr. Ward Willis said that the City can certainly ask the County for the basis of their claims.

Jason Hughes

Mr. Hughes said that he was prosecuted two times in the past two years by the City of Beacon. He said that he feels targeted. The City Attorney prosecuted him using an unconstitutional portion of the City Code. The attorney either did so unknowingly or maliciously. The new proposed code seems targeted as well; if the Council approves it, they will be endorsing harassment and discrimination of a tax payer.

Theresa Kraft

The signs on Route 52 should be scaled back to a much lower height.

Motion to close the Public Hearing

- Motion by Council person Rembert
- Second by Council person McCredo
- Motion passes 7-0

Public Hearing Regarding Verizon Wireless Facility at 110 Howland Avenue

Neil Kaplan

Mr. Kaplan is a local business owner on Howland Avenue. He has issues with putting a cell tower in that neighborhood, particularly next to his bed and breakfast.

Nick Ward Willis

Mr. Ward Willis reminded the public that according to the FCC regulations, the City Council is prohibited from making a decision on where to place cell phone towers based on health impacts. They are further barred from considering the perceived fear of health impacts.

Theresa Kraft

The cell phone tower should be pushed back further into the tree line to make it less visible. Mr. Ward Willis replied that the applicant and the City's RF Engineer found that they would lose signal strength if it were pushed further back into the tree line.

Stosh Yankowski

There has not been an independent study to determine if there is truly a service gap. Mr. Yankowski stated that he would rather have slightly slower download speeds than have fast downloads and potentially dangerous wireless facilities throughout the town.

John Clarke, City Planner

The City of Beacon Planning Board has recommended planting evergreen trees in the area to block the views of the cellular facility.

Arthur Camins

Mr. Camins asked clarifying questions with regards to the height of the trees versus the wireless facility. Mr. Clarke told him that the facility would be 50 feet high and that there are already 100-foot trees in the vicinity along with newer, younger trees.

Motion to close the Public Hearing

- Motion by Council person Nelson
- Second by Council person McCredo
- Motion passes 7-0

### **Council Member Reports:**

#### Amber Grant:

Community Choice Aggregation information sessions will be held on May 8<sup>th</sup> from 11:30 – 12:30.

#### John Rembert:

Mr. Rembert would like to workshop the parking concerns. He would also like to look into making the area of Main Street and Verplank Avenue on the east side of the creek a safer place, particularly for children.

#### George Mansfield:

Mr. Mansfield has received complaints of sounds coming from Joe's Irish Pub at night. The Council should look at the plans for Spring Valley Street with close attention to the lack of sidewalks. Lastly, Liberty Street and Wilson Street has traffic safety issues in terms of speeding.

#### Jodi McCredo:

Community Conversations at the Howland Public Library will be at Beacon Elks on May 22<sup>nd</sup> at 6 pm, the Howland Cultural Center on May 24<sup>th</sup> at 10 am, the Beacon Historical Society on June 5<sup>th</sup> at 6 pm and the University Settlement Camp on June 22<sup>nd</sup> at 3 pm.

The City Council needs to discuss a new building moratorium. There is a lot that needs to be discussed, including historical properties, setbacks, balconies, parking, and the linkage district.

#### Terry Nelson:

Grievance Day is May 22<sup>nd</sup> from 2-4 and from 6-8. Mr. Nelson announced that he is stepping down from his position as the Director of the Beacon Independent Film Festival. He thanked everyone for their support of the Film Festival.

Anthony Ruggiero, City Administrator

The Beacon Recreation Department will be receiving an award for its after-school program on May 9<sup>th</sup>.

Mayor Casale:

The Mayor thanked everyone who came out and spoke. Grievance Day is May 22<sup>nd</sup> from 2-4 and 6-8. If you have an issue with the assessments, try to call beforehand and you may be able to receive help without having to go to Grievance Day.

On May 18<sup>th</sup> at 11 am in front of City Hall the Tioronda Garden Club will be dedicating a Blue Star Highway Memorial marker in honor of all of the men and women who have served, are serving or will serve in the armed forces of the United States.

Mayor Casale read a statement proclaiming May as Mental Health Awareness Month in Beacon.

**Resolutions, Ordinances and Local Laws:**

**1. A Resolution Authorizing the Appointment of a Water Department Working Supervisor**

- Motion by Council person Grant
- Second by Council person Nelson
- Resolution passes 6-0

**2. A Resolution to Declare Fairview Tank Replacement Project a Type II Action Under SEQR**

- Motion by Council person McCredo
- Second by Council person Nelson
- Resolution passes 6-0

**3. A Resolution Adopting Bond Ordinance Dated May 6, 2019, Authorizing the Issuance of up to \$2,187,468 Aggregate Principal Amount Serial Bonds of the City of Beacon, County of Dutchess, State of New York, Pursuant to the Local Finance Law, to Finance**

**the Costs of the Construction, Reconstruction and Improvement to the Water System,  
in and for the City of Beacon**

- Motion by Council person Mansfield
- Second by Council person Rembert
- Resolution Passes 6-0

**4. A Resolution Authorizing the City of Beacon to Enter into a Contract with the  
International Council for Local Environmental Initiatives (ICEI) Regarding Green House  
Gas Emissions Inventory Services**

- Motion by Council person McCredo
- Second by Council person Nelson
- Resolution passes 6-0

Amber Grant

Ms. Grant thanked Beacon's Conservation Action Committee for reviewing the resolution and proposal.

**5. A Resolution Authorizing the Implementation, and Funding in the First Instance 100%  
of the Federal-Aid and State "Marchiselli" Program-Aid Eligible Costs of a  
Transportation Federal-Aid Project, and Appropriating Funds Therefore (Regarding  
Teller Avenue)**

- Motion by Council person Grant
- Second by Council person Mansfield
- Resolution passes 6-0

**6. A Resolution Authorizing the Implementation, and Funding in the First Instance 100%  
of the Federal-Aid and State "Marchiselli" Program-Aid Eligible Costs, of a  
Transportation Federal-Aid Project, and Appropriating Funds Therefore (Regarding  
Fishkill Avenue)**

- Motion by Council person Nelson
- Second by Council person McCredo
- Resolution passes 6 – 0

**7. A Resolution Calling on the State Legislature to Pass, and the Governor to Sign, the "Protect Our Courts Act" (A.2176 / S.425)**

- Motion by Council person Nelson
- Second by Council person McCredo
- Resolution passes 6-0

**8. Resolution Awarding Contract to Sun Up Construction for the Main Street Improvements Project**

Mayor Casale

The Mayor stated that he spoke with Sun Up Construction and told them they must be as undistruptive to Main Street businesses as possible. The foreman on the project is a resident of Beacon and understands the delicateness of the project.

- Motion by Council person Rembert
- Second by Council person Mansfield
- Resolution passes 6-0

**9. Resolution Approving the City of Beacon's Farmers Market and the Execution of a License Agreement**

Amber Grant, George Mansfield, Terry Nelson, John Rembert and Jodi McCredo

All five stated that they would prefer to leave the Farmers Market at Memorial Place and not move it to the DMV parking lot. They did so in part because the problems at Memorial Place may follow the Market to the DMV lot and there is a certain level of uncertainty at the Dutchess County controlled DMV parking lot.

George Mansfield

Mr. Mansfield wanted to ensure that the original terms of the 2018 contract were agreed to for 2019.

**Motion to Approve the Farmers Market on Veteran's Place Consistent with the 2018 Contract Between the City of Beacon and the Farmers Market**

- Motion by Council person Nelson
- Second by Council person Mansfield

- Motion Passes 5-1

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

**Speakers:**

Jessica Reisman

Ms. Reisman suggested that the Farmers Market provide some good will for the nearby businesses, perhaps by adding picnic benches and mobile bathroom facilities.

David Eberly

Philipstown rejected a cellular tower, yet the City Attorney in Beacon is saying that we cannot do so based upon federal guidelines. Why is this?

Nick Ward Willis

Responded to Mr. Eberly by stating that Philipstown is being sued for their decision to reject the cellular tower.

Martin Fowler

Mr. Fowler asked that the City Council consider allowing music at the Farmers Market in the future.

Stosh Yankowski

Mr. Yankowski suggested that the Farmers Market vendors drop off their stuff and park elsewhere, perhaps at the Rite Aid.

Motion to Enter Executive Session

- Motion by Council person Rembert
- Second by Council person McCredo
- Motion passes 6-0

**Adjournment:**

- Motion by Council person McCredo
- Second by Council person Grant
- Motion passes 6-0

Next Workshop: May 13, 2019

Next Meeting: May 20, 2019

<b>Resolution No. ___ of 2019</b>		<b>Date: <u>May 6, 2019</u></b>					
<input type="checkbox"/> <b>Amendments</b>		<input type="checkbox"/> <b>On roll call</b>			<input type="checkbox"/> <b>2/3 Required.</b>		
<input type="checkbox"/> <b>Not on roll call.</b>		<input type="checkbox"/> <b>On roll call</b>			<input type="checkbox"/> <b>3/4 Required</b>		
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Terry Nelson</b>					
		<b>Jodi McCredo</b>					
		<b>George Mansfield</b>					
		<b>Lee Kyriacou</b>					
		<b>John Rembert</b>					
		<b>Amber Grant</b>					
		<b>Mayor Randy J. Casale</b>					
		<b>Motion Carried</b>					