



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

Mayor Randy Casale  
Councilmember Lee Kyriacou, At Large  
Councilmember George Mansfield, At Large  
Councilmember Terry Nelson, Ward 1  
Councilmember John E. Rembert, Ward 2  
Councilmember Jodi M. McCredo, Ward 3  
Councilmember Amber J. Grant, Ward 4  
City Administrator Anthony Ruggiero

September 4, 2018  
7:00 PM  
City Council Agenda

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Public Comment:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. Please sign in at the podium. This segment will last no longer than thirty minutes, with speakers recognized in the order they appear on the sign-in sheet. A second public comment opportunity will be provided later in the meeting for those who do not get to speak during this first segment.

**Community Segment:**

- Gwenno James - Spirit of Beacon Day

**Public Hearings:**

- A public hearing to receive public comment on a proposed local law to amend Chapter 211 of the Code of the City of Beacon concerning Stop Signs on Monell Place and adding No Parking to Dewindt and South Chestnut Streets

**Reports:**

- Council Member Amber J. Grant
- Council Member John E. Rembert
- Council Member Lee Kyriacou
- Council Member George Mansfield
- Council Member Jodi M. McCredo
- Council Member Terry Nelson
- City Administrator, Anthony Ruggiero
- County Legislators
- Mayor Randy Casale

**Local Laws and Resolutions:**

1. A resolution to adopt a local law to amend Chapter 211 of the Code of the City of Beacon concerning Stop Signs on Monell Place and adding No Parking to Dewindt and South Chestnut Streets
2. A resolution to adopt a local law to amend Chapter 191, Article II and Chapter 192, Section 30 concerning Street and Sidewalk Opening Permits
3. A proposed local law to create Chapter 97 and amend Chapters 192, 195 and 223 of the Code of the City of Beacon concerning Driveways
4. A resolution amending the Fee Schedule concerning Driveway and Parking Lot Permits
5. A resolution to schedule a public hearing on October 1, 2018 to receive public comment on a proposed Local Law to amend Chapter 223, Section 61.3 of the Code of the City of Beacon concerning Public Notice Signs
6. A resolution to request an extension of the scoping comment period with additional public information and scoping meetings, for the NY/NJ Harbor & Tributaries (NYNJHAT) Coastal Storm Risk Management Feasibility Study; and to complete specific studies prior to the winnowing of proposed alternatives
7. A resolution to schedule a public hearing on September 17, 2018 to receive public comment on a Special Use Permit application for the HIP Lofts
8. A resolution authorizing the City Administrator to apply for NYS Water Infrastructure Improvement Act (WIIA) Grant Assistance

**Approval of Minutes:**

- Approval of Minutes from August 20, 2018

**2nd Opportunity for Public Comments:**

Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight. This segment will last no longer than thirty minutes. Those who spoke at the first public comment segment are not permitted to speak again.

**Adjournment:**

**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**Gwenno James - Spirit of Beacon Day**

**Subject:**

**Background:**

**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A public hearing to receive public comment on a proposed local law to amend Chapter 211 of the Code of the City of Beacon concerning Stop Signs on Monell Place and adding No Parking to Dewindt and South Chestnut Streets**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
LL Stop signs and no parking	Local Law
Maps	Backup Material

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2018**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND  
CHAPTER 211 OF THE CODE OF THE  
CITY OF BEACON**

A LOCAL LAW to amend Chapter 211 of the Code of the City of Beacon concerning Stop Signs on Monell Place and adding No Parking to Dewindt and South Chestnut Streets.

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

**Section 1.** Chapter 211, Section 10, Subsection B of the Code of the City of Beacon entitled “Stop intersections” is hereby amended as follows:

**§ 211-10. Stop intersections.**

- B. Schedule VII: Stop Intersections. In accordance with the provisions of Subsection A, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Bank Street	--	West Main Street
Beacon Street	Both	Cliff Street
Beacon Street	Both	South Avenue
Beacon Street	Both	South Brett Street
Blackburn Avenue	South	Herbert Street
Bridge Street	East	Wilson Street

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Catherine Street	Both	South Cedar Street
Church Street	Both	North Brett Street
Church Street	Both	North Elm Street
Church Street	East	Eliza Street
Church Street	West	Willow Street
Cliff Street	Both	Beacon Street
Cliff Street	South	Rombout Avenue
Coffey Avenue	--	Beskin Place
Cottage Place	North	Church Street
Cross Street	Both	Deerfield Place
Cross Street	Both	Orchard Place
Cross Street	Both	Silvers Place
Cross Street	Both	Verplanck Avenue
Cross Street	Both	Wilkes Street
Davidson Street	--	DePuyster Avenue
Davies Avenue	North	South Avenue
Delavan Avenue	South	Fishkill Avenue
Delavan Avenue	South	Highland Hospital access road
Dennings Avenue	South	Hudson Avenue
DePuyster Avenue	South	East Main Street
DePuyster Avenue	North	Washington Avenue
DeWindt Street	Both	South Brett Street
Dinan Street	Both	West Center Street
Dutchess Terrace	South	Talbot Avenue

Stop Sign on	Direction of Travel	At Intersection of
Dutchess Terrace	South	Verplanck Avenue
East Main Street	East	Spring Valley Street
East Main Street	Both	Howland Avenue and DePuyster Avenue
East Main Street	West	Washington Avenue
East Willow Street	--	Orchard Place
Eliza Street	South	Church Street
Grace Street	South	Washington Avenue
Henry Street	East	Teller Avenue
Herbert Street	Both	Blackburn Avenue
High Goal Lane	South	Slocum Road
Howland Avenue	North	East Main Street
Liberty Street	--	Washington Avenue
Main Street	South	Herbert Street
Matteawan Road	Both	Main driveway to Rombout Middle School
Matteawan Road	Both	Wilkes Street
Matteawan Road	South	Verplanck Avenue
<b><u>Monell Place</u></b>	<b><u>Both</u></b>	<b><u>Lafayette Avenue</u></b>
North Brett Street	Both	Church Street
North Cedar Street	Both	Church Street
North Cedar Street	North	Verplanck Avenue
North Chestnut Street	Both	Church Street
North Elm Street	Both	Church Street
North Elm Street	Both	Verplanck Avenue

Stop Sign on	Direction of Travel	At Intersection of
North Elm Street	South	Oak Street
North Walnut Street	Both	Church Street
North Walnut Street	Both	Verplanck Avenue
North Walnut Street	Both	Wilkes Street
Oak Street	Both	North Chestnut Street
Oak Street	Both	North Elm Street
Oak Street	Both	Willow Street
Orchard Place	--	East Willow Street
Orchard Place	--	West Willow Street
Phillips Street	Both	Wolcott Avenue
Phillips Street	North	Union Street
Prospect Street	North	Union Street
Prospect Street	Northeast	Alice Street
Rende Drive	West	Phillips Street
River Street	--	West Main Street
Rombout Avenue	Both	School Street
Rombout Avenue	Both	South Brett Street
Rombout Avenue	Both	South Chestnut Street
Rombout Avenue	Both	Teller Avenue
Rombout Avenue	West	South Avenue
Russell Avenue	North	East Main Street
Russell Avenue	Both	Union Street
Russell Avenue	Both	Vail Avenue
Sargent Avenue	North	Wolcott Avenue



Stop Sign on	Direction of Travel	At Intersection of
Sargent Avenue	Southwest	South Avenue
Schenck Avenue	Both	Verplanck Avenue
School Street	North	Rombout Avenue
Silvers Place	Both	Dutchess Terrace
Slocum Road	North	Grandview Avenue
South Avenue	Both	Beacon Street
South Avenue	--	Sargent Avenue
South Avenue	South	Wolcott Avenue
South Brett Street	Both	Rombout Avenue
South Brett Street	North	DeWindt Street
South Cedar Street	Both	DeWindt Street
South Cedar Street	Both	Rombout Avenue
South Chestnut Street	Both	DeWindt Street
South Chestnut Street	Both	Rombout Avenue
South Chestnut Street	Both	West Center Street
South Chestnut Street	South	Wolcott Avenue
South Elm Street	Both	DeWindt Street
South Walnut Street	Both	DeWindt Street
Spring Street	East	Washington Avenue and East Main Street
Spring Valley Street	Both	Churchill Street
Spring Valley Street	North	East Main Street
Spring Valley Street	South	Wolcott Avenue
Talbot Avenue	East	Dutchess Terrace

Stop Sign on	Direction of Travel	At Intersection of
Teller Avenue	South	Wolcott Avenue
Tillot Street	Both	Anderson Street
Tillot Street	Both	Washington Avenue
Union Street	Both	Phillips Street
Union Street	Both	Russell Avenue
Vail Avenue	Both	Russell Avenue
Veterans Place	--	Henry Street
Vine Street	East	Teller Avenue
Water Street	North	East Main Street
West Center Street	Both	South Chestnut Street
West Willow Street	--	Orchard Place
West Willow Street	Both	Wilkes Street
Wilkes Street	West	Matteawan Road
Wilkes Street	Both	West Willow Street
Wilkes Street	East	East Willow Street
Willow Street	--	Orchard Place

**Section 2.** Chapter 211, Section 14.1, Subsection B of the Code of the City of Beacon is hereby amended as follows:

**§211-14.1 No parking, stopping or standing at intersections.**

B. There shall be no parking here to corner in the following locations

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Amity Street	All	30 feet from every intersection
Conklin Avenue	North	To a point 30 feet from the Fishkill Avenue intersection
DeWindt Street	Northeast	To a point 30 feet from the South Cedar intersection
<b><u>DeWindt Street</u></b>	<b><u>Both</u></b>	<b><u>To a point 30 feet west of the South Chestnut Street intersection</u></b>
Dutchess Terrace	Both	From Verplanck Avenue to a point 50 feet in from intersection
East Main Street	Both	To a point 30 feet west of the Howland Avenue/DePuyster Avenue intersection
Eliza Street	West	At the corner of Oak Street
Grove Street	Both	To a point 30 feet from the Leonard Street intersection
Helen Court	Both	30 feet east from the intersection of Washington Avenue
Leonard Street	East	To a point 30 feet from the Grove Street intersection
Leonard Street	West	To a point 50 feet from the Grove Street intersection
Main Street	East	From the corner at East Main Street to a point 50 feet north
Mead Avenue	North	To a point 30 feet from the Conklin Avenue intersection
Oak Street	South	At the corner of Eliza Street
O'Dell Street	East	To a point 30 feet from the intersection of East Main Street

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Prospect Street	Both	To a point 30 feet west of the East Main Street intersection
Prospect Street	West	To a point 30 feet in both directions from the intersection of Union Street
Russell Avenue	Both	To a point 30 feet west of the East Main Street intersection
South Cedar Street	Both	To a point 30 feet from intersection of DeWindt Street
South Cedar Street	Both	To a point 30 feet from the Main Street intersection
<b><u>South Chestnut Street</u></b>	<b><u>Both</u></b>	<b><u>To a point 30 feet in both directions from the DeWindt Street intersection</u></b>
Teller Avenue	Both	To a point 30 feet in both directions from the intersection of Rombout Avenue
Tioronda Avenue	North	To a point 20 feet in both directions from the intersection of Van Nydeck Avenue
Van Nydeck Avenue	North	To a point 275 feet from Teller Avenue
Van Nydeck Avenue	South	To a point 150 feet from Teller Avenue
Van Nydeck Avenue	North	To a point 215 feet from Tioronda Avenue
Van Nydeck Avenue	South	To a point 95 feet from Tioronda Avenue

### **Section 3.** Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 211 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.

# Search Results for "12508"



page 1 of 1

1. 12508  
Beacon, NY 12508

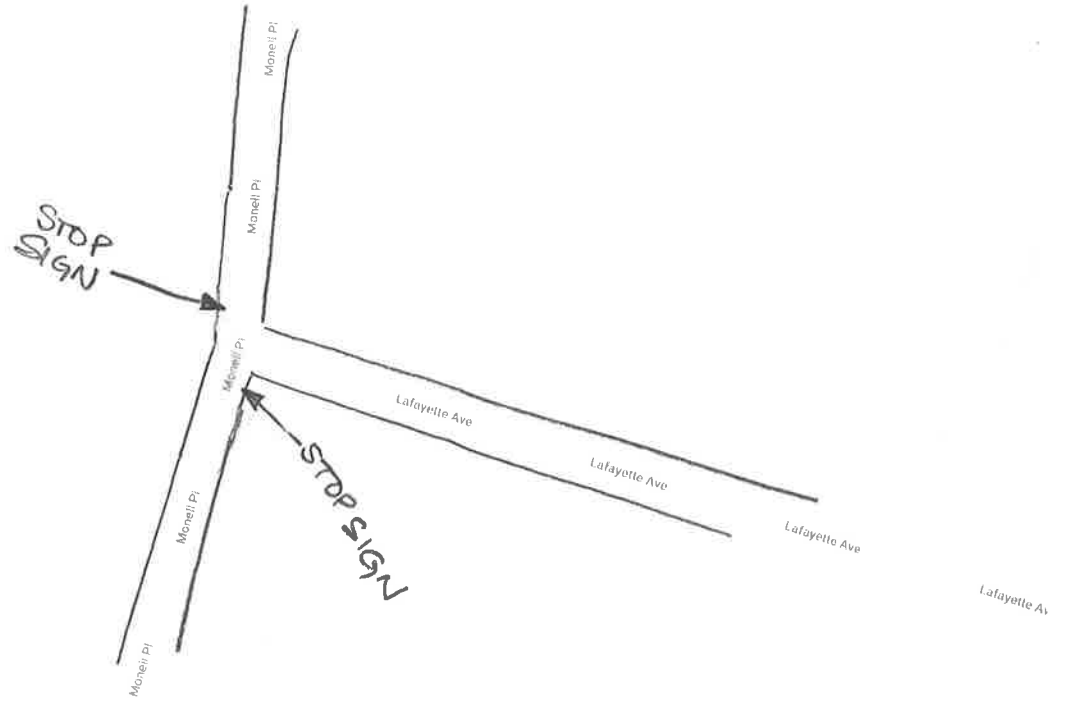


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**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A resolution to adopt a local law to amend Chapter 211 of the Code of the City of Beacon concerning Stop Signs on Monell Place and adding No Parking to Dewindt and South Chestnut Streets**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso_stop signs no parking	Resolution





**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_ OF 2018**

**A RESOLUTION TO ADOPT A LOCAL LAW TO AMEND CHAPTER 211 OF THE  
CODE OF THE CITY OF BEACON CONCERNING STOP SIGNS ON MONELL  
PLACE AND ADDING NO PARKING TO DEWINDT AND SOUTH CHESTNUT  
STREETS**

**BE IT RESOLVED, THAT THE BEACON CITY COUNCIL HEREBY** amends  
Chapter 211 of the Code of the City of Beacon concerning Stop Signs on Monell Place and adding  
No Parking to Dewindt and South Chestnut Streets.

<b>Resolution No. _____ of 2018</b>								<b>Date: <u>2018</u></b>	
<input type="checkbox"/> Amendments								<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call								<input type="checkbox"/> 3/4 Required	
<input type="checkbox"/> On roll call									
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent		
		Terry Nelson							
		Jodi McCredo							
		George Mansfield							
		Lee Kyriacou							
		John Rembert							
		Amber Grant							
		Mayor Randy J. Casale							
<b>Motion Carried</b>									

**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A resolution to adopt a local law to amend Chapter 191, Article II and Chapter 192, Section 30 concerning Street and Sidewalk Opening Permits**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso_sidewalk openings	Resolution
LL Street opening	Local Law



**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_ OF 2018**

**A RESOLUTION TO ADOPT A  
LOCAL LAW TO AMEND CHAPTER 191, ARTICLE II AND CHAPTER 192 OF  
THE CODE OF THE CITY OF BEACON**

**BE IT RESOLVED**, that the Beacon City Council hereby adopts a local law to amend Chapter 191, Article II and Chapter 192, Section 30 concerning Street and Sidewalk Opening Permits.

<b>Resolution No. _____ of 2018</b> <b>Date: <u>2018</u></b>							
<div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Amendments <input type="checkbox"/> Not on roll call <input type="checkbox"/> On roll call</div><div><input type="checkbox"/> 2/3 Required <input type="checkbox"/> 3/4 Required</div></div>							
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy J. Casale					
<b>Motion Carried</b>							

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2018**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND  
CHAPTER 191, ARTICLE II AND CHAPTER 192 OF THE CODE OF  
THE  
CITY OF BEACON**

A LOCAL LAW to  
amend Chapter 191,  
Article II and Chapter  
192, Section 30  
concerning Street and  
Sidewalk Opening  
Permits.

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

**Section 1.** Chapter 191, Article II of the Code of the City of Beacon entitled “Street and Sidewalk Openings” is hereby amended as follows:

**Article II STREET AND SIDEWALK OPENINGS**

§ 191-14. Written permission to tunnel required.

No person having a permit secured under this article shall, under any circumstances, tunnel under macadam, asphalt macadam, concrete or similarly paved roads or sidewalks for the purpose of connecting to water, sewer, gas, electric, telephone or cable facilities, unless written permission from the Highway Superintendent shall first have been secured.

§ 191-15. Openings into water, sewer, gas, electric, telephone or cable facilities.

All openings into any water, sewer, gas, electric, telephone or cable facilities or gas services shall be made only by plumbers duly licensed by the City, the respective utility company or authorized contractor.

§ 191-16. Compliance with directions of Highway Superintendent required.

Any person to whom a permit is issued under the terms of this article must comply with all directions of the Highway Superintendent, or his or her designee, designed to secure the safety of persons and their property lawfully using the streets of the City. Such directions may be given orally or in writing by the Superintendent or his representative.

§ 191-17. Penalties for offenses.

- A. Any person, firm or corporation or his or its representative, agent or employee who shall violate any of the provisions of this article shall be punished by the imposition of a penalty as prescribed in § 1-3.
- B. Additionally, the Highway Superintendent may withhold the issuance of permits if restoration work required with respect to previously issued street opening permits has not been satisfactorily completed.

§ 191-18. Permit required.

No person or association of persons, municipal corporation, public utility corporation or corporation, without having first secured a permit therefor from the Highway Department as provided in this article, shall:

- A. Fill in or raise or cause to be filled in or raised any street or any part thereof.
- B. Take up, remove or carry away or cause to be taken up, removed or carried away any asphalt or paver blocks, flagstones, turf, stone, gravel, concrete, sand, clay or earth from any street or part thereof.
- C. Open or dig up any City street or any private street which is open to public motor vehicular traffic, or any street, road or highway or part thereof in and over which the City shall have jurisdiction or shall in any way alter any curbing, gutters, gutter basins, drainage lines or other works within such a street or highway for any purpose.
- D. Lay, repair or disturb any sidewalk in any public street.

§ 191-19. Application for permit.

- A. Application for a permit under this article shall be made to the Highway Department in writing and shall contain the following information:
  - (1) The full name and address of the applicant.
  - (2) The full name and address of the owner or owners of the property in front of which the operation is to be performed.
  - (3) The location by street address, if any, of the property in front of which the operation is to be performed and the Tax Map designation of the same.
  - (4) A statement of the proposed operation and the size thereof and purpose thereof.
  - (5) The date or dates when the proposed operation is to be commenced, and the date or dates when the operation is to be completed.

- (6) The type of pavement or surface to be disturbed.
- (7) A sketch of the proposed operation showing location on lot or streets; location, if any, of any tiles or drainage system or water mains or other public utility conduits, etc, which may be within the area of the proposed construction
- (8) The rehabilitation proposed.
- (9) A schedule of the proposed work.
- (10) A confirmation notice from Dig Safely New York.
- (11) Any additional information which may be reasonably required by the Highway Superintendent.
- (12) A signed statement by the applicant that said applicant agrees to perform the proposed operation for which the permit may be granted, in full and strict compliance and in accordance with the conditions of the permit, if issued, and any and all provisions of the City Code and other applicable statutes and ordinances of the City of Beacon.

§ 191-20. Fee and work rules.

- A. The applicant for a permit under this article or the person for whose benefit the excavation or opening is to be made shall pay a fee as set forth in the City of Beacon fee schedule for each street opening. The Highway Superintendent may waive in writing the application fee for any permit application to lay, repair or disturb any sidewalk in any public street, in his or her discretion, for good cause shown.
- B. A permit shall be obtained no less than one week before any work is performed. All work shall be done during regular work hours of the Highway Department, Monday-Friday 7 a.m to 3 p.m. The Highway Superintendent may waive these requirements in writing within his or her discretion for good cause shown.
- C. The opening shall be backfilled with Item 4 (NYSDOT Item No. 304.12) and tamped in eight-inch lifts maximum before applying blacktop in accordance with Chapter 129. All openings shall be square cut, and edges shall be cleaned, and all edges shall be tack coated before patching. Openings in concrete roads shall be filled with Item 4 from the bottom of the trench to the bottom of the concrete. Then the concrete shall be repaired in the method selected by the Highway Superintendent of either pouring a new 5,000 psi concrete patch that is doweled into the adjacent concrete slab(s), or the installation of pavement (Type 3 binder course) to the thickness of the existing concrete to two inches below the riding

surface. The riding surface shall consist of two inches of pavement (Type 6FX top course). Prior to paving of the top course, the existing top course shall be cut back at least one foot, or greater, as determined in writing by the Highway Superintendent, from edge of trench on all sides. Tack coat shall be applied to the entire surface and all edges upon which the new top course is to be laid. The opening shall be properly maintained at all times during construction and the quality of the work (in case of settlement) shall be guaranteed for a period of two years. The seams of the completed work shall be sealed with a polymer modified crack sealant to prevent the intrusion of water into the pavement. During construction, barricades, lights, flaggers and other safety devices shall be employed as required by law or custom in the construction industry, and in accordance with the Federal Manual of Uniform Traffic Control (MUTCD) and the New York State Supplement to the Federal MUTCD. When excavating, contractor shall follow all safety requirements listed in OSHA specifications 1926.650 (excavation and shoring). The Contractor shall also comply with the OSHA requirements for confined space (1910.146).

D. The applicant shall notify the Highway Superintendent or his or her designee:

- (1) One week before any work is performed.
- (2) Three business days before any backfilling or temporary filling of any opening.
- (3) Three business days before any permanent restorations.

E. Issuance of and the continued effectiveness of such permit shall be conditioned on the following terms:

- (1) Throughout the course of the work, a clear, sufficient and safe passageway for all pedestrians and vehicular traffic will be maintained.
- (2) The work site will be properly guarded, both day and night, so as to prevent accidents or danger.
- (3) Upon completion of work, the site thereof will be restored by applicant and the restoration work guaranteed for two years.

#### § 191-21. Bond and insurance.

A. Before a permit may be granted under this article by the Highway Superintendent to any person to open any City street or sidewalk, the applicant for such permit shall execute a continuing bond to the City in the sum of \$10,000, to be executed by a recognized and responsible surety company authorized to do business in Dutchess

County, New York, subject to the same conditions as contained in a plumber's bond. The Highway Superintendent may in writing waive the bond requirement for applicants seeking a permit to lay, repair or disturb any sidewalk in any public street. The Highway Superintendent shall set forth a reason supporting his determination to waive the bond requirement.

B. No permit issued pursuant to this article shall be issued by the Highway Department until the entity performing the work shall have first placed on file with the Highway Department satisfactory evidence of the following types of coverage and limits of liability:

- (1) Commercial general (CGL) coverage with limits of insurance of not less than \$1,000,000 each occurrence and \$2,000,000 annual aggregate.
  - (a) If the CGL coverage contains a general aggregate limit, such general aggregate shall apply separately to each project.
  - (b) CGL coverage shall cover liability arising from premises, operations, independent contractors, products/completed operations, personal and advertising injury and blanket contractual, including injury and to subcontractors' employees.
  - (c) The City of Beacon and its agents, officers, directors and employees shall be included as additional insured. The coverage must be underwritten by an insurance company with at least an A-7 Best rating, as defined by A.M. Best. Coverage for the additional insureds shall apply as primary and noncontributing insurance before any other insurance or self-insurance, including any deductible, maintained by or provided to the additional insureds.
  - (d) The applicant and/or contractor shall maintain CGL coverage for itself and all additional insureds for the duration of the project and maintain completed operations coverage for itself and each additional insured for at least two years after completion of the work.
- (2) Automobile liability: business auto liability with limits of at least \$1,000,000 each accident.
  - (a) Business auto coverage must include coverage for liability arising out of all owned, leased, hired and non-owned automobiles.
  - (b) The City of Beacon and its agents, officers, directors and employees shall be included as insured on the auto policy.



- (3) Workers' compensation and employers liability: employers' liability insurance limits per statutory requirements.
  - (4) The applicant shall not sublet any part of his work without assuming full responsibility for requiring similar insurance from his subcontractors and shall submit satisfactory evidence to that effect to the Highway Department. Each such insurance policy, except the workers' compensation policy, shall include the City of Beacon and its agents, officers, directors and employees as an additional insured.
  - (5) Certificates shall provide that 10 days' written notice prior to cancellation be given to the City of Beacon. Policies that lapse and/or expire during the term of occupancy shall be recertified and received by the City of Beacon no fewer than 10 days prior to cancellation or renewal.
  - (6) Such insurance shall remain in force through the effective period of the permit and/or any authorized extension or extensions thereof.
- C. The Highway Superintendent, with consent from the City Administrator and for good cause shown, may waive, in writing, any of the insurance requirements set forth above in § 191-21B insofar as it may accept such insurance and/or indemnification documents as it deems appropriate for the premises and the proposed work.
- D. Indemnification and hold harmless. No permit shall be granted until the applicant and/or contractor shall have agreed in writing to defend, indemnify and hold harmless the City of Beacon, its officers, representatives, agents and employees from and against any and all claims, suits, liens, judgments, damages, losses and expenses, including reasonable legal fees and all court costs and liability (including statutory liability) arising in whole or in part and in any manner from injury and/or death of a person or damage to or loss of any property resulting from the acts, omissions, breach or default of the applicant and/or contractor, its officers, directors, agents, employees and subcontractors, in connection with the performance of any work done under or pursuant to such street or sidewalk opening permit.

#### §191-22. Obstruction of streets and sidewalks.

Any street, lane, road or sidewalk within the City, whether paved or unpaved, improved or unimproved, and any driveway or other means of ingress to or egress from any street, lane, road or sidewalk within the City shall not be blocked or obstructed at any time in order to provide a safe, convenient and passable means of ingress to and egress from the same for all private, public and emergency vehicles of any kind.

#### § 191-23. Notice to other persons affected.

- A. If the work to be undertaken by the applicant is such that it will affect the use of properties abutting or adjoining the project, the Highway Superintendent, or his or her designee, shall require the applicant to submit a list of the names and addresses of the owners and/or tenants of such properties.
- B. The applicant shall notify the affected property owners and/or tenants of the proposed work to be done at the time the applicant submits his or her street opening permit application.
- C. If the work to be undertaken by the applicant will affect other subsurface installations in the vicinity of the proposed opening, the applicant shall notify the owners of such facilities of the proposed work at the time the applicant submits his or her street opening permit application.

§ 191-24. Notice to police and fire authorities.

Upon receipt of a street opening permit and prior to the start of any construction, the applicant, shall notify, in writing, the City police and fire authorities that he or she has received a street opening permit. Such notification shall include a copy of the permit, and state the nature of the work to be done, the proposed beginning and completion dates and the location of such project.

§ 191-25. Construction specifications.

The Highway Department shall be notified at all stages of the work for the purpose of inspection. At a minimum, compliance with the City of Beacon specifications and regulations for the making of street openings, backfilling, maintenance, replacement of pavement and curbing shall be acceptable for the performance of said work and shall be performed to the satisfaction of the Highway Superintendent or his or her designee.

§ 191-26. Term of permit.

All work for which a permit has been issued shall be completed prior to the expiration date of the permit. A permit shall be valid for 40 days from the date of issuance. The Highway Superintendent, in his or her discretion, may approve in writing an extension of the permit for good cause shown.

§ 191-27. Pavement Restoration.

- A. All excavations shall be backfilled with materials approved by the Highway Superintendent.
- B. If a new patch is to be made where there is an existing patch, the entire pavement area shall be removed and replaced.

- C. Restoration of pavement shall be the full lane width (from curb to centerline) for trenches not extending beyond the lane. If the trench extends beyond a lane width, then the restoration of pavement shall be from curb to curb. All pavement restoration for the surface course (top course) shall extend a minimum of at least one foot from the edge of trench on all sides, or greater if determined by the Highway Superintendent. . Where no curb exists, the restoration shall extend to the existing pavement limits.
- D. If any excavation for which a permit has been issued hereunder exceeds 25 feet in length running with the road, the applicant shall be responsible for resurfacing the street for the whole lane width. If the excavation extends beyond a single lane, the applicant shall be responsible for resurfacing the street from curb to curb over the entire area. Resurfacing the street shall be in such a manner as required by the Highway Superintendent on a case-by-case basis. Where no curb exists, the resurfacing shall extend to the exiting pavement limits.
- E. If there are multiple patches and the area of disturbance exceeds 20% of the length of a street block multiplied by one foot, then the entire road in the block shall be resurfaced in a manner and with materials required by the Highway Superintendent.
- F. Any work performed within a roadway that has been paved within the past three years will require full curb to curb restoration for the length of work plus a minimum of 20 feet on both sides, exact limits will be set by the Highway Superintendent or his or her designee.
- G. The Highway Superintendent may, in writing, waive the requirements set forth in this section upon good cause shown.

§ 191-28. Replacement of curbing.

Any curbing removed by any person shall be reset or replaced pursuant to the specifications set forth in **§ 192-22**.

§191-29. Work in City rights-of-way.

No individual, agency, corporation or other entity shall construct any structure or make any alteration to existing structures within any City right-of-way, including the placement of new utility poles or the addition of appurtenances, fixtures, or facilities to existing utility poles, without first having obtained written approval from the Highway Superintendent. This provision shall not apply to routine maintenance of existing structures and/or utility poles in the City rights-of-way. Applicants shall also comply with all other applicable provisions of the City of Beacon Zoning Regulations and any other applicable local laws.

§191-30. Revocation of permit.

- A. The Highway Superintendent shall have the power to revoke a permit issued hereunder whenever he or she shall find that the applicant has refused or failed to comply with

any provisions of this article. There shall be no refunds of any application fees provided for any revoked permit.

- B. Written notice of any such violation or condition shall be served upon the applicant or his or her agent engaged in the work. The notice shall contain a brief statement of the grounds relied upon for revoking the permit. Notice may be given either by personal delivery thereof or registered United States mail addressed to the person notified.
- C. The Highway Superintendent may grant an applicant a period of three days, from the date of the notice, to correct a violation and proceed with the diligent prosecution of the work authorized by the permit before said permit is revoked.
- D. When any permit has been revoked and the work authorized by the permit has not been completed, the Highway Superintendent, or his or her designee, shall do such work as may be necessary to restore the street or part thereof to as good a condition as before the opening was made. All expenses incurred by the City shall be recovered from the deposit or bond the applicant has made or filed with the City.

**Section 2.** Chapter 192, Section 30 of the Code of the City of Beacon entitled “Work in existing city streets” is hereby amended as follows:

§ 192-30 Work in existing city streets.

- A. All work to be performed within an existing City street shall be subject to the approval of the City. The contractor, developer or other such person performing the work shall be required to obtain a street opening permit and pay any and all such fees that may apply in relation to the same.
- B. The contractor or person performing the work shall be required to submit to the City satisfactory evidence of the types of coverage and limits of liability set forth in § 191-21D. Each such insurance policy, except the workers' compensation policy, shall include the City of Beacon and its agents, officers, directors and employees as an additional insured. Certificates shall provide that 30 days' written notice prior to cancellation be given to the City of Beacon. Policies that lapse and/or expire during the term of occupancy shall be recertified and received by the City of Beacon no fewer than 30 days prior to cancellation or renewal.
- C. All work shall be subject to the review of City representatives, and the contractor or person performing the work shall schedule such work as to permit the necessary reviews and inspections. Where applicable, a fee shall be paid to the City for such reviews and inspections.
- D. All work shall be in accordance with generally accepted and recognized guidelines and the specifications for street opening permit guidelines in effect at the time of the work. This shall include OSHA regulations.

### **Section 3. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, Chapter 191 and Chapter 192 of the City of Beacon are 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.

**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A proposed local law to create Chapter 97 and amend Chapters 192, 195 and 223 of the Code of the City of Beacon concerning Driveways**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso_Driveway permits LL	Resolution
LL Driveway permits	Local Law



**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_ OF 2018**

**A RESOLUTION TO ADOPT A LOCAL LAW TO CREATE CHAPTER 97 AND  
AMEND CHAPTERS 192, 195 AND 223 OF THE CODE OF THE CITY OF BEACON  
CONCERNING DRIVEWAYS**

**BE IT RESOLVED, THAT THE BEACON CITY COUNCIL HEREBY** adopts a Local Law to create Chapter 97 and amend Chapters 192, 195 and 223 of the Code of the City of Beacon concerning Driveways.

<b>Resolution No. _____ of 2018</b>								<b>Date: <u>2018</u></b>	
<input type="checkbox"/> Amendments								<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call								<input type="checkbox"/> 3/4 Required	
<input type="checkbox"/> On roll call									
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent		
		Terry Nelson							
		Jodi McCredo							
		George Mansfield							
		Lee Kyriacou							
		John Rembert							
		Amber Grant							
		Mayor Randy J. Casale							
<b>Motion Carried</b>									

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2018**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO CREATE  
CHAPTER 97 AND AMEND CHAPTERS 192, 195 AND 223 OF THE  
CITY OF BEACON**

A LOCAL LAW to  
create Chapter 97 and  
amend Chapters 192,  
195 and 223 of the Code  
of the City of Beacon  
concerning Driveways.

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

**Section 1.** Chapter 97 of the Code of the City of Beacon entitled “Driveways” is hereby created as follows:

§ 97-1 Driveway construction.

- A. No person, association, corporation or firm shall establish, build, construct, expand, reconstruct or pave a driveway or parking lot for vehicular traffic, which abuts upon, provides access to or adjoins a City highway or street without having first obtained a written permit in accordance with the provisions of this chapter. Work which consists only of paving or repaving an existing driveway and which does not otherwise alter the driveway, curbing or sidewalk, does not require a driveway permit.
- B. No person shall dig into or across curbing and/or sidewalk adjacent to the premises owned or occupied by him or adjacent to any other premises or cause the same to be done, nor shall any person remove, demolish or change the grade of any curbing adjacent to the premises owned or occupied by him or adjacent to any other premises or cause the same to be done, until the owner or occupant thereof shall have obtained a permit in accordance with the provisions of this article.
- C. Any construction or expansion of a driveway or parking lot that requires the opening or digging up of any City street, private street or sidewalk in a public street, shall comply with the relevant provisions set forth in Chapter 191, Article II, but shall not require a street or sidewalk opening permit under Chapter 191, Article II, unless the Highway Superintendent determines such permit is required.



§ 97-2 Approving Authority.

The approving authority for all applications under this chapter shall be the Highway Superintendent, except where construction of a driveway or parking lot is proposed in connection with any site development plan, subdivision, or special use permit application submitted to the Planning Board or City Council, in which case a separate driveway permit shall not be required.

§ 97-3 Application for permit.

A. Applications for a permit under this article shall be made to the Highway Department in writing and shall contain the following information:

- (1) The full name and address of the applicant.
- (2) The full name and address of the owner or owners of the property in front of which the operation is to be performed.
- (3) The location by street address, if any, of the property in front of which the operation is to be performed and the Tax Map designation of the same.
- (4) A statement of the proposed operation and the size thereof and purpose thereof.
- (5) The date or dates when the proposed operation is to be commenced, and the date or dates when the operation is to be completed.
- (6) The type of pavement or surface to be disturbed.
- (7) A sketch of the proposed operation showing the proposed location of all driveway entrances and curb-cuts, and proposed grade of driveway.
- (8) The estimated cost of the entire proposed operation.
- (9) Any additional information which may be reasonably required by the Highway Superintendent.

B. A signed statement by the applicant that said applicant agrees to perform the proposed operation for which the permit may be granted, in full and strict compliance and in accordance with the conditions of the permit, if issued, and any and all provisions of the City Code and other applicable statutes and ordinances of the City of Beacon.

§ 97-4 Inspection prior to permit issuance.

The Highway Superintendent or his authorized representative must inspect the site of the proposed driveway before any permit for construction of the driveway is issued. The Superintendent or his authorized representative shall be notified at least 48 hours in advance of beginning any driveway construction operations.

§ 97-4 Application fee and conditions of permit

- A. The application for a driveway permit shall be accompanied by a fee as set forth in the City of Beacon fee schedule for each driveway permit.
- B. A permit shall be obtained no less than one week before any work is performed.
- C. Before issuance of a permit for the construction or alteration of a driveway, the applicant shall post with the Highway Superintendent a bond in an amount determined by the Highway Superintendent to be equal to the cost of the work proposed pursuant to this article, but in no event less than \$500 for a new driveway or \$150 for the alteration of an existing driveway.
- D. When notified of its completion, the Highway Superintendent shall inspect said driveway to assure its completion in accordance with said permit to construct or alter. When the Highway Superintendent is satisfied that the conditions of said permit have been met, the Highway Superintendent shall issue a certificate of compliance. Upon issuance of the certificate of compliance, the Highway Superintendent shall certify the claim of the applicant for the return of the bond. It shall be unlawful to use such driveway for any purpose other than construction until a certificate of compliance has been issued.
- E. No certificate of occupancy shall be issued by the Building Inspector if a driveway permit has been issued until such certificate of compliance is also issued.
- F. Any such permit, when issued, shall be effective for such period of time, not to exceed 30 consecutive calendar days, as specified thereon. Such specified period of time may be extended for the completion of the work, if so requested in writing by the applicant prior to the expiration date thereof, for such additional period or periods of time authorized by the Highway Superintendent.

§ 97-6 Driveway and curbing specifications.

These specifications shall apply to the construction of new driveways and shall also apply to the reconstruction and/or paving of existing driveways, except that in the latter case the Highway Superintendent may waive certain requirements contained herein if he finds that

extraordinary and unnecessary hardships may result from strict compliance with these specifications.

- A. A driveway or access road serving private property and intersecting with a highway or street shall be constructed in such a manner that it does not interfere with the existing drainage, the movement of traffic, the removal of snow from the abutting highway or street, or an existing sidewalk. Sidewalks should continue across the driveway.
- B. The driveway shall be constructed in such a manner that it does not permit the runoff of water from the abutting highway or street to enter into the property of the owner or adjacent properties.
- C. Developers and home builders shall design and construct all driveways within the limits of the right-of-way with sufficient sight distance (in both directions) and with a grade no more than one-half inch per foot from curb to the right-of-way line (see § 192-9B). The minimum width of the driveway pavement at the curb or street pavement line shall be 14 feet, tapering to a minimum of 10 feet at the right-of-way line. All driveways shall have a six-inch run-of-bank gravel foundation course from curb to right-of-way line and no less than three inches bituminous penetration macadam wearing course from curb or street pavement line to right-of-way line which shall be applied during or after the laying of the street pavement.
- D. All driveways shall be graded so as to slope away from the City Street at one-half inch per foot for a minimum of four feet. Grading shall be to the satisfaction of the Highway Superintendent and the City Engineer prior to the surfacing of such driveways. Where required by the Highway Superintendent, a culvert or drainage system shall be provided, with the pipe size and material to be as acceptable to the City Superintendent of Streets. Pipe size shall not be less than 15 inches in diameter, and shall have a minimum coverage of 12 inches over the pipe.
- E. The maximum grade for any new driveway accessory to a single-family dwelling and connecting its off-street parking area to a street shall be 14%, except that, where it can be demonstrated to the satisfaction of the approving authority that, because of practical difficulty or unreasonable hardship affecting a particular property, the construction of a driveway shall be permitted, provided that the increase in driveway grade is the minimum increase required and further provided that in no case shall such driveway grade be permitted to exceed 17%.
- F. The maximum grade for new driveways accessory to uses other than single-family dwellings and connecting the required off-street parking area to the street shall not exceed 7%, except that the Highway Superintendent shall have the power to permit increased grades, provided that such grades in no case exceed 10%.

- G. No driveway serving a single-family dwelling shall have a grade in excess of 4% within 35 feet of the center line of the traveled-way of the street or within 10 feet of the right-of-way line of the street, whichever distance is greater.
- H. No driveway serving a use other than a single-family dwelling shall have a grade in excess of 3% within 50 feet of the center line of the traveled-way of the street or within 25 feet of the property line of the street, whichever distance is greater. The City Council may require increased platform areas of this type in situations where, because of the nature of the proposed use, substantial traffic volumes are anticipated.
- I. Driveway alignment and location. Any driveway entering onto a street shall be located and aligned in such a way as to create the minimum possible traffic hazard. The platform portion of the driveway, shall be aligned approximately at right angles to the street.
- J. Clear visibility shall be provided in both directions at all exit points in accordance with Section 192-9B, so that the driver of an automobile stopped on the platform portion of any new driveway will have an unobstructed view of the highway for a reasonable distance (commensurate with the speed and volume of traffic on such highway) and so that the driver of an automobile traveling on the highway shall have a similar view of the automobile in the driveway.

§ 97-7 Indemnification of City.

The owner and owner's contractor shall hold the City, the Superintendent and their agents and employees harmless against any action for personal injury or property damage sustained by reason of the exercise of this permit.

§ 97-8 Penalties for offenses.

Any person, firm or corporation or his or its representative, agent or employee who shall violate any of the provisions of this article shall be punished by the imposition of a penalty as prescribed in § 1-3.

**Section 2.** Chapter 192, Section 9, Subsection F entitled “Driveways” is hereby deleted:

§ 192-9. Design Standards for new streets.

...

~~F. Driveways~~

- ~~(1) Developers and home builders shall design and construct all driveways within the limits of the right of way with sufficient sight distance (in both directions) and with a grade no more than one inch per foot from curb to the right of way line (see § 192-9B herein). The minimum width of the driveway pavement at the curb or street pavement line shall be 15 feet, tapering to a minimum of 10 feet at the right of way line. All driveways shall have a six-inch run-of-bank gravel foundation course from curb to right of way line and no less than three inches bituminous penetration macadam wearing course from curb or street pavement line to right of way line which shall be applied during or after the laying of the street pavement.~~
- ~~(2) All driveways shall be graded so as to slope away from the City Street at 1/2 inch per foot for a minimum of four feet. Grading shall be to the satisfaction of the City Superintendent of Streets and the City Engineer prior to the surfacing of such driveways. Where required by the City Superintendent of Streets, a culvert or drainage system shall be provided, with the pipe size and material to be as acceptable to the City Superintendent of Streets. Pipe size shall not be less than 15 inches in diameter, and shall have a minimum coverage of 12 inches over the pipe.~~

**Section 3.** Chapter 192, Section 22, Subsection A is hereby amended as follows:

§ 192-22. Sidewalks

- A. On major, suburban and local streets, six-inch reveal Portland cement concrete curbs (detail in Appendix A of this chapter[1]) shall be constructed on both (reveal) sides of the street, prior to laying street pavement to the dimensions and specifications required. A compacted base course of six inches in thickness, free of stone over two inches in thickness, shall be laid under all curbing and sidewalks. A concrete mix of 3,500 psi after 28 days shall be used and shall be finished, ~~and~~ cured and sealed to the satisfaction of the City Superintendent of Streets and the City Engineer. The developer at his own expense shall replace any curbing that has settled, cracked, scaled or has become damaged in any way by the developer before and within the one-year maintenance period after dedication. Curb shall be depressed five inches at all driveways. Stone curbs may be substituted on approval of the City Superintendent of Streets and the City Engineer.

**Section 4.** Chapter 195, Article V, Section 24, Subsection H entitled “Driveways” is hereby amended as follows:

§ 195-24 Lots and driveways.

...

H. Driveways.

- (1) All driveways shall be constructed in accordance with the provisions set forth in § 97-5.
- ~~(2) The developer and/or owner shall design and construct all driveways within the limits of the right-of-way with sufficient sight distance in accordance with Section 192-9B, and with a grade of no more than one-half inch per foot from the curbline or edge of roadway pavement a point 20 feet from the curbline or edge of roadway pavement, unless otherwise specified. The minimum width of the driveway pavement at the curb or street line shall be 14 feet, tapering to a minimum of 10 feet at the right-of-way line.~~
- ~~(3)~~(2) All driveways shall be graded to the satisfaction of the Street Superintendent and City Engineer prior to the surfacing of such driveways.
- ~~(4)~~(3) The driveway surface shall be constructed of a dust-free surface material and shall be six inches in depth.

**Section 5.** Chapter 223, Article III, Section 26, Subsection I of the Code of the City of Beacon entitled “Driveways” is hereby amended as follows:

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

...

- I. Driveways. General. For reasons of traffic and pedestrian safety, both on and off street, as well as to provide for possible future road widening or other improvements, all new driveways and sidewalk crossings entering onto any street shall comply with all requirements of Chapter 97, “Driveways” ~~these regulations~~ and shall be subject to the approval of the Highway Superintendent ~~City Engineer~~, except where such are part of a use subject to special permit or site development plan approval, in accordance with §§ 223-18 and 223-25, in which case they shall be subject to approval by the Planning Board and/or City Council.

~~(1) Driveway grades:~~

- (a) ~~The maximum grade for any new driveway accessory to a single-family dwelling and connecting its off-street parking area to a street shall be 14%, except that, where it can be demonstrated to the satisfaction of the approving authority that, because of practical difficulty or unreasonable hardship affecting a particular property, the construction of a driveway shall be permitted, provided that the increase in driveway grade is the minimum increase required and further provided that in no case shall such driveway grade be permitted to exceed 17%.~~

- (b) ~~The maximum grade for new driveways accessory to uses other than single-family dwellings and connecting the required off-street parking area to the street shall not exceed 7%, except that the approving authority shall have the same power to permit increased grades here as in Subsection I(2)(a) above, provided that such grades in no case exceed 10%.~~
  - (c) ~~Notwithstanding the maximum permitted grades specified in Subsection I(2)(a), no driveway serving a single-family dwelling shall have a grade in excess of 4% within 35 feet of the center line of the traveled way of the street or within 10 feet of the right-of-way line of the street, whichever distance is greater.~~
  - (d) ~~Notwithstanding the maximum permitted grades specified in Subsection I(2)(b), no driveway serving a use other than a single-family dwelling shall have a grade in excess of 3% within 50 feet of the center line of the traveled way of the street or within 25 feet of the property line of the street, whichever distance is greater. The City Council may require increased platform areas of this type in situations where, because of the nature of the proposed use, substantial traffic volumes are anticipated.~~
- (2) ~~Driveway alignment and location. Any driveway entering onto a street shall be located and aligned in such a way as to create the minimum possible traffic hazard. The platform portion of the driveway, as required by Subsection I(2) above, shall be aligned approximately at right angles to the street.~~
- (3) ~~Sight distance. Clear visibility shall be provided in both directions at all exit points in accordance with Section 192-9B, so that the driver of an automobile stopped on the platform portion of any new driveway will have an unobstructed view of the highway for a reasonable distance (commensurate with the speed and volume of traffic on such highway) and so that the driver of an automobile traveling on the highway shall have a similar view of the automobile in the driveway.~~

## **Section 6. Ratification, Readoption and Confirmation**

Except as specifically modified by the amendments contained herein, Chapters 192, 195 and 223 of the City of Beacon are otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

## **Section 7. 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 8. 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 9. Effective Date**

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



**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A resolution amending the Fee Schedule concerning Driveway and Parking Lot Permits**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Reso\_Driveway\_fees

Type

Resolution

**CITY COUNCIL  
CITY OF BEACON**

**RESOLUTION AMENDING THE FEE SCHEDULE CONCERNING  
DRIVEWAY AND PARKING LOT PERMITS**

Resolution No. \_\_\_\_\_ of 2018

**WHEREAS**, the City Council of the City of Beacon has introduced a local law concerning Driveway Permits; and

**WHEREAS**, the law states that no person, association, corporation or firm shall establish, build, construct, expand, reconstruct or pave a driveway or parking lot for vehicular traffic, which abuts upon, provides access to or adjoins a City highway or street without having first obtained a written permit; and

**WHEREAS**, the law requires that an application for a driveway and parking lot permit be accompanied by a fee, payable to the City of Beacon in the amount set forth in the City of Beacon Fee Schedule for each driveway permit.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council hereby amends the City of Beacon Fee Schedule to provide as follows:

Permit	Base Fee
Driveway and Parking Lot Permit	Residential driveways: (a) Construction of new driveways or expansion of existing driveway (Single, Two, Three or Four Family homes): \$30. (b) Two- to three-lot common driveway (new construction): \$300. (c) Two- to three-lot common driveway (expansion, improvements or repaving): \$100. (d) Temporary construction access: \$30.  Commercial driveways/parking lots: (a) New construction (including residential uses of 5 or more units): \$500. (b) Expansion, improvements or repaving: \$200. (c) Temporary construction access: \$200.

Resolution No. \_\_\_\_\_ of 2018

Date: 2018

☐ 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					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
		<b>Motion Carried</b>					

**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A resolution to schedule a public hearing on October 1, 2018 to receive public comment on a proposed Local Law to amend Chapter 223, Section 61.3 of the Code of the City of Beacon concerning Public Notice Signs**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso_PH_public notice signs	Resolution
LL Public Notice Sign	Local Law



**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_\_\_\_ OF 2018**

**RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR OCTOBER 1, 2018  
TO RECEIVE PUBLIC COMMENT ON A PROPOSED LOCAL LAW TO  
AMEND CHAPTER 223, SECTION 61.3 OF THE CODE OF THE CITY OF  
BEACON CONCERNING PUBLIC NOTICE SIGNS**

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Beacon hereby schedules a public hearing for October 1, 2018 to receive public comment on a proposed Local Law to amend Chapter 223, Section 61.3 of the Code of the City of Beacon concerning Public Notice Signs.

<b>Resolution No. _____ of 2018</b>								<b>Date: <u>2018</u></b>	
<input type="checkbox"/> Amendments								<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call								<input type="checkbox"/> 3/4 Required	
<input type="checkbox"/> On roll call									
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent		
		Terry Nelson							
		Jodi McCredo							
		George Mansfield							
		Lee Kyriacou							
		John Rembert							
		Amber Grant							
		Mayor Randy J. Casale							
<b>Motion Carried</b>									

**DRAFT LOCAL LAW NO. \_\_\_\_ OF 2018**

**CITY COUNCIL  
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND  
CHAPTER 223, SECTION 61.3 OF THE CODE OF THE  
CITY OF BEACON**

A LOCAL LAW to  
amend Chapter 223,  
Section 61.3 of the  
Code of the City of  
Beacon concerning  
Public Notice Signs.

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

**Section 1.** Chapter 223, Section 61.2 entitled “Hearing Notice Requirements, Subsection C of the Code of the City of Beacon is hereby amended as follows:

§ 223-61.2 Hearing notice requirements.

...

C. Public notice signs.

- (1) The applicant shall post one notification sign on the subject property, or in the case of a corner lot post a notification sign on both abutting streets, no later than 14 days prior to the initial public hearing and any continued public hearing thereafter. The applicant shall update said sign at least 14 days prior to every public hearing which the applicant's matter will be heard. The Building Inspector may require, in his or her discretion, the applicant to post an additional public notice sign, based on topography of the surrounding land, parcel size and shape, or any other factors the Building Inspector, in his or her discretion, feels may impact effective public notice.
- (2) Such sign shall be at least three-two feet by four-three feet in size, consist of sturdy and serviceable material containing a white background with black letters and be placed in a location visible from the most commonly traveled street or highway upon which the property fronts, or in the case of a corner lot on both streets, but in no case more than 20 feet back from the front lot line. Such sign shall read as follows, in legible lettering with the heading at least five inches in height and the content at least two inches in height:

PUBLIC NOTICE  
A PUBLIC HEARING FOR A [application type] APPLICATION WILL BE  
HELD BY THE CITY OF BEACON [City Council, Planning Board, or Zoning  
Board of Appeals]  
ON [insert date] AT [insert time] P.M.  
AT THE CITY OF BEACON CITY HALL,  
1 MUNICIPAL PLAZA, BEACON, NY  
ADDITIONAL INFORMATION IS AVAILABLE AT THE BEACON  
BUILDING DEPARTMENT  
(845) 838-5020

- (3) In the event that the applicant shall appear before more than one board, the sign shall be appropriately revised to reflect the time and place of each board's meeting. At least two working days before the public hearing, the applicant shall also submit to the secretary of the applicable board a signed affidavit certifying to the fact and date of said posting.
- (4) The applicant shall, in good faith, maintain the public notice sign in good condition throughout the posting period.
- (5) The applicant shall remove the notification sign within five days of the adoption of any resolution concerning the application.

**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 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**  
**9/4/2018**

**Title:**

**A resolution to request an extension of the scoping comment period with additional public information and scoping meetings, for the NY/NJ Harbor & Tributaries (NYNJHAT) Coastal Storm Risk Management Feasibility Study; and to complete specific studies prior to the winnowing of proposed alternatives**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description  
Reso\_storm surge

Type  
Resolution





**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. OF 2018**

**A RESOLUTION TO REQUEST AN EXTENSION OF THE SCOPING COMMENT PERIOD WITH ADDITIONAL PUBLIC INFORMATION AND SCOPING MEETINGS, FOR THE NY/NJ HARBOR & TRIBUTARIES (NYNJHAT) COASTAL STORM RISK MANAGEMENT FEASIBILITY STUDY; AND TO COMPLETE SPECIFIC STUDIES PRIOR TO THE WINNOWING OF PROPOSED ALTERNATIVES**

**URGING**, We, as representatives of **The City of Beacon in Dutchess County** urge Basil Seggos, Commissioner, New York State Department of Environmental Conservation (NYSDEC), Bryce Wisemiller, NY District Project Manager, U.S. Army Corps of Engineers (USACE) and Nancy J. Brighton, Chief, Watershed Section, Environmental Analysis Branch, Planning Division, U.S. Army Corps of Engineers to request an extension of the scoping comment period with additional public information and scoping meetings, for the NY/NJ Harbor & Tributaries (NYNJHAT) Coastal Storm Risk Management Feasibility Study; and to complete specific studies prior to the winnowing of proposed alternatives.

**WHEREAS**, The U.S. Army Corps of Engineers (USACE) initiated the NY/NJ Harbor & Tributaries (NYNJHAT) Coastal Storm Risk Management Feasibility Study, affecting more than 2,150 square miles, 25 NY and NJ counties and 16 million people. Communities along the shorelines of NYC, Long Island, NY Harbor, northern NJ, the Hudson River up to Troy, and western Connecticut are affected. The goal is to develop and implement measures to reduce the risk of coastal storm damage to communities, critical infrastructure, and important societal resources.

**WHEREAS**, USACE has proposed six alternatives:

- **Alternative 1:** “No Action,” meaning no new action by the Corps. Instead the region would move forward with numerous existing flood control projects already in the works.
- **Alternative 2:** Build two in-water barriers, from Sandy Hook to Breezy Point (5 miles) and across Long Island Sound near Throgs Neck Bridge (*see map at right*).
- **Alternative 3A:** Build in-water barriers in the Arthur Kill, Jamaica Bay, Verrazano Narrows, Pelham Bay, and Throgs Neck, and a levee or berm system along Brighton Beach and the Rockaways.
- **Alternative 3B:** Build in-water barriers in the Arthur Kill, Kill Van Kull, the Gowanus Canal, Pelham Bay, Throgs Neck, Newtown Creek, and Jamaica Bay. Build a levee and berm system and shoreline measures in East Harlem, the NJ upper bay and Hudson River, and the West Side of Manhattan.
- **Alternative 4:** Build in-water barriers in Pelham Bay, Jamaica Bay, Newtown Creek, the Gowanus Canal, and the Hackensack River. Build shoreline measures in East Harlem, the NJ Upper Bay and Hudson River, and the West Side of Manhattan.

- **Alternative 5:** Build only shoreline measures along the perimeter of coastal locations (dunes, berms and levees). Note that these shoreline protections are in addition to the wide array of shoreline flood control projects already planned or under way which are shown in Alternative

**WHEREAS,** USACE intends to narrow the six options down to one or two by this fall (2018). The one or two “tentatively selected plan(s)” will be the subject of a Draft Feasibility Report and Environmental Impact Statement this fall. USACE has opened a public comment period, ending September 20, to consider the “scope” of issues it should study in that preliminary environmental review.

**WHEREAS,** this short time frame and limited number of meetings is inadequate given the enormous scale of the project.

**WHEREAS,** several of these plans – specifically, the ones including giant in-water barriers throughout NY Harbor (Alternatives 2, 3A, 3B & 4) – threaten the very existence of the Hudson as a living river. These in-water barriers would disrupt the migrations of the river’s iconic species (striped bass, Atlantic sturgeon, herring, shad, eel) and restrict tidal exchange, essential in numerous ways: from moving sediment and flushing contaminants from the Harbor, to regulating nutrient distribution and adequate dissolved oxygen.

**WHEREAS,** In-water barriers would not protect against flooding from sea-level rise – only from storms. With gates that must be open for ships to pass, the in-water barriers would do nothing against sea-level rise. By contrast, shoreline measures (Alternatives 5 and 1 combined) can protect against flooding from both storms and sea level rise, and can be more easily heightened as projections evolve.

**WHEREAS,** Deflection or induced flooding in nearby unprotected shorelines may be a fatal flaw to these alternatives. Areas such as the Jersey shore, the south shore of Long Island, western Long Island Sound, and the Lower Bay of New York Harbor would be at risk. In-water barriers could hold back rainstorm flood waters, as we experienced during storms like Irene and Lee in 2011, from leaving the Hudson. This could cause fresh water flooding inland of the barriers.

**WHEREAS,** USACE estimates \$30 billion to \$50 billion to build the in-water barriers in Alternative 2, with annual maintenance likely costing billions, without even addressing sea level rise.

**WHEREAS, Alternative 5** — shoreline and nature-based measures (dunes, dikes, floodwalls, and levees) — is estimated at \$2 billion to \$4 billion. It is the only alternative that addresses both storm surge and sea level rise, while leaving the river to flow freely.

**WHEREAS,** the economy and culture of the Hudson River Valley is intimately tied to the health of the Hudson River, including the migrations of its signature fish. Tourism generates more than \$5.3 billion annually.

**WHEREAS**, Non-federal sponsors of the study include New York State, represented by the NYSDEC and New Jersey, represented by the NJ Department of Environmental Protection. **NY and NJ thereby have the authority to withdraw from the study or to reject any construction alternative.**

**NOW THEREFORE BE IT RESOLVED**, that we, the elected representatives of **The City of Beacon in Dutchess County** in the Hudson Valley, cannot comment effectively, as is our legal right, without detailed information and data on the social, economic and environmental impacts of each alternative. The PowerPoint slides and the fact sheet provided to the public to date are completely inadequate. The Army Corps needs to publish comprehensive information about all the alternatives being considered, including the environmental impacts on the Hudson and the Harbor and to share with the public the complete list of existing studies it will consult in the preliminary assessments of the projects; and

**BE IT FURTHER RESOLVED**, the meetings recently posted were too few, announced too late, and were not advertised so that the public would actually be aware. The Army Corps and the other involved agencies need to provide numerous, comprehensive and well-advertised public meetings throughout the affected area, which includes Long Island Sound, New York Harbor, New Jersey coastal waters and the Hudson to Troy.

**BE IT FURTHER RESOLVED**, the short comment period, for a proposal with consequences that could last centuries, or millennia, is unacceptable. By contrast, the U.S. Coast Guard, in seeking public feedback on designating new anchorage grounds on the Hudson, initially offered a three-month comment period on an “advance notice of public rulemaking,” then extended that by an additional three months, which allowed members of the public time to become informed and voice their opinions. Therefore, we request an extension of the scoping comment period to at least 90 days.

**BE IT FURTHER RESOLVED**, only one of the alternatives is even acceptable so far. Alternative 5, described as “Perimeter Only,” is the only acceptable alternative the U.S. Army Corps has presented to date. Only “shoreline-based measures” should be employed. Our protection would rely on shoreline-based floodwalls and levees, including beaches, dunes and waterfront parks, combined with reimagined land use from some low-lying areas. It would protect our low-lying communities from both storm surge and flooding from rain storms, while leaving our rivers free to flow and thrive.

**BE IT FURTHER RESOLVED**, in its cost-benefit analysis of the current array of alternatives, the USACE should include an evaluation of the value of ecosystem services; and the cost of shoreline measures that are essential to protect against flooding from sea level rise, even for alternatives that include harbor wide barriers.

**BE IT FURTHER RESOLVED**, the full range of impacts must be considered before the six alternatives are narrowed. Before any alternative is eliminated from consideration, the potential impacts of each alternative should be studied in relation to the following:

- Tidal range / regime and flow velocity.
- Migration of all native fish species.

- Abundance of all native and currently existing fish species.
- Abundance and distribution of all mollusk species throughout the study area.
- Current and potential commercial and recreational fisheries.
- Endangered, threatened and special-concern fish and wildlife species (both federally and state designated) in the New York Bight and in the Hackensack River, Passaic River, Raritan River, Meadowlands, Jamaica Bay and Long Island Sound.
- Vegetation (subaquatic and intertidal).
- Birds.
- Habitat for fish, birds and other wildlife.
- Sedimentation rates, scour and elevation in the rivers, bays and harbor.
- Changes in contamination levels both in the water and in river and harbor sediments.
- Rate at which PCBs and other contaminants will be transported from the rivers and harbor to the sea.
- Water quality in the harbor, rivers and bays.
- Dissolved oxygen levels throughout the study area.
- Salinity throughout the study area.
- Water temperature throughout the study area.
- Nutrient concentrations throughout the study area.
- Frequency of algae blooms throughout the study area.
- The degree and cost of wastewater treatment required to comply with the Clean Water Act, in light of reduced tidal exchange / flushing.
- Induced coastal flooding or deflection of storm surge to areas adjacent to any barrier alternatives.
- Back-flooding inland of any barriers due to heavy rain events.
- Commercial shipping.
- Recreational boating.
- Cost to state taxpayers for future operation and maintenance of ship and tide gates in any barriers.

Resolution No. _____ of 2018		Date: <u>2018</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					
		Lee Kyriacou					
		John Rembert					
		Amber Grant					
		Mayor Randy Casale					
<b>Motion Carried</b>							

**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A resolution to schedule a public hearing on September 17, 2018 to receive public comment on a Special Use Permit application for the HIP Lofts**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description	Type
Reso_PH_HIP Lofts	Resolution



**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_ OF 2018**

**RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 17,  
2018 TO RECEIVE PUBLIC COMMENT ON A SPECIAL USE PERMIT  
APPLICATION FOR THE HIP LOFTS**

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Beacon hereby schedules a public hearing for September 17, 2018 to receive public comment on a Special Use Permit application for the Hip Lofts.

<b>Resolution No. _____ of 2018</b>								<b>Date: <u>2018</u></b>	
<input type="checkbox"/> Amendments								<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call								<input type="checkbox"/> 3/4 Required	
<input type="checkbox"/> On roll call									
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent		
		Terry Nelson							
		Jodi McCredo							
		George Mansfield							
		Lee Kyriacou							
		John Rembert							
		Amber Grant							
		Mayor Randy J. Casale							
<b>Motion Carried</b>									

**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**A resolution authorizing the City Administrator to apply for NYS Water Infrastructure Improvement Act (WIIA)  
Grant Assistance**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description

Reso\_WIIA

Type

Resolution



**CITY OF BEACON  
CITY COUNCIL  
RESOLUTION NO. \_ OF 2018**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR  
NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT  
ASSISTANCE**

**BE IT RESOLVED**, that the Beacon City Council hereby authorizes the City Administrator, in line with his powers and duties, to sign the requisite Application Form in order to apply for assistance from the New York State Environmental Facilities Corporation (“EFC”) Water Infrastructure Improvement Act (WIIA) Grant to enable repairs to the City’s drinking water system. This project will involve the removal of the existing 1 Million-gallon Fairview Tank and construction of a new 1.5-Million-gallon water storage tank with a larger diameter, in the same vicinity.

<b>Resolution No. _____ of 2018</b>								<b>Date: <u>2018</u></b>	
<input type="checkbox"/> Amendments								<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call								<input type="checkbox"/> 3/4 Required	
<input type="checkbox"/> On roll call									
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent		
		Terry Nelson							
		Jodi McCredo							
		George Mansfield							
		Lee Kyriacou							
		John Rembert							
		Amber Grant							
		Mayor Randy J. Casale							
<b>Motion Carried</b>									



**City of Beacon Council Agenda**  
**9/4/2018**

**Title:**

**Approval of Minutes from August 20, 2018**

**Subject:**

**Background:**

**ATTACHMENTS:**

Description  
Minutes\_Aug\_20

Type  
Minutes

**CALL TO ORDER**

Mayor Casale called the meeting to order at 7:00 PM

**PLEDGE OF ALLEGIANCE**

Mayor Casale led the Pledge of Allegiance

A moment of silence was observed for those who serve and have served in the United States military

**ROLL CALL**

Present:

Councilmembers George Mansfield, At Large (GM); Lee Kyriacou, At Large (LK); Terry Nelson, Ward One (TN); John Rembert, Ward Two (JR); Jodi McCredo, Ward Three (JM); Amber Grant, Ward Four (AG) and Mayor Randy Casale (RC) Total: 7, **quorum present**

Also Present:

City Administrator Anthony Ruggiero (AR); City Attorney Nick Ward-Willis (NWW)

**1<sup>ST</sup> OPPORTUNITY FOR PUBLIC COMMENT**

Speakers:

- Lou Amoroso spoke about the need for a guardrail at the bottom of Verplank Avenue; the height of the hedges at the corner of Rector St and Wolcott Ave, requested this go before the Traffic Safety Committee and questioned whether or not the tanks were removed from the site of the old gas station on Water Street

**COMMUNITY SEGMENT**

- Beacon Youth Police Academy Training program certification awards

**PUBLIC HEARING**

**Public Hearing on a local law to create Chapter 97 and amend Chapters 192 and 223 of the Code of the City of Beacon concerning Driveways**

- NWW explained the proposed Local Law
- There were no public comments.

- Motion made by JM, seconded by TN to **close the public hearing**. The motion was carried unanimously by voice vote.

**COUNCIL REPORTS**

- AG- Wednesday night August 29 at 8:00 PM at Green Street Park there will be a free showing of "Coco". Ward 4 polling place has changed to the First Presbyterian Church at 50 Liberty Street; Primary Elections are Thursday September 13th
- JR – nothing to report
- LK – apologized for delay in arrival; would like to workshop planning and parking on 9D – have Fishkill and Beacon discuss and treat train traffic as an event; a traffic plan for the train station in the Linkage District; common access on the creek-side of the Fishkill Creek District and access to Beacon Correctional
- GM – nothing to report
- JM – free movie night at Green Street Park; Back to School Block Party and the Corn Festival were great events, thanked everyone who put those events on
- TN – read an email from Donna DeLuca regarding parking and sight lines on Bank St (see attached)- this issue will be referred to the Traffic Safety Committee
- AR – nothing to report
- RC - on August 19 at 2:00PM ceremonies were held at the Old St. Joachim's Cemetery located on DePuyster Ave to honor Pvt. William B. Wilson, first Beaconite killed in WWI. applauded Bob

Murphy, town historian who gave a wonderful speech; thanked Bob and the Beacon Historical Society for the work they do; thanked the participants of the I Am Beacon Back to School Block Party and thanked Key Food for their donations; reminded the public that the public hearing on the Special Use Permit request for 21 South Avenue is September 4<sup>th</sup>; announced the free G-Line bus will be rebranded "B Free" and will start running on Wednesday if approved at tonight's County Supervisor's meeting 5:15 AM to 9:00 PM Monday (see attached for schedule), anyone can ride for free

#### LOCAL LAWS AND RESOLUTIONS

1. **A resolution to schedule a public hearing on September 4, 2018 to receive comment on proposed resolution to amend the language in Section 223-41.21 B of the Code of the City of Beacon concerning the Linkage District**
  - ▷ A motion was made by TN, seconded by JR to adopt. The motion was carried unanimously by voice vote.
2. **A resolution to schedule a public hearing on September 4, 2018 to receive public comment on a proposed local law to amend Chapter 211 of the Code of the City of Beacon concerning Stop Signs on Monell Place and adding No Parking to Dewindt and South Chestnut Streets**
  - ▷ A motion was made by GM, seconded by JM to adopt. The motion was carried unanimously by voice vote.
3. **A resolution to approve a memorandum of understanding for intermunicipal collaboration to promote sustainable water and wastewater systems**
  - ▷ A motion was made by TN to adopt, seconded by JR. The motion was carried unanimously by voice vote.
4. **A resolution authorizing the Mayor or City Administrator to sign an agreement authorizing and supporting the joint municipal land use review for the future redevelopment of the Beacon Correctional Facility**
  - ▷ A motion was made by JM to adopt, seconded by GM. The motion was carried unanimously by voice vote.
5. **A resolution awarding the contract for a Concentration Tanks Drive replacement to Rebuild-It Services Group, LLC.**
  - ▷ A motion was made by TN to adopt, seconded by GM. The motion was carried unanimously by roll call vote.
6. **A resolution awarding the contract for the South Ave Sidewalks Project to Ben Ciccone, Inc.**
  - ▷ A motion was made by GM, seconded by JM to adopt. The motion was carried unanimously by roll call vote.
7. **A resolution awarding the contract for the Churchill Parking Lot and Pocket Park Project to Butler Construction Group**
  - ▷ A motion was made by JR, seconded by GM to adopt. The motion was carried unanimously by roll call vote.

8. **A resolution awarding the contract for the Kristy Drive Storm Drainage Slip Lining to Skanex Pipe Services, Inc.**

- ▷ A **motion was made** by TN, seconded by JM **to adopt**. The **motion was carried** unanimously by roll call vote.

9. **A resolution amending Condition 6 of Schedule B on the deed for Lot 2 of the West End Lofts Project**

- ▷ A **motion was made** by GM, seconded by AG **to adopt**. The **motion was carried** unanimously by roll call vote.

**APPROVAL OF MINUTES**

- ▷ A **motion was made** by JR, seconded by AG **to approve** the minutes from August 6, 2018. The **motion was carried** unanimously by voice vote.

**BUDGET AMENDMENTS**

- ▷ A **motion was made** by AG, seconded by JR **to approve**. The **motion was carried** unanimously by roll call vote.

**2<sup>ND</sup> OPPORTUNITY FOR PUBLIC COMMENT**

Speakers

- ▷ Monica Maher spoke about the public bench located across from her house and asked questions about the housing being built on Wolcott.

**ADJOURNMENT**

- ▷ A **motion was made** by JR, seconded by GM to adjourn. **Motion was carried** unanimously by voice vote. **Meeting was adjourned.**

Next Council Meeting is Tuesday September 4<sup>th</sup> at 7:00 PM.

Next Council Workshop is August 27<sup>th</sup> at 7:00 PM.

A video recording of this meeting in its entirety can be found here -<http://www.cityofbeacon.org/Government/videos.htm>

Submitted by Lisa Edelson

From: Terry Nelson  
Sent: Tuesday, August 21, 2018 11:49 AM  
To: Lisa Edelson  
Subject: Fwd: Bank Street

Begin forwarded message:

From: Donna DeLuca <donna0182@optimum.net>  
Date: August 20, 2018 at 4:34:05 AM EDT  
To: tnelson@cityofbeacon.org  
Subject: Bank Street  
Good Morning Mr. Nelson:

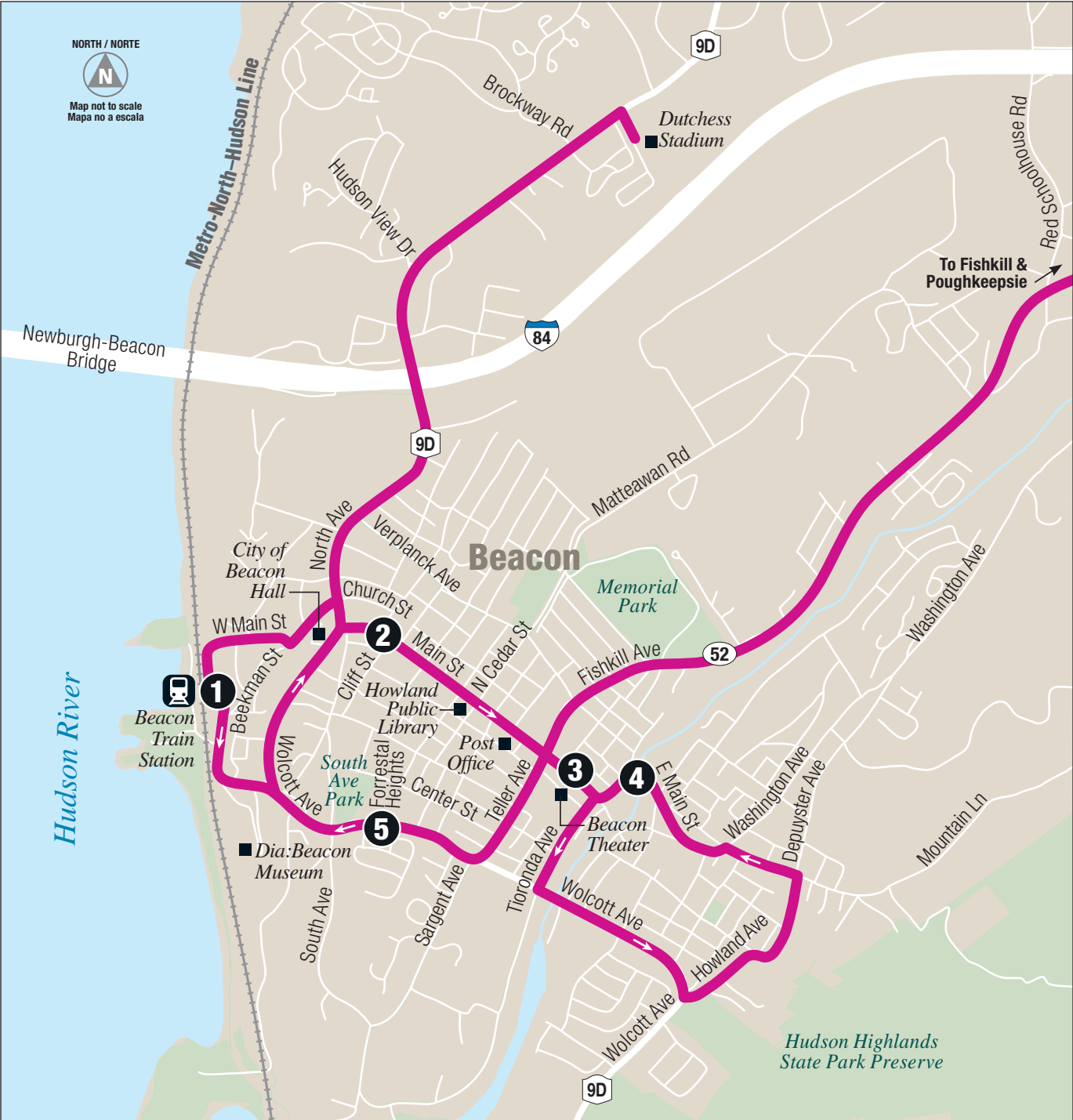
I was just looking over tonight's agenda and I see that the council is voting to schedule a public hearing regarding stop signs and parking rules. I see that Bank Street is on the list for a stop sign at the intersection of West Main Street, however, I would like to suggest "no parking here to corner" signs at the other end of Bank Street and where it intersects with Tompkins Avenue. I have attached a link to a video I took a year or so ago regarding the dangerous line of sight issue residents of our street face every morning. Because Bank Street is a shortcut to the train station, the morning hours are extremely dangerous not only for the line of sight issue (even when there aren't any vehicles parked at either corner) but also for the increased speed at which vehicles drive down Bank Street in an effort to catch the train. Bank Street is not a wide street. Cars have always "cut the corner" when coming down onto Bank Street (which, alone, is dangerous), however, when a car is parked at the top of Bank Street and/or parked where Bank intersects with Tompkins, it's just an accident waiting to happen.

Take a look at the video - it's not the best quality, but it gives you the idea of how dangerous the intersection is. If you have trouble with the video, let me know and I'll try to get it to you some other way.

<https://youtu.be/O5cSaioCjQ8>

Thank you!

Donna DeLuca  
28 Bank St  
Beacon, NY 12508



MONDAY–SATURDAY / LUNES–SABADO

Beacon City						
Stop #	Beacon Train Station (Departs) BEACON	Main St & Cliff St BEACON	Beacon Theater BEACON	East Main St & Main St BEACON	Forrestal Heights BEACON	Beacon Train Station (Arrives) BEACON
	1 201	2 71	3 203	4 205	5 70	1 201
AM	6:05*	6:11	6:14	6:19	6:24	6:28
	6:32	6:38	6:41	6:46	6:51	6:55
	6:55	7:01	7:04	7:09	7:14	7:18
	7:25	7:31	7:34	7:39	7:44	7:48
	7:50	7:56	7:59	8:04	8:09	8:13
	8:50	8:56	8:59	9:04	9:09	9:13
	9:15	9:21	9:24	9:29	9:34	9:38
	10:15	10:21	10:24	10:29	10:34	10:38
	10:44	10:50	10:53	10:58	11:03	11:07
	11:12	11:18	11:21	11:26	11:31	11:35
	11:40	11:46	11:49	11:54	11:59	12:03
	12:10**	12:18	12:21	12:26	12:31	12:35
PM	12:35*	12:43	12:46	12:51	12:56	1:00
	1:10	1:18	1:21	1:26	1:31	1:35
	1:40	1:48	1:51	1:56	2:01	2:05
	2:10	2:18	2:21	2:26	2:31	2:35
	3:32	3:40	3:43	3:48	3:53	3:57
	4:10	4:18	4:21	4:26	4:31	4:35
	4:42	4:48	4:51	4:56	5:01	5:05
	5:15	5:21	5:24	5:29	5:34	5:38
	5:42	5:48	5:51	5:56	6:01	6:05
	6:25	6:31	6:34	6:39	6:44	6:48
	6:50	6:56	6:59	7:04	7:09	7:13
	7:18	7:24	7:27	7:32	7:37	7:41
	7:45	7:51	7:54	7:59	8:04	8:08
	8:12	8:18	8:21	8:26	8:31	8:35
	8:47**	8:53	8:56	9:01	9:06	9:10

\* The 6:05 am and 12:35 pm trips depart the Intermodal Center at 5:28 am and 12:13 pm respectively.  
\*\*The 12:10 pm and 8:47 pm trips will return to Poughkeepsie via Route 9 North and Vassar Road.

