



CITY OF BEACON
One Municipal Plaza
Beacon, New York 12508

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

May 1, 2017
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:

- Howland Public Library Update - Amy Raff, Director

Public Hearings:

- Continuation of the Public Hearing on an Amendment to Chapter 223 of the Code as it Relates to Affordable Workforce Housing
- Local Law to Amend Chapter 223 of the Code as it Relates to Off-Street Parking

Reports:

- Council Member Ali Muhammad
- Council Member Omar Harper
- Council Member Lee Kyriacou
- Council Member George Mansfield
- Council Member Pam Wetherbee
- Council Member Peggy Ross
- City Administrator, Anthony Ruggiero
- County Legislators
- Mayor Randy Casale
- Youth Week Proclamation

Local Laws and Resolutions:

1. Resolution to Adopt a Local Law Regarding Workforce Affordable Housing
2. Resolution to Authorize an Agreement with Millennium Strategies for Grant Writing and Administrative Services
3. Resolution to Appoint Peter Hockler to the Position of Wastewater Treatment Plant Maintenance Helper

Approval of Minutes:

- Minutes of April 3, 2017

Budget Amendments:

1. 2017-05-01 Budget Amendments

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.

Executive Session:

1. Matters Pertaining to Personnel
2. Pending Litigation

Adjournment:

City of Beacon Council Agenda
5/1/2017

Title:

Howland Public Library Update - Amy Raff, Director

Subject:

Background:

City of Beacon Council Agenda
5/1/2017

Title:

Continuation of the Public Hearing on an Amendment to Chapter 223 of the Code as it Relates to Affordable Workforce Housing

Subject:

Background:

ATTACHMENTS:

Description	Type
LL Workforce Housing	Local Law

DRAFT LOCAL LAW NO. ____ OF 2016

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW AMENDING
CHAPTER 223 OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to
amend Chapter 223
concerning Affordable
Workforce Housing.

A LOCAL LAW to amend Chapter 223 of the Code of the City of Beacon concerning Affordable Workforce Housing.

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

Section 1. Chapter 223, Section 63 of the Code of the City of Beacon entitled “Definitions” is hereby amended to revise the following definitions:

BELOW-MARKET-RATE (BMR) UNIT

A new or rehabilitated housing unit which is restricted as to sale or rent to remain affordable to a BMR Unit Eligible Household, as defined below, ~~by generally not exceeding 30% of the maximum aggregate gross income of the household for the actual size of the household that will occupy such unit. Said housing~~ BMR rental unit must be the primary residence of the household and shall not be sublet without the consent of the City Council or its designee. BMR For-Sale units must be the primary residence of the household at the time of sale and shall at no time be sublet without the consent of the City Council or its designee.

BMR UNIT ELIGIBLE HOUSEHOLD

Rental Units: A household whose aggregate gross annual income, including the total of all current annual income of members residing in the household from any source whatsoever at the time of application (excluding the earnings of working household members of 21 years of age or younger who are full-time students), does not exceed ~~400~~ 90% of the Dutchess County area median annual income for ~~its~~ the actual size of the household size [based on the United States Census and as updated by the Department of Housing and Urban

Development (HUD)], and which household can afford the maximum rent specified in § 223-41.10F(1). ~~or sales price specified in § 223-41.10E of this chapter~~

For-Sale Units: A household whose aggregate gross annual income, including the total of all current annual income of members residing in the household from any source whatsoever at the time of application (excluding the earnings of working household members of 21 years of age or younger who are full-time students), does not exceed 110% of the Dutchess County area median annual income for the actual size of the household [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)], and which household can afford the maximum sales price as specified in § 223-41.10F(2). In addition, the net assets of the household at the time prior to purchase may not exceed 75% of the purchase price of the unit, except where such households rely, due to age or disability, on the assets in lieu of income. Evidence of disability shall be the receipt of Social Security Disability Insurance (SSDI) payments. In addition, the net assets of the household at the time prior to purchase ~~or lease~~ may not exceed 75% of the purchase price of the unit, except where such households rely, due to age or disability, on the assets in lieu of income. Evidence of disability shall be the receipt of Social Security Disability Insurance (SSDI) payments.

~~For example, for the year 2010, limitations are as follows:~~

Persons in Household	1	2	3	4	5	6
Maximum eligible income (100% of median)	\$58,400	\$66,800	\$75,100	\$83,400	\$90,100	\$96,800
Maximum housing cost (30% of gross income)						
Annually	\$17,520	\$20,040	\$22,530	\$25,020	\$26,030	\$29,040
Monthly	\$1,460	\$1,670	\$1,878	\$2,085	\$2,253	\$2,420

Eligible unit types	Studio or 1-BDR	1-BDR or 2-BDR	2-BDR or 3-BDR	2-BDR, 3-BDR or 4-BDR	3-BDR or 4-BDR	3-BDR or 4-BDR
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All projects approved by the Planning Board prior to the effective date of this law, may continue to set a monthly rent, including utilities for BMR units, not to exceed 30% of 100% of the Dutchess County area median annual income. A BMR unit eligible household for projects approved by the Planning Board prior to the effective date of this law includes households whose aggregate gross annual income, including the total of all current annual income of members residing in the household from any source whatsoever at the time of application (excluding the earnings of working household members of 21 years of age or younger who are full-time students), does not exceed 100% of the Dutchess County area median annual income for its household size [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)].

Section 2. Chapter 223, Article IVB of the Code of the City of Beacon entitled “Affordable Workforce Housing” is hereby amended as follows:

§ 223-41.8 **Findings.**

The City Council of the City of Beacon acknowledges the high cost of housing compared to average earnings in the City and County, and this trend has grown more noticeable as land and housing values have increased in recent years. Maintaining and ensuring a balanced mix of housing types and sizes that are affordable to a range of incomes is essential to ensuring the long-term health of the community. Such balanced housing stock enables a variety of residents to live and work in the City, maintain family ties, and participate in community services, such as emergency services. Balanced housing is also essential to attracting and maintaining an adequate workforce, a healthy business environment, and a balanced tax base that supports local services and the quality of life. It is therefore important for the City to maintain a mix of housing choices and to require the creation of new or rehabilitated below-market-rate (BMR) units in future renovation and development. The primary purpose of this Article is to allow the City to maintain an appropriate mix of housing choices by creating a required number of quality new or rehabilitated below-market-rate (BMR) units in future renovation and development. The goal is not to offer a limited number of high-end units for a few qualified households, but to provide as many quality affordable and workforce housing units as possible, integrated throughout the City.

§ 223-41.9 **Provision of BMR units; ~~payment in lieu thereof.~~**

To achieve the purposes above, the approval authority shall require that 10% of all projects containing ~~10~~ 20 or more apartment dwellings and/or attached dwellings (townhouses) as defined in §223-63 of this chapter, shall be comprised of below-market-rate units as defined and regulated in this article. Any fraction at or above 0.5 shall be rounded up to the nearest whole number, and any fraction below 0.5 shall be rounded down. ~~Notwithstanding the requirement immediately above, the City Council, at its discretion, may allow the applicant to make a payment to the City in lieu of the provision of some or all of the required BMR units, in an amount determined by the City Council to be the value of the waived BMR units; said payment shall be made into a trust fund dedicated to the provision of affordable workforce housing in the City.~~ Subject to the Planning Board's approval, Developer shall provide BMR units mixed throughout the same building(s). Units designated as BMR units must remain affordable for a minimum of 50 years from date of initial certificate of occupancy for rental properties and from date of original sale for owner-occupied units.

§ 223-41.10 **Below-market-rate units.**

- A. Finishes, amenities, size, distribution and mix. BMR units shall have exterior finishes comparable to the market-rate units within the development. Interior finishes and amenities for the BMR units shall be comparable to the market-rate units within the development, subject to approval by the Planning Board. ~~BMR shall be reasonably distributed throughout the project and t~~ The timing of the construction of the BMR units shall be in conjunction with the construction of the market rate units in the project. Further, the BMR units shall be provided in a mix of unit types in the same proportion as all other units in the development unless a different proportion is approved by the Planning Board as being better related to the housing needs, current or projected, of the City of Beacon.
- B. Minimum gross floor area.
- (1) The size of the BMR multifamily units may be smaller than the market rate units, but notwithstanding other provisions of this chapter, the minimum gross floor area per dwelling unit shall not be less than the following:
 - (a) Studio/efficiency unit: 350 square feet.
 - (b) One-bedroom unit: 600 square feet.
 - (c) Two-bedroom unit: 800 square feet.
 - (d) Three-bedroom unit: 1,000 square feet.
 - (e) Four-bedroom unit: 1,200 square feet
 - (2) An Applicant may seek approval from the Planning Board to construct units smaller than the minimum gross floor area set forth above, only if the Applicant constructs more units than it is required to construct pursuant to this Chapter.

C. Occupancy standards. The minimum and maximum occupancy of a BMR unit shall be as follows:

Number of Bedrooms	Minimum Number of Persons	Maximum Number of Persons
Studio/ efficiency	1	± 2
1	1	2 3
2	2	4
3	3	6
4	4	8

D. For townhouse developments containing BMR units, frontage, building size and lot size may be reduced by up to 25% for the BMR units.

E. BMR unit eligible household. Households must meet the criteria established in § 223-63 of this chapter, within the definition of "BMR unit eligible household." Rental households shall be required to requalify with respect to said criteria on an annual basis.

F. Maximum rent and sales price.

(1) Rental Units: The monthly rent including utilities for BMR units shall not exceed 30% of the ~~maximum figure that represents 70% of the Dutchess County's current area median income. maximum aggregate gross monthly income of an eligible household as defined in § 223-63, under "BMR unit eligible household," for the actual size of the household that will occupy such unit as set forth in Subsection C above.~~

(2) For-Sale Units: The maximum gross sales price for a BMR unit shall not exceed ~~the maximum household expense of 30% of the figure that represents 90% of the Dutchess County's current area median income. aggregate gross monthly income of an eligible household as defined in § 223-63 for the actual size of the household that will occupy such unit as set forth in Subsection C above, relating to the.~~ This figure will be based on the sum of principal, interest, taxes, and insurance, based on industry-standard mortgage underwriting guidelines for a thirty-year fixed rate mortgage, prevailing interest rates, and a down payment of 5%.

(3) All projects approved by the Planning Board prior to the effective date of this law, may continue to set a monthly rent including utilities for BMR units not to exceed 30% of 100% of the Dutchess County area median annual income for the household size that will occupy such unit as set forth in Subsection C income for its household size [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)].

- (4) In the event the Owner of the BMR unit governed by subsection (1) above, demonstrates to the satisfaction of the City Administrator or its designee that after a good faith effort it is not able to rent a BMR unit pursuant to subsection (1), it may instead comply with subsection (3) above, until the unit is next offered for rent.

G. Categories of priority in descending order of priority.

- (1) Households applying for BMR units shall be selected on the basis of the following categories of priority:

- (a) Volunteer emergency responders for the City of Beacon who have served at least five years.
- (b) City of Beacon municipal employees.
- (c) Employees of the Beacon School District
- (d) All other residents of the City of Beacon.
- ~~(e) Employees of the Beacon School District.~~
- (e) Other persons employed in the City of Beacon.
- ~~(f) The following relatives of residents of the City of Beacon: father, mother, son, daughter, brother, sister, grandparent, grandchild, father-in-law or mother-in-law.~~
- ~~(g) Other residents of Dutchess County.~~
- ~~(h) Other persons employed in Dutchess County.~~
- (f) All others.

- (2) Within each of the above categories, the following special groups shall receive priority in the following order:

- (a) Priority for rental units shall be established for all eligible households as defined in § 223-63, whose aggregate gross annual income is between 70%-80% of the Dutchess County area median annual income.
- (b) Priority for all for-sale units shall be established for all eligible households as defined in § 223-63, whose aggregate gross annual income is between 90%-100% of the Dutchess County area median annual income.
- ~~(a) Households whose head of household or spouse is 62 years of age or older.~~
- ~~(b) First-time homebuyers.~~

- ~~(c) — Households whose head of household or spouse is 30 years of age or younger.~~
- ~~(d) — Civil servants.~~

H. The deed, certificate of occupancy and/or rental agreement, as appropriate, for each BMR dwelling unit shall contain language, satisfactory to the City Attorney in form and substance, which states that the subject dwelling is a below-market-rate unit as defined in § 223-41.10(F)(1) § ~~223-63~~ of the Code of the City of Beacon, New York, and is subject to all restrictions and limitations as set forth therein.

I. Resale. In the case of owner-occupied BMR units, the title to said property shall be restricted so that in the event of any resale by the homeowner or any successor, the resale price shall not exceed the maximum sales price for said unit, as determined in Subsection F ~~E~~, plus the depreciated value of capital improvements based on their estimated life for up to 5% of the price of the unit. Units designated as BMR units must remain affordable for a minimum of 50 years from date of original sale for owner-occupied units.

J. Lease of a BMR unit.

- (1) Individual BMR unit owners may lease their units to BMR eligible unit households, as defined in § 223-63, for a period not exceeding two years, with the consent of the City Administrator or its designee. ~~Council or its designee, for employment, health or other good reason as determined by the Council. Notwithstanding the sentence above, this time frame may be extended by the Council or its designee for good cause shown.~~
- (2) Applicants for rental BMR units, if eligible and if selected for occupancy, may sign a lease for a term of no more than two years. As long as a resident remains eligible and has complied with the terms of the lease, said resident shall be offered renewal leases for a term of no more than two years each. Renewal of a lease shall be subject to the conditions of federal, state or county provisions that may be imposed by the terms of the original development funding agreements for the development or to the provisions of other applicable local law.
- (3) If a resident's annual gross income should subsequently exceed the maximum income then allowable, said resident may complete their current lease term and shall be offered a market-rate housing unit in the development at the termination of such lease term. If no such dwelling unit shall be available at said time, the resident may be allowed to sign one additional one-year lease for BMR unit they occupy but shall not be offered a renewal of the lease beyond that expiration of said term. Tenants, who again become eligible for a BMR unit during the one-year term, shall be eligible for a renewal of their lease term.

K. Implementing regulations. The City Council may, by resolution, adopt specific regulations to foster the efficient and equitable implementation of this chapter.

- L. Administration. The City Council shall be responsible for administering these regulations and may designate a board, commission or other organization to monitor compliance.
- M. Developer Incentives. For every one BMR unit provided as part of the overall development, the developer shall have the right to 0.5 additional market rate unit above the maximum number otherwise permitted under applicable provisions of this Chapter. Any fraction at or above 0.5 shall be rounded up to the nearest whole number, and any fraction below 0.5 shall be rounded down. The Planning Board may grant up to 10 additional units. District building height requirements must be maintained, but the Planning Board may modify lot area per unit, setbacks, building coverage, number of units per building, and parking requirements to accommodate the bonus unit or units.
- N. Waiver. Upon request of an applicant before the Planning Board, the City Council may modify or waive specific provisions of this Article, if it finds that the proposal meets the primary purpose of Section 223-41.8 and the project will result in more BMR units than is required pursuant to this Chapter.

Section 3. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, the Chapter 223 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. 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 5. 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 6. Effective Date

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

DRAFT

City of Beacon Council Agenda
5/1/2017

Title:

Local Law to Amend Chapter 223 of the Code as it Relates to Off-Street Parking

Subject:

Background:

ATTACHMENTS:

Description	Type
LL parking dimensions	Local Law

LOCAL LAW NO. ____ OF 2017

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW AMENDING
CHAPTER 223 OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend Chapter 223, Article III, Section 26 Subsection C concerning Off-Street Parking.

A LOCAL LAW to amend Chapter 223, Article III, Section 26 concerning the specific parking specifications for off-street parking.

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

Section 1. Chapter 223, Article III, Section 26, Subsection C of the Code of the City of Beacon entitled “Location, use, design, construction and maintenance” is hereby amended as follows:

§ 223-26. Off-Street parking, loading and vehicular access.

...

C. Location, use, design, construction and maintenance.

- (1) Location. The off-street parking facilities which are required by this section shall be provided on the same lot or premises with such structure or land use; except that off-street parking spaces required for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records

prior to approval of the plans for said parking facility. In any residence district, no off-street parking facility shall be developed in any required front yard or in any required side or rear yard adjacent to a street line or in any other side or rear yard within five feet of the lot line. However, off-street parking spaces shall be permitted in residential districts as indicated in § 223-17C.

(2) Parking Specifications

- (a) Each parking space provided in an unenclosed area shall be at least nine feet wide and at least ~~20~~ 18 feet long, except that the Planning Board, in approving a plan under § 223-25, may permit that portion of the total required parking which is specifically set aside for and limited to employee parking to have a width of at least 8 1/2 feet and a depth of at least ~~20~~ 18 feet. This possible exception shall not be permitted in the CB District.
- (b) Each parking space which is bordered by walls or columns on two or more sides shall be not less than 10 feet wide nor less than ~~20~~ 18 feet long. Enclosed or garaged parking areas shall not contain any columns, walls or other obstacles which would prevent or obstruct the use of any parking space.
- (c) The maneuvering area needed to permit parked vehicles to enter and exit off-street parking spaces shall have a width of at least ~~25~~ 24 feet, except where the Planning Board approves a lesser distance as adequate for areas with parallel or angled parking spaces ~~and except where such area is also utilized for the through circulation of vehicles, in which case a minimum width of at least 30 feet shall be provided.~~

(3) Landscaping. Except for parking spaces accessory to a one-family dwelling, all off-street parking areas shall be ~~curbed and~~ landscaped with appropriate trees, shrubs and other plant materials and ground cover, as approved by the Planning Board based upon consideration of the adequacy of the proposed landscaping to assure the establishment of a safe, convenient and attractive parking facility with a minimum amount of maintenance, including plant care, snowplowing and the removal of leaves and other debris. At least one tree with a minimum caliper of three inches at a height of four feet above ground level shall be provided within such parking area for each 10 parking spaces

- (a) Wherever possible, planting islands, at least eight feet in width, shall be provided to guide vehicle movement and to separate opposing rows of parking spaces so as to provide adequate space for plant growth, pedestrian circulation and vehicle overhang. Such planting islands and the landscaping within them shall be designed and arranged in such a way as to provide vertical definition to major traffic circulation aisles, entrances and exits, to channel internal traffic flow and prevent indiscriminate diagonal movement of vehicles and to provide relief from the visual monotony and shadeless expanse

of a large parking area. ~~Curbs of such islands shall be designed so as to facilitate surface drainage and prevent vehicles from overlapping sidewalks and damaging landscaping materials.~~

(b) The Planning Board may require curbing to facilitate surface drainage and prevent vehicles from overlapping sidewalks and damaging landscaping materials. ~~In all off-street parking areas containing 25 or more parking spaces, at least 10% of the total parking area shall be curbed and landscaped with trees, shrubs and other plant materials.~~

(c) No obstruction to driver vision shall be erected or maintained on any lot within the triangle formed by the street line of such lot, the outer edge of the access driveway to the parking area and a line drawn between points along such street line and access drive 30 feet distant from their point of intersection.

(4) Grades, drainage, paving and marking. All proposed and required parking facilities, regardless of size, shall be graded, surfaced, drained and maintained throughout the duration of their use so as to comply with the New York State Stormwater Management Design Manual, as amended from time to time, and/or Chapter 190, Stormwater Management and Erosion and Sediment Control, of this Code, or other acceptable stormwater management practice(s), as deemed suitable to the City Engineer to the extent necessary to avoid nuisances of dust, erosion or excessive water flow across public ways or adjacent lands. The drainage analysis for said parking facilities shall include pre- and post-development conditions as well as remediation and/or mitigation of stormwater runoff. The maximum slope within a parking area shall not exceed 5%. In RD and RMF Districts and in nonresidential developments, the Planning Board shall require the provision of suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits.

(5) Traffic circulation. In order to encourage safe and convenient traffic circulation, the Planning Board may require the interconnection of parking areas via access drives within and between adjacent lots. The Board shall require written assurance and/or deed restrictions, satisfactory to the Corporation Counsel, binding the owner and his heirs and assignees to permit and maintain such internal access and circulation and inter-use of parking facilities.

(6) Two or more uses on same lot. Where two or more different uses occur on a single lot, the total amount of parking facilities to be provided shall be the sum of the requirements of each individual use on the lot, except that the ~~Board of Appeals~~ Planning Board may approve the joint use of parking space by two or more establishments on the same lot or on contiguous lots, the total capacity of which is less than the sum of the spaces required for each, provided that said Board finds that the capacity to be provided will substantially meet the intent of this article by reason of variation in the probable time of maximum use by patrons or employees at such

establishments and provided that such approval of such joint use shall be automatically terminated upon a change of use at any such establishment.

(7) Designed residence and multifamily residence districts.

- (a) In RD and RMF Districts, in order that some of the required parking spaces may be convenient for use by visitors as well as by occupants, 2/3 of the required car spaces for a residential building shall be directly accessible to ~~the normal approach from the street to each~~ a main entrance to that building and within 100 feet of that entrance. ~~Upon recommendation from the Planning Board that a specific parking plan will provide comparable convenience of parking space location, the City Council may so modify the above requirement in approving any specific apartment development plan.~~
- (b) In RD or RMF Districts, ~~not more than 50% of the required parking shall be provided in enclosed or garaged areas. Roofed areas, open on at least two sides, shall be considered open or unenclosed spaces. off-street parking lots shall be located behind, underneath, or to the side of the building. Any parking to the side of the building shall be screened from street views by a low wall, hedge, fence, and/or other landscaping and, whenever possible, it shall be located at least 40 feet from any property line that fronts on a street.~~

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 223 of the City of Beacon is otherwise to remain in full force and effect and is 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

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 5. Effective Date

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

**City of Beacon Council Agenda
5/1/2017**

Title:

Youth Week Proclamation

Subject:

Background:

ATTACHMENTS:

Description
2017 Youth Week Proc.

Type
Backup Material

Randy Casale, Mayor



City Council

City of Beacon
One Municipal Plaza
Beacon, New York 12508
www.cityofbeacon.org

Lee Kyriacou – Council At Large
George Mansfield – Council At Large
Peggy Ross – Ward One

Anthony Ruggiero, City Administrator

Omar Harper –Ward Two
Pam Wetherbee – Ward Three
Ali Muhammad – Ward Four

City of Beacon
Benevolent Protective Order of Elks



Proclamation

WHEREAS, the Elks Lodge of the City of Beacon, New York will observe May 1-7 as Elks National Youth Week in tribute to our junior citizens, honoring them for their achievements and contributions to the Community; and

WHEREAS, the Elks Lodge of the City of Beacon encourages and supports the youth of our community in many ways including providing scholarships, educational materials, sports league sponsorships and equipment donations, sporting event sponsorships and donations of food and clothing to local organizations and families; and

WHEREAS, it is our responsibility to guide, inspire and encourage our youth to go forth to serve the Beacon community and our country; and

WHEREAS, it is our privilege to manifest a lively interest in all their activities and ambitions, and to help prepare them for the duties and opportunities of citizenship which is the mission of the Elks Youth Week.

NOW, THEREFORE, I, Mayor Randy Casale and the City of Beacon do hereby proclaim the first week in May as Elks National Youth Week, and I call upon all departments of government, civic, fraternal and patriotic groups and our citizens to cooperate in the observance of this worthwhile endeavor

Signature: _____ Date: _____

City of Beacon Council Agenda
5/1/2017

Title:

Resolution to Adopt a Local Law Regarding Workforce Affordable Housing

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. to Adopt LL re Affordable Workforce Housing	Resolution
LL Workforce Housing	Cover Memo/Letter



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 50 OF 2017

**Resolution Adopting a Local Law to Amend Chapter 223 of the City Code
Regarding Affordable Workforce Housing**

BE IT RESOLVED, that the Mayor and City Council of the City of Beacon hereby authorize the adoption of a Local Law to Amend Chapter 223 of the Code of the City of Beacon as it Relates to Affordable Workforce Housing.

Resolution No. <u>50</u> of 2017		Date: <u>April 17, 2017</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call		<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> Not on roll call.				<input type="checkbox"/> 3/4 Required			
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad	x				
		Omar Harper	x				
		Lee Kyriacou	x				
		George Mansfield	x				
x		Pam Wetherbee	x				
	x	Peggy Ross	x				
		Randy Casale	x				
		Motion Carried	x				

DRAFT LOCAL LAW NO. ____ OF 2016

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW AMENDING
CHAPTER 223 OF THE CODE OF THE CITY OF BEACON**

A LOCAL LAW to
amend Chapter 223
concerning Affordable
Workforce Housing.

A LOCAL LAW to amend Chapter 223 of the Code of the City of Beacon concerning Affordable Workforce Housing.

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

Section 1. Chapter 223, Section 63 of the Code of the City of Beacon entitled “Definitions” is hereby amended to revise the following definitions:

BELOW-MARKET-RATE (BMR) UNIT

A new or rehabilitated housing unit which is restricted as to sale or rent to remain affordable to a BMR Unit Eligible Household, as defined below, ~~by generally not exceeding 30% of the maximum aggregate gross income of the household for the actual size of the household that will occupy such unit. Said housing~~ BMR rental unit must be the primary residence of the household and shall not be sublet without the consent of the City Council or its designee. BMR For-Sale units must be the primary residence of the household at the time of sale and shall at no time be sublet without the consent of the City Council or its designee.

BMR UNIT ELIGIBLE HOUSEHOLD

Rental Units: A household whose aggregate gross annual income, including the total of all current annual income of members residing in the household from any source whatsoever at the time of application (excluding the earnings of working household members of 21 years of age or younger who are full-time students), does not exceed ~~400~~ 90% of the Dutchess County area median annual income for ~~its~~ the actual size of the household size [based on the United States Census and as updated by the Department of Housing and Urban

Development (HUD)], and which household can afford the maximum rent specified in § 223-41.10F(1). ~~or sales price specified in § 223-41.10E of this chapter~~

For-Sale Units: A household whose aggregate gross annual income, including the total of all current annual income of members residing in the household from any source whatsoever at the time of application (excluding the earnings of working household members of 21 years of age or younger who are full-time students), does not exceed 110% of the Dutchess County area median annual income for the actual size of the household [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)], and which household can afford the maximum sales price as specified in § 223-41.10F(2). In addition, the net assets of the household at the time prior to purchase may not exceed 75% of the purchase price of the unit, except where such households rely, due to age or disability, on the assets in lieu of income. Evidence of disability shall be the receipt of Social Security Disability Insurance (SSDI) payments. In addition, the net assets of the household at the time prior to purchase ~~or lease~~ may not exceed 75% of the purchase price of the unit, except where such households rely, due to age or disability, on the assets in lieu of income. Evidence of disability shall be the receipt of Social Security Disability Insurance (SSDI) payments.

~~For example, for the year 2010, limitations are as follows:~~

Persons in Household	1	2	3	4	5	6
Maximum eligible income (100% of median)	\$58,400	\$66,800	\$75,100	\$83,400	\$90,100	\$96,800
Maximum housing cost (30% of gross income)						
Annually	\$17,520	\$20,040	\$22,530	\$25,020	\$26,030	\$29,040
Monthly	\$1,460	\$1,670	\$1,878	\$2,085	\$2,253	\$2,420

Eligible unit types	Studio or 1-BDR	1-BDR or 2-BDR	2-BDR or 3-BDR	2-BDR, 3-BDR or 4-BDR	3-BDR or 4-BDR	3-BDR or 4-BDR
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All projects approved by the Planning Board prior to the effective date of this law, may continue to set a monthly rent, including utilities for BMR units, not to exceed 30% of 100% of the Dutchess County area median annual income. A BMR unit eligible household for projects approved by the Planning Board prior to the effective date of this law includes households whose aggregate gross annual income, including the total of all current annual income of members residing in the household from any source whatsoever at the time of application (excluding the earnings of working household members of 21 years of age or younger who are full-time students), does not exceed 100% of the Dutchess County area median annual income for its household size [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)].

Section 2. Chapter 223, Article IVB of the Code of the City of Beacon entitled “Affordable Workforce Housing” is hereby amended as follows:

§ 223-41.8 **Findings.**

The City Council of the City of Beacon acknowledges the high cost of housing compared to average earnings in the City and County, and this trend has grown more noticeable as land and housing values have increased in recent years. Maintaining and ensuring a balanced mix of housing types and sizes that are affordable to a range of incomes is essential to ensuring the long-term health of the community. Such balanced housing stock enables a variety of residents to live and work in the City, maintain family ties, and participate in community services, such as emergency services. Balanced housing is also essential to attracting and maintaining an adequate workforce, a healthy business environment, and a balanced tax base that supports local services and the quality of life. It is therefore important for the City to maintain a mix of housing choices and to require the creation of new or rehabilitated below-market-rate (BMR) units in future renovation and development. The primary purpose of this Article is to allow the City to maintain an appropriate mix of housing choices by creating a required number of quality new or rehabilitated below-market-rate (BMR) units in future renovation and development. The goal is not to offer a limited number of high-end units for a few qualified households, but to provide as many quality affordable and workforce housing units as possible, integrated throughout the City.

§ 223-41.9 **Provision of BMR units; ~~payment in lieu thereof.~~**

To achieve the purposes above, the approval authority shall require that 10% of all projects containing ~~10~~ 20 or more apartment dwellings and/or attached dwellings (townhouses) as defined in §223-63 of this chapter, shall be comprised of below-market-rate units as defined and regulated in this article. Any fraction at or above 0.5 shall be rounded up to the nearest whole number, and any fraction below 0.5 shall be rounded down. ~~Notwithstanding the requirement immediately above, the City Council, at its discretion, may allow the applicant to make a payment to the City in lieu of the provision of some or all of the required BMR units, in an amount determined by the City Council to be the value of the waived BMR units; said payment shall be made into a trust fund dedicated to the provision of affordable workforce housing in the City.~~ Subject to the Planning Board's approval, Developer shall provide BMR units mixed throughout the same building(s). Units designated as BMR units must remain affordable for a minimum of 50 years from date of initial certificate of occupancy for rental properties and from date of original sale for owner-occupied units.

§ 223-41.10 **Below-market-rate units.**

- A. Finishes, amenities, size, distribution and mix. BMR units shall have exterior finishes comparable to the market-rate units within the development. Interior finishes and amenities for the BMR units shall be comparable to the market-rate units within the development, subject to approval by the Planning Board. ~~BMR shall be reasonably distributed throughout the project and t~~ The timing of the construction of the BMR units shall be in conjunction with the construction of the market rate units in the project. Further, the BMR units shall be provided in a mix of unit types in the same proportion as all other units in the development unless a different proportion is approved by the Planning Board as being better related to the housing needs, current or projected, of the City of Beacon.
- B. Minimum gross floor area.
- (1) The size of the BMR multifamily units may be smaller than the market rate units, but notwithstanding other provisions of this chapter, the minimum gross floor area per dwelling unit shall not be less than the following:
 - (a) Studio/efficiency unit: 350 square feet.
 - (b) One-bedroom unit: 600 square feet.
 - (c) Two-bedroom unit: 800 square feet.
 - (d) Three-bedroom unit: 1,000 square feet.
 - (e) Four-bedroom unit: 1,200 square feet
 - (2) An Applicant may seek approval from the Planning Board to construct units smaller than the minimum gross floor area set forth above, only if the Applicant constructs more units than it is required to construct pursuant to this Chapter.

C. Occupancy standards. The minimum and maximum occupancy of a BMR unit shall be as follows:

Number of Bedrooms	Minimum Number of Persons	Maximum Number of Persons
Studio/ efficiency	1	± 2
1	1	2 3
2	2	4
3	3	6
4	4	8

D. For townhouse developments containing BMR units, frontage, building size and lot size may be reduced by up to 25% for the BMR units.

E. BMR unit eligible household. Households must meet the criteria established in § 223-63 of this chapter, within the definition of "BMR unit eligible household." Rental households shall be required to requalify with respect to said criteria on an annual basis.

F. Maximum rent and sales price.

(1) Rental Units: The monthly rent including utilities for BMR units shall not exceed 30% of the ~~maximum figure that represents 70% of the Dutchess County's current area median income. maximum aggregate gross monthly income of an eligible household as defined in § 223-63, under "BMR unit eligible household," for the actual size of the household that will occupy such unit as set forth in Subsection C above.~~

(2) For-Sale Units: The maximum gross sales price for a BMR unit shall not exceed ~~the maximum household expense of 30% of the figure that represents 90% of the Dutchess County's current area median income. aggregate gross monthly income of an eligible household as defined in § 223-63 for the actual size of the household that will occupy such unit as set forth in Subsection C above, relating to the.~~ This figure will be based on the sum of principal, interest, taxes, and insurance, based on industry-standard mortgage underwriting guidelines for a thirty-year fixed rate mortgage, prevailing interest rates, and a down payment of 5%.

(3) All projects approved by the Planning Board prior to the effective date of this law, may continue to set a monthly rent including utilities for BMR units not to exceed 30% of 100% of the Dutchess County area median annual income for the household size that will occupy such unit as set forth in Subsection C income for its household size [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)].

- (4) In the event the Owner of the BMR unit governed by subsection (1) above, demonstrates to the satisfaction of the City Administrator or its designee that after a good faith effort it is not able to rent a BMR unit pursuant to subsection (1), it may instead comply with subsection (3) above, until the unit is next offered for rent.

G. Categories of priority in descending order of priority.

- (1) Households applying for BMR units shall be selected on the basis of the following categories of priority:

- (a) Volunteer emergency responders for the City of Beacon who have served at least five years.
- (b) City of Beacon municipal employees.
- (c) Employees of the Beacon School District
- (d) All other residents of the City of Beacon.
- ~~(e) Employees of the Beacon School District.~~
- (e) Other persons employed in the City of Beacon.
- ~~(f) The following relatives of residents of the City of Beacon: father, mother, son, daughter, brother, sister, grandparent, grandchild, father-in-law or mother-in-law.~~
- ~~(g) Other residents of Dutchess County.~~
- ~~(h) Other persons employed in Dutchess County.~~
- (f) All others.

- (2) Within each of the above categories, the following special groups shall receive priority in the following order:

- (a) Priority for rental units shall be established for all eligible households as defined in § 223-63, whose aggregate gross annual income is between 70%-80% of the Dutchess County area median annual income.
- (b) Priority for all for-sale units shall be established for all eligible households as defined in § 223-63, whose aggregate gross annual income is between 90%-100% of the Dutchess County area median annual income.
- ~~(a) Households whose head of household or spouse is 62 years of age or older.~~
- ~~(b) First-time homebuyers.~~

~~(c) — Households whose head of household or spouse is 30 years of age or younger.~~

~~(d) — Civil servants.~~

H. The deed, certificate of occupancy and/or rental agreement, as appropriate, for each BMR dwelling unit shall contain language, satisfactory to the City Attorney in form and substance, which states that the subject dwelling is a below-market-rate unit as defined in § 223-41.10(F)(1) § ~~223-63~~ of the Code of the City of Beacon, New York, and is subject to all restrictions and limitations as set forth therein.

I. Resale. In the case of owner-occupied BMR units, the title to said property shall be restricted so that in the event of any resale by the homeowner or any successor, the resale price shall not exceed the maximum sales price for said unit, as determined in Subsection F ~~E~~, plus the depreciated value of capital improvements based on their estimated life for up to 5% of the price of the unit. Units designated as BMR units must remain affordable for a minimum of 50 years from date of original sale for owner-occupied units.

J. Lease of a BMR unit.

(1) Individual BMR unit owners may lease their units to BMR eligible unit households, as defined in § 223-63, for a period not exceeding two years, with the consent of the City Administrator or its designee. ~~Council or its designee, for employment, health or other good reason as determined by the Council. Notwithstanding the sentence above, this time frame may be extended by the Council or its designee for good cause shown.~~

(2) Applicants for rental BMR units, if eligible and if selected for occupancy, may sign a lease for a term of no more than two years. As long as a resident remains eligible and has complied with the terms of the lease, said resident shall be offered renewal leases for a term of no more than two years each. Renewal of a lease shall be subject to the conditions of federal, state or county provisions that may be imposed by the terms of the original development funding agreements for the development or to the provisions of other applicable local law.

(3) If a resident's annual gross income should subsequently exceed the maximum income then allowable, said resident may complete their current lease term and shall be offered a market-rate housing unit in the development at the termination of such lease term. If no such dwelling unit shall be available at said time, the resident may be allowed to sign one additional one-year lease for BMR unit they occupy but shall not be offered a renewal of the lease beyond that expiration of said term. Tenants, who again become eligible for a BMR unit during the one-year term, shall be eligible for a renewal of their lease term.

K. Implementing regulations. The City Council may, by resolution, adopt specific regulations to foster the efficient and equitable implementation of this chapter.

- L. Administration. The City Council shall be responsible for administering these regulations and may designate a board, commission or other organization to monitor compliance.
- M. Developer Incentives. For every one BMR unit provided as part of the overall development, the developer shall have the right to 0.5 additional market rate unit above the maximum number otherwise permitted under applicable provisions of this Chapter. Any fraction at or above 0.5 shall be rounded up to the nearest whole number, and any fraction below 0.5 shall be rounded down. The Planning Board may grant up to 10 additional units. District building height requirements must be maintained, but the Planning Board may modify lot area per unit, setbacks, building coverage, number of units per building, and parking requirements to accommodate the bonus unit or units.
- N. Waiver. Upon request of an applicant before the Planning Board, the City Council may modify or waive specific provisions of this Article, if it finds that the proposal meets the primary purpose of Section 223-41.8 and the project will result in more BMR units than is required pursuant to this Chapter.

Section 3. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, the Chapter 223 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. 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 5. 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 6. Effective Date

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

DRAFT

City of Beacon Council Agenda
5/1/2017

Title:

Resolution to Authorize an Agreement with Millennium Strategies for Grant Writing and Administrative Services

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. Millennium Strategies	Resolution
Millennium Agreement	Agreement



**CITY OF BEACON
CITY COUNCIL
RESOLUTION NO. ____ OF 2017**

A RESOLUTION AUTHORIZING AN AGREEMENT WITH MILLENNIUM STRATEGIES, LLC FOR GRANT RESEARCH, GRANT WRITING AND RELATED GRANT ADMINISTRATION SERVICES

WHEREAS, the City of Beacon wishes to broaden its range of grant capabilities in order to finance various economic development and capital projects for the benefit our citizens; and

WHEREAS, Millennium Strategies, LLC possesses certain knowledge and experience in grant research, grant writing and grant management in a wide range of project areas; and

WHEREAS, Millennium Strategies, LLC submitted the attached proposal which the City Council deems to be in the best interest of the City of Beacon.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby authorizes the City Administrator to enter into an agreement with Millennium Strategies, LLC for grant related services for twelve months in an amount not to exceed \$34,000.00.

Resolution No. _____ of 2017		Date: <u>May 1, 2017</u>					
<input type="checkbox"/> <input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Randy Casale					
		Motion Carried					

**Millennium Strategies LLC
60 Roseland Avenue
Caldwell, New Jersey 07006**

This Agreement is made and entered into on April 26, 2017 between **MILLENNIUM STRATEGIES LLC** (herein referred to as “Consultant”) located at 60 Roseland Avenue, Caldwell, New Jersey 07006 and the **CITY OF BEACON** (herein referred to as “Client”) located at 1 Municipal Plaza, Beacon NY 12508.

SCOPE OF SERVICES

Consultant will provide full suite of Grant Research and Writing Services including but not limited to the following:

- Ongoing evaluation of the City’s funding procurement efforts -- this process will include necessary meetings with key personnel to evaluate and determine past successes compared to future funding goals.
- Notification of all available governmental and non-governmental funding opportunities – The City will receive detailed memoranda of potential funding opportunities that include an explanation of what Millennium Strategies will do and what the City’s responsibilities are in order to complete the grant application and produce the best possible product for submission.
- Research, preparation (writing), submission and follow up including stakeholder support of all available governmental and non-governmental funding applications.
- Representation of the City with stakeholder and governmental officials and their offices pertaining to grant and funding procurement services that Millennium undertakes on your behalf.

TERM

The term of this Agreement shall commence on June 1, 2017 and shall run through May 31, 2018. Either party may terminate this contract with or without cause upon a 30-day written notice via certified mail.

COMPENSATION

Consultant shall receive a monthly payment of \$2,833 to provide the services described above. Consultant’s fee is not contingent upon the successful awarding of funds for these grant applications. There are no hidden costs associated with this fee structure which includes all travel time and expenses.

**Millennium Strategies LLC
60 Roseland Avenue
Caldwell, New Jersey 07006**

HOLD HARMLESS

Each party hereby agrees to defend, indemnify and hold the other party harmless from any expense, loss, liability, or claim incurred directly or indirectly by the responsible party with respect to any actions or omissions, authorized or unauthorized, of such party, its employees, agents servants subcontractors, or assignees with respect to this Agreement. Indemnification shall include, but not be limited to fees, claims, demands, and losses, court costs, settlement costs, and counsel fees whatsoever the nature, without limitation.

ASSIGNABILITY

This Agreement is not assignable without the prior written consent of all parties.

BINDING

This Agreement shall be binding upon each party’s successors or assignees.

LAW

The terms of this Agreement shall be governed by the laws of the State of New York.

DISPUTES

The parties hereto stipulate and agree that any dispute between them, whether equitable or legal relief is sought shall be venued in the Superior Court of New York. Each of the parties to this Agreement further stipulate and agree to the personal and subject matter jurisdiction of the Superior Court of New York, in such dispute or proceeding.

AGREED TO AND ACCEPTED BY:

Date:

MILLENNIUM STRATEGIES, LLC

By: _____
Ed Farmer, President and CEO

Date:

CITY OF BEACON

By: _____

City of Beacon Council Agenda
5/1/2017

Title:

Resolution to Appoint Peter Hockler to the Position of Wastewater Treatment Plant Maintenance Helper

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. PH WWTP MH	Resolution



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2017

**APPOINTMENT OF PETER HOCKLER
AS WASTEWATER TREATMENT PLANT MAINTENANCE HELPER**

APPROVE appointment of Peter Hockler as Wastewater Treatment Plant Maintenance Helper effective May 14, 2017.

Resolution No. _____ of 2017		Date: <u>May 1, 2017</u>					
<input type="checkbox"/> <input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

**City of Beacon Council Agenda
5/1/2017**

Title:

Minutes of April 3, 2017

Subject:

Background:

ATTACHMENTS:

Description
2017-04-03 minutes

Type
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 April 3, 2017. Please note that the video recording of this meeting is available at <http://vimeo.com/channels/40154>.

Council Members Present:

Lee Kyriacou, At Large
George Mansfield, At Large
Peggy Ross, Ward One
Omar Harper, Ward Two
Pamela Wetherbee, Ward Three
Ali Muhammad, Ward Four
Randy Casale, Mayor

Council Members Absent/Excused:**Also Present:**

Anthony Ruggiero, City Administrator
Edward Phillips, City Attorney

A moment of silence was observed for those who work to protect human rights

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: Opposes the Edgewater project. What is the impact of this project on City services in relation to the increase in tax base. The overdevelopment of Beacon must stop.

Diane Spiak Pisanelli: Read statements on behalf of immigrant business owners. Social media has become a battleground. Believes that politicians are using the Sanctuary City issue for their benefit.

Christine Galbo: Asked that the Sanctuary City resolution be removed from the agenda. Recalls a time when the Beacon Police Department was directed to abide by the policies of the Department of Justice. Read the Police Department's statement. Council should consider their motivation for this resolution. Advised that she is an advocate for immigration reform.

Joe Galbo: Read stories of police officers who were killed in the line of duty by undocumented immigrants. Requests that the City officials to get back to work on the needs of the City of Beacon.

Mike Justice: Feels that it is unfortunate that we are back here again discussing this issue. Reminded that the president has advised that federal funds will be withheld from sanctuary cities. Feels that the council is spending too much time on this issue. If council feels that they need to pass a resolution declaring Beacon a welcoming and inclusive city, they should do it. We have been that way for decades.

Andrea Bacon: Would like to see how this unfolds in other cities. This issue should be discussed further and brought to a popular vote.

Justin Riccobono: Has a petition with 500 signatures against the Sanctuary City resolution. Thinks that the welcoming and inclusive resolution is appropriate and would like that version brought back.

Nicole Wooten: Supports the Sanctuary City resolution. Would like to speak for those who were afraid to come to the meeting. Relayed a story of a 72 year-old immigrant who has tried for 20 years to become a documented citizen but it never worked out. Employers did not follow through with the sponsorship and took advantage of them. Believes that making Beacon a sanctuary city means that the

Mayor and City Council care about its residents. Another undocumented resident who is 12 years old asked for help from the mayor so that his family can stay together. Also thanked the mayor for watering the flowers on Main Street.

Jason Hughes: Read testimony from a child who is worried about their family. Thinks the word “sanctuary” needs to be included in the resolution.

Julie Winterbottom: Read testimony from a 7 year old child who is worried about his parents. Read testimony from a 17 year old who is worried that their parents will be taken away. Added that to most of us this resolution is just a piece of paper, but to them it would mean the end of sleepless nights.

Andrew Gaza: (refer to the video)

Antonia Maeck: Continued with reading the testimony of residents. One resident is worried about being out in the open for fear of being hunted down. The Sanctuary City resolution will assure their children that they will never have to go back.

Athena Torri: Read a statement in Spanish first and then in English from a resident who has lived here since 2010 who lives in fear. The author loves living in Beacon and has a 7 year old daughter.

- **Public Hearing No. 1: Alternate Grievance Day**

Mayor Casale explained the intent of the local law.

Speakers:

There were no speakers.

Motion to close: Council Member Muhammad, second by Council Member Harper
7-0

- **Public Hearing No. 2: Public Trail Regulations**

City Administrator explained the intent of the local law

Speakers:

There were no speakers

Motion to close: Council Member Ross, second by Council Member Mansfield
7-0

- **Public Hearing No. 3: Affordable Workforce Housing**

City Administrator explained the changes to the local law.

Speakers:

Theresa Kraft: Suggests that the city step back and require developers to follow rules and favors an emergency building moratorium. Mentioned the burden on city services dense development will have on the City.

Taylor Palmer: The development committee is committed to providing workforce housing units. Believes that there are existing units in the City of Beacon that can be used for workforce affordable housing. Also, does not feel that there should be a cap on density. Will provide written comments to the City Council.

April Farley: Advised that April is Fair Housing Month and gave the history of it. Believes that the location of the Edgewater project is overloading Ward 1. Thinks that it is important to develop the city evenly. The local law should lower the income levels. There are a lot of residents who are struggling to pay their rents. Who is going to be filling these apartments? Beacon should be a place with affordable housing so everyone can live in peace.

Tom _____: Does not believe that this plan can work for the developers.

Zach Lewis: Is a developer here and in Brooklyn. Believes that the AMI levels make this plan impossible for the developers. This is a disincentive towards development. When you run the numbers it is impossible to make a profit. This is why the 249 Main Street project has been paused.

Rodney Weber: Did not have much time to digest the new version of the local law. Outlined scenarios based on this criteria. Not sure who would be able to pay for these or who would lend money to the buyer. Asked that Council consider the taxes on a \$1 million unit versus a \$200K unit. Shared a story of a town where he lived that hindered development and the result was skyrocketing taxes.

Motion to adjourn the public hearing to April 17 by Council Member Muhammad, second by Council Member Wetherbee

7-0

The public hearing was adjourned to April 17, 2017.

Council Member Ross asked if we could separate the rental numbers from the sale number in the local law.

Mayor Casale added that we can discuss alternatives at the next workshop on April 10.

Council Member Reports:

Ali Muhammad: Advised that the Terrance Wright Memorial Basketball League is starting again. Gave the details of the league. Is hoping to start a women's league as well. Gave information about the next Unity in the Community event. Advised that while the council is working on the Sanctuary City issue, they are also working on other city business as well.

Omar Harper: Had no comments.

Lee Kyriacou: Showed a vintage photo of the building that he once owned and then became the Hop. Gave the history of the organization OUAM. Believes that signs are important and that change needs to start with civility and respect.

George Mansfield: Feels that council listens to all sides of the issue and hopes that they can come together with a compromise that is agreeable to all residents.

Pam Wetherbee: Thanked the public works department for clearing the snow from Memorial Park. Gave details about the upcoming Easter Egg Hunt.

Peggy Ross: Passed on her comments. Thanked everyone for coming.

Mayor Casale: Thanked everyone for coming. Read his letter regarding the funding for the National Endowment for the Arts. Shared details of the Easter Egg Hunt. Gave thanks to the Alps for their contribution to the event. Read the proclamation on Public Service.

Resolutions, Ordinances and Local Laws:

- 1. Resolution Adopting a Local Law Concerning Tax Assessment Grievance Day in the City of Beacon.**

- Motion by Council Member Muhammad, second by Council Member Mansfield
7-0
2. **Resolution Adopting a Local Law Amending the Code of the City of Beacon by the Creation of Chapter 170 entitled Public Trail Regulations**
 - Motion by Council Member Wetherbee, second by Council Member Ross
7-0
 3. **Resolution Adopting a Negative Declaration on the City of Beacon Comprehensive Plan and Amendments to the City Zoning Code and Zoning Map Under the State Environmental Quality Review Act**
 - Motion by Council Member Muhammad, second Council Member Wetherbee
7-0
 4. **Resolution Adopting the City of Beacon Comprehensive Plan**
 - Motion by Council Member Ross, second by Council Member Kyriacou
7-0
 5. **Resolution Adopting the Local Law to Enact the Zoning Amendments to the City's Zoning Code and Zoning Map**
 - Motion by Council Member Muhammad, second by Council Member Mansfield
7-0
 6. **Resolution to Schedule a Public Hearing for April 17 to Receive Comments Concerning the 2017 Capital Plan**
 - Motion by Council Member Wetherbee, second by Council Member Harper
7-0
 7. **Resolution to Declare the City of Beacon a Welcoming, Safe and Inclusive City of Beacon**

A detailed discussion of the resolution ensued. The Mayor asked Ed Philips to explain the language that was added. Council Member Mansfield asked if we could suspend the rules and allow for the rest of the public comment on the subject before the council's vote. 6-1 with Council Member Muhammad voting no on the change to the rules. Comments continued here:

Tina Bernstein: Advised that she is disappointed that the City Council is afraid of the word "sanctuary". Wished that they could be stronger.

Arthur Cammins: Asked the council about how they wish to be remembered. Does not want us to be afraid of the words "sanctuary, welcoming and inclusive". Would like the resolution to mean something.

Deborah Davidovits: Advised that her father, an 81 year old chemistry teacher, was a holocaust survivor. Grew up hearing stories of people who helped protect her father. Felt proud that the city in which she lives will be passing a resolution that we are a welcoming and inclusive city. Encourages council to vote yes.

David Jensen: President Trump has begun an unprecedented crack down on deportation. Mentioned details from an article from the Guardian newspaper (UK newspaper). Believes that this issue a paper tiger. Encourages council to adopt the current inclusive city resolution because it outlines everything that the City can hope to do. The important issue is solidarity – standing together as a group not solidarity with the few activists.

Dennis Pavelock: The City of Beacon is unique. Gave a few instances of things that make Beacon unique. Thinks the Tioronda Bridge should have a wooden deck and should be a one-lane bridge. Asked about the use of drones by the fire department.

Ava Bynurn: Read testimony from an undocumented resident who spent 18 years trying to become a resident and was unsuccessful due to unscrupulous employers and the immigration system. This person have been living, working, shopping and paying taxes here for years. Most undocumented people pay taxes and do not take anything from the government in terms of welfare and social services. Does not understand the purpose of the new language. Would like Beacon to be known as a City that values the work, livelihood and humanity of all of our residents. This new resolution is not a win. It will not save you politically and will not help its residents.

Madeline Enriques: Read a statement from an undocumented resident first in Spanish and then in English. Moved here to escape a violent country, has three children who are happy in our schools. She does not take any government assistance. Would like Beacon to be a Sanctuary City so that she and her family do not have to be scared.

Lisa Marie Martinez: Has been speaking about this issue for 7 years. If we weren't safe in 2010 how can we feel safe now? Feels that the City is pitting business owners against children. This resolution is not good enough.

Mike DiPompo: Believes that we are talking about criminals.

Wendy Brown: Read instances where illegal detainees committed crimes.

Susan Beacon: Thanked everyone for working on this issue and hopes that the resolution will be adopted.

April Farley: Gave details on Autism Awareness. Grateful for the Beacon community. Witnessed an accident where the person refused medical attention and where the police were very kind and supportive. Added that Lt. Alarcon coaches basketball and would welcome volunteers to help.

Jodi McCredo: Gave information about the Human Relations Commission.

Anthony Amata: Tries to help people in recovery. Grandfather fought in WWI. Donates to organizations for people he does not even know. We should fight together for a better world. This separation weakens us. We were all immigrants once. We should work to change things together.

Cindy Trimble: Wonders about what would happen if we lost federal funding. Does not envy the council with this decision. Believes that there is strength between your duty and your heart.

Noreen _____: Her volunteer work at Beacon Reads on Saturdays enables her to speak with many Beacon residents. Beacon is a caring and respectful city – that is what brings people here. Not only from her perspective, it is not only morally correct for the council to adopt the safe and inclusive city resolution, it is the smart thing to do.

Mayor Casale returned to the Safe and Inclusive City resolution discussion. Council discussed the title of the resolution. Council Member Mansfield asked to be reminded about why council is afraid of the word “sanctuary”. More discussion. Council agreed that it is best to include the word “safe” to the title of the resolution. Council Member Kyriacou expressed that he would like to choose a word that unites the community rather than divides it. Discussion of the meaning of the word “sanctuary” ensued. Council agreed to title the resolution a Safe, Welcoming and Inclusive Community.

- Motion to adopt revised resolution: Motion by Council Member Kyriacou, second by Council Member Harper
7-0

Ed Phillips said that he was confident that the current resolution will not create any problems with the federal government.

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

Adjournment:

- Motion by Council Member Wetherbee, second by Council Member Kyriacou
7-0

Next Workshop: April 10, 2017

Next Meeting: April 17, 2017

final

City of Beacon Council Agenda
5/1/2017

Title:

2017-05-01 Budget Amendments

Subject:

Background:

ATTACHMENTS:

Description

Budget Amendments May 1, 2017

Type

Budget Amendment

Council Budget Amendments
May 1, 2017 Meeting

Below are several amendments to close out the 2016 year.

- The first amendment is to cover the costs of the salary increases and retro adjustments in the CSEA, IAFF, PBA as well as the administrative contracts. Most of the departments had enough left in their individual budgets to cover. The Fire (IAFF) contract spanned several years and although paid out in 2017, 2014-2016 were charged to the 2016 year. Below is the proposed budget amendment:

Transfer To:

A -01-1325-101000-	REGULAR SALARIES	\$ 8,137
A -03-3120-100200-	POLICE CHIEF SALARY	7,862
A -03-3120-100300-	POLICE CAPTAIN SALARY	6,934
A -03-3120-120000-	HEALTH INSURANCE BUY-OUT	10,776
A -03-3410-100201-	FIRE CHIEF SALARY	2,473
A -03-3410-101000-	REGULAR SALARIES	11,336
A -03-3410-101002-	RETROACTIVE PAY	126,548
A -03-3410-820000-	SOCIAL SECURITY	6,067
A -03-3620-101000-	REGULAR SALARIES	4,080
A -05-5110-100401-	SUPERINTENDENT SALARY	2,887
A -05-5110-101000-	REGULAR SALARIES	20,623
A -05-5132-101000-	REGULAR SALARIES	7,548
	Total	<u>\$ 215,271</u>

Transfer From:

A -01-1325-440700-	ANNUAL AUDIT	\$ 3,500
A -01-1325-440702-	GASB 45 EVALUATION	4,637
A -03-3120-101000-	REGULAR SALARIES	25,572
A -03-3410-105101-	OVERTIME-STRAIGHT TIME	27,716
A -03-3410-447200-	REPAIR OF EQUIPMENT	29,294
A -03-3620-413000-	GAS & DIESEL	746
A -03-3620-441500-	COMPUTER SUPPORT/DATA PROC.SER	2,200
A -03-3620-447200-	REPAIR OF EQUIPMENT	1,134
A -05-5110-413000-	GAS & DIESEL	23,456
A -05-5110-411300-	BLACKTOP	4,629
A -05-5110-448000-	TREE CARE/REMOVAL	2,973
A -01-1990-400004-	CONTINGENCY-RETIREMENT	40,200
A -01-1990-400001-	CONTINGENCY FUND	49,214
		<u>\$ 215,271</u>

Council Budget Amendments
May 1, 2017 Meeting

2. The second amendment is to cover the costs of the November and December legal bills. The City also had a substantial increase Fines and Forfeited bail to which some of the increase expense of the legal bills is attributable to. Below is the proposed budget amendment:

Increase Expense:

A -01-1420-450433-	TAX SETTLEMENT MATTERS	\$ 3,506
A -01-1420-450436-	IN REM & SALE OF PROPERTY	25,962
A -01-1420-450440-	FIRE/IAFF UNION MATTERS	12,190
A -01-1420-450442-	PBA/POLICE UNION MATTERS	11,532
A -01-1420-450454-	EMPLOYEE DISCIPLINE - G	2,625
A -01-1420-450461-	TRAFFIC COURT	2,361
	Total	<u>\$ 58,176</u>

Increase Revenue:

A -01-1325-261000-	FINES & FORFEITED BAIL	<u>\$ 58,176</u>
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3. The third amendment is to cover the costs of various pieces of audio visual equipment purchased using the funds provided by Cablevision Public Education Grant (PEG). Below is the proposed budget amendment:

Increase Expense:

A -01-1680-250000-	PURCHASE EQUIPMENT	<u>\$ 10,977</u>
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Increase Revenue:

A -01-1325-270500-	DONATIONS	<u>\$ 10,977</u>
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4. The fourth amendment is to cover the costs of increased recycle hauling during the year. Some of which is offset with additional revenue. Below is the proposed budget amendment:

Council Budget Amendments
May 1, 2017 Meeting

Increase Expense:

A -08-8160-446600-	REFUSE REMOVAL	\$ 4,315
A -08-8160-449300-	RECYCLING HAULING	43,397
	Total	<u>\$ 47,712</u>

Decrease Expense:

A -08-8160-449100-	GARBAGE HAULING & DISPOSAL	\$ 25,438
A -08-8160-449400-	RECYCLING DISPOSAL	2,000
A -01-1990-400001-	CONTINGENCY FUND	6,278
	Total	<u>\$ 33,716</u>

Increase Revenue:

A -08-8189-213000-	GARBAGE/RECYCLING CHARGES	\$ 12,675
A -08-8189-213003-	RECYCLING REVENUE	1,321
	Total	<u>\$ 13,996</u>

5. The fifth amendment is to cover the costs of increased costs of Health insurance claims during the year as well as increased MVP premiums (more than anticipated). The City does not anticipate that the claims costs for 2016 will continue into 2017 due to some of the high cost claimants becoming Medicare eligible. The substantial cost of the MVP plan for retirees will continue until all switch to Empire. Some of this cost is offset by reimbursements and the remaining can be offset by other unexpended appropriations. Below is the proposed budget amendment:

Increase Expense:

A -09-9060-840000-	HEALTH INSURANCE	\$ 289,206
A -09-9060-840100-	MEDICARE REIMBURSEMENT	10,046
A -09-9060-840500-	EMPLOYEE DENTAL INSURANCE	2,826
		<u>\$ 302,078</u>

Decrease Expense:

A -10-9730-707599-	BAN INTEREST	\$ 63,492
A -10-9710-705600-	2016 BOND INTEREST	10,548
A -05-5142-417600-	SAND & SALT	102,000
A -05-5182-422090-	STREET LIGHTS LIGHT & POWER	69,032
A -05-5142-105000-	OVERTIME	30,000
		<u>\$ 275,072</u>

Increase Revenue:

A -01-1325-126000-	HEALTH INSURANCE REIMBURSEMENT	\$ 25,369
A -01-1325-126001-	DENTAL INSURANCE REIMBURSEMENT	1,637
		<u>\$ 27,006</u>

Council Budget Amendments
May 1, 2017 Meeting

6. Amend the 2017 Highway Budget to remove the fuel tanks at the old DPW building. Below is the proposed budget amendment:

Transfer to:

A -05-5110-447300-	REPAIR OF REAL PROPERTY	<u>\$ 13,580</u>
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Transfer from:

A -05-5182-422090-	STREET LIGHTS LIGHT & POWER	<u>\$ 13,580</u>
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7. Amend the 2017 Budget for the accumulated unused time paid to employees upon retirement (1 Superintendent of Streets, 1 Highway employee and 1 Recycle employee). Below is the proposed budget amendment:

Transfer to:

A -05-5110-190000-	SEVERANCE/RETIREMENT PAY	\$ 149,836
A -05-5110-820000-	SOCIAL SECURITY	11,462
A -08-8189-190000-	SEVERANCE/RETIREMENT PAY	33,184
A -08-8189-820000-	SOCIAL SECURITY	2,539
		<u>\$ 197,021</u>

Transfer from:

A -01-1990-400004-	CONTINGENCY-RETIREMENT	<u>\$ 197,021</u>
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Respectfully submitted,
Susan K. Tucker CPA

**City of Beacon Council Agenda
5/1/2017**

Title:

Matters Pertaining to Personnel

Subject:

Background:

**City of Beacon Council Agenda
5/1/2017**

Title:

Pending Litigation

Subject:

Background:

ATTACHMENTS:

Description

Executive Session - Proposal

Type

Backup Material