



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

November 5, 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.

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 amend Chapter 211 of the Code of the City of Beacon concerning parking on West Main Street
2. A resolution authorizing the execution of an agreement with The Noise Consultancy, LLC concerning the City of Beacon's Noise Ordinance
3. A resolution authorizing the execution of a Shared Services Agreement with the County of Dutchess for Central Purchasing Services
4. A resolution setting a public hearing for November 19, 2018 to receive public comment concerning the proposed 2019 Budget for the City of Beacon
5. A resolution setting a public hearing for November 19, 2018 to receive public comment on a proposed local law to delete Chapter 183 entitled "Signs" and to amend Chapter 223 Sections 15 and 63 of Code of the City of Beacon, concerning sign regulations in the City of Beacon
6. A resolution supporting the Dutchess County Local Law encouraging the use of reusable bags via the implementation of a surcharge on carryout disposable bags

Approval of Minutes:

- Approval of Minutes from October 15, 2018

Budget Amendments:

- Budget Amendments

2nd Opportunity for Public Comments:

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

Adjournment:

City of Beacon Council Agenda
11/5/2018

Title:

A resolution to amend Chapter 211 of the Code of the City of Beacon concerning parking on West Main Street

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso_LL West Main	Resolution
LL Parking_West Main	Local Law



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

**A RESOLUTION TO AMEND CHAPTER 211 OF THE CODE OF THE CITY OF
BEACON CONCERNING PARKING ON WEST MAIN STREET.**

BE IT RESOLVED, THAT THE BEACON CITY COUNCIL HEREBY adopts a local law to amend Chapter 211 of the Code of the City of Beacon concerning parking on West Main Street.

Resolution No. _____ of 2018 Date: <u>2018</u>							
<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					
Motion Carried							

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 parking
on West Main Street.

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

Section 1. Chapter 211, Section 17, Subsection B of the Code of the City of Beacon entitled “Time limit parking” is hereby amended as follows:

§211-17 Time limit parking.

- B. Time Limit Parking. In accordance with the provisions of Subsection A, no person shall park a vehicle for longer than the time limit shown upon any of the following described streets or parts of streets:

Name of Street	Side	Time Limit; Hours/Days	Location
Bank Street	East	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From West Main Street to Tompkins Avenue
Beekman Street	West	2 hours; all/all	From River Street to a point 200 feet south
Branch Street	North	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length

Buchanan Street	West	2 hours; 7:00 a.m. to 3:00 p.m./Mon. through Fri. during school session	Entire length
Conklin Street	South	2 hours	Between Fishkill Avenue and Mead Avenue
East Main Street		2 hours; 9:00 a.m. to 5:00 p.m.	From Main Street to Leonard Street
Eliza Street	Both	2 hours	From Main Street to Church Street
Ferry Street	North	4 hours/Mon. through Fri.	Entire length
High Street	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
Main Street	North	2 hours; 9:00 a.m. to 5:00 p.m./all	From Route 9D to North Street
Main Street	South	2 hours; 6:00 a.m. to 6:00 p.m./Mon. through Fri.	From a point 300 feet west of the intersection with Beekman Street to the westerly terminus of Main Street
Main Street	South	2 hours 9:00 a.m. to 5:00 p.m./all	From Route 9D to South Street
Main Street	South	4 hours 9:00 a.m. to 5:00 p.m./all	Diagonal parking from South Street to East Main Street
Main Street	West	No restrictions; all/all	From North Street to Herbert Street

Ralph Street	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
Riverfront Park	--	4 hours; all/Mon. through Fri.	Entire parking lot
River Street	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From West Main Street to Beekman Street
River Street	East	2 hours; all/all	From Beekman Street to Lower Main Street
Tilden Avenue	Both	2 hours; 7:00 a.m. to 3:00 p.m./Mon. through Fri. during school session	From Buchanan Street to Van Buren Street
Tompkins Avenue	Both	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length
Van Buren Street	Both	2 hours; 7:00 a.m. to 3:00 p.m./Mon. through Fri. during school session	Entire length
West Church Street	Both	4 hours; 6:00a.m. to 6:00 p.m./weekdays	Entire length
West Main Street	Both <u>North</u>	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	Entire length <u>From a point 270 feet west of the “no parking here to the corner” sign to the terminus of West Main Street</u>
<u>West Main Street</u>	<u>South</u>	<u>4 hours; 6:00 a.m. to 6:00 p.m./weekdays</u>	<u>From a point 260 feet west of the “no parking here to the corner” sign to the</u>

terminus of West
Main Street

West Main Street

North

30 minutes; all/all

To a point 270 feet
west of the “no
parking here to the
corner” sign

West Main Street

South

30 minutes; all/all

To a point 260 feet
west of the “no
parking here to the
corner” sign

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.

City of Beacon Council Agenda
11/5/2018

Title:

A resolution authorizing the execution of an agreement with The Noise Consultancy, LLC concerning the City of Beacon's Noise Ordinance

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso Noise Consultant	Resolution
Noise consultant estimate	Backup Material



CITY OF BEACON

CITY COUNCIL

Resolution No. _____ of 2018

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT
WITH THE NOISE CONSULTANCY, LLC CONCERNING THE CITY
OF BEACON'S NOISE ORDINANCE**

WHEREAS, the City of Beacon seeks to enter into an agreement with The Noise Consultancy, LLC. to assist in amending Chapter 149 of the Code of the City of Beacon,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Beacon hereby authorizes the execution of an Agreement with The Noise Consultancy, LLC. for the services described herein.

BE IT FURTHER RESOLVED, that the Agreement shall be subject to review and approval by the City Administrator and the City Attorney as to form and substance.

A resolution authorizing execution of agreement with The Noise Consultancy, LLC concerning the City of Beacon's Noise Ordinance

Resolution No. _____ of 2018			Date: <u>April 2, 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 J. Casale					
		Motion Carried					

THE NOISE CONSULTANCY, LLC

309 VAN NESTE ROAD
FLEMINGTON, NEW JERSEY 08822



(908) 237-0298

NOISECONSULTANCY@AOL.COM

WWW.NOISECONSULTANCY.COM

SENT VIA EMAIL

October 24, 2018

Anthony J. Ruggiero. M.P.A.
City Administrator
City of Beacon
One Municipal Plaza
Beacon, NY 12508

Dear Mr. Ruggiero,

This letter is in response to your request for a proposal to assist you in amending Beacon's Noise Code at Chapter 149, as we discussed on the phone yesterday. I've reviewed the proposed amendment to Chapter 149 and can see where its application could present practical difficulties.

As I noted in our phone conversation, in my capacity as President of the Noise Consultancy, I've assisted jurisdictions across the breadth of the US to amend or rewrite their noise ordinances. Please review my resume for a list of clients. I have also served as an expert witness in courts from New Orleans to New York City, including Federal Court.

In my capacity as Director of the Rutgers University Noise Technical Assistance Center, in the past 26 years I've trained maybe 8,000 noise enforcement investigators throughout the country from Alaska to Florida, as well as internationally. Thus, I am well aware of the capabilities of field enforcement officers.

Based upon our conversation, I will propose two approaches to offering my consulting services: as an hourly rate or as a comprehensive lump sum. Your decision may be based upon the extent of the services you desire.

HOURLY RATE: I can provide my services on an hourly basis, if you desire to perform much of the work in-house, with my assistance in reviewing that work. The rate for my services is \$220/hour, and travel is invoiced at \$165/hour. On-site consultation will be invoiced at \$1,800/day, plus travel.

INCLUSIVE PROPOSAL:

- One day of on-site consultation, scheduled at a mutually convenient date;
- Present an educational seminar on the basics of sound as it applies to noise regulation including: the various approaches to noise ordinances (i.e., nuisance ordinances v. performance ordinances) and the practical benefit/drawbacks to each approach, followed by

an open discussion to determine the specific desires of Beacon regarding what the jurisdiction desires to regulate or exempt from the ordinance;

- Tour the jurisdiction, specifically the problem areas;
- Conduct sound level measurements of problem sources &/or conduct a demonstration of the methodology of sound level measurement for enforcement purposes;
- Review whatever relevant documents are provided by the City of Beacon;
- Draft a new or amended Noise Ordinance, as appropriate, based upon all information gathered;
- Perform whatever redrafting is necessary, until the new or amended Ordinance is adopted, or declared legislatively dead;
- Remain available for consultation via phone or e-mail.

The inclusive price for these services is \$9,500. Expenses are additional, and would include, if necessary, a hotel.

Additional days of consecutive on-site consultation will be invoiced at \$1,400/day plus expenses. Additional days of non-consecutive on-site consultation will be invoiced at \$1,800/day plus travel time and expenses.

As you have expressed a desire to have some of your employees trained to conduct community noise enforcement investigations, I will submit a separate proposal from the Rutgers University Noise Technical Assistance Center for such services.

If you have any questions whatever regarding this proposal, please don't hesitate to call me.

I look forward to the possibility of working with the City of Beacon, and assisting you in your effort to deliver a better quality of life to your residents.

Sincerely,



Eric M. Zwerling, M.S., INCE, ASA
President

ERIC M. ZWERLING, M.S., INCE, ASA

Rutgers University Noise Technical Assistance Center
14 College Farm Road
New Brunswick, NJ 08901

The Noise Consultancy, LLC
309 Van Neste Rd
Flemington, NJ 08822

CURRENT POSITIONS

- 1991-Present *Director* – Rutgers Noise Technical Assistance Center
Department of Environmental Sciences
Rutgers - The State University of New Jersey
- 1999-Present *President* - The Noise Consultancy, LLC
Noise Consultant/ Expert Witness (Since 1992)
[Expert for the Defendants, City of New York Law Department -
United States District Court for the Southern District of New York]
- 1993-Present *Noise Enforcement Expert* - New Jersey Department of Environmental
Protection. Contracted (as Director of the RNTAC) to provide technical expertise
on noise related issues to the NJDEP and the State of New Jersey
- 1998-Present Committee Member - S12 Working Group 41, Model Community Noise
Ordinances. Acoustical Society of America
- 2001-Present Committee Member - Technical Study Group on Community Noise
Institute of Noise Control Engineering
- 1994-Present *Instructor* - "Community Noise" in 'Environment and Public Health Course,"
Rutgers Continuing Education Program, Cook College Office of Continuing
Professional Education.
- 1998-2011 *Instructor* - "Noise Hazards" in 'Fundamentals of Industrial Hygiene'.
University of Medicine and Dentistry of New Jersey, School of Public Health,
Office of Public Health Practice
- 1992-2005 *Adjunct Professor*- Rutgers University Department of Environmental
Sciences. Course: 375:336 'Community and Occupational Noise'
- 1998-2000 Commissioner - Franklin Township (NJ) Environmental Commission
- 2010-Present Board of Education, Chair – Green Committee
Readington Township, New Jersey
- 2017-Present Chair – Subcommittee
New Jersey State Noise Code NJAC 7:29 - Amendments
New Jersey Noise Control Council
New Jersey Department of Environmental Protection

PROFESSIONAL AFFILIATIONS

Member - Acoustical Society of America
Member – Institute of Noise Control Engineering

EDUCATION

ABD Ph.D. Candidate
Rutgers - the State University of New Jersey
Department of Environmental Sciences

Occupational Hearing Conservationist
Council for Accreditation in Occupational Hearing Conservation.

Graduate Certificate in Environmental Ethics -
Department of Philosophy, University of Georgia.

B.S., M.S. University of Georgia.

JURISDICTIONAL CERTIFICATIONS

Approved Noise Control Investigator
New Jersey Department of Environmental Protection
Pursuant to N.J.A.C. 7:29 -2.11(a)3

Approved Noise Consultant
New York City Department of Environmental Protection
Pursuant to N.Y.C.A.C. Section 24-231

Approved Instructor
State of Michigan
Department of Licensing and Regulatory Affairs
Bureau of Construction Codes

AWARDS

- 1997 *Advisor of the Year Award*
Rutgers College Student Activities Advisory Council
Faculty Advisor - Students for Environmental Awareness
- 2016 *Sustainable Raritan Award*
Outstanding Achievement in Public Education
Sustainable Raritan River Collaborative and Rutgers' Sustainable Raritan River Initiative

PUBLICATIONS

Zwerling, E.M. 2015. Proposed Noise Standard for Wind Turbine Generators on Farms.
State Agriculture Development Committee, New Jersey Department of Agriculture.

Zwerling, E.M, A. Myers, C. Shamoon. 2012. Analysis of the "Plainly Audible" Standard for Noise Ordinances. Proceedings of Inter- Noise 2012. Institute of Noise Control Engineering.

Zwerling, E.M., C. Shamoon. 2010. Proactive Regulation Engenders Creative Innovation - Quieting the Jackhammer. Proceedings of Noise-Con 2010. Institute of Noise Control Engineering.

Szulecki, S., E. Zwerling, C. Anderson, B. Turpin. 2010. Modeling with CadnaA to estimate the probability of awakening associated with train horns. Proceedings of Noise-Con 2010. Institute of Noise Control Engineering.

Zwerling, E.M., C. Anderson, S. Szulecki, F. Maimone, B. Turpin. 2009. Study of Train Noise in Teaneck, NJ. USEPA Agreement Number: X-83245701-0

Zwerling, E.M. 2005. Regulatory Scheme For Noise Enforcement In New Jersey . *Invited paper*. Journal of the Acoustical Society of America.V.118, No. 3, Pt 2 of 2, Sept. 2005, p. 1849.

Zwerling, E.M. 2004. Training as a Critical Component of Successful Noise Enforcement Programs. *Invited paper*. Journal of the Acoustical Society of America.V.115, No. 5, Pt 2 of 2, May 2004, p. 2568.

Zwerling, E.M. 2004. Noise Enforcement in Cities. *Invited paper*. Journal of the Acoustical Society of America.V.115, No. 5, Pt 2 of 2, May 2004, p. 2593.

Zwerling, E.M. 2002. Characteristics of Successful Local Noise Enforcement Programs. *Invited paper*. Journal of the Acoustical Society of America.V.112, No. 5, Pt 2 of 2, Nov. 2002, p. 2375.

Zwerling, E.M. 2002. Boom Car and Boom Box Code Drafting. The Quiet Zone. Spring 2002.

Zwerling, E.M. 2002. Hearing Protection. In *Encyclopedia of Public Health*, ed. Lester Breslow. Macmillan Reference USA.

Zwerling, E.M. 2001. Vehicle Enforcement. Rutgers Noise Technical Assistance Center. Developed for North Salem, NY

Zwerling, E.M. 2000. Regulation of Amplified Sound Sources. Proceedings of Noise-Con 2000. Acoustical Society of America / Institute of Noise Control Engineering. Newport Beach , CA. December 3-5, 2000 .

Zwerling, E.M. 2000. State of Michigan Model Noise Ordinance. Proceedings of Michigan Municipal League Annual Convention/ Michigan Association of Municipal Attorneys Annual Meeting. September 28-30, 2000 , Macinac Island , MI .

Zwerling, E. M. Contributing Editor. 1991-Present. Community Noise Enforcement. Rutgers Noise Technical Assistance Center.

Zwerling, E. M. Contributing Editor. 1998. Vehicle Sound Reproduction Enforcement. Rutgers Noise Technical Assistance Center. Developed for the City of Rochester, New York

Zwerling, E.M. 1997. Community Noise Enforcement: A Mature Technology. Hearing Rehabilitation Quarterly. 22:4, 4-8+.

Zwerling, E.M., D. Pinto, P. Hanna, J. Lepis, B. Turpin. 1997. Local Noise Enforcement Options and Model Noise Ordinance *With Pre-Approved Language for the State of New Jersey* . Rutgers Cooperative Extension Publication #E215.

Zwerling, E.M. 1997. Community Noise Infosheet. Environmental and Occupational Health Sciences Institute. Public Education and Risk Communication Division.

Zwerling, E.M. 1996. Turning Down the Volume: Effective Strategies for Community Noise Enforcement. The Police Chief. V. 63, Dec. 53-59.

Zwerling, E. M. & B. J. Turpin. 1996. Community Noise Enforcement: Reviving a Moribund Program or Developing One Anew. Proceedings of Noise-Con 96, The 1996 National Conference on Noise Control Engineering. 955-960.

Zwerling, E.M. 1996. Community Noise Pollution Certification and Assistance. Home page for Rutgers Noise Technical Assistance Center. <http://www.envsci.rutgers.edu/org/rntac/>

RESEARCH PROJECTS (at Rutgers University, as P.I. or Co-P.I.)

"Assistance Regarding Noise Standards for Wind Turbines on Farms," Granting Agency: New Jersey State Agricultural Development Commission (SADC), 2011 - 2015.

"Assistance Regarding Noise Standards for Photovoltaic Installations on Farms," for New Jersey State Agricultural Development Commission (SADC), 2010.

"Railroad Noise in Teaneck, New Jersey" Granting Agency: United States Environmental Protection Agency, 2005 - 2009.

"Road Noise Educational Outreach Program," Granting Agency: New Jersey Department of Transportation, 2002.

CONFERENCE PRESENTATIONS

Community Noise Control: Reviving a Moribund Program or Creating One Anew. International Code Council 2013 Conference. Atlantic City, NJ. September 30, 2013.

Emerging Noise Issues: Emergency Generators and Beach Bars. *Invited Presentation*. New Jersey Environmental Health Association Annual Public Health Conference. Atlantic City , NJ March 5, 2013.

Must we regulate civility? Yes, unfortunately. But, is it effective? *Invited lecture*. stillspotting () nyc . Guggenheim Museum. New York City. October 9, 2012.

Analysis of the "Plainly Audible" Standard for Noise Ordinances. Proceedings of Inter- Noise 2012. Institute of Noise Control Engineering. August 22, 2012.

Proactive Regulation Engenders Creative Innovation - Quieting the Jackhammer. *Invited Paper*. Proceedings of Noise-Con 2010. Institute of Noise Control Engineering. Baltimore, MD, April 20, 2010.

Environmental Health and Noise: Issues and Answers. *Invited Presentation*. New Jersey Environmental Health Association Annual Public Health Conference. Atlantic City , NJ March 3, 2008.

Noise Primer For Legal Professionals. *Invited Presentation*. New York State Bar Association Environmental Law Section Fall Meeting. Saratoga Springs , New York . October 13, 2007.

How to Control Noise Pollution in Your Community. *Invited Presentation*. 90th Annual Conference - New Jersey State League of Municipalities. Atlantic City , NJ November 15, 2005.

Regulatory Scheme for Noise Enforcement in New Jersey . *Invited Paper*. 150th Meeting - Acoustical Society of America . Minneapolis , MN October 17-21, 2005.

Noise Enforcement in Cities. *Invited Paper*. 147th Meeting - Acoustical Society of America . New York , New York May 24-28, 2004.

Training as a Critical Component of Successful Noise Enforcement Programs. *Invited Paper*. 147th Meeting - Acoustical Society of America . New York , New York May 24-28, 2004.

Community Noise Impacts. *Invited Presentation*. Topics in Public Health. New Jersey Department of Health and Senior Services. April 16, 2003.

Characteristics of Successful Local Noise Enforcement Programs. *Invited Paper*. First Pan-American/Iberian Meeting on Acoustics. Jointly Sponsored: Acoustical Society of America , the Iberoamerican Federation of Acoustics and the Mexican Institute of Acoustics. Cancun , Mexico .Dec 2-6, 2002.

Community-Based Environmental Noise Management, *Invited Panelist*; The Role of State and Local Governmental Agencies in Noise Abatement and Control, *Invited Panelist*. Inter-Noise 2002, The 2002 International Congress and Exposition on Noise Control Engineering. Dearborn , MI Aug. 19-21, 2002.

Community Noise Regulation and Enforcement: Theory and Practice. American Association of Code Enforcement. 4th Semi-Annual Education Conference. Bowie , MD. May 1-3, 2002.

Regulation of Amplified Sound Sources. Noise-Con 2000. Acoustical Society of America/Institute of Noise Control Engineering. Newport Beach , CA. December 3-5, 2000.

Writing and Enforcing a Noise Ordinance. Michigan Municipal League Annual Convention. Nuts and Bolts of Writing a Noise Ordinance. Michigan Association of Municipal Attorneys Annual Conference. Macinac Island , MI , September 28-30, 2000.

Municipal Noise Regulation - Theory and Practice. International Municipal Lawyers Association, Mid-Year Seminar. Washington , D.C. April 9-11, 2000.

Effective Strategies for Community Noise Enforcement:

Michigan Municipal League 9th Annual Education Conference. Mt. Pleasant, MI.
March 11, 1998.

The Association of Towns of the State of New York , Annual Meeting,
Educational Training Courses. New York City , February 16, 1998 .

American Association of Code Enforcement 8th Annual Business and Educational Conference. Hagerstown, MD, October 20-25, 1997.

Community Noise Enforcement: Reviving a Moribund Program or Developing One Anew. Noise-Con '96, The 1996 National Conference on Noise Control Engineering, Seattle, WA, September 29-October 2, 1996.

NOISE ENFORCEMENT CERTIFICATION COURSES TAUGHT

Community Noise Enforcement
Vehicular Noise Enforcement
Vehicle Sound Reproduction Enforcement
Motor Sports Ordinance Enforcement
Octave Band Analysis for Enforcement Purposes

New Jersey :

Certification and recertification - every three months, 1991 to present.

On-Site:

New Rochelle, NY; Jacksonville, FL (five times); Long Beach, NY (three times); Everett, WA; St. Augustine, FL (three times), Seattle, WA (three times); Fairfax County, VA (twice); Neptune Beach, FL; Gainesville, FL; Anchorage, AK (twice); Binghamton, NY (twice); Washington State Association of Code Enforcement (three times); Ft. Collins, CO; Shelter Island, NY (four times); New York City, NY [NYC DEP, NYPD, NYC Parks, NYC DDOC] (eight times); Rochester, NY; Newport, RI; Plattekill, NY; Traverse City, MI (three times); Prince George's County, MD; East Hampton, NY (twice); College Park, MD (twice); DeKalb County, GA (four times); Twinsburg, OH; Sandusky, OH; North Salem, NY; Honolulu, HI; Lafayette, LA (twice); Philadelphia, PA (twice); Barbados, West Indies (twice); Freeport, NY (twice); Collier County, FL (three times); MASS DEP; Walton County, FL (three times); Montgomery County, MD (twice); Greenville County (SC); Vancouver B.C. (three times); Panama City Beach, FL (twice); Matanuska-Susitna Borough, AK; Union, OH; Ithaca, NY (three times); Rehoboth Beach, DE; Southampton, NY (twice); Union, OH; Mercer County (NJ) Parks Department

ON-SITE ORDINANCE DEVELOPMENT WORKSHOPS

Lafayette, LA; Traverse City, MI; Plattekill, NY; St. Augustine, FL; Charleston County, SC; Lansing, MI; DeKalb County, GA; Walton County, FL; Overland Park, KS; Greenville County, SC; Decatur, AL; Yonkers, NY; Ossining, NY; Newport RI; Monroe County, FL; Fort Lauderdale, FL; Panama City Beach, FL

PARTIAL LIST OF CLIENTS

City of New York Law Department; City of Philadelphia Law Department, Environmental & Regulatory Compliance Division; U. S. State Department; City of New York Police Department; Bergen County (NJ) Utilities Authority; New York City Department of Environmental Protection; New York State Office of Attorney General; McDonald's Corporation, Lafayette (LA) Consolidated Government; McGlinchey Stafford (New Orleans); Gaeta Recycling, Inc.; National Ecology; Browning Ferris Industries; Township of Manalapan (NJ); Kansas State Legislature; Readington

Township (NJ); City of Lansing (MI); City of Tacoma (WA); City of St. Augustine (FL); Atlantic Development and Management Corp.; CareMatrix Corporation; County of Charleston (SC); DeKalb County (GA); Greenville County (SC); Ethicon, Inc.; City of Yonkers (NY); Walton County (FL); City of Overland Park (KS); City of Newport (RI); City of Ossining (NY); Franklin Township (NJ); Alliance to Save Southern Ulster's Rural Environment; Roche Molecular Systems; Wheelabrator, Inc.; Monroe County (FL); City of Juneau (AK); Township of Branchburg (NJ); City of Eugene (OR); Union County United (PA); City of Fort Lauderdale (FL); City of Panama City Beach (FL); Stop & Shop Supermarket Company; Track Racket (Millville, NJ); Green Lawn Cemetery (Columbus, OH); Nissan Motor Company, Ltd.; City of Union (OH); City of Ithaca (NY); SA Engineering; Upper Deerfield Township (NJ); Serra Toyota (Traverse City, MI); City of Norwalk (CT), Coronet Inc.

City of Beacon Council Agenda
11/5/2018

Title:

A resolution authorizing the execution of a Shared Services Agreement with the County of Dutchess for Central Purchasing Services

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso_shared services	Resolution
Shared services agreement	Backup Material

CITY OF BEACON

CITY COUNCIL

Resolution No. _____ of 2018

**RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES
AGREEMENT WITH DUTCHESS COUNTY FOR CENTRAL
PURCHASING SERVICES**

WHEREAS, by Resolution No. 2016290, the Dutchess County Legislature authorized the County Executive, or his designee, to enter into a shared services contract with any city, town, village, school district or other unit of local government who requested that the County assist it with certain central purchasing services, and

WHEREAS, the City of Beacon has requested that the County of Dutchess assist it with central purchasing services;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Beacon hereby authorizes the execution of a Shared Services Agreement with the County of Dutchess for the services described herein.

BE IT FURTHER RESOLVED, that the Agreement shall be subject to review and approval by the City Administrator and the City Attorney as to form and substance.

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					
Motion Carried							

Exhibit “A”

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, by and between the **COUNTY OF DUTCHESS**, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the “COUNTY”) and City of ? , a municipal corporation, whose address is ? (hereinafter referred to as the “_____”).

WITNESSETH:

WHEREAS, Section 3.01(g) of the Dutchess County Administrative Code permits the County Executive, or his designee, to “upon the request of any city, town, village, school district or other unit of local government, provide central purchasing services for all or part of its purchases, upon such conditions as may be prescribed by the County Legislature”, and

WHEREAS, by Resolution No. 2016290, the Dutchess County Legislature authorized the County Executive, or his designee, to enter into a shared services contract with any city, town, village, school district or other unit of local government who requested that the County assist it with certain central purchasing services, and

WHEREAS, by Resolution No. 2016290, the Dutchess County Legislature has prescribed conditions under which Dutchess County can provide central purchasing services to other units of local government, in that Dutchess County is permitted to: (1) write and prepare request for bids and proposals, (2) post prepared requests for bids and proposals in newspapers on the internet, and (3) evaluate vendors’ bids and proposals to assure they meet specifications, and

WHEREAS, the (UNIT OF LOCAL GOVERNMENT) has requested that the County of Dutchess assist it with central purchasing services, and

WHEREAS, General Municipal Law Section 119-o authorizes municipal corporations and districts to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a contract basis, and

WHEREAS, General Municipal Law §119-n defines “municipal corporation” as a county outside the City of New York, a town, a village, a board of cooperative educational services, fire district, or a school district, and defines a “municipal district” as a county or town improvement district, among other things, and

WHEREAS, this Agreement is intended to be used for municipal corporations and municipal districts who have requested assistance from the County with central purchasing services,

NOW, therefore, it is mutually agreed by and between the parties hereto as follows:

1. SCOPE OF SERVICES. The County agrees to furnish (UNIT OF LOCAL GOVERNMENT) with central purchasing services as follows (Check one or more):

- (1) assist in the writing and preparation of request for bids and proposals,
- (2) post prepared requests for bids and proposals in newspapers on the internet, and
- (3) assist in the evaluation of vendors' bids and proposals to assure they meet specifications

2. TERM OF AGREEMENT. This Agreement shall be effective_____, 20_ and shall terminate on_____, 20____, unless otherwise terminated as set forth herein.

3. PAYMENT. As full and complete consideration for the services so rendered, the Municipality agrees to pay the County \$60.00 an hour.

4. LIABILITY.

- (a) County: The County shall assume liability for, defend against, and secure the (UNIT OF LOCAL GOVERNMENT) from all cost or damages for injury to persons or property, or death, caused by the negligent acts of any employees of the County. The County maintains general liability insurance and shall name the (UNIT OF LOCAL GOVERNMENT) as additional insured on such policies for the services provided under this Agreement.
- (b) The (UNIT OF LOCAL GOVERNMENT) shall assume liability for, defend against, and exempt the County from all costs or damages for injury to persons or property, or death, caused by the negligent acts of the (UNIT OF LOCAL GOVERNMENT), its employees, servants or agents arising out of the performance of this Agreement..

5. PERSONNEL.

- (a) Employee Status: For purposes of this Agreement only, all persons employed by the County in providing central purchasing services to the (UNIT OF LOCAL GOVERNMENT) shall be County officers or employees, and they shall not have any benefit, status or right of (UNIT OF LOCAL GOVERNMENT) employment.
- (b) Payment: The (UNIT OF LOCAL GOVERNMENT) shall not be liable for the direct payments of salaries, wages or other compensation to County officers or employees providing central purchasing services to the (UNIT OF LOCAL GOVERNMENT) under this Agreement.
- (c) All County employees performing services under this Agreement shall be deemed employees of the County for purposes of the Workers' Compensation Law and the (UNIT OF LOCAL GOVERNMENT) shall not be responsible for the payment of any benefits thereunder.

6. NON-ASSIGNMENT. (a) This Agreement may not be assigned by the (UNIT OF LOCAL GOVERNMENT) nor its right, title or interest therein assigned, transferred, conveyed, sublet or disposed of without the previous written consent of the County.

7. TERMINATION. (a) *Without cause*. The County may terminate this Agreement upon ten (10) days' prior written notice to the (UNIT OF LOCAL GOVERNMENT) of its intent to terminate without cause.

(b) *With cause*. The County may terminate this Agreement effective immediately, with subsequent written notice to be given to the (UNIT OF LOCAL GOVERNMENT) of termination with cause.

8. NON-WAIVER. Failure of either party to exercise any rights under this Agreement for a breach thereof shall not be deemed a waiver thereof or a waiver of any subsequent breach.

9. SEVERABILITY. If any provision of this Agreement shall be held unenforceable, the rest of the Agreement shall nevertheless remain in full force and effect.

10. CHOICE OF LAW, VENUE. Any dispute arising directly or indirectly out of this Agreement shall be determined pursuant to the laws of the State of New York. The parties hereby choose the New York State Supreme Court, Dutchess County as the forum for any such dispute.

11. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration but must instead be heard in accordance with the Paragraph above entitled "Choice of Law, Venue".

12. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which shall be an original and shall constitute the same Agreement.

13. RULES OF CONSTRUCTION. This contract shall be deemed to have been mutually prepared by the parties hereto and shall not be construed against any of them solely by reason of authorship.

14. ENTIRE AGREEMENT. The terms of this Agreement, including its attachments and exhibits, represent the final intent of the parties. Any modification, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the ____ day of _____, 20__.

APPROVED AS TO FORM:

ACCEPTED: COUNTY OF DUTCHESS

County Attorney's Office

APPROVED AS TO CONTENT:

BY: _____
Marcus J. Molinaro
County Executive

(UNIT OF LOCAL GOVERNMENT)

BY: _____

Print Name _____

Title _____

City of Beacon Council Agenda
11/5/2018

Title:

A resolution setting a public hearing for November 19, 2018 to receive public comment concerning the proposed 2019 Budget for the City of Beacon

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso_PH_Budget 2019	Resolution



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

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER 19, 2018 TO
RECEIVE PUBLIC COMMENT ON THE PROPOSED 2019 BUDGET FOR
THE CITY OF BEACON, NEW YORK**

BE IT RESOLVED that the City of Beacon hereby schedules a public hearing for November 19, 2018 at 7:00 p.m. at City Hall, One Municipal Plaza, Beacon, New York 12508 to receive public comment concerning the proposed 2019 Budget for the City of Beacon, New York.

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"/> 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						
Motion Carried								

City of Beacon Council Agenda
11/5/2018

Title:

A resolution setting a public hearing for November 19, 2018 to receive public comment on a proposed local law to delete Chapter 183 entitled "Signs" and to amend Chapter 223 Sections 15 and 63 of Code of the City of Beacon, concerning sign regulations in the City of Beacon

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso_PH_signs LL	Resolution
Signs LL	Local Law
Chart for sign local law	Backup Material



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

**RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER 19,
2018 TO RECEIVE PUBLIC COMMENT ON A PROPOSED LOCAL LAW TO
DELETE CHAPTER 183 ENTITLED “SIGNS” AND TO AMEND CHAPTER 223
SECTIONS 15 AND 63 OF CODE OF THE CITY OF BEACON, CONCERNING
SIGN REGULATIONS IN THE CITY OF BEACON**

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby schedules a public hearing to receive public comment on a proposed A LOCAL LAW to delete Chapter 183 entitled “Signs” and to amend Chapter 223 Sections 15 and 63 of Code of the City of Beacon, concerning sign regulations in the City of Beacon

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"/> 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							
Motion Carried									

DRAFT LOCAL LAW NO. ____ OF 2018

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO
DELETE CHAPTER 183 AND AMEND
CHAPTER 223 SECTIONS 15 AND 63 OF THE
CODE OF THE CITY OF BEACON

A LOCAL LAW to
deleted Chapter 183
entitled “Signs” and to
amend Chapter 223
Sections 15 and 63 of
Code of the City of
Beacon, concerning sign
regulations in the City of
Beacon.

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

Section 1. Chapter 183 of the Code of the City of Beacon entitled “Signs” is hereby deleted in its entirety.

Section 2. Chapter 223, Section 63 of the Code of the City of Beacon entitled “Definitions” is hereby amended to add the following definitions:

SIGN

Any material, structure or device, or part thereof, composed of lettered or pictorial matter which is located out of doors, or on the exterior of any building, including window signs located within 18 inches of the window surface and intended to be viewed from the exterior of the building, displaying an advertisement, announcement notice or name, and includes sign frames, billboards, signboards, painted wall signs, hanging signs, illuminated signs, fluttering devices or projecting signs, and shall include any declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person or business or cause when the same is placed in view of the general public. A sign for the purposes of this section does not include works of art, including murals or other works of art, approved by the Planning Board.

~~Any structure or part thereof, or any device attached thereto or painted thereon, or any material or thing, illuminated or otherwise, which displays or includes any numeral, letter, work, model, banner, emblem, light, device, trademark or other representation used as an announcement, designation, direction, display or advertisement of any person, firm, group, organization, commodity, service, profession or enterprise when placed in such~~

~~manner that it provides visual communication to the general public out of doors, but not including the following:~~

- ~~A. Signs maintained or required to be maintained by law or governmental order.~~
- ~~B. The flag or insignia of any government or governmental agency.~~
- ~~C. The flag of any civic, political, charitable, religious, fraternal or similar organization, which is hung on a flagpole or mast.~~
- ~~D. Religious or other seasonal holiday decorations which do not contain commercial lettering, wording, designs, symbols or other devices.~~

SIGN AREA

Where a sign consists of a single board or face with information on one or both sides, the area which results by including the outside dimensions of such sign, not including the vertical, horizontal or diagonal supports which may affix the sign to the ground or to a structure or building unless such supports are evidently designed to be part of the sign as defined herein. Where a sign consists of several individual faces, the area shall be the total of the area of all such faces which can be observed from any one point. Where the sign consists of individual letters or symbols attached to or painted on any building, window, or part thereof, the area shall be considered to be that of the smallest basic geometric shape (rectangle, triangle or circle) which encompasses all of the letters, symbols and/or any background of a different color than the color of the building.

SIGN, AWNING

Any visual message incorporated in an awning attached to a building. This sign type does not include canopies over gas pumps.

SIGN, BANNER

Any sign constructed of fabric or other flexible material. Flags are not considered banner signs.

SIGN, BILLBOARD

Any sign, other than an exempt sign, which advertises or otherwise directs attention to a business, commodity, service, industry or other activity which is not, or is only incidentally, sold, offered or conducted at the real property at which such sign is located.

SIGN, FREESTANDING

Any sign independent of any building but permanently affixed, by any other means, to the ground.

SIGN, LAWN

Temporary freestanding signs placed or inserted on the ground.

SIGN, PROJECTING

Any sign which is attached perpendicular to a building or other structure and extends 12 inches beyond the line of the building or structure or beyond the surface of that portion of the building or structure to which it is attached.

SIGN, ROOF

A sign erected on a roof or extending in height above the cornice or projecting eave of the roofline of the building on which the sign is erected.

SIGN, SANDWICH BOARD

A two-sided hinged sign, portable in nature and capable of standing without support or attachment. The area of a sandwich board sign shall be the total area of one face of the sandwich board sign.

SIGN, TEMPORARY

A banner, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the Building Inspector, or his or her designee, to be displayed for a limited period of time of no more than six months in a twelve month period.

SIGN, WALL

Any painted sign or poster or any surface or place that may be affixed to the front, side or rear walls of any building.

SIGN, WINDOW

A type of sign applied onto or attached to the inside or outside of a window or a transparent door or within 18 inches of the window or transparent door surface.

Section 3. Chapter 223, Section 15 of the Code of the City of Beacon entitled "Signs" is hereby amended as follows:

§ 223-15 Signs.

A. Purpose. The purpose of this section is to promote and protect the public health, safety and welfare by regulating signs of all types within the City of Beacon. This section is intended to protect property values, create a more attractive economic and business climate, ensure pedestrian and vehicular safety, enhance and protect the physical appearance of the community and preserve the scenic and natural beauty of the City.

B. Objectives. These regulations also serve to achieve the following objectives:

- (1) Ensure right to free speech as protected under the Constitution;
- (2) Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community;

- (3) Provide structures and uses with effective means of identification while reducing visual clutter through the prevention of excessive and confusing sign displays;
- (4) Reduce traffic conflicts or hazards by minimizing visual distractions or obstacles in or visible from the public rights-of-way;
- (5) Minimize the adverse effect of signs on nearby public and private property;
- (6) Avoid personal injury and property damage from unsafe or confusing signs; and
- (7) Establish a clear and impartial process for those seeking to install signs.

C. Conformity required. No sign or billboard shall be erected, constructed, displayed, maintained, moved, reconstructed, extended, enlarged or altered, except in conformity with and expressly authorized by the provisions of this chapter.

D. Permit required.

- (1) Unless specifically exempted from obtaining a permit under the provisions of this section, no person shall erect, construct, replace, relocate or structurally alter any sign within the City without first obtaining a sign permit from the Building Inspector and paying the required fee to the City Clerk. The repainting, repairing, changing of parts or sign facing, and maintenance of signs shall not require the issuance of a sign permit provided such maintenance, change or alteration does not in any way alter the size, illumination or location of the sign on the property.
- (2) Submission of a permit application shall be on a form issued by the Building Department and the application fee shall be set forth in the City of Beacon Fee Schedule. The application shall include plans and/or specification of the sign, including the dimensions, materials and details of construction of the proposed sign.
- (3) If a sign is not erected within six months following the issuance of a sign permit for said sign, the sign permit will automatically become void.

~~A. Relationship to a permitted use. All signs must pertain to a use conducted on the same property on which they are located.~~

~~B. Signs in residence districts. In residence districts, the following signs are hereby authorized:~~

- ~~(1) One identification sign stating the name and address of the resident or property or the number of the lot, not exceeding one square foot in area.~~
- ~~(2) One identification sign announcing any profession or occupation permitted~~

~~as an accessory use on the lot, not exceeding one square foot of area.~~

~~(3) For other permitted uses, one sign at each street frontage where the use has an access drive, provided that the total area of such sign does not exceed 50 square feet.~~

~~(4) Temporary signs in accordance with Subsection F below.~~

~~(5)(1) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion.~~

E. Prohibited Signs.

~~(1) Signs that contain words or pictures of an obscene or pornographic nature.~~

~~(2) Signs that emit audible sounds, odor or visible matter.~~

~~(3) Signs placed on a curb, sidewalk, hydrant, utility pole, trees or other objects located on or over any public street, public property or within any public right-of-way, unless otherwise permitted. The City reserves the right to remove any sign placed on public property without notice.~~

~~(4) Portable signs, including signs that are mounted on wheels or mounted on any structure on wheels, but not including permitted sandwich board signs.~~

~~(5) Signs with mirrors or any other reflective material.~~

~~(6) Roof signs.~~

~~(7) Billboards.~~

~~(8) Signs that are mechanically, digitally or electronically animated.~~

~~(9) Inflated signs, wind-animated banners, tethered balloons, and projected images.~~

F. Signs exempt from permit requirements. The following signs are exempt from the permit requirements of this section. Unless otherwise limited below, such exempt sign shall not exceed four feet in height and shall not exceed six square feet in sign area per sign. Each exempt sign must comply with all other provisions of this section.

(1) Any official sign, public notice, or warning sign prescribed by federal, state or

- local law, including but not limited to signs erected and maintained pursuant to and in discharge of any government functions. The sign must comply with the size restrictions set forth herein, unless otherwise prescribed by federal, state or local law.
- (2) Identification signs stating the name and address of the resident or property or the number of the lot, not exceeding two square feet in area.
 - (3) One nonilluminated secondary window signs communicating accessory information such as hours of operation, "in" or "out" signs, and totaling no more than one square foot in size.
 - (4) Temporary nonilluminated window signs in non-residential uses. The total amount of signage shall not exceed 20% of the total window surface area. Temporary window signs shall include signs that identify special events and sales.
 - (5) Nonilluminated signs used for the purpose of selling, renting or leasing land or buildings, and displayed only on the premises for sale or lease. No such signs shall exceed four feet in height or six square feet in area, shall be limited to one per premises, and shall be removed immediately upon sale, rental or lease of the premises. The top of the sign shall be no more than six feet off the ground. The sign shall be placed at least five feet from all property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
 - (6) One nonilluminated construction sign not exceeding six square feet in area identifying the parties involved in the design, financing and/or provision of labor and materials associated with the labor on the premises where the sign is located, but not including the advertisement of any product. Such sign shall be removed prior to the issuance of a certificate of occupancy authorizing the initiation of intended use of the premises. The sign shall be placed at least five feet from all property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
 - (7) Flags of any nation or state, and seasonal flags shall not require a sign permit. Flags shall not exceed 20 square feet.
 - (8) Historical markers, monuments or signs as approved by local, state or federal authorities.
 - (9) One nameplate or sign not exceeding two square feet for home occupation and home professional offices uses.
 - (10) Lawn signs on any lot without a permit provided that the sign does not exceed three feet in height and three square feet in area. The aggregate area of all lawn signs on any lot shall not exceed 16 square feet. The top of the lawn sign shall be no more than five feet off the ground. The lawn sign shall be placed at least

five feet from all property lines and shall not be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow. Such signs are to be nonilluminated and shall be displayed for a limited period of time of no more than six months in a twelve month period. Law signs must be removed within seven calendar days after the event for which they are displayed.

- (11) Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space, such as an athletic field, where such sign is not legible beyond the property lines.

C.G. Sign regulations in ~~residence~~ all districts.

- (1) ~~Animation. No sign shall be mechanically animated, such as moving, rotating or revolving.~~
- (2) Setback. All signs shall be located within the setback lines of the lot or on the building, unless otherwise permitted.
- (3) Repair. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.-
- (4) Illumination. Permitted signs may be internally or externally illuminated, unless otherwise prohibited, except by means of a neon-type electric material, provided that such illumination shall not be twinkling, flashing, intermittent, or of changing degrees of intensity or projected outward from the property onto adjacent properties or public rights-of-way and provided that the source of such illumination shall not be visible beyond the boundaries of the lot on which it is located. Notwithstanding the above, neon, LCD-fluorescent and LED signs shall not be permitted for any residential use, but may be permitted in nonresidential districts, unless otherwise prohibited. All illumination shall be focused downward from above, shall create no direct glare and shall light only the sign area.
- (5) Placement. No sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
- (6) No sign shall be placed in a location that would cause a violation of the provisions of the Americans with Disabilities Act.

H. Signs for residential uses.

- (1) No sign for a residential use, including exempt signs under § 223-15G, shall be placed above the first floor.
- (2) The aggregate sign area of all signs with permits on any lot shall not exceed 16 square feet.

- (3) A subdivision, apartment or multi-family housing development consisting of more than 15 dwelling units may display freestanding identification sign at each street entrance to the development, designating only the name of the development, the address and name of the owner and the names of any buildings located therein, provided that the maximum sign area of said sign shall not exceed 24 square feet and shall not be more than six feet in height. The top of the sign shall be no more than eight feet off the ground. Such sign shall maintain at least a five foot setback from all property lines.

D.I. ~~Signs in for nonresidence districts~~nonresidential uses. In nonresidence districts,
~~the following signs are hereby permitted for nonresidential uses:~~authorized:

- (1) Not more than one sign affixed to the outer wall of the structure within which the permitted use is situated, which outer wall faces the principal street giving access to such structure, provided that:
 - (a) ~~The aggregate area of each such sign shall not exceed one square foot for each linear foot of building facing the street.~~
 - (a)(b) The aggregate area of all signs with permits on any lot shall not exceed two square feet for each linear foot of a building facing the street.
 - (b)(c) ~~No such sign shall exceed two feet in height, except that a vertical projecting wall sign shall not exceed eight feet in height or ten square feet. A vertical projecting wall sign is defined as any sign which is attached to the building wall or structure which is perpendicular to the face of such wall or structure.~~
 - (e)(d) ~~No sign shall project above the eaves of the building on which it is affixed or, if no eaves exist thereon, the roof, nor shall any wall sign extend more than six inches from the building into any required yard.~~
 - (d) ~~No sign shall face an abutting residential zoning district if located within 50 feet of such district.~~
 - (e) ~~Vertical p~~Projecting wall signs shall not have more than two faces.
 - (f) The exterior edge of a ~~vertical~~ projecting wall sign shall not extend more than ~~five six~~ feet from the outer wall of the structure ~~or 1/3 the width of the sidewalk, whichever is less.~~
 - (g) No part of a ~~vertical~~ projecting wall sign shall extend into vehicular traffic areas, and any part over pedestrian areas shall have a minimum clearance of seven feet, six inches.
- (2) Not more than one freestanding sign facing each street on which the lot abuts,

provided that:

- (a) The building is set back ~~not less than~~ at least 50 feet from the street line, in which case the sign shall not exceed 20 square feet in area.
 - (b) The building is set back ~~not less than~~ at least 100 feet from the street line, in which case the sign shall not exceed 35 square feet in area.
 - (c) ~~No dimension shall exceed 12 feet. The top of the sign shall be no higher than 16 feet off the ground.~~
- ~~(3) Permanent window signs. The total amount of signage shall not exceed 20% of the total window surface area and shall not exceed four feet in height and 16 square feet in area.~~
- ~~(4) Awning signs. One sign for each premise shall be allowed. The area of such sign shall not exceed 20% of the area of the awning.~~
- ~~(5) Sandwich board signs. A single sandwich board sign shall be permitted on any lot provided that such sign does not exceed three feet in height and six feet in area. All sandwich board signs shall be brought in each day at the close of business. Signs shall not be placed in such a way as to obstruct property sight distance or otherwise interfere with pedestrian or traffic flow. A pedestrian clearway of at least six feet shall be maintained in a pedestrian walkway, a pedestrian clearway of at least eight feet shall be maintained whenever possible.~~
- ~~(3)(6) One identification sign, not exceeding 10 square feet in area, to the outer wall of the structure facing upon a street or parking lot not faced by a sign as permitted in Subsection E(1) above.~~
- ~~(4)(7) In addition to other permitted signs, necessary small directional signs are permitted on access roads and parking areas, provided that the area of each sign shall not exceed two square feet.~~
- ~~(5)(8) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion.~~
- ~~(6) Temporary signs in accordance with Subsection F below.~~

E.J. Signs in the Historic District and Landmark Overlay Zone. All signs in the Historic District and Landmark Overlay Zone shall be approved by the Planning

Board pursuant to § 134-6.

F.K. Temporary signs.

- (1) All signs of a temporary nature must receive permits before being displayed, except those specified in 123-15G.
 - (2) Requirements. Any proposed temporary sign shall conform to the following:
 - (a) Such sign shall not exceed four feet in height and 32 square feet in area for any non-residential use. The top of the temporary sign shall be no more than 16 feet off the ground.
 - (b) Such sign shall not exceed four feet in height and 32 square feet in area for any residential use. The top of the temporary sign shall be no more than six feet off the ground.
 - (c) Such sign shall not be displayed for more than six months in a twelve month period.
 - (d) Such sign shall not be illuminated.
 - (e) Such sign shall maintain at least a five foot setback from all property lines.
 - (f) Such sign shall be placed in such a way as to not obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.
 - (3) Banners shall be permitted as temporary signs and shall be subject to the provisions set forth above.
- ~~(i.) A temporary sign is a nonilluminated sign that is used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, such as signs displayed during campaigns, drives or events of civic, political, philanthropic, educational or religious institutions. If such sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as "temporary." Unless otherwise provided in this section, signs shall not be considered temporary if they are effectively displayed on an ongoing basis, interrupted by short intervals when they are not displayed. Temporary signs shall not require a permit under this section, unless located in the public right-of-way or on public property.~~
- ~~(2) Temporary signs must be removed by the individual or organization which posted, or caused to be posted, such temporary signs within seven calendar~~

~~days after the event for which they are displayed, unless otherwise provided in this section.~~

- ~~(3) No temporary sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.~~
- ~~(4) The following temporary signs shall be permitted in all districts, unless otherwise provided in this section:~~
 - ~~(a) Not more than one temporary sign for each street frontage of the lot, identifying the architect, engineer and/or contractor, and not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts, shall be permitted during the course of construction only.~~
 - ~~(b) One "for sale" or one "to let" sign not exceeding six square feet in area for a single lot, or 50 square feet in area for a real estate subdivision, and set back at least 15 feet along the frontage of the street upon which the property is located. A "sold" sign shall not be displayed for more than 30 calendar days.~~
 - ~~(c) Signs indicating that a special event such as a grand opening, fair, carnival, circus, festival or similar event is taking place on the lot where the sign is located, not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts, and limited to one sign for each street frontage of the lot. The sign shall not be posted sooner than two weeks prior to the special event and shall be removed by the individual or organization which posted, or caused to be posted, such sign within three calendar days following the special event.~~
 - ~~(d) Sidewalk signs with no more than two faces, including but not limited to sandwich boards, in nonresidence districts, or in any other district provided the sign is located on Route 52 (Fishkill Avenue and Teller Avenue) or Route 9D (North Avenue and Wolcott Avenue), not exceeding one sign per business and not exceeding two feet in width and three feet in height. Sidewalk signs may be displayed on an ongoing basis, but shall not be displayed between the hours of 11:00 p.m. and 6:00 a.m., shall not include banners, and shall not be tethered. Sidewalk signs shall be located in the front of the business for which the sign is displayed, unless the business is located on a corner lot in which case the sign may be located to the side of the business, or unless the business maintains a rear entrance in which case the sign may be located to the rear of the business.~~
 - ~~(e) Signs for tag, garage or yard sales, not exceeding six square feet.~~

~~(f) Signs conveying a nonpolitical, noncommercial message, not exceeding 40 square feet in area in nonresidence districts and six square feet in residence districts and limited to one sign for each street frontage of the lot.~~

~~(g)(a) Political posters, banners, promotional devices and similar political signs.~~

~~G. Sign regulations in nonresidence districts.~~

~~(1) Illumination. Permitted signs may be internally or externally illuminated, provided that such illumination shall not be twinkling, flashing, intermittent, of changing degrees of intensity or projected outward from the property onto adjacent properties or public rights of way and provided that the source of such illumination shall not be visible beyond the boundaries of the lot on which it is located. Notwithstanding the above, neon, LCD and LED signs may be permitted.~~

~~(2) Placement. No sign shall be located so as to obscure any signs displayed by public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow.~~

~~(3) Setback. Unless otherwise specified, all signs shall be located within the setback lines of the lot or on the building.~~

~~(4) Repair. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.~~

~~(5)(1) Animation. No sign shall be mechanically animated, such as moving, rotating or revolving.~~

~~H. Temporary signs in the public right of way and on public property.~~

~~(1) Permit required. In all districts, no temporary signs shall be erected in the public right of way or on public property without a permit, unless specifically exempted below.~~

~~(2) Exceptions. The following signs shall not be subject to the issuance of a permit:~~

~~(a) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.~~

~~(b) Temporary emergency warning signs erected by a governmental body, public utility company or contractor doing authorized or permitted work within the public right of way, provided that such signs shall be located outside of the public vehicular and pedestrian travel ways and~~

~~shall be placed so as not to create any nuisance or threat to public safety.~~

~~(c) Bus stops erected by a public transit company.~~

~~(d) Informational signs of a public utility regarding its poles, lines, pipes or facilities.~~

~~(3) Permit standards. The Building Inspector or his duly authorized designee shall issue a permit within a reasonable period of time following receipt of a complete permit application for the placement of a temporary sign in the right-of-way or on public property, provided the following conditions are satisfied:~~

~~(a) Submission of a permit application on a form issued by the Building Department and payment of the application fee as set forth in the City of Beacon Fee Schedule.~~

~~(b) No sign shall be placed in a location that would cause a violation of the provisions of the Americans with Disabilities Act, as may be amended from time to time.~~

~~(c) All signs must comply with the provisions of Subsection F, above.~~

~~(d) No sign shall be located so as to obscure any signs displayed by a public authority, nor shall any sign be placed in such a way as to obstruct proper sight distance or otherwise interfere with pedestrian or traffic flow or means of egress.~~

~~(e) The necessity of surety bonds and/or insurance shall be determined by the Building Inspector or his duly authorized designee. If it is determined that such surety bond and/or insurance is necessary, the amount of such surety bond and/or insurance shall be determined by the Building Inspector or his duly authorized designee, in his/her sole discretion, as may be necessary to defray any expense of liability from the City. Surety bonds and/or insurance policies shall be approved as to form by the City Attorney.~~

~~(f) Permits for sidewalk signs shall be valid for one year from the date of issuance and shall not be transferrable.~~

L. Nonconforming signs.

(1) All nonconforming signs for residential uses shall be removed or brought into compliance within three years of the adoption date of this section.

(2) All nonconforming temporary signs shall be removed or brought into compliance within 90 days of the adoption date of this section.

- ~~(3) Any nonconforming sign for a residential use that is removed from its position or siting and not replaced in-kind within 30 days shall be presumed to be abandoned and discontinued and may not be restored or re-erected except in compliance with this section.~~
- ~~(4) No nonconforming sign may be altered in any way that would increase its nonconformity with the regulations of this section, including but not limited to area, height, setback and illumination.~~
- ~~(1)(5) Nothing herein shall be deemed to prevent maintaining a nonconforming sign in good repair and safe condition.~~

F.M. Violations.

- (1) Noncompliance with any of the foregoing provisions shall constitute an offense, punishable as provided for in § 1-3, General penalty. When a person has received written notice from the Building Inspector or has been served with a summons and complaint in an action to enjoin continuance of any violation, each day in excess of 10 days thereafter that he shall continue to be guilty of such violation shall constitute an additional, separate and distinct offense.
- (2) Any temporary sign installed or placed, except in conformance with the requirements of this section, shall be subject to removal. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal of such signs in accordance with the administrative fee set forth in the City of Beacon Schedule of Fees. The fee shall be paid by the individual or entity retrieving the signs from the City. The City shall dispose of the sign(s) after five calendar days from the removal of the sign(s) by the City.
- (3) The display of any sign at a location containing the name or address of a person or entity and a commercial message relating to such person or address shall be presumptive evidence that such person installed, created, erected and maintained the sign at the location where it was displayed. This presumption shall be subject to rebuttal by competent evidence.

Section 4. Ratification, Readoption and Confirmation

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

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 therefrom.

Section 6. Effective Date

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

DRAFT

Proposed Draft Sign Regulations For the City of Beacon Nonresidential Uses

NONRESIDENTIAL USES Aggregate area of each sign not to exceed 1 sq. ft. for each linear ft. of building facing the street Aggregate area of all signs on any lot not to exceed 2 sq. ft. for each linear ft. of building facing the street	Allowed (no permit required) (Not to exceed 4 ft. in height and 6 ft. in sign area, unless specified below)	
	Sign Type	Size and other Restrictions
	Official Sign, Public Notice, Warning Sign	The sign must comply with the size restrictions set forth herein, unless otherwise prescribed by federal, state or local law.
	Identification	Not to exceed 4 sq. ft. in area
	Nonilluminated secondary window sign ("in" or "out" sign")	1 sign allowed, not exceed 1 sq. ft. in area
	Temporary nonilluminated window sign	Total signage shall not exceed 20% of the total window surface area.
	Nonilluminated Real Estate	1 sign allowed, shall not exceed 4 ft in height or 6 sq. ft. in area. The top of the sign shall be no more than 6 ft off the ground.
	Nonilluminated Construction	Not exceeding 6 sq. ft. in area
	Flags	Not exceeding 20 sq. ft
	Historical Markers	As approved by local, state or federal authorities.
	Nameplates of Sign for Home Occupation/Professional Office	1 nameplate, not exceeding 2 sq. ft.,
	Lawn Signs	Lawn signs allowed, not to exceed 3 ft. in height and 3 sq. ft. in area. The aggregate area of all lawn signs shall not exceed 16 sq. ft. The top of the lawn sign shall be no more than 5 ft off the ground. Signs shall be nonilluminated and shall be displayed for a limited period of time of no more than 6 months in a 12 month period. Must be removed 7 days after the event.

Proposed Draft Sign Regulations For the City of Beacon

Nonresidential Uses

NONRESIDENTIAL USES Aggregate area of each sign not to exceed 1 sq. ft. for each linear ft. of building facing the street Aggregate area of all signs on any lot not to exceed 2 sq. ft. for each linear ft. of building facing the street	Allowed With A Permit	
	Sign Type	Size and other restrictions
	Projecting Wall	No more than 2 faces, not to exceed 8 ft. in height and 10 sq. ft. in area
	Freestanding	Building is set back at least 50 ft., sign shall not exceed 20 sq. ft. in area Building is set back at least 100 ft., sign shall not exceed 35 sq. ft. in area Top of the sign shall be no higher than 16 ft. from the ground
	Permanent Window Sign	Aggregate area shall not exceed 20% of the total window surface and shall not exceed 4 ft. in height
	Awning Sign	1 per lot, area shall not exceed 20% of the area of the awning.
	Sandwich Board	1 sign, not to exceed 3 ft. in height and 6 ft. in area, brought in after close of business. A pedestrian clearway of at least six feet shall be maintained in a pedestrian walkway, a pedestrian clearway of at least eight feet shall be maintained whenever possible.
	Temporary	Not to exceed 4 ft. in height and 32 sq. ft. in area; not to be illuminated. The top of the lawn sign shall be no more than 16ft. off the ground. Such sign shall not be displayed for more than 6 months in a 12 month period.
	Banners	Permitted as temporary on private property

Proposed Draft Sign Regulations For the City of Beacon Residential Uses

RESIDENTIAL USES Aggregate of all signs on any lot not to exceed 16 sq. ft. No sign, including exempt signs, shall be placed above the first floor.	Allowed (no permit required) (Not to exceed 4 ft. in height and 6 ft. in sign area)	
	Sign Type	Size and other Restrictions
	Official Sign, Public Notice, Warning Sign	The sign must comply with the size restrictions set forth herein, unless otherwise prescribed by federal, state or local law.
	Identification	Not to exceed 4 sq. ft. in area
	Nonilluminated Real Estate	1 sign allowed, shall not exceed 4 ft in height or 6 sq. ft. in area. The top of the sign shall be no more than 6 ft off the ground.
	Nonilluminated Construction	Not exceeding 6 sq. ft. in area.
	Flags	Not exceeding 20 sq. ft.
	Historical Markers	As approved by local, state or federal authorities.
	Nameplates of Sign for Home Occupation/Professional Office	1 nameplate, not exceeding 2 sq. ft.,
	Lawn Signs	Lawn signs allowed, not to exceed 3 ft. in height and 3 sq. ft. in area. The aggregate area of all lawn signs shall not exceed 16 sq. ft. The top of the lawn sign shall be no more than 5 ft off the ground. Signs shall be nonilluminated and shall be displayed for a limited period of time of no more than 6 months in a 12 month period. Must be removed 7 days after the event.

Proposed Draft Sign Regulations For the City of Beacon Residential Uses and Historic District

	Allowed With A Permit	
	Sign Type	Size and other restrictions
	One identification sign for subdivisions, apartments or multi-family developments that contain more than 15 dwelling units	At the entrance, not to exceed 24 sq. ft. in area
	Temporary	Not to exceed 4 ft. in height and 32 sq. ft. in area; not to be illuminated. The top of the lawn sign shall be no more than 6 ft. off the ground. Such sign shall not be displayed for more than 6 months in a 12 month period.
RESIDENTIAL USES Aggregate of all signs on any lot not to exceed 16 sq. ft. No sign, including exempt signs, shall be placed above the first floor.	Banners	Permitted as temporary
Historic District¹	All	Approval by Planning Board Required, temporary signs are exempt

¹ Under Section 134-6 of the City Code, a certificate of appropriateness from the Planning Board is required for signs, including signs exempt from permit requirements under the proposed local law. Only the installation of a temporary sign does not require a certificate of appropriateness.

City of Beacon Council Agenda
11/5/2018

Title:

A resolution supporting the Dutchess County Local Law encouraging the use of reusable bags via the implementation of a surcharge on carryout disposable bags

Subject:

Background:

ATTACHMENTS:

Description	Type
Reso_disposable bags	Resolution
DC Disposable bags LL	Local Law



CITY OF BEACON
CITY COUNCIL
RESOLUTION NO. _____ OF 2018

**A RESOLUTION TO SUPPORT THE DUTCHESS COUNTY LOCAL LAW ENCOURAGING
THE USE OF REUSABLE BAGS VIA THE IMPLEMENTATION OF A SURCHARGE ON
CARRYOUT DISPOSABLE BAGS**

WHEREAS Dutchess County is concerned about the deleterious effects resulting from the inability to recycle plastic bags; and

WHEREAS the City Council shares the concerns of Dutchess County and acknowledges that plastic bags are problematic for the environment; and

WHEREAS the City Council encourages and requests that the Dutchess County Legislature adopt and enact this proposed law.

NOW, THEREFORE, BE IT RESOLVED, that the Beacon City Council hereby supports the Dutchess County Local Law encouraging the use of reusable bags via the implementation of a surcharge on carryout disposable bags.

BE IT FURTHER RESOLVED, that the City Clerk shall send this resolution to the Dutchess County Legislature and County Executive.

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					
Motion Carried							

L Aid ON DESKS 10/9/18
GOVERNMENT SERVICES & ADMINISTRATION

RESOLUTION NO.

RE: LOCAL LAW NO. ____ of 2018, A LOCAL LAW ENCOURAGING THE USE OF
REUSABLE BAGS VIA THE IMPLEMENTATION OF A SURCHARGE ON
CARRYOUT DISPOSABLE BAGS

Legislators PAGE, ZERNIKE, EDWARDS, LLAVARIAS, JETER-JACKSON, and TYNER
offer the following and move its adoption:

RESOLVED, that the Legislature of the County of Dutchess adopt Local Law No.
_____ of 2018 which has been submitted this day for consideration by said Legislature.

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with
the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13th day of November 2018, and that
the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of November 2018.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

LOCAL LAW NO. ____ of 2018

RE: A LOCAL LAW ENCOURAGING THE USE OF REUSABLE BAGS VIA THE IMPLEMENTATION OF A SURCHARGE ON CARRYOUT DISPOSABLE BAGS

BE IT ENACTED by the County Legislature of the County of Dutchess, State of New York as follows:

SECTION 1. Legislative Findings and Intent.

The Dutchess County Legislature hereby finds as follows:

- A. Data released by the United States Environmental Protection Agency shows that between five hundred billion and one trillion plastic bags are consumed worldwide each year; and
- B. Plastic bags do not biodegrade; over time, the bags break down into smaller, more toxic petro-polymers which eventually contaminate soils, waterways, plant, and animal life; and
- C. Plastic bags can have a devastating effect on wildlife; birds can become entangled in the bags and different species of sea life can die from ingesting plastic bags which they mistake for food; and
- D. Plastic shopping bags are made from polyethylene, a thermoplastic made from oil. Accordingly, reducing the use of plastic bags will decrease our dependence on fossil fuels; and
- E. Less than ten percent of plastic bags are recycled, in part, due to the fact that it costs more to recycle a bag than to produce a new one; and
- F. Recycling plants face significant costs associated with plastic bags, with related costs at the Republic recycling plant located in the City of Beacon running well above one hundred thousand dollars annually; and
- G. Americans consume more than ten billion paper bags each year and fourteen million trees are cut down yearly for the manufacturing of paper; and
- H. Paper production requires large amounts of water, energy, and chemicals and can emit toxic and hazardous chemicals into the air and water; and
- I. The nation's paper industry generates more than twelve million tons of solid waste every year; and
- J. The following municipalities in New York have already passed legislation aimed at limiting the use of disposable bags: Village of East Hampton, Town of East Hampton, Village of Southampton, Town of Southampton, City of Rye, Village of Larchmont, Village of Mamaroneck, Hastings on Hudson, Village of New Paltz, Town of New Castle, Village of Patchogue, New York City, City of Long Beach, Suffolk County, Town of Bedford, Town of Lewisboro, Village of Pleasantville; and

- K. The first survey conducted in Suffolk County, NY after their January 1, 2018, introduction of a five cent fee on all carryout bags found a thirty-seven percent increase in the use of reusable bags (from six percent of those surveyed before the introduction of the fee to forty-three percent of those surveyed after its introduction), and a forty-one percent reduction in shoppers choosing to use plastic bags (from seventy-one percent pre-fee to thirty percent post-fee); and
- L. There is evidence that a larger fee on disposable bags has a greater impact on reducing their use. For example, Ireland's twenty-two European cent levy has resulted in a ninety-five percent reduction in plastic bag use;

THEREFORE, this Legislature concludes that in lieu of enacting a total ban of plastic bags, the County of Dutchess should instead require stores to charge a ten cent (\$0.10) fee on all carryout bags. If this approach fails to reduce the use of plastic bags by at least seventy percent, the idea of an outright ban may be revisited at a later date; and

THEREFORE, the purpose of this local law is to encourage consumers in Dutchess County to use their own reusable bags for shopping by requiring not less than a ten cent (\$0.10) charge on carryout bags that are provided at retail stores.

SECTION 2. Definitions.

As used in this law, the following terms shall have the meanings indicated:

"CARRYOUT BAG" shall mean any bag that is provided by a covered store to a customer at the point of sale and is used to carry goods from such store, provided, however, that such term shall not include any of the following: (i) a bag without handles used to carry produce, meats, poultry, fish, dairy, dry goods or other non-prepackaged food items to the point of sale within a covered store or to prevent such food items from coming into direct contact with other purchased items; (ii) a bag provided by a pharmacy to carry prescription drugs; (iii) a garment bag; or (iv) any other bag exempted from the provisions of this local law.

"COVERED STORE" shall mean an establishment engaged in the retail sale of personal, consumer, or household items including but not limited to drug stores, pharmacies, grocery stores, supermarkets, convenience stores, foodmarts, apparel stores, home center and hardware stores, stationery and office supply stores, and food service establishments located within grocery stores, supermarkets, convenience stores, or foodmarts, that provide carryout bags to customers in which to place purchased items. This term does not include food service establishments located outside of grocery stores, supermarkets, convenience stores, or foodmarts.

"FOOD SERVICE ESTABLISHMENT" shall mean a place where prepared food is provided for individual portion service directly to a consumer whether consumption occurs on or off the premises.

“PERSON” shall mean any natural person, firm, corporation, partnership, or other organization or group however organized.

“RETAIL SALES” shall mean the transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sales, farmers’ markets, and flea markets. The term “retail sales” does not include sales of goods at yard sales, tag sales, and other sales by residents at their homes.

“REUSABLE CARRYOUT BAG” shall mean a bag with handles that is specifically designed and manufactured for multiple reuse and is either: (1) made of cloth or other machine washable material, but not film plastic; or (2) made of durable plastic that is at least 2.25 mils thick. Reusable carryout bags provided to customers pursuant to this local law shall be conspicuously labeled as reusable.

SECTION 3. Carryout bag fee.

- A. Covered stores shall charge a fee of not less than ten cents for each carryout bag provided to any customer. All fees collected by a covered store under this local law shall be retained by the store. Covered stores shall separately itemize the fee charged pursuant to this local law on the standard receipt provided to customers.
- B. No covered store shall charge a fee for, or prevent a customer from using, any carryout bag brought by the customer to such store to carry purchased goods from such store.

SECTION 4. Additional obligations of covered stores.

- A. Paper carryout bags provided by covered stores to customers shall contain a minimum of forty percent post-consumer recycled content and be conspicuously labeled with the amount of post-consumer recycled content.
- B. Plastic carryout bags provided by covered stores to customers labeled as “compostable” must be certified as compliant with the ASTM D6400-12 standard specification for labeling of plastics designed to be aerobically composted in municipal or industrial facilities or other standard determined by the Dutchess County Department of Behavioral and Community Health. Plastic carryout bags provided by covered stores to customers shall not be labeled as “biodegradable,” “degradable,” or “decomposable.”
- C. Covered stores may provide their customers with reusable carryout bags free of charge for a two-week period from December 1, 2019, to December 31, 2019. In addition, covered stores may provide their customers with reusable carryout bags free of charge for a two-week period each year from December 1 to December 15.

SECTION 5. Reporting.

No later than March 1, 2021, and annually thereafter, the Commissioner of the Dutchess County Department of Behavioral and Community Health and the head of any other department or office designated by the Legislature, shall prepare an annual recycling report that includes information on the progress of single-use carryout bag reduction including but not limited to: (1) the general effectiveness of this local law in reducing the use of single-use carryout bags in the county and increasing the use of reusable carryout bags; (2) the waste and litter reduction benefits of this local law, including, where practicable, the amount of single-use plastic bags in the waste stream; (3) the number of notices of violation issued pursuant to this local law; and (4) any cost savings for the county attributable to single-use carryout bag reduction such as reduced contamination of local waterways or reduction in flooding or combined sewer overflows.

SECTION 6. Deduction from Employee Wages Prohibited.

Covered stores are prohibited from making a charge against, or deduction from, the wages of an employee to offset any penalty addressed against the covered store pursuant to this law.

SECTION 7. Enforcement.

This law shall be enforced by the Dutchess County Department of Behavioral and Community Health in accordance with the provisions of Article II, Section 2.1 et seq., of the DUTCHESS COUNTY SANITARY CODE.

SECTION 8. Rules and Regulations.

The Commissioner of the Department of Behavioral and Community Health is hereby authorized and empowered to promulgate rules and regulations necessary to enforce this law.

SECTION 9. Penalties for Offences.

Any violation of this law shall be punishable by a civil fine of Five Hundred (\$500.00) dollars for each.

SECTION 10. Effect of other Laws, Regulations.

This law will not impair or supersede any ordinance, resolution or local law enacted by a village or town within the County of Dutchess which prohibits retail stores operating within their jurisdiction from distributing or providing plastic and/or paper bags to their customers.

SECTION 11. Reverse Preemption.

This law shall be null and void on the day that Statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in

the event that a pertinent State or federal administrative agency issues and promulgates regulations preempting such action by the County of Dutchess. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

SECTION 12. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

SECTION 13. Severability.

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

SECTION 15. Effective Date.

This law shall take effect on January 1, 2020.

City of Beacon Council Agenda
11/5/2018

Title:

Approval of Minutes from October 15, 2018

Subject:

Background:

ATTACHMENTS:

Description
Minutes_Oct_15

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 Councilmember Lee Kyriacou, At Large (LK); George Mansfield, At Large (GM); 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) and Dutchess County Legislator Nick Page (NP)

1ST OPPORTUNITY FOR PUBLIC COMMENT

Speakers:

- Air Nonken-Rhodes submitted a letter on behalf of the Conservation Advisory Committee (CAC) and spoke about need for a Climate-smart Community Coordinator.
- Dennis Pavelock spoke about Beacon Historical Society's Ghost Tours and Blackburn Avenue sidewalk.
- Theresa Kraft spoke about a Historic Preservation Commission and the RFP for the Beacon Women's Correctional Facility

PUBLIC HEARING

- **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 30-minute parking on West Main Street**

Speakers: none

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

- **A public hearing to receive public comment on a proposed resolution authorizing the submission of the fiscal year 2019 Dutchess County Community Development Block Grant Program application for Green Street Park improvements**

Speakers:

- § Tessa Dean read and submitted a letter recommending the Park retain its current character
- § Dennis Pavelock shared comments and concerns about the Green Street Park
- § Jeff Burke spoke about One Nature's proposal not fitting the current uses
- Motion made by TN, seconded by GM to **close the public hearing**. The motion was carried unanimously by voice vote.

- **A public hearing to receive public comment on a proposed resolution authorizing the submission of the fiscal year 2019 Dutchess County Community Development Block Grant Program application for Wilkes Street Sewer Slip Lining**

Speakers: none

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

COUNCIL REPORTS

- AG- read comments from a constituent on Green Street Park. Thanked all who shared opinions.
- JR – thanked those who shared comments.
- LK – would like to finish the rezoning – use in the individual zones and finish the Historic Properties list.
- GM – shared reminder about the Tenant and Landlord Rights Forum.

- JM – echoed earlier comments about the Beacon Correctional RFP, requested a working group be formed to improve sidewalks and sidewalk safety for kids walking to school and reminded people about the Pumpkin Festival.
- TN – met with the new management of Tompkins Terrace and found them to be more proactive; has received several emails about Airbnbs that are still operating and asked about the course of action to address this.
 - AR stated a letter or email needs to be sent to the Building Dept.
- NP – County to reopen conversation on weekend Ferry service; urged City action on the recycling crisis – put forward a bill to put a surcharge on paper and plastic bags; costs to remove plastic bags from machinery locally costs over \$100,000, send comments to npage@dutchess.ny.gov
- RC – announced forum on tenants' rights being held by City on 10/17 at 7pm. Spoke about what to do for heat issues in rentals; thanked Southern Dutchess Cruisers for the Car Show, thanked public works and police departments for their help during the event
- AR – RFP for Beacon Correctional Facility is not the City's but the State's, interested parties must register on Empire State Development's website, all information is available on the City's website www.cityofbeacon.org

LOCAL LAWS AND RESOLUTIONS

1. **A resolution authorizing the Submission of the Fiscal Year 2019 Dutchess County Community Development Block Grant Program application for Green Street Park Improvements**
 - A motion was made by AG, seconded by JM to adopt. The motion was carried unanimously by roll call vote.
2. **A resolution authorizing the submission of the fiscal year 2019 Dutchess County Community Development Block Grant program application for Wilkes Street Sewer Slip Lining**
 - A motion was made by TN, seconded by JR to adopt. The motion was carried unanimously by roll call vote.
3. **A resolution to adopt a Local Law to amend Chapter 223, Article IVE, Section 41.21 of the Code of the City of Beacon regarding the Linkage District Regulations for Uses that require a Special Permit**
 - A motion was made by JR, seconded by GM to adopt. The motion was carried unanimously by roll call vote.
4. **A resolution to adopt a Local Law to amend Chapter 223, Section 61.3 of the Code of the City of Beacon concerning Public Notice Signs**
 - A motion was made by TN, seconded by AG to adopt. The motion was carried unanimously by roll call vote.
5. **A resolution granting an Amended Special Use Permit to Beacon Lofts and Storage, LLC at 39 Front Street**
 - A motion was made by GM, seconded by JR to adopt. The motion was carried unanimously by roll call vote.
6. **A resolution authorizing entering into a Right-of-Way Easement Agreement with Central Hudson Gas & Electric and Verizon New York, Inc. for City property located on Cross Street**
 - A motion was made by JR, seconded by GM to adopt. The motion was carried unanimously by roll call vote.
7. **A resolution authorizing a Stormwater Management Facility Inspection and Maintenance Easement Agreement regarding 123 Rombout Avenue**
 - A motion was made by TN, seconded by AG to adopt. The motion was carried unanimously by roll call vote.
8. **A resolution awarding the contract for the Fairview Tank Replacement to Statewide Aquastore, Inc**
 - A motion was made by JR, seconded by GM to adopt. The motion was carried unanimously by roll call vote.
9. **A resolution to award the contract for the Removal and Disposal of Sludge from a Digester at the City of Beacon Wastewater Treatment Facility to Spectraserv**
 - A motion was made by JR, seconded by TN to adopt. The motion was carried unanimously by roll call vote.

10. Resolution to Certify Base Percentages and Proportions for the 2018 Assessment Roll Pursuant to Article 19 of the Real Property Tax Law

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

11. Resolution re: Certiorari Settlement - Mtr. of Continental Healthcare VIII Limited Partnership v. Board of Assessors of the City of Beacon, et al. (Sup. Ct. Dutchess Co. Index Nos. 51760/17 and 52144/18) - Settlement of 2017 and 2018 Tax Certiorari Proceedings

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

12. A resolution to amend and replace the City's existing policy regarding sexual harassment

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

APPROVAL OF MINUTES

- ▷ A **motion was made** by AG, seconded by JM **to approve** the minutes from October 1, 2018. The **motion was carried** unanimously by voice vote.

2ND OPPORTUNITY FOR PUBLIC COMMENT

Speakers - none

Next Council Meeting is Monday November 5, 2018 at 7:00 PM.

Next Council Workshop is October 29, 2018 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

Google Maps 21 W Main St



Image capture: Sep 2017 © 2018 Google

Beacon, New York

Google, Inc.

Street View - Sep 2017



From: [Amber J. Grant](#)
To: [Beacon City Council](#); [Mark Price](#)
Subject: Fwd: Green Street Park
Date: Monday, October 15, 2018 12:59:22 PM

FYI

Get [Outlook for iOS](#)

----- Forwarded message -----

From: "Phoebe Zinman Winters" <writetomoi@gmail.com>
Date: Mon, Oct 15, 2018 at 11:37 AM -0400
Subject: Green Street Park
To: "Amber J. Grant" <agrant@cityofbeacon.org>

Hi All,

I just wanted to let you all know that myself and all of my neighbors that I have spoken to would like to voice our very enthusiastic support of the One Nature proposal to transform Green St Park into what the community has been asking for for years! Their plan is wonderful and a continuation of some efforts to rally the city behind better investment into one of its most beautiful public spaces.

A couple years back I threw a fundraiser for Green Street Park and we raised money to buy trees to plant and then cleaned up and organized the storage closet and bathrooms and threw a neighborhood party to celebrate. Below is a copy of the email that I sent after that party, showing what the community was hoping to have at that time. It is very closely aligned with what the proposal from One Nature. Please do make this decision to create a park that we could all be so proud of!

Thank you,
Phoebe

Hi all,

I wanted to write and tell you about a really successful neighborhood park party we had a couple months back to get all the neighbors of Green Street Park out enjoying the park, meeting each other and celebrating the painted shed/bathrooms. We also wanted to see what people would like to see happen in Green Street Park since it's such a gem in Beacon in terms of open space, beautiful

views, great neighbors and lots of potential. Last year we raised nearly \$700 having a benefit dance party at Quinn's and used that money to buy and plant two trees and purchase some of these party supplies and things for the shed. Nearly 100 people showed up to play on the playground, shoot some hoops, make giant bubbles, bring potluck dishes and enjoy some music set up and played by neighbors. It was awesome! I'm including a couple of photos, as well as the complete wish list of what people would like to see happen at the park. I left in some of the more fantastical ones (roller coaster!) but there are a number of ideas that are very within reach: shade, benches, picnic area, safer parking, nature play and water feature/splash pad.

One wish has already been fulfilled as Wee Play has purchased sprinklers and set up a volunteer rotation to create some summer morning sprinkler days each week! They continue to create amazing resources for families in our city. I also can't thank Mark Price enough for his support, both last year with the trees and this year with the party and his continued advocacy for Green Street Park. Also, Reuben from the Highway Dept came out to the party (on a Sunday) and then his crew was there before 8am the next morning to put down new mulch on the playground area.

However, I want to use this opportunity to remind Beacon's leaders that, as they allocate our city's budget, our parks are one of our most valuable assets in our city, as resources for the community and public places for diverse groups of people to gather, and must be supported by our city. This cannot be only a volunteer-led effort. Green Street Park is not scheduled for any new playground equipment (Capital Improvement expenditures in 2018 will address the retaining wall), nor can we pay for someone to water additional trees we'd like to purchase and plant. The current playground equipment we have needs to be updated, it won't last more than another couple years, or supplemented by natural playground equipment as is being planned in Memorial Park. And trees take a long time to grow - if we push it off every year because no one can water new trees that are farther from the water at the shed, we still won't have shade in the park in a decade.

Please consider making an investment in the future of Green Street Park more immediately. As you can see, there are a lot of neighbors of the park who appreciate and use this space.

Thank you for your consideration,
Phoebe Zinman Winters
on behalf of [Friends of Green Street Park](#)

WISH LIST FROM PARK PARTY:

- more trees
- pick up sports games

- arts & crafts activities for kids
- bike/scooter track all around edge of park
- water feature/splash pad
- picnic area
- hang out place
- more benches
- a roller coaster
- parking
- foam pit
- water feature with lochs – not for running through but like Grasshopper Grove)
- nature play
- trees
- adult pick up basket ball games
- kiddie day camp
- shade – sun umbrellas?
- ninja course
- parking
- sprinkler
- water fountain
- smores
- obstacle course
- badminton net
- better climbing structure

- more monkey bars
- safer route to the big slides
- small stage for summer concerts
- badminton net
- willow tree maze
- benches facing west
- water feature
- shade
- more benches





From: [Amber J. Grant](#)
To: [Lisa Edelson](#)
Cc: [Randy J. Casale](#); [Anthony Ruggiero](#); [Mark Price](#)
Subject: Public comment to include for Green St
Date: Monday, October 15, 2018 7:31:38 PM

Lisa, please add the following to the minutes from tonight's meeting, i read an excerpt in my report for tonight.

Matthew and Romina Robinson
25 1st street Beacon NY

Green Street Park, I believe was a donated piece of land given to the town in the 1960s. According to the Aerial Access maps on Dutchess Parcel Access, there was no evidence of formal playground equipment before the mid century. I have tried to research the park's history, and have gathered that the playground got some replacement equipment in the late 90s or very early 2000s. We are still not sure what that ball hoop is, but many of us enjoy the park very much. The town has cut down most of the large trees over time for various reasons and the park currently has no shade during the summer days. When my family takes an outing to the park from our home just one block away, we have to pass the park, go uphill around the corner, and navigate the stroller underneath the chain that spans the access to the park.

As our city and our neighborhood continues to change and grow, so does the demand for playground parks in the area. Green Street Park is under utilized mainly because it is unbearable in the summer heat with no shade trees. With some modifications, it could really serve the community as a meeting place. I think it is a beautiful location that could house beautiful creative play and an atmosphere that embraces Beacon's unique geography. The proposal that Mark and One Nature have been working on fills a void in Beacon. It seems like a place I would spend afternoons in the summer. One pool is not enough for water features and in the future the grants can be used to do this in other parks, but we should put the whole grant toward something really special. No bandaids.

If you build something that is really for the people of Beacon, something thoughtful, you will see them there often enjoying the space for many years. That is a success.

Amber Grant
City Council, Ward 4

Randy J. Casale

From: stanislaw yankowski <syankowski@hotmail.com>
Sent: Monday, October 15, 2018 11:36 AM
To: Nicholas M. Ward-Willis; Randy J. Casale; John E. Rembert
Subject: Verizon Resolution

Hi Nick , Mr. Mayor , and John ,

I see that on today's Council agenda there is a resolution granting a right-of-way easement to Central Hudson and Verizon for "any" use relating to electric and "communication industry" . Will this allow the installment of a Small Cell Wireless Facility ("any use ") ? In my non-lawyer reading of this resolution , I can see a sub-lease to Verizon Wireless to do so . Is this Cross Street location in the Historic District and thus a small cell would not be allowed per Law ?

What is the status of Verizon Wireless' application for a Small Cell Facility on Cross Street and near the train station ? If apps are still active , has a plan been submitted detailing future locations anticipated for the for the next year ? If so submitted , when does the one year period start ?

I hope you get a chance to read this email before this evening's meeting and take into consideration the concerns that I have for this resolution .

Stosh Yankowski

Randy J. Casale

From: Amber J. Grant
Sent: Monday, October 15, 2018 12:58 PM
To: Anthony Ruggiero; Mark Price
Cc: Randy J. Casale
Subject: Fwd: Green St Park

FYI

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----- Forwarded message -----

From: "**Kate Macaluso**" <akatemac@gmail.com>

Date: Mon, Oct 15, 2018 at 10:36 AM -0400

Subject: Green St Park

To: "Amber J. Grant" <agrant@cityofbeacon.org>, "Jodi McCredo" <jmccredo@cityofbeacon.org>, "George M. Mansfield" <gmansfield@cityofbeacon.org>, "Lee Kyriacou" <lkylriacou@cityofbeacon.org>, "John E. Rembert" <jrembert@cityofbeacon.org>, "Terry Nelson" <tnelson@cityofbeacon.org>, "Randy J. Casale" <mayor@cityofbeacon.org>

Hello,

I am so excited to see funding dedicated to fixing up Green St. Park. It's in my neighborhood and I bring my kids to play there often. I would go to Green St even if we didn't live nearby (as we do with the other city parks).

One of the reasons I like Green St is the open space that allows for free play, and the way in which it is "enclosed", partly by the hill on the east side, so that I can easily see the whole space but allow my kids to run freely throughout the park in and out of the different play areas.

As great as it is to see the park getting a face lift, after reviewing the proposal, I am disappointed by the addition of fenced areas. This creates barriers to the free play design that the park is supposed to be enhancing. I don't see why a swing set area suddenly needs to be fenced in, or why we need a separate fenced in areas for little kids when we have a wonderful, huge tot lot at Memorial Park.

As a parent of more than one kid I find it hard to play at Memorial when both kids want to be in different fenced in areas. Again, one of the reasons I love Green St is that is an open space with naturally divided play areas that kids can roam in and out of.

I am also concerned about adding vegetation that will block my view of my kids as they run around the park. I'm all for blueberry bushes and native plants, but head to Long Dock or nature trails for those things. Shade trees on the other hand, would be welcome.

I am happy to see the other proposed updates including logs and other structures for kids to climb on, ADA parking, updated fencing and stairs to Prospect. It would also be great to have more shade via trees (I know one was planted recently) and /or shade structures.

I would like to see more resident input into the plans as proposed before moving forward.

Respectfully,
Kate Macaluso

Randy J. Casale

From: Amber J. Grant
Sent: Monday, October 15, 2018 12:59 PM
To: Beacon City Council; Mark Price
Subject: Fwd: Green St. Park proposal

FYI

Get [Outlook for iOS](#)

----- Forwarded message -----

From: "**Kristen Holt-Browning**" <kristenholtbrowning@gmail.com>
Date: Mon, Oct 15, 2018 at 10:44 AM -0400
Subject: Green St. Park proposal
To: "Amber J. Grant" <agrant@cityofbeacon.org>

Dear Ms. Grant,

As a resident of Ward 4 and regular user of Green Street Park, I'm writing to you to express my support--with some reservations--for the proposed revision plan for the park's overall layout and amenities.

As a parent of 2 elementary-school-aged children living in walking distance of the park, we use the park regularly and are very fond of it.

I applaud One Nature for their dedication to improving and enhancing our community, such as with their work at the Wee Woods in Memorial Park. My opinion on the One Nature proposal as it stands now (and as I understand it now,) is that it should be revised to maintain just a bit more of the current character of Green Street Park.

I would favor the following upgrades to the park:

1. Updated playground equipment, specifically, more all-abilities play structures and more structures geared toward very young (under age 5) children.
2. More opportunities for nature play.
3. More seating.
4. More plantings and trees for both shade and beautification.

I urge the City Council to approve a revised plan for Green Street Park that would upgrade and update it while more closely maintaining the primary functions and current character of the park. The current park does need some improvements, and I trust One Nature to carry them out--but I am not sure that all of their suggestions are necessary. But at any rate, I'm very pleased to know that the park will be improved.

Thank you,

Kristen Holt Browning

21 Annan St.

Randy J. Casale

From: Randy J. Casale
Sent: Monday, October 15, 2018 10:28 AM
To: Anthony Ruggiero; Mark Price; Michael Manzi; Beacon City Council
Subject: FW: Comment on Green Street Park

fyi

From: Tessa Dean [mailto:tessadean@gmail.com]
Sent: Monday, October 15, 2018 9:01 AM
To: Randy J. Casale <mayor@cityofbeacon.org>
Subject: Comment on Green Street Park

Dear Mayor Casale,

My name is Tessa Dean. I am writing on behalf of me and my family--my husband John Cumming and our 3 children. We live at 1 Green Street. We love our block and Green Street Park was a major factor in our move from renting on Main Street to buying our house on that street 5 years ago. Some improvements have been made in the time we've lived on the block and it is great to see Green Street Park getting some much-needed attention.

We spend a lot of time at Green Street Park and it really is a neighborhood gathering place. The playground equipment (although it is old,) the pavilion, the pavement for riding bikes and scooters (which I believe was originally a tennis court?) are a draw for my elementary-aged kids and many others. Teens and adults play basketball in nice weather and neighborhood families spend time sledding at Green Street when the snow hits.

In addition to our time spent at the park, we drive past it many times on most days throughout the year and notice what's happening there:

1. The 2 playground structures are used by a wide range of kids, but they are not ideal for babies and young toddlers.
2. The pavement at the corner of Union and Prospect is a popular spot for biking and scootering.
3. The flat field is used by all ages for sports, games, and imaginative play.
4. The ridge of bedrock that protrudes from the area between the basketball court and bathrooms is a favorite spot for mixed ages nature play.

I appreciate the good work that One Nature has done and continues to do with WeeWoods at Memorial Park. I like the aesthetic and the design of that project and others that I see in the area and on their social media. My opinion on the One Nature proposal as it stands now (and as I understand it now,) is that it should be revised to maintain more of the current character of Green Street Park.

1. We do need updated playground equipment. All-abilities play structures like those you see at Julie's Jungle in East Fishkill would be a valuable upgrade and would increase usage.
2. We need more nature play.
3. We still need the flat field for playing.
4. We still need a good spot for biking and scootering. I like the idea of removing the tall chain link fence and I like the idea of grading the corner at Union and Prospect. But I'm concerned about the impact that would have on the area currently used by kids for those activities.

I urge the City Council to approve a revised plan for Green Street Park that would upgrade and update it while more closely maintaining the primary functions and current character of the park.

I think that Green Street Park should be upgraded with an all-abilities play structure, updated with more opportunities for nature play, seating, and beautified with more trees and plantings.

Thank you,

Tessa Dean

October 2018

Dear Beacon City Council,

As your committee on conservation recommendations, we would like to recommend that you put in a line item in your upcoming budget for a part-time position of a Climate Smart Community Coordinator, which is a required component of the State's program.

The Climate Smart Community program, run by NY State's Department of Environmental Conservation, provides support and assistance for municipalities like Beacon to reduce greenhouse gas emissions and adapt to climate changes at the local level.

As a reminder, the City took the pledge to become a Climate Smart Community in 2009. To the best of our knowledge, the City previously had an employee who served this role, the former City Administrator, who took on the responsibilities of the position. When she resigned her role, no employees took on the role's responsibilities. The State no longer recognizes Beacon as having an active Climate Smart Communities Coordinator.

The City has done many related projects that are eligible to count towards the program, but the relevant paperwork has not yet been submitted. This role would be responsible for:

- Developing a Climate Smart Communities plan and goals for the City;
- Submitting the paperwork for previous projects we have already completed, including the solar field and LED lights;
- Determining which current projects the city is already undertaking that could count towards Climate Smart requirements, and upon their completion provide documentation to the State to prove that Beacon has fulfilled these requirements;
- Prioritizing and spearheading new actions that the City can take to meet additional requirements that count towards this program;
- Identify funding sources for projects and investments, and provide the City's contracted grant writers with supporting materials

Having an employee dedicated to this role's responsibilities would benefit the city in the following ways:

- *Actionable Change:* Cities with Climate Smart Community Coordinators save taxpayer dollars, promote economic growth, improve operations and upgrade City infrastructure
- *Funding:* As a recognized active Climate Smart Community, Beacon will be eligible for government grant funding for projects such as flood protection, drainage improvements, constructing a new firehouse and emergency center, food recycling centers, sidewalks and crosswalks, feasibility studies, and so much more, all of which we are currently having to pass up since we aren't yet eligible.

This role is also important because climate change is impacting Beacon now, and will do so increasingly in the future. The State has established that New York has timely opportunities to

become more resilient and efficient now, and has called upon municipalities to respond through the Climate Smart Communities program.

We recommend hiring for this part-time salaried role immediately, at approximately \$15,000. Making this be a paid position strengthens the role's accountability to the City's needs, and will attract quality candidates to the role. The City's budget commitment for the role would only need to be for the role's first year. Future years for this role can have the funding for this position written into the grants for which we will be able to apply once this position is filled. We can look to Phillipstown and Kingston as examples of successful municipalities who made a similar investment in staffing this position.

We can share examples of job descriptions other municipalities have created for this role. We can share with you examples of projects other local municipalities have achieved through this role. We can facilitate the search process through our networks. We're happy to invite someone from the County or State levels to share further information about the program and answer any questions you may have. And we are here to help facilitate this process in any other way.

We recommend that the City Council consider approving this budget item. Thank you for your enthusiastic consideration of this advancement for Beacon's future.

-the Beacon Conservation Advisory Committee (CAC)

beaconcac@cityofbeacon.org

From: [kitburkesmith](#)
To: [Amber J. Grant](#); [Randy J. Casale](#)
Subject: Support of Green Street Park proposal
Date: Monday, October 15, 2018 11:55:34 AM

Dear Councilmember Grant and Mayor Casale-

I am writing in support of the proposed improvements to Green Street Park. In Beacon, we are lucky to have such wonderful outdoor spaces for the community to enjoy in numerous different ways. I have been thrilled to see improvements like the new playground near the Rec Center and the creation of the Wee Woods in Memorial Park in recent years.

Now it seems it is Green Street Park's turn to see improvements and updates. These parks are a vital part of our city's community and serve as a place for folks of all ages to come together, enjoy the outside, and interact with neighbors. Updating and improving them helps these outdoor jewels of Beacon continue to be one of the best things about living in this fine city. I look forward to watching my kid climb the fire tower play structure in the spring, picking blueberries with her in the summer, having her beat me at Horse on the refurbished basketball courts in the fall, and sledding down the hill together in the winter.

Thanks for doing your part to help maintain and improve our parks!

Yours,
Kit Burke-Smith
Beacon, NY

--

-kit burke-smith

kitburkesmith.com
kitburkesmith.etsy.com

City of Beacon Council Agenda
11/5/2018

Title:

Budget Amendments

Subject:

Background:

ATTACHMENTS:

Description	Type
Budget amendment Rec Dept	Amendment
Budget Amendments_11.5.18	Amendment

**Recreation Department
City of Beacon
23 West Center St
Beacon, NY 12508
845-765-8440**

Memo

To: Susan Tucker
From: Mark Price
cc: Anthony Ruggiero
Date: 10/12/18
Re: Request for budget transfer

I would like to request a budget line transfer for the purchase of safety mats for the newly constructed climbing wall at the Settlement Camp Park. Please transfer **\$6230.00**

from:

A7112.447300 – repair of Real Property

to:

A7112.250000 – Purchase equipment

Sincerely,

A handwritten signature in black ink, appearing to read 'MARK PRICE', written over a horizontal line.

Mark Price

Tiffin Holdings, Inc.

PO Box 823

Elkton MD 21922

P 800-843-3467

F 410-398-7397

TiffinHoldings@gmail.com

Remit Payment to:
Tiffin Holdings, Inc.
PO Box 823
Elkton, MD 21922

Quote

Date	Quote #
9/11/2018	DM091118C

Name / Address
Beacon Boulder Project James Reyes 21 Schoenk Ave Beacon, NY 12508

Rep
DESI

Item	Description	Qty	U/M	Rate	Total
GP24812BL	Modular Pit (18 oz.), 8' x 12' x 24' Grey **All Vinyl No Mesh**	3		1,845.00	5,535.00T
FREIGHT	SHIPPING & HANDLING CHARGES			695.00	695.00
	Out-of-state sale, exempt from sales tax			0.00%	0.00
Total					\$6,230.00

This is a quote only. To place an order, please contact me. Feel free to call 800-843-3467 if you have any questions!

Quote is valid for 30 days only

Special Payment information: Discount and Demo items may only be paid by way of Check, Money Order, or Wire Transfer.

Payment Information: 100% payment is due at the time of placing your order. Purchase Orders carry terms of net 30 days.

Shipping Information: Freight charges are subject to change due to fuel surcharges. We DO NOT offer inside delivery.

***INTERNATIONAL CUSTOMERS, excluding Canada - Freight rates are to the port in your country only. You will responsible for any charges for taxes, duties, customs, and delivery charges from the port. Customer Pick-ups must be picked up within 2 weeks, or product will be returned to stock.

If order meets your approval: Please sign and fax to 410-398-7397. Or mail to the PO Box above.



616 Corporate Way Suite 2-3270 Valley Cottage, NY 10989
1 877 600 4667 www.sscs.us

Quote 26497

Date: 01-Oct-2018

Salesperson: Shannon K Olsheski

Terms: Net 30 Days

Currency: USD

Prices are Valid Until: 31-Oct-2018

Page: 1

Quote To:

City of Beacon Recreation

23 West Cebter Steet

Beacon, NY 12508

USA

Phone: 845-765-8440

Ship To:

City of Beacon Recreation

23 West Cebter Steet

Beacon, NY 12508

USA

Mark Price

Safety Cushions

Part	Description	Quantity UM	Unit Price	Extended Price
PV-AD-CUSTOM	Safety Cushion 8' X 12' X 24" 24" thick crash pad, with 4" breather mesh. Choice of colours: red, blue, black, green, yellow, beige or gray. Made in 3 piece foam with 1 full size cover	3.00 EA	2,331.00	6,993.00
SHIPPING	Shipping Charges Please note that this is an estimate of shipping charges, actual charges will be finalized on order placement. Shipping rate does not include offloading or inside delivery. These services are subject to additionnal fees. Standard shipping to <u>Beacon NY</u> . Off loading to be done by customer.	1.00 EA	1,190.15	1,190.15

Sales Rep:

Shannon Olsheski

Extn

0

Sub Total

8,183.15

Tax ()

\$0.00

Grand Total

\$8,183.15

#2

Signature	Print Name	Position	Date

*By filling in the fields above and faxing, you agree to the terms and conditions of sales as shown at <http://www.sportssystemscanada.com/en/about/ter>

When specified 'SHIPPING' includes standard delivery only unless otherwise noted. Additional fees will be charged for special services like tailgates or inside delivery if requested.

2% per month interest will be charged on all overdue accounts. Standard Sport Systems Canada Inc. 'Terms and Conditions' apply.

Please visit <http://www.sportssystemscanada.com/en/about/terms> for a full description

Mark Price

From: MatsMatsMats.com (Stag) <stags@matsmatsmats.com>
Sent: Tuesday, September 18, 2018 4:40 PM
To: Mark Price
Subject: MatsMatsMats.com Quote 180918-70072

MATSMATSMATS.com

Thank you for your interest in our products, Mark.

Based on your request, the cost would be as follows:

[3] Practice Pit Mat, 8'x12'x24", Non-Folding, Green: \$2,340.00/each
Subtotal: \$7,020.00
Sales Tax: \$0.00
Shipping: \$1,787.95
Total: \$8,807.95

Since this order is too large or too heavy to ship via regular UPS/FedEx ground services, it must ship via freight truck (motor freight). The shipping cost shown above includes freight truck delivery to a school location in Beacon, NY 12508. The shipment will be lowered to the curb by the driver. Please call us if you think your delivery location may require any additional or special delivery services by the freight carrier.

Production and delivery is currently about 9-10 weeks.

MatsMatsMats.com does not warrant these products to be suitable for any particular purpose and will not be liable for any injuries that may result during the use of these products. It is your responsibility to determine the appropriate use.

So we may better assist you, please reference your quote number (located in the subject line of this email) in all future communication with us.

Should you have any additional questions or to place your order via telephone, please do not hesitate to contact us toll free at 877.777.6287 from 8am to 5pm Pacific Time.

Chris "Stag" Stagnaro
Sales Representative
www.MatsMatsMats.com
StagS@MatsMatsMats.com
877.777.6287 Ext 104

#3



Date 9/18/2018

CITY OF BEACON
23 WEST CENTER STREET
BEACON, NY 12508
US

Delivery address

CITY OF BEACON
23 WEST CENTER STREET
BEACON, NY 12508
US

ATTN: MARK PRICE @ 8457652470

Customer account: CNY08359
Email: mprice@cityofbeacon.org

Customer reference	Quoted by	Carrier
ATTN: MARK PRICE	Kristen Blodgett Ext.517-999-8236 k.blodgett@spiethamerica.com	OLD DOMINION 481695186

Line #	Item #	Description	Qty	Unit Price (USD) :	Discount (%)	(USD) :
1	GPM751224 WH:MAIN	GYMNASTICS PIT MODULE 7.5X12X24"	3.00 EA	2,730.00		8,190.00
2	SALES_FREIGHT WH:	SALES FREIGHT	1.00 EA	1,350.00		1,350.00

Terms of delivery
()

Payment mode
Credit card (CC)
Payment terms
Prepaid (PP)

TOTAL AMOUNT IN USD	9,540.00
No tax	0.00
TOTAL AMOUNT DUE IN USD	9,540.00

4

QUOTE IS ONLY VALID FOR 30 DAYS.

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Council Budget Amendments
November 5, 2018 Meeting

1. Amend the 2018 Water Fund Budget to account for Hydrogeologic & Engineering services approved at the August 8th Council meeting. Below is the proposed budget amendment:

Transfer to:

F -08-8340-454000-	ENGINEERS	<u>\$ 34,000</u>
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Transfer from:

F -08-8340-100401-	SUPERINTENDENT SALARY	<u>\$ 34,000</u>
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2. Amend the 2018 General Fund Budget to account for services necessary on property acquired through the tax foreclosure process. This also accounts for payment of School taxes for which we normally are not liable for because the City usually sells right after acquiring. Below is the proposed budget amendment:

Transfer to:

A -01-1364-468001-	EXPENSES ON PROPERTY ACQUIRED	<u>\$ 8,640</u>
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Transfer from:

A -01-1910-434000-	INSURANCE DEDUCTIBLES	<u>\$ 8,640</u>
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3. Amend the 2018 General Fund Budget to provide for the payment of unused accumulated leave time for a Detective in the Police Department and Firefighter in the Fire department. Below is the proposed budget amendment:

Transfer to:

A -03-3130-190000-	SEVERANCE/RETIREMENT PAY	7,972
A -03-3410-190000-	SEVERANCE/RETIREMENT PAY	5,127
	Total	<u>\$ 13,099</u>

Transfer from:

A -01-1990-400004-	CONTINGENCY-RETIREMENT	<u>\$ 13,099</u>
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4. Amend the 2018 General Fund Budget the purchase of safety mats for the newly constructed climbing wall at the Settlement Park. Below is the proposed budget amendment:

Transfer to:

A -00-7112-250000-	PURCHASE OF EQUIPMENT	<u>\$ 6,230</u>
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Transfer from:

A -00-7112-447300-	REPAIR OF REAL PROPERTY	<u>\$ 6,230</u>
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Respectfully submitted,
Susan K. Tucker CPA