



CITY OF BEACON, NEW YORK
COURTROOM, CITY HALL
1 MUNICIPAL PLAZA
BEACON, NY 12508

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

**October 19, 2020
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Public Comment:

[Notice of Change in Public Meeting Location](#)

Public Hearings:

1. [Continuation of a Public Hearing Regarding Proposed Amendments to the Historic District Landmark Overlay](#)
2. [Proposed Local Law to Amend Chapter 211, Article III, Section 15 of the Code of the City of Beacon Regarding Parking Restrictions Near Mount Beacon](#)

City Council / Department Head Reports

Local Laws and Resolutions - Consent Agenda:

1. [Resolution Setting a Public Hearing to Receive Input Regarding 2021 Dutchess County Community Development Clock Grant Program Application](#)
2. [Resolution Setting a Public Hearing to Receive Input from the Public Regarding the Proposed 2021 City of Beacon Budget for November 16, 2020](#)
3. [Resolution Authorizing the Appointment of Giovanna Rogow to the Human Relations Commission](#)
4. [Resolution Authorizing the Appointment of Ron Donofrio to the Board of Assessment Review](#)
5. [Resolution Authorizing the Appointment of Don Raskopf to the Conservation Advisory Committee](#)

Local Laws and Resolutions:

1. [Resolution Authorizing the City of Beacon to Award Contract to OCS Industries, Inc. for the](#)

North Interceptor Sewer Main Replacement and Water Main Relocation

2. [Resolution Concerning River Ridge Development Offer of Dedication of Easement for Pocket Park](#)

2nd Opportunity for Public Comments:

Approval of Minutes

[City Council Meeting Minutes October 5, 2020](#)

Adjournment:

City of Beacon City Council Agenda
10/19/2020

Title:

Notice of Change in Public Meeting Location

ATTACHMENTS

[Notice of Change in Meeting Location October 19, 2020](#)



NOTICE OF CHANGE IN PUBLIC MEETING LOCATION

PLEASE TAKE NOTICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the City Council will not hold in-person meetings. Until further notice, all future City Council meetings (including public hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the City Council members will be situated. The public, however, will be able to fully observe the videoconference meeting and comment during regular City Council meetings (i.e for public hearings and during designated public comment periods) at

<https://us02web.zoom.us/j/88583843970?pwd=WGdlUk5pYkpXOE0remNMYU5aNXlQdz09>

Webinar ID: 885 8384 3970 Passcode: 979198. To the extent internet access is not available, the public can attend and comment via telephone by dialing + 1 929 205 6099 and entering the Webinar ID: 885 8384 3970 Passcode: 979198. The City Council's agenda is available online in advance of meetings at <http://www.cityofbeacon.org/index.php/agendas-minutes/>. The public can email written comments or questions for regular City Council Meetings by 5pm on the day of the meeting addressed to cityofbeacon@cityofbeacon.org. Any member of the public who has questions should contact the City Administrator in advance of the meeting at 845 838 5010 or aruggiero@cityofbeacon.org.

PLEASE TAKE FURTHER NOTICE, that any Executive Session of the Council will be initiated with the Council first convening on the public videoconferencing site, and then adopting a motion to go into Executive Session.

PLEASE TAKE FURTHER NOTICE, that the City Council Meeting of October 19, 2020 at 7:00 pm can be accessed live at <https://www.youtube.com/channel/UCvPpigGwZDeR7WYmw-SuDxg>

City of Beacon City Council Agenda
10/19/2020

Title:

Continuation of a Public Hearing Regarding Proposed Amendments to the Historic District Landmark Overlay

ATTACHMENTS

Memorandum from Dutchess County Planning and Development Regarding HDLO

Memorandum from the Planning Board Regarding the Proposed HDLO

Proposed Local Law to Amend Chapter 134 and Chapter 223, Section 24.7, 41.18.G(3), and 41.18.J(15) of the Code of the City of Beacon Concerning Historic Preservation

Dutchess County Department of Planning and Development	Fax Info	To Jennifer Cocozza	Date 8/10/20 # pgs 16
		Dept Planning and Development	From Collin Milone
		Fax #	Phone # 845-838-5010

239 Planning/Zoning Referral – Exemption Communities

Municipality:
City of Beacon

Referring Agency:
☐ Planning Board
☐ Zoning Board of Appeals
☒ Municipal Board

Tax Parcel Number(s):

Project Name:
Proposed Historic District Landmark Overlay Local Law

Applicant:
City of Beacon City Council

Address of Property:

Parcel(s) within 500 feet of:

☒ State Road _____
☐ County Road _____
☐ State Property (w/public building or recreation area)
☒ County Property (w/public building or recreation area)
☒ Municipal Boundary
☐ Farm operation in an Agricultural District

Actions Requiring 239 Review

☐ Comprehensive/Master Plans
☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
☐ Rezoning involving all map changes
☒ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
☐ Site Plans (all)
☐ Special Permits for all non-residential uses
☐ Use Variances for all non-residential uses
☐ Area Variances for all non-residential uses

Exempt Actions:*
239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals
- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Date Response Requested (if less than 30 days):

If subject of a previous referral, please note County referral number(s): 18-068

* These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

FOR COUNTY OFFICE USE ONLY

Response from Dutchess County Department of Planning and Development

No Comments:

☒ Matter of Local Concern
☐ No Jurisdiction
☐ No Authority
☐ Project Withdrawn
☐ Exempt from 239 Review

Comments Attached:

☐ Local Concern with Comments
☐ Conditional
☐ Denial
☐ Incomplete — municipality must resubmit to County
☐ Incomplete with Comments — municipality must resubmit to County
☐ Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: 8/11

Date Received: 8/11

Date Requested:

Date Required: 9/9

Date Response Faxed: 9/9

Notes:

☐ Also mailed hard copy

☐ Major Project

Referral #: ZR 20-213

Reviewer: Jennifer Cocozza

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Memorandum

Planning Board

TO: Mayor Lee Kyriacou and City Council Members

FROM: Planning Board Chairman Gunn and Planning Board Members

RE: Local Law Amending Chapter 134 and Chapter 223 Sections 24.7, 41.18G(3) and 41.18J(15) – Historic District and Landmark Overlay Zone

DATE: September 10, 2020

As requested the Planning Board reviewed the Local Law Amending Chapter 134 and 223 Sections 24.7, 41.18G(3) and 41.18J(15) at their September 9th meeting as requested. The City Planner summarized the proposed changes and a lengthy discussion took place. The five members present strongly agreed on the following points:

1. Section 134-6 needs to better define the submission requirements, including the necessity for submitted drawings, and the design criteria in order to provide direction to the applicant and members for review purposes;
2. If the evaluation is to be focused on Identified Historic Features in the Historic Resource Inventory Forms, the forms summarizing historic features of a property must be reviewed and, if necessary, updated to include specific architectural features in order to ensure proper implementation.
3. Painting and color choices should remain part of the approval requirements;
4. The Board generally supported limiting the review to features visible from a public street, public sidewalk, or public park, but thought there needed to be exceptions for particularly important interiors that are open to the public. For example, the inventory form for the Howland Center should include the interior space as an Identified Historic Feature.

If you have any questions, please feel free to contact me.

DRAFT LOCAL LAW NO. ____ OF 2020

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND
CHAPTER 134 AND CHAPTER 223, SECTIONS 24.7, 41.18.G(3), AND
41.18.J(15) OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to
amend Chapter 134
and Chapter 223,
Section 24.7,
41.18.G(3), and
41.18.J(15) of the
Code of the City of
Beacon concerning
Historic Preservation.

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

Section 1. The term “Historic District and Landmark Overlay Zone” shall be deleted and replaced with the term “Historic ~~Property~~ Properties Overlay Zone” throughout the entire Code of the City of Beacon.

Section 2. The term “HDLO” shall be deleted and replaced with the term “HPO” throughout the entire Code of the City of Beacon.

Section 3. Chapter 134 of the Code of the City of Beacon entitled “Historic Preservation” is hereby amended as follows:

§ 134-1. Purpose.

~~The City of Beacon wishes to encourage the preservation of properties that are re-exist within the City of Beacon landmarks, structures, buildings and districts of special historical or architectural significance which, by reason of their antiquity or uniqueness of architectural construction or design, are of particular significance to the heritage of the City, county, state or nation.~~

§ 134-2. Historic Properties Overlay Zone~~District~~.

~~An Historic Property District and Landmark Overlay (HPO) Zone (HDLO) is hereby established for the purposes of encouraging the preservation of properties protection, enhancement, perpetuation and use of buildings and structures of and appurtenant vistas having special historical or architectural significance aesthetic value which represent or reflect elements of the City's cultural, social, economic, political and architectural history.~~

§ 134-3. Definitions.

Unless specifically defined below, words or phrases in this chapter shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this chapter its most reasonable application.

ALTERATION

~~Any act or process that changes one or more of the identified historical exterior architectural features of a structure that is visible from a public street, public sidewalk or public park, including but not limited to the erection, construction, reconstruction, demolition, moving or removal of any structure. For the purposes of this Chapter, alteration excludes maintenance, repair or replacement of an identified historical feature which does not involve a change in design or outward appearance,- as well as -plumbing and/or electrical work and any minor, accessory, utility or security related changes that do not substantially detract from the historic property. In the HPO zone, a building permit and certificate of appropriateness are required for an alteration-~~

CERTIFICATE OF APPROPRIATENESS

~~A certificate issued by the Planning Board authorizing indicating its approval of plans for the alteration, construction, removal or demolition of an exterior architectural identified historical feature of a designated historic property or structure located wholly or partially within a designated historic district. a landmark or of a structure within an historic district.~~

CERTIFICATE OF ECONOMIC HARDSHIP

~~A certificate issued by the Zoning Board of Appeals authorizing an the alteration, construction, removal or demolition even though where a certificate of appropriateness has previously been denied by the Planning Board.~~

CONSTRUCTION

~~The act of making an addition to an existing structure or the erection of a new principal or accessory structure on a historic property lot or parcel.~~

DEMOLITION

~~Any act or process that destroys in part or in whole a landmark or historic a structure or a structure within an historic district.~~

IDENTIFIED HISTORICAL FEATURE

An exterior feature of a structure or property specifically identified as a contributing historic element in the Historic Resource Inventory Form and open to view from a public street, public sidewalk or public park. ~~In all cases, including~~ Where a historic property does not have a Historic Resource Form, the design and general arrangement of the exterior of a structure open to view from a public street, public sidewalk or public park, including the nature and style of the building, windows, doors, or similar items found on or related to the exterior of an historic structure shall be considered an identified historical feature.

EXTERIOR ARCHITECTURAL FEATURES

~~The design and general arrangement of the exterior of a structure open to view from a public way, public property or any part of any public building, public street, public sidewalk, or public park, including the kind and texture of building materials and number, proportion, type and spacing of windows, doors, walls, roofs, murals, projections and signs. This term shall also include all earthworks, sidewalks, driveways, fences, trees, landscaping and other site features visible from a public way, public property or any part of any public building, public street, public sidewalk or any public park that are specifically identified as a contributing element in the Historic Resource Inventory Form.~~

HISTORIC DISTRICT

~~An area designated as an "historic district" by action of the City Council in enacting this chapter and which contains within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.~~

HISTORIC PROPERTY LANDMARK

~~A property or structure designated as historic a "landmark" by action of the City Council pursuant to this in enacting this chapter that is worthy of rehabilitation, restoration and preservation because of its historic and/or architectural significance to the City of Beacon. This definition shall also include all non-historic properties located in an area designated as a historic district by action of the City Council.~~

OWNER OF RECORD

~~The person, corporation or other legal entity issued as owner of a parcel according to the records of the Dutchess County Clerk.~~

REPAIR

~~Any change that is not construction or alteration.~~

STRUCTURE

~~Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing, buildings, fences, gazebos, walls, sidewalks, signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools.~~

§ 134-4. Designation of landmarks ~~or historic districts.~~

- A. The City Council may act upon its own initiative, or upon petition from the owner of a proposed ~~historic landmark, site, structure or property~~, the Planning Board, or historic preservation committee, to consider designation of ~~an historic district or historic landmark, site, structure or property~~. All designated historic districts and landmarks shall ~~be included in the HDLO.~~ All nominations shall include a New York State Office of Parks, Recreation and Historic Preservation Historic Resource Inventory Form, or an equivalent form, describing the building and site and identifying the criteria for nomination under § 134-4.B.
- B. The City Council shall, ~~upon investigation as it deems necessary, make a determination as to whether a proposed historic property district or landmark~~ meets one or more of the following criteria:
- ~~(1) Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the City, county, state or nation;~~
 - ~~(2) Is identified with historic personages or with important events in national, state or local history;~~
 - ~~(3)(1) Has Embodies~~ distinguishing architectural characteristics of an architectural-type specimen, inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship;
 - ~~(2) Has special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the community;~~
 - ~~(4)(3) Is eligible Is the work of a designer whose work has significantly influenced an age; or~~
 - ~~(5) Qualifies~~ for inclusion on the State or National Registers of Historic Places.
- C. Notice of a proposed designation shall be sent by certified mail or personal delivery to the owner of the property proposed for designation, describing the property proposed and announcing a public hearing by the City Council to consider the designation. Once the City Council has issued notice of a proposed designation, no building permits shall be issued by the Building Inspector until the Council has made its decision.

- D. Notice of the public hearing shall be given by publication in a newspaper of general circulation in the City of Beacon at least fourteen (14) calendar days prior to the date of such hearing.
- E. The City Council shall hold a public hearing prior to designation of any ~~landmark or historic property district~~. ~~The City Council, owners and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural or cultural importance of the proposed landmark or historic district. The record may also contain reports, public comments or other evidence offered outside of the hearing.~~
- F. In determining whether ~~or not~~ to designate a new historic ~~property~~landmark, the City Council shall consider the factors listed in § 134-4.B and any testimony or evidence presented during the public hearing.
- G. The City Council shall make a decision within sixty (60) days of the conclusion of the hearing, the City Council shall render its decision on the proposed designation. If the City Council fails to act within sixty (60) days, or fails to extend the period in which to act, the designation shall be deemed to have been denied. A super-majority vote of five (5) Council members is necessary to designate a new historic landmark if the property owner objects to such designation.
- H. The City Council shall ~~notify the owner of~~ forward notice of each property-designated ~~historic property as a landmark and the boundaries of each designated historic district to the property owner, the City Clerk, the Planning Board, the Zoning Board, and the offices of the Dutchess County Clerk for recordation.~~
- I. ~~DA list of designated historic properties shall be maintained on file with the City Clerk and shown on the City of Beacon Zoning Map.~~

§ 134-5. Uses permitted by special permit.

Section 223-24.7 of Chapter 223, Zoning, of the City Code, enumerates ~~the additional uses that which~~ may be permitted by special permit, issued by the ~~City Council~~ Planning Board in the Historic ~~Properties District and Landmark~~ Overlay Zone, and the process by which such uses may be permitted.

§ 134-6. Certificate of appropriateness.

- A. Applicability. Applications for a building permit involving alteration, construction, or demolition of an identified historical feature of a designated historic property or structure located wholly or partially within a designated historic district shall require certificate of appropriateness approval from the Planning Board. -No building permit shall be issued until a certificate of appropriates has first been issued by the Planning Board or a certificate of economic hardship is approved by the Zoning Board. If a certificate of appropriateness has been approved, then a building permit or any other approval issued

for the same work or activity shall be consistent with the terms and requirements of the certificate of appropriateness. If the certificate of appropriateness is denied, the Building Inspector shall refuse to grant a building or other permit.~~No person shall carry out any exterior alteration of a landmark or property within an historic district without first obtaining a certificate of appropriateness from the Planning Board or a certificate of economic hardship from the Zoning Board. No certificate of appropriateness is needed for changes to interior spaces, unless they are open to the public, to architectural features that are not visible from a public street or way, public property or public building, or for the installation of a temporary sign as described in § 223-15F of the Zoning Ordinance of the City of Beacon if located in a nonresidential district. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural identified historical feature of a landmark or property within an historic district which does not involve a change in design, material or outward appearance.~~

B. Application. The Building Inspector shall transmit any building permit application involving alteration, construction, or demolition of an identified historical feature of a historic property or structure located wholly or partially within a designated historic district to the Planning Board. Prior to transmitting the building permit application, the Building Inspector shall advise the applicant whether additional drawings, building material samples or any other information is required as the Building Inspector, in their discretion, deems necessary and appropriate to assist the Planning Board's review. The Planning Board shall review the building permit application pursuant to the criteria set forth in § 134-6.C to determine whether to issue a certificate of appropriateness.

C. Criteria. In determining whether to issue a certificate of appropriateness, ~~In reviewing certificate of appropriateness application,~~ the Planning Board shall give consideration to the following:

- (1) The historic or architectural value or significance of the structure and its relation to the historic character of the surrounding area.
- (2) The relationship of the identified ~~exterior architectural~~ historical features of such structure to the rest of the structure and to the surrounding area.
- (3) For an addition or new structure, the compatibility of exterior design in terms of scale, arrangement, texture and materials proposed, roof and cornice forms if applicable, spacing and proportion of windows and doors, exterior architectural details, and street-front fixtures.
- (4) For a proposal requiring site development plan or special permit approval in addition to a certificate of appropriateness, the Planning Board shall apply the design standards in § 134-7.

D. Review.

- (1) The certificate of appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the City of Beacon. Where site plan review, special permit or subdivision approval is also required for the application, the certificate of appropriateness procedure shall be conducted simultaneously with such review by the Planning Board.
- (2) The Planning Board shall approve, deny or approve the permit with modifications within 4560 days from the Planning Board's receipt of the completed building permit application. The Planning Board may hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views. Notice of the public hearing shall be provided by the applicant in the same manner as required in § 223-61.2.B.

~~§ 134-7. Criteria for approval of a certificate of appropriateness or special permit in the HDLO.~~

~~A. Historic districts are living entities that have typically grown and accommodated change through multiple time periods. HDLO buildings are recognized as models for how to design high quality, enduring structures that have gained in public appreciation over time, thereby serving as excellent examples for sustainable development. In reviewing an HDLO application and plans, the City Council or Planning Board shall give consideration to:~~

- ~~(2) The historic or architectural value or significance of the structure and its relation to the historic character of the surrounding area.~~
- ~~(3) The relationship of the exterior architectural features of such structure to the rest of the structure and to the surrounding area.~~
- ~~(4)(5) The compatibility of exterior design in terms of scale, arrangement, texture and materials proposed, roof and cornice forms, spacing and proportion of windows and doors, exterior architectural details, signs, and street-front fixtures.~~

§ 134-7 Site plan or special permit design standards

~~B.A.~~ In applying the principle of compatibility, the City Council or Planning Board shall use the following standards when considering a site development plan application or special permit pertaining to a designated historic property. for new structures, additions, or alterations in the HDLO. Standards using the verb “shall” are required; “should” is used when the standard is to be applied unless the Planning Board or City Council finds a strong justification for an alternative solution in an unusual and specific circumstance; and “may” means that the “standard” is an optional guideline that is encouraged but not required.

- (1) The design, character, and appropriateness to the property of the proposed alteration or new construction.
 - (a) Construction shall build on the historic context with applications required to demonstrate aspects of inspiration or similarities to adjacent ~~HDLO~~ HPO structures or historic buildings in the surrounding area.
 - (b) Compatibility does not imply historic reproduction, but new architecture shall also not arbitrarily impose contrasting materials, scales, colors, or design features.
 - (c) The intent is to reinforce and extend the traditional patterns of the ~~HDLO~~ HPO district, but new structures may still be distinguishable in up-to-date technologies and details, most evident in window construction and interiors.
 - (d) Exterior accessory elements, such as signs, lighting fixtures, and landscaping, shall emphasize continuity with adjacent ~~HDLO~~ HPO properties and the historic characteristics of the sidewalk and streetscape.
 - (e) Where possible, parking shall be placed towards the rear of the property in an unobtrusive location with adequate screening from public views, unless another location provides better screening.
- (2) The scale and height of the proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood.
 - (a) Where possible, an addition to an historic structure should be placed towards the rear, or at least recessed, so that the historic structure remains more prominent than the subsidiary addition.
 - (b) Any alteration or addition to an historic structure shall not damage or obscure the character-defining features of the architecture or site to the maximum extent possible.
 - (c) The height of any new building facades in the ~~HDLO~~ HPO shall not conflict with the heights of adjacent historic structures on adjoining ~~HDLO~~ HPO parcels.
 - (d) Larger buildings or additions should incorporate significant breaks in the facades and rooflines, generally at intervals of no more than 35 feet.
- (3) Architectural and site elements and their relation to similar features of other properties in the ~~HDLO~~ HPO.
 - (a) It is not appropriate to disrupt the relationship between an historic building and its front yard or landscape, including screening historic properties from traditional street views by high walls or hedges.

- (b) Historic storefronts, porches, cornices, window and door surrounds, or similar architectural features should not be enclosed, obscured, or removed so that the character of the structure is substantially changed.
- (c) Deteriorated building features should be repaired rather than being replaced and, if not repairable, should be replicated in design, materials, and other historic qualities.
- (d) New buildings in the ~~HDLO~~ HPO should have a top-floor cornice feature or eave and first-floor architectural articulation, such as an architecturally emphasized entrance doorway or porch, to accent the central body of the building.
- (e) Architectural features and windows shall be continued on all sides that are clearly visible from a street or public parking area, avoiding any blank walls, except in cases of existing walls or potential common property walls.
- (f) New ~~HDLO~~ HPO buildings shall have a front entrance door facing the primary street and connected to the sidewalk.
- (g) Primary individual window proportions shall be greater in height than width, but the approving body may allow exceptions for storefront, transom, and specialty windows. Mirrored, reflective, or tinted glass and all-glass walls, except greenhouses, shall not be permitted. Any shutters shall match the size of the window opening and appear functional.
- (h) Finish building materials should be wood, brick, traditional cement-based stucco, stone, smooth cast stone, smooth-finished fiber-cement siding, or other materials deemed acceptable by the approving body. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic rough-cut stone, synthetic brick, synthetic stucco, exterior insulation and finishing system (EIFS), direct-applied finish system (DAFS), and chain link, plastic, or vinyl fencing shall not be permitted.
- (i) Materials and colors should complement historic buildings on the block. Fluorescent, neon, metallic, or other intentionally garish colors, as well as stripes, dots, or other incompatible patterns, shall be prohibited.
- (j) Mechanical equipment and refuse containers shall be concealed from public view by approved architectural or landscaping elements and shall be located to the rear of the site. Window or projecting air conditioners shall not be permitted on the front façade of new buildings or additions.

~~§ 134-8. Certificate of appropriateness application procedure.~~

- A. ~~Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for such a certificate with the Planning Board. The application shall include:~~
- ~~(1) The name, address and telephone number of the applicant.~~
 - ~~(2) Scaled drawings showing the proposed changes.~~
 - ~~(3) Descriptions or samples of materials to be used.~~
 - ~~(4) Where the proposal includes signs or lettering, a scaled drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, if any, and a plan showing the sign's location on the property.~~
 - ~~(5) Any other information which the Planning Board may deem necessary in order to visualize the proposed work.~~
- B. ~~No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Planning Board. The certificate of appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the City of Beacon.~~
- C. ~~The applicant may consult with the Planning Board or its designated agent prior to submitting an application.~~
- D. ~~Where site plan review or subdivision approval is also required for the application, the certificate of appropriateness procedure shall be conducted simultaneously with such review by the Planning Board.~~
- E. ~~The Planning Board shall approve, deny or approve the permit with modifications within 45 days from receipt of the completed application. The Planning Board may hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views. Notice of the public hearing shall be provided by the applicant in the same manner as required in § 223-61.2.B.~~
- F. ~~All decisions of the Planning Board shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Planning Board's decision shall state the reasons for denying or modifying any application.~~

§ 134-79. Hardship criteria and application procedure.

- A. An applicant whose certificate of appropriateness has been denied may apply for relief to the Zoning Board of Appeals for a certificate of economic hardship to obtain relief from the requirements of this chapter. Upon receipt of an application for relief, the Zoning

Board shall, within 45 calendar days thereafter, hold a public hearing. Notice of the public hearing shall be provided by the applicant in the same manner as required in § 223-61.2.B.

- B. At the public hearing, the Zoning Board may hear testimony and entertain the submission of written evidence from the applicant and/or the public.
- C. To obtain a certificate of economic hardship, the applicant must prove the existence of economic hardship by establishing that:
 - (1) The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible; and
 - (2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
 - (3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.
- D. The Zoning Board shall take into consideration the economic feasibility of alternatives to ~~removal~~, alteration, construction or demolition of a landmark or portion thereof, and balance the interest of the public in preserving the historic landmark or building, or portion thereof, and the interest of the owner in removing, altering or demolishing the landmark or portion thereof.
- E. The Zoning Board shall make a decision within 30 days of the conclusion of the hearing on the application. The Board's decision shall be in writing and shall state the reasons for granting or denying the hardship application.
- ~~F. All decisions of the Zoning Board of Appeals shall be in writing. A copy shall be sent to the applicant, and a copy shall be filed with the City Clerk. The Board's decision shall state the reasons for approving or denying the application. If the Zoning Board of Appeals approves the application, the Board shall issue a certificate of economic hardship.~~

§ 134-~~810~~. Enforcement.

All work performed pursuant to a certificate of appropriateness issued under this chapter shall conform to any requirements included therein. It shall be the duty of the Building Inspector to inspect periodically any such work to assure compliance. In the event that work is found that is not performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Planning Board, the Building Inspector shall issue a stop-work order, and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

§ 134-~~244~~. Penalties for offenses.

- A. Failure to comply with any of the provisions of this local law shall be deemed a violation, and the violation is subject to the penalties provided in § 223-53 of Chapter 223, Zoning.
- B. The City Council is also authorized to institute any and all actions required to enforce this chapter. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

§ 134-102. Fees.

The applicant shall not be charged an application fee, professional review fees or fees to prepare and publish any public notice incurred in connection with the certificate of appropriateness or economic hardship application, except for any fees associated with another land use application concerning the historic property.

- ~~A. Each application for a certificate of appropriateness shall be accompanied by a fee, in an amount set by the City Council, payable to the City Clerk.~~
- ~~B. The applicant may be charged a fee by the Planning Board for the actual cost of preparation and publication of each public notice of hearing on the application. Said fees shall also be fixed from time to time by resolution of the City Council.~~

§ 134-1143. Assessment abatement.

Any person who is granted a certificate of appropriateness and performs the work detailed in the application submitted to the Planning Board will not be subject to an increase in assessment for the subject property as a result of the improvements made to the buildings and structures on said property. This clause does not apply to applicants who also receive a special permit as set forth in § 223-18 of Chapter 223, Zoning.

Section 4. Chapter 223, Section 24.7 of the Code of the City of Beacon entitled “Uses permitted by special permit in the Historic District and Landmark Overlay Zone” is hereby amended as follows:

§ 223-24.7. Uses permitted by special permit in the Historic District and Landmark Overlay Zone.

The following uses may be permitted by special permit, issued by the ~~Planning Board City Council~~, in the Historic ~~Properties District and Landmark~~ Overlay Zone:

- A. Specialized business uses of low traffic volume, normally associated with history, the arts or cultural uses, appropriate to the structure and compatible with the neighborhood. Such uses may include:
 - (1) Artists' or artisans' studios.

- (2) Antique shops.
 - (3) Rare book, coin or stamp shops or similar type uses as determined by the ~~City Council~~ Planning Board.
- B. Residential, hotel or professional uses, provided that they are appropriate to the structure, compatible with the neighborhood and are located on a road that can accommodate increased traffic as determined by the Planning Board ~~City Council~~. These uses may include the following:
- (1) Sit-down restaurants not to exceed a seating capacity of 50.
 - (2) Bed-and-breakfast establishments not to exceed 10 guest bedrooms, subject to the requirements of § 223-24.4B, C and E.
 - (3) Professional offices not to exceed 10 employees.
 - (4) Multifamily residential use not to exceed four units.
 - (5) Artist live/work spaces not to exceed four units.
 - (6) Hotel and hotel-related accessory uses and structures with adequate screening of any new structures from surrounding public street views.
- C. Special permits warranted under certain conditions.
- (1) Notwithstanding the limitations in Subsection B above, and with the exception of Subsection B(2), the Planning Board ~~City Council~~ may approve a special permit for any of the uses listed in said section, and may allow a larger number of seats, employees, dwelling units, or artist live/work spaces, when it determines that such larger number is warranted by one or more of the following:
 - (a) Building(s) size.
 - (b) Building(s) configuration.
 - (c) The nature of the proposed preservation and/or adaptive reuse of the building(s).
 - (d) The historic nature and context of the building(s) and the need for preservation and/or adaptive reuse.
 - (2) In approving any such special permit, the ~~City Council~~ Planning Board shall establish such limitations on the number of seats, employees, dwelling units, artist live/work spaces, or accessory uses and structures as it deems warranted.

D. Findings.

(1) ~~The City Council~~ Planning Board must make the following findings before special permit approval is granted:

- (a) Any exterior restoration shall maintain the architectural and historic integrity of the structure. Any new construction shall be compatible with neighboring structures.
- (b) The proposed use is compatible with the neighborhood, and activities permitted within the structure can be adequately buffered from any surrounding residential homes.
- (c) The resulting traffic generation will not overburden existing roads, and adequate parking can be provided without unduly destroying the landscape or the setting of the structure.
- (d) The proposed use is appropriate to the structure, will aid in the preservation of the structure and will not result in undue alterations or enlargement of the structure.

(2) These standards shall be in addition to the general special permit standards set forth in § 223-18 and the standards set forth in § 134-7.

E. A site plan shall be submitted to ~~the Planning Board~~ to accompany any special permit application under this section. The site plan shall be accompanied by schematic architectural drawings which shall show the existing conditions of the property and any existing structure and the proposed restoration or construction. The Planning Board must approve a certificate of appropriateness in order to grant site plan approval as set forth above.

Section 5. Section 41.18.G(3) of Chapter 223, Article XVD of the Code of the City of Beacon entitled “Central Main Street (CMS) District” is hereby amended as follows:

Article XVD Central Main Street (CMS) District

§ 223-41.18 Regulations.

...

G. Parking location and quantity.

- (3) The requirements in Subsection G(2) above may be modified by the Planning Board, in its discretion, based upon information submitted by the applicant or otherwise made available in the public record, demonstrating one or more of the following:
 - (a) That the projected operational characteristics of the proposed use require a different amount of parking.

- (b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and within the CMS or PB Districts.
- (c) That the applicant has provided sufficient bicycle parking to reduce anticipated vehicular travel demand.
- (d) That there is sufficient public parking available within 800 feet of the site and within the CMS or PB Districts to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.
- (e) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and within the CMS or PB Districts and voluntarily dedicate such land to the City for public parking.
- (f) That a professional parking study of the proposed use and the surrounding area demonstrates that a different amount of parking would be appropriate for the use in its particular location and/or that existing and/or proposed off-site parking is sufficient.
- (g) The application involves a designated historic property as defined in Chapter 134 of the City Code.

...

Section 6. Section 41.18.J(15) of Chapter 223, Article XVD of the Code of the City of Beacon entitled “Central Main Street (CMS) District” is hereby amended as follows:

Article XVD Central Main Street (CMS) District

§ 223-41.18 Regulations.

...

J. Design Standards

...

- (15) The Planning Board may waive setback requirements for designated historic properties as defined in Chapter 134 of the City Code, landmark civic buildings, including government buildings, schools, libraries, or places of worship, and for pedestrian-oriented places, such as public greens or plazas and outdoor eating areas.

Section 7. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 134 of the City of Beacon are otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 8. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 9. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 10. Effective Date

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

City of Beacon City Council Agenda
10/19/2020

Title:

Proposed Local Law to Amend Chapter 211, Article III, Section 15 of the Code of the City of Beacon Regarding Parking Restrictions Near Mount Beacon

ATTACHMENTS

Memorandum to the City Council Regarding Proposed No Parking Zones

Memorandum to the City Council October 19, 2020

Proposed Local Law to Amend the Chapter 211, Article III, Section 15 of the Code of the City of Beacon Regarding Parking Restrictions

Resolution Setting a Public Hearing to Discuss a Proposed Local Law Regarding Parking on Mountain Lane, Pocket Road and Exeter Circle.pdf

Notice of Public Hearing Notification in the Poughkeepsie Journal



CITY OF BEACON New York

TRAFFIC SAFETY COMMITTEE

845-838-5010

MEMORANDUM

TO: Mayor Kyriacou and City Council

FROM: Anthony Ruggiero, MPA, City Administrator

RE: Proposed Changes to the City Code Chapter 211, Vehicles and Traffic

DATE: September 14, 2020

The Parking and Traffic and Safety Committee (the “Committee”) reviewed a number of Traffic and Safety related issues and make the following recommendations to the City Council.

§ 211-15 Parking, stopping and standing prohibited at all times.
[Amended 5-17-1993; 7-19-1993; 11-15-1993; 7-18-1994]

A. No person shall park, stop or stand, as those terms are defined in § 1200 of the Vehicle and Traffic Law, upon any of the streets or parts thereof described in Schedule X below.

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection A, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:
[Last amended 7-18-2016 by L.L. No. 9-2016[1]]



CITY OF BEACON New York

TRAFFIC SAFETY COMMITTEE

845-838-5010

	Street	Side	Location
1	E. Main St.	East	From Pocket Rd. to Mountain Ln.
2	E. Main St.	West	From Mountain Ln. to a point 50 ft. south
3	Exeter Cr.	North	From Howland Ave. to a point 465 ft. east
4	Mountain Ln.	East	from E. Main St. to Monument Rd.
5	Mountain Ln.	West	From E. Main St. to a point 165 ft. north
6	Pocket Rd.	Both	From E. Main St. to dead end

Mountain Lane, Pocket Road, and Exeter Circle are all dead-end roads with only one ingress and egress. If all of the legal parking spaces are occupied, emergency and Department of Public Works vehicles cannot access the road.

Below is a picture of Pocket Road, taken by an employee of the Water Department, on Sunday, September 6, 2020. In the foreground is the employee's City of Beacon Water Department vehicle which cannot access the road.



CITY OF BEACON New York

TRAFFIC SAFETY COMMITTEE

845-838-5010





CITY OF BEACON New York

TRAFFIC SAFETY COMMITTEE

845-838-5010

MEMORANDUM

TO: Mayor Kyriacou and City Council

FROM: Anthony Ruggiero, MPA, City Administrator

RE: Proposed Changes to the City Code Chapter 211, Vehicles and Traffic

DATE: October 19, 2020

On September 21, 2020 the City Council scheduled a public hearing to receive comment on a proposed local law to create no parking zones on Mountain Lane for October 19, 2020. Councilmember Aymar-Blair requested that the Parking and Traffic Safety Committee consider amending the proposed local law to prohibit parking beyond Monument Road. After careful consideration, the Parking and Traffic Safety Committee has revised their original proposal as follows:

	Street	Side	Location
1	Mountain Ln.	East	from E. Main St. to Monument Rd. From E. Main St. to the driveway at 31 Mountain Lane
2	Mountain Ln.	West	From E. Main St. to a point 165 ft. north

The Parking and Traffic Safety Committee made this amendment because doing so will relieve congestion around the entrance to Monument Road which is a primary entry point for hikers to Mount Beacon.

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW TO AMEND CHAPTER 211, ARTICLE III, SECTION 15 OF
THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend Chapter 211, Article III, Section 15 of the Code of the City of Beacon concerning no parking zones.

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

Section 1. Chapter 211, Article III, Section 15, Subsection B of the Code of the City of Beacon is hereby amended to restrict parking as follows:

§ 211-15. Parking, stopping and standing prohibited at all times.

...

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection A, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
<u>East Main Street</u>	<u>East</u>	<u>From Pocket Road to Mountain Lane</u>
<u>East Main Street</u>	<u>West</u>	<u>From Mountain Lane to a point 50 feet south</u>
<u>Exeter Circle</u>	<u>North</u>	<u>From the corner of Howland Avenue to a point 90 feet east.</u> <u>From Howland Avenue to a point 465 feet east</u>

Name of Street	Side	Location
<u>Mountain Lane</u>	<u>East</u>	<u>From East Main Street to Monument Road</u>
<u>Mountain Lane</u>	<u>West</u>	<u>From East Main Street to a point 165 feet north</u>
<u>Pocket Road</u>	<u>Both</u>	<u>From East Main Street to the dead end</u>

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 211, Article III, Section 15 of the Code of the City of Beacon are otherwise to remain in full force and effect and are otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective date.

This chapter shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.



**CITY OF BEACON
CITY COUNCIL**

Resolution No.____ of 2020

**RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS A PROPOSED
LOCAL LAW TO AMEND CHAPTER 211, ARTICLE III, SECTION 15 OF THE
CODE OF THE CITY OF BEACON REGARDING PARKING ON MOUNTAIN
LANE, POCKET ROAD AND EXETER CIRCLE FOR OCTOBER 19, 2020**

BE IT RESOLVED THAT, the City Council hereby sets a Public Hearing to discuss a Proposed Local Law to Amend Chapter 211, Article III, Section 15 of the Code of the City of Beacon Regarding Parking on Mountain Lane, Pocket Road and Exeter Circle for October 19, 2020.

Resolution No.____ of 2020			Date: <u>September 21, 2020</u>				
<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
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Amber Grant					
		Air Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

CITY OF BEACON
CITY COUNCIL

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that based upon notices and health advisories issued by Federal, State and Local officials related to COVID-19 virus, the Beacon City Council hereby schedules a public hearing to discuss a Proposed Local Law to Amend Chapter 211, Article III, Section 15 Of The Code of The City of Beacon regarding parking on Mountain Lane, Pocket Road and Exeter Circle For October 19, 2020 at 7:00 p.m, via videoconferencing. As permitted under the Governor of the State of New York's Emergency Order 202.1 and 202.15, due to the public health and safety concerns, the public will not be permitted to attend the public hearing in person at any of the remote locations where the City Council members will be situated, or in any other location. The public will have an opportunity to see and hear the meeting live and provide comments.

PLEASE TAKE FURTHER NOTICE, that the City Council's agenda is available online in advance of meetings at <http://agenda.cityofbeacon.org/>. The Proposed Local Law to Create Chapter A228 of the Code of the City of Beacon Regarding Outdoor Permits can be viewed through the agenda.

PLEASE TAKE FURTHER NOTICE, that the public can view and/or listen to the meeting live (1) on YouTube at <https://www.youtube.com/channel/UCyPpigGwZDeR7WYmw-SuDxg>, (2) through Zoom by going directly to the Zoom website (zoom.us) at the meeting start time, select JOIN A MEETING and enter the Webinar ID: 885 8384 3970 Passcode: 979198 or (3) by calling 1 929 205 6099, entering Webinar ID: 885 8384 3970 Passcode: 979198. Members of the public can comment during the public hearing through the Zoom app or by telephone. The public can also email written comments or questions to cityofbeacon@cityofbeacon.org by 5pm on the day of the meeting.

Amanda C. Caputo, Deputy City Clerk

Dated: September 22, 2020

Hi there,

You are invited to a Zoom webinar.

When: Oct 19, 2020 07:00 PM Eastern Time (US and Canada)

Topic: City of Beacon City Council Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88583843970?pwd=WGdIUk5pYkpXOE0remNMYU5aNXlQdz09>

Passcode: 979198

Or iPhone one-tap :

US: +19292056099,,88583843970#,,,,,0#,,979198# or
+13017158592,,88583843970#,,,,,0#,,979198#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 253 215 8782
or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 885 8384 3970

Passcode: 979198

International numbers available: <https://us02web.zoom.us/j/88583843970?pwd=WGdIUk5pYkpXOE0remNMYU5aNXlQdz09>

City of Beacon City Council Agenda
10/19/2020

Title:

Resolution Setting a Public Hearing to Receive Input Regarding 2021 Dutchess County Community Development Clock Grant Program Application

ATTACHMENTS

Resolution Setting a Public Hearing to Receive Input Regarding 2021 Dutchess County Community Development Clock Grant Program Application

Memorandum from the Assistant to the City Administrator Regarding CDBG Projects



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2020

**RESOLUTION SETTING A PUBLIC HEARING TO RECEIVE INPUT FROM CITIZEN AND
GROUPS FOR THE FISCAL YEAR 2021 DUTCHESS COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION**

BE IT RESOLVED THAT, the City Council hereby sets a Public Hearing to receive input from citizens and groups for application to the 2021 Dutchess County Community Development Block Grant Application for November 2, 2020.

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



Memorandum

Assistant to the City Administrator

TO: City Administrator Anthony Ruggiero
FROM: Etha Grogan
RE: CDBG Projects
DATE: October 8, 2020

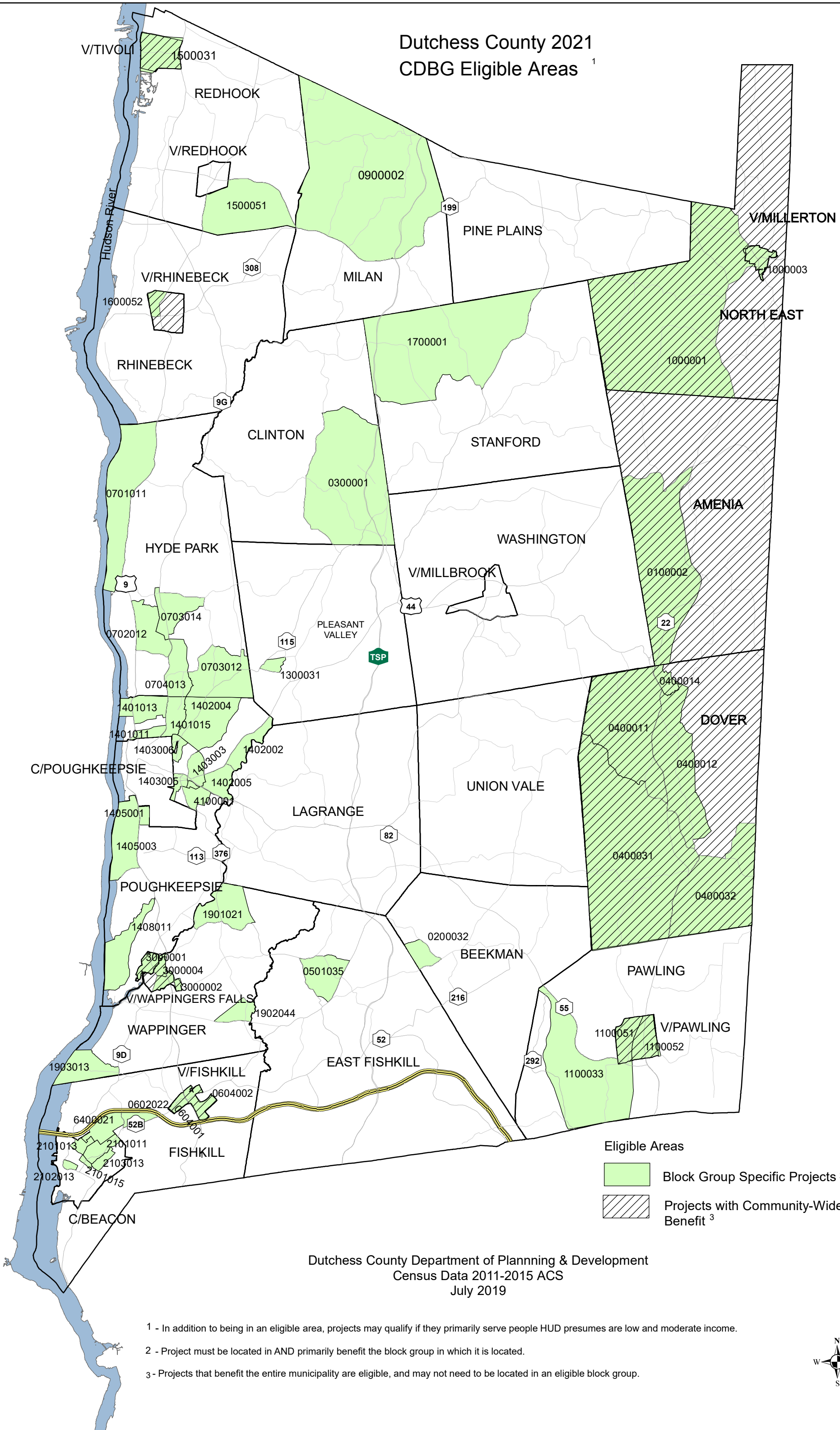
In preparation for the 2021 Community Development Block Grant (CDBG) municipal application, the following projects are located in eligible areas.

- Fishkill Avenue/Hanna Lane Sewer Main Replacement (engineering already underway)
- Repair/upgrade crosswalks along Verplanck Avenue: Restamp and repaint with brick color all crosswalks to replicate the street when it was originally reconstructed in 2004

North Avenue (1)
Dutchess Terrace (1)
Cross Street (1)
Willow Street (1)
Matteawan Road
Fishkill Avenue

If you have any questions, please feel free to contact me. Thank you.

Dutchess County 2021
CDBG Eligible Areas ¹

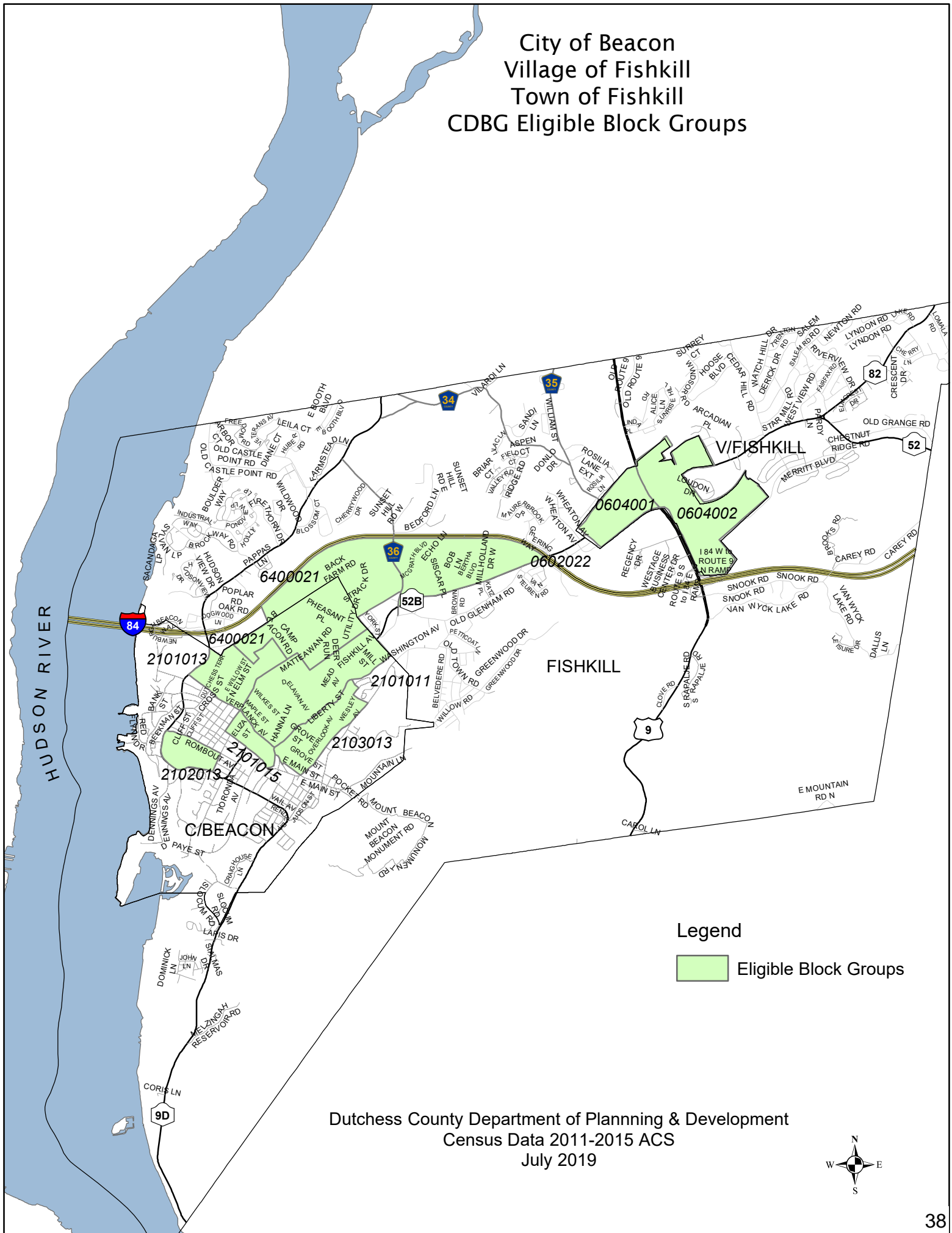


Dutchess County Department of Planning & Development
Census Data 2011-2015 ACS
July 2019

1 - In addition to being in an eligible area, projects may qualify if they primarily serve people HUD presumes are low and moderate income.
2 - Project must be located in AND primarily benefit the block group in which it is located.
3 - Projects that benefit the entire municipality are eligible, and may not need to be located in an eligible block group.



City of Beacon
Village of Fishkill
Town of Fishkill
CDBG Eligible Block Groups



City of Beacon City Council Agenda
10/19/2020

Title:

Resolution Setting a Public Hearing to Receive Input from the Public Regarding the Proposed 2021 City of Beacon Budget for November 16, 2020

ATTACHMENTS

Resolution Setting a Public Hearing to Receive Input from the Public Regarding the Proposed 2021 City of Beacon Budget for November 16, 2020



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2020

**RESOLUTION SETTING A PUBLIC HEARING TO RECEIVE INPUT FROM THE PUBLIC
REGARDING THE PROPOSED 2021 CITY OF BEACON BUDGET FOR NOVEMBER 16, 2020**

BE IT RESOLVED THAT, the City Council hereby sets a Public Hearing to receive input from the public regarding the proposed 2021 City of Beacon Budget for November 16, 2020.

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

City of Beacon City Council Agenda
10/19/2020

Title:

Resolution Authorizing the Appointment of Giovanna Rogow to the Human Relations Commission

ATTACHMENTS

[Resolution Authorizing the Appointment of Giovanna Rogow to the Human Relations Commission](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2020

**RESOLUTION APPOINTING GIOVANNA ROGOW TO THE CITY OF BEACON
HUMAN RELATIONS COMMISSION**

BE IT RESOLVED, the Mayor hereby appoints, with the consent of the City Council, Giovanna Rogow to the City of Beacon Human Relations Commission. The term shall end on December 31, 2020.

Resolution No. _____ of 2020			Date: <u>October 19, 2020</u>				
<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
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Amber T. Grant					
		Air Rhodes					
		Dan Aymar-Blair					
		Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
10/19/2020

Title:

Resolution Authorizing the Appointment of Ron Donofrio to the Board of Assessment Review

ATTACHMENTS

[Resolution Authorizing the Appointment of Ron Donofrio to the Board of Assessment Review](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2020

**RESOLUTION APPOINTING RON DONOFRIO TO THE CITY OF BEACON BOARD
OF ASSESSMENT REVIEW**

BE IT RESOLVED, the Mayor hereby appoints, with the consent of the City Council, Ron Donofrio to the Board of Assessment Review. The term shall end on December 31, 2020.

Resolution No. ____ of 2020			Date: <u>October 19, 2020</u>				
<input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Amber T. Grant					
		Air Rhodes					
		Dan Aymar-Blair					
		Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
10/19/2020

Title:

Resolution Authorizing the Appointment of Don Raskopf to the Conservation Advisory Committee

ATTACHMENTS

Resolution Authorizing the Appointment of Don Raskopf to the Conservation Advisory Committee



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2020

**RESOLUTION APPOINTING DON RASKOPF TO THE CITY OF BEACON
CONSERVATION ADVISORY COMMITTEE**

BE IT RESOLVED, the Mayor hereby appoints, with the consent of the City Council, Don Raskopf to the Conservation Advisory Committee. The term shall end on December 31, 2020.

Resolution No. ____ of 2020			Date: <u>October 19, 2020</u>				
<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
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Amber T. Grant					
		Air Rhodes					
		Dan Aymar-Blair					
		Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
10/19/2020

Title:

Resolution Authorizing the City of Beacon to Award Contract to OCS Industries, Inc. for the North Interceptor Sewer Main Replacement and Water Main Relocation

ATTACHMENTS

Resolution Authorizing the City of Beacon to Award Contract to OCS Industries, Inc. for the North Interceptor Sewer Main Replacement and Water Main Relocation

North Interceptor Sewer Award Recommendation



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2020

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO
OCS INDUSTRIES, INC.**

WHEREAS, the City of Beacon received ten (10) bid proposals for the North Interceptor Sewer Main Replacement & Water Main Relocation; and

WHEREAS, OCS Industries, Inc. submitted the lowest bid at \$993,718.16; and

WHEREAS, OCS Industries Inc. has successfully completed similar projects and references where confirmed; and

WHEREAS, the City's consulting engineers have determined that OCS Industries, Inc. is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes the Award of Contract to OCS Industries, Inc. for the North Interceptor Sewer Main Replacement and Water Main Relocation in the amount of \$993,718.16.

Resolution No. ____ of 2020			Date: <u>October 19, 2020</u>				
<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
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Amber Grant					
		Air Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

LANC & TULLY

ENGINEERING AND SURVEYING, P.C.

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

Rodney C. Knowlton, L.S., Principal
Jerry A. Woods, L.S., Principal

John D. Russo, P.E., Principal
John Lenc, P.E., L.S.
Arthur R. Tully, P.E.

October 9, 2020

Mr. Ed Balicki
Water & Sewer Superintendent
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

RE: North Interceptor Sewer
Replacement & Water Relocation
City of Beacon
Award Recommendation

Dear Mr. Balicki:

A total of ten (10) bid proposals were submitted and opened on October 8, 2020 for the **North Interceptor Sewer Main Replacement & Water Main Relocation** project. The 10 proposals were carefully reviewed; all multiplication between estimated quantities and unit prices checked; and addition of total prices checked against the total contract amount. All proposals submitted were complete. Three of the submitted proposals were found to have mathematical errors within the bid forms, as submitted by OCS Industries, Arold Construction and Northbrook Contracting.

The following tabulation shows the order from lowest bidder, the name of the bidder, the total contract amount, and the corrected contract amount if errors were found. The engineer's estimated cost for the project was \$1.5 million.

NAME OF BIDDER	TOTAL CONTRACT AMOUNT	CORRECTED CONTRACT AMOUNT
OCS Industries, Inc. Poughkeepsie, NY	\$993,007.48	\$993,718.16
TAM Enterprises, Inc. Goshen, NY	\$1,190,000.00	N.A.
Merritt Construction, Inc. Saugerties, NY	\$1,283,525.50	\$1,285,190.50
Grant Street Construction Cortland, NY	\$1,296,000.00	N.A.
Sun Up Construction Wappingers Falls, NY	\$4,459,279.50	N.A.

NAME OF BIDDER	TOTAL CONTRACT AMOUNT	CORRECTED CONTRACT AMOUNT
Argenio Brothers New Windsor, NY	\$1,484,484.00	N.A.
Northbrook Contracting Peekskill, NY	\$1,799,000.00	\$1,798,412.32
Arold Construction Kingston, NY	\$1,822,355.00	N.A.
Morano Brothers Croton on Hudson, NY	\$2,192,805.00	N.A.
Rifenburg Construction Troy, NY	\$2,211,206.00	N.A.

The lowest bidder is OCS Industries, Inc. with a corrected the total base bid amount of \$993,718.16. OCS Industries, Inc. has submitted information related to projects in which they have completed the work as outlined within the proposed project or are of similar nature. References supplied were called and checked to verify the work completed by the prospective low bidder and were found to be acceptable. In our opinion, OCS Industries, Inc. should be considered the lowest responsible bidder based upon the submitted information and Chapter 53 of the City Code. Along with the bid, the contractor has submitted a Non-Collusive Bidding Certificate, and a Bid Bond.

It is our recommendation to the City Council to award the **North Interceptor Sewer Main Replacement & Water Main Relocation** project to OCS Industries, Inc.

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

Very truly

LANC & TULLY, P.C.



John Russo, P.E.

Cc: Nick Ward-Willis, City Attorney

City of Beacon City Council Agenda
10/19/2020

Title:

Resolution Concerning River Ridge Development Offer of Dedication of Easement for Pocket Park

ATTACHMENTS

Resolution Concerning River Ridge Development Offer of Dedication of Easement for Pocket Park



CITY OF BEACON

CITY COUNCIL

Resolution No. _____ of 2020

RESOLUTION CONCERNING RIVER RIDGE DEVELOPMENT OFFER OF DEDICATION OF EASEMENT FOR POCKET PARK

WHEREAS, the developer of the River Ridge residential development project has appeared before the City of Beacon Planning Board for consideration of the offer of an easement over a portion of the River Ridge property to the City for use as a pocket park; and

WHEREAS, the City Planning Board had previously assessed recreation fees in lieu of an Offer of Dedication of park land and upon considering the subsequent offer of an easement, referred the matter to the City Council for their consideration as to whether they would accept the offer of the easement; and

WHEREAS, the City Council has considered the Offer of Dedication of an easement at three (3) City Council workshops and requested information from the applicant and staff which has been provided and considered by the City Council.

NOW THEREFORE, the City Council of the City of Beacon hereby reports back to the City of Beacon Planning Board that the City Council is in favor of the City considering the acceptance of an easement over a portion of the River Ridge parcel for passive recreational purposes upon the condition that such easement would not be accepted unless and until the City of Beacon obtains fee title or an easement of the cemetery on the church property and an easement over the church property from the River Ridge parcel to Route 9D so that there is a linkage provided from Route 9D through the church and cemetery parcel over the River Ridge pocket parcel to Beekman Avenue; and

WHEREAS, the City Council further states it has no opinion and leaves it to the sole discretion of the Planning Board as to whether the offer of the easement satisfies all or some of the applicant's recreation fee and park land obligations pursuant to City and State law; and

WHEREAS, the City Council directs that the City Attorney work with the Planning Board to ensure that any Offer of Dedication of the easement recommended by the Planning Board provide for appropriate conditions to ensure that in the event the City does not accept the easement dedication that the applicant pays the appropriate recreation fees; and

BE IT FURTHER RESOLVED, a copy of this resolution be provided to the City of Beacon Planning Board, its consultants and the applicant.

Resolution No. ____ of 2020			Date: <u>October 19, 2020</u>				
“ Amendments			“ On roll call			“ 2/3 Required	
“ Not on roll call						“ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Amber Grant					
		Air Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

**City of Beacon City Council Agenda
10/19/2020**

Title:

City Council Meeting Minutes October 5, 2020

ATTACHMENTS

[City Council Meeting Minutes October 5, 2020](#)

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council. Due to COVID-19 the City Council Meeting was held through video conference. The public was able to attend through video or telephone and were made aware via the City of Beacon website, cityofbeacon.org. Please note that the video recording of this meeting is available at <https://vimeo.com/465354862>. Please take further notice that in accordance with New York State Governor Andrew Cuomo's Executive Order 202.1 the full transcript of this meeting is available upon request at City Hall Suite 1, 1 Municipal Plaza, Beacon NY 12508, or by calling 845 838 5010, or by emailing cityofbeacon@cityofbeacon.org.

Councilmembers 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

Councilmembers Absent**Also Present:**

Anthony Ruggiero, City Administrator
Drew Gamils, City Attorney

Presentation: 2021 Budget

Mayor Kyriacou and City Administrator Ruggiero introduced the proposed 2021 budget.

Local Laws and Resolutions: Consent Agenda

1. Resolution Authorizing a Sidewalk Easement Agreement Regarding River Ridge Views at 12 Ferry Street
2. Resolution Authorizing an Access and Utility Easement Agreement Regarding River Ridge Views at 12 Ferry Street
3. Resolution Requesting the Introduction of Home Rule Legislation to Allow the City of Beacon to Sell its Excess Sewage Capacity to Private Corporations and Individuals Outside of the City Limits
4. Resolution Authorizing an Agreement Between the Village of Fishkill and the City of Beacon Concerning the Purchase of Water from the Village of Fishkill
 - Motion to pass the Consent Agenda by Councilmember Mansfield
 - Second by Councilmember Grant
 - Motion passes 7 – 0

Local Laws and Resolutions

1. Resolution Adopting Diversity and Inclusion Mission Statement

- Motion to amend the Resolution as shown below by Councilmember McCredo
- Second by Councilmember Nelson
- Motion passes 7 – 0
- Motion to pass the Amended Resolution by Councilmember Rhodes
- Second by Councilmember McCredo
- Motion passes 7 - 0

*The City of Beacon is committed to creating a diverse and inclusive workforce. Our employees thrive when we achieve this. We aim to create a workplace that reflects and recognizes the diversity of our employees, and residents. We strive to provide services that benefit everyone in the community by including perspectives from backgrounds such as those that vary by race, ethnicity, social background, religion, gender, age, ~~disability~~ *different abilities*, sexual orientation, gender identity, trans-gender status, veteran status, and national origin.*

2. Resolution Approving Budget Amendments

- Motion to pass the Resolution by Councilmember Rhodes
- Second by Councilmember McCredo
- Motion passes 7 – 0

3. Resolution Authorizing the Hiring of Ricardo Brown as a Water and Sewer Maintenance Helper

4. Resolution Authorizing the Hiring of Justin Herring as a Water and Sewer Maintenance Helper

- Motion to pass Resolution # 3 and Resolution # 4 by Councilmember Mansfield
- Second by Councilmember Grant
- Motion passes 7 – 0

Approval of Minutes:

1. City Council Meeting Minutes from September 21, 2020

- Motion to approve the minutes by Councilmember Rhodes
- Second by Councilmember Grant
- Motion passes 7 – 0

Executive Session

- Motion to enter Executive Session by Councilmember Rhodes
- Second by Councilmember McCredo
- Motion passes 7 – 0

- Motion to exit Executive Session by Councilmember McCredo
- Second by Councilmember Nelson
- Motion passes 7 - 0

Adjournment:

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