



CITY OF BEACON
One Municipal Plaza
Beacon, New York 12508

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

October 16, 2017
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.

Public Hearings:

- Public Hearing to Receive Comments Concerning the Local Law to Amend the Building Moratorium

Reports:

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

Local Laws and Resolutions:

1. Resolution to Adopt the Local Law Amending the Moratorium on Development
2. Resolution to Appoint a Part-Time Police Assistant
3. Resolution to Schedule a Public Hearing for November 6, 2017 to Receive Comments Concerning a Proposed Local Law Regarding Parking on Leonard Street and Stop Signs on Blackburn Avenue
4. Resolution to Schedule a Public Hearing for December 11, 2017 to Receive Comments Concerning the Proposed 2018 Budget
5. Resolution to Schedule a Public Hearing for November 6, 2017 to Receive Comments Concerning a Proposed Local Law Regarding Street Closures
6. Resolution Authorizing the Submission of the Fiscal Year 2018 Dutchess County Community Development Block Grant Application for Construction of a Sidewalk on Blackburn Avenue Between Herbert Street and Route 52 (Fishkill Avenue)

7. Resolution to Adopt the Local Law to Amend the City Charter
8. Resolution to Adopt the Local Law Regarding the Ward Boundaries
9. Resolution Authorizing a Subordination Agreement for 26 Beekman Street (the View)

Approval of Minutes:

- Minutes of September 18 and Oct. 2, 2017

Budget Amendments:

- Budget Amendment 10-16-17

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
10/16/2017**

Title:

Public Hearing to Receive Comments Concerning the Local Law to Amend the Building Moratorium

Subject:

Background:

ATTACHMENTS:

Description	Type
LL Moratorium Revised	Local Law
DCPD Response to Revised LL re Moratorium	Cover Memo/Letter
BPB Response to Revised LL re Moratorium	Cover Memo/Letter

DRAFT LOCAL LAW NO. ____ OF 2017

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND
CITY OF BEACON MORATORIUM ON DEVELOPMENT

A LOCAL LAW to
amend moratorium on
development to add an
exemption for existing
industrial/manufacturing
buildings

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

Section 1. Section 3.2 of the City of Beacon Moratorium on Development is hereby amended as follows:

Section 3. MORATORIUM

...

2. All applications for building permits, use variance, area variance, special use permit, site plan approval and subdivision approval submitted to the City on or before July 25, 2017 or pending before the Building Department or Land Use Board are exempt from this moratorium. Any application submitted after July 25, 2017 may be heard and reviewed by the Planning Board or Zoning Board of Appeals, but may not be subject to a vote. The Land Use Board may hold public hearing and discuss the application, but the Land Use Board may not formally approve or deny such application. Any building permit application for a single family home and any application seeking a modification or extension of an existing approval that does not increase the density (by unit or bedroom count) shall be exempt from this moratorium- and Any residential application that would result in an increase in water usage of less than 330 gallons of water per day, as determined by the City Building Inspector Engineer, is exempt from this moratorium. Any non-residential application that would result in an increase in water usage of less than 2,000 gallons per day, as determined by the City Building Inspector Engineer, is exempt from this moratorium. In addition, this moratorium shall not apply to the reuse of any existing non-residential building for industrial or manufacturing uses, as determined by the Building Inspector, where such use does not increase the existing building footprint or otherwise increase the building square footage.

Section 2. Ratification, Readoption and Confirmation

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

Section 3. Numbering for Codification

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

Section 4. Severability

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

Section 5. Effective Date

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

**Dutchess County Department of
Planning and Development**

To Jennifer Cocozza

Date 10/12/17

pgs

Co./Dept. Planning

From Elizabeth Evans

Fax # 845-486-9610

Phone # 845-838-5010

239 Planning/Zoning Referral - Standard Form

Municipality: City of Beacon

Referring Agency: ☐ Planning Board ☐ Zoning Board of Appeals ☒ Municipal BoardTax Parcel Number(s): L1 Moratorium on Residential Development Amended

Project Name: Proposed Local Law to Enact a Moratorium on Res. Development (Revised - see red line)

Applicant: City of Beacon, NY

Address of Property: n/a

Type of Action:

- ☒ Local Law / Text Amendment
☐ Rezoning
☐ Site Plan
☐ Special Permit
☐ Use Variance
☐ Area Variance
☐ Other: _____

Parcels within 500 feet of:

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

Date Response Requested (if less than 30 days): 10/16/17

If subject of a previous referral, please note County referral number(s): ZR17-327
FOR COUNTY OFFICE USE ONLY
Response from Dutchess County Department of Planning and Development
No Comments:

- ☒ Matter of Local Concern
☐ No Jurisdiction
☐ No Authority
☐ Withdrawn

Comments Attached:

- ☐ Local Concern with Comments
☐ Conditional
☐ Denial
☐ Incomplete — municipality must resubmit to County
☐ Incomplete with Comments — municipality must resubmit to County

Date Submitted: 10/12/17

Date Received: 10/12/17

Date Requested: 10/16/17

Date Required: 11/10/17

Date Response Faxed:

Notes:

☐ Major ProjectReferral #: ZR17-358☐ Also mailed
hard copyReviewer: Jennifer Cocozza



Memorandum

Planning Board

TO: Mayor Randy Casale and City Council Members

FROM: Etha Grogan
for Planning Board Chairman Sheers and Planning Board Members

RE: City Council Request to Review Local Law on Proposed Moratorium

DATE: October 12, 2017

As requested the Planning Board reviewed proposed revisions to the recently enacted moratorium at its October 11, 2017 meeting. Tim Dexter and the City Attorney's office provided members with an overview and reasoning behind the proposed revisions. After some consideration members voted unanimously to recommend the City Council proceed with the proposed revisions as outlined. If you have any questions, please feel free to contact me.

City of Beacon Council Agenda
10/16/2017

Title:

Resolution to Adopt the Local Law Amending the Moratorium on Development

Subject:

Background:

ATTACHMENTS:

Description

Res. Adopt LL to Amend Moratorium

Type

Resolution



CITY OF BEACON

CITY COUNCIL

RESOLUTION NO. _____ OF 2017

**A RESOLUTION TO ADOPT A LOCAL LAW TO AMEND THE MORATORIUM ON
DEVELOPMENT BY ADDING AN EXEMPTION FOR REUSE OF EXISTING
INDUSTRIAL/MANUFACTURING BUILDINGS**

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby amends the moratorium on development adopted at the September 18, 2017 City Council meeting by the addition of language exempting an application for proposed reuse of any existing non-residential building for industrial or manufacturing uses, where such use does not increase the existing building footprint or otherwise increase the building square footage.

Resolution No. _____ of 2017			Date: <u>October 16, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Mayor Randy Casale					
Motion Carried							

City of Beacon Council Agenda
10/16/2017

Title:

Resolution to Appoint a Part-Time Police Assistant

Subject:

Background:

ATTACHMENTS:

Description

Res. appt pt police asst.

Type

Resolution



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. _____ OF 2017

**APPOINTMENT OF BRANDON EWING
AS PART-TIME POLICE ASSISTANT**

APPROVE appointment of Brandon Ewing as a Part-Time Police Assistant of the City of Beacon Police Department effective October 19, 2017.

Resolution No. _____ of 2017			Date: <u>October 16, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
Motion Carried							

City of Beacon Council Agenda
10/16/2017

Title:

Resolution to Schedule a Public Hearing for November 6, 2017 to Receive Comments Concerning a Proposed Local Law Regarding Parking on Leonard Street and Stop Signs on Blackburn Avenue

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. Sched PH re Parking Leonard and Stop Signs	Resolution
LL Parking on Leonard and Stop Signs on Blackburn	Local Law



CITY OF BEACON

CITY COUNCIL

RESOLUTION NO. _____ OF 2017

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER 6, 2017 TO
RECEIVE PUBLIC COMMENT ON A PROPOSED LOCAL LAW TO AMEND CHAPTER 211
OF THE CITY CODE AS IT RELATES TO PARKING ON LEONARD STREET AND STOPS
SIGNS ON HERBERT STREET**

BE IT RESOLVED that the City of Beacon hereby schedules a public hearing for November 6, 2017 at 7:00 p.m. at City Hall, One Municipal Plaza, Beacon, New York 12508 to receive public comment concerning the proposed local law to amend Chapter 211 of the City Code as it relates to parking on Leonard Street and stop signs on Herbert Street.

Resolution No. _____ of 2017			Date: <u>October 16, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

DRAFT LOCAL LAW NO. ____ OF 2017

**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, concerning parking on Leonard Street and traffic safety concerns on Herbert Avenue.

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

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

§ 211-10. Stop intersections.

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

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

Church Street	Both	North Brett Street
Church Street	Both	North Elm Street
Church Street	East	Eliza Street
Church Street	West	Willow Street
Cliff Street	Both	Beacon Street
Cliff Street	South	Rombout Avenue
Coffey Avenue	--	Beskin Place
Cottage Place	North	Church Street
Cross Street	Both	Deerfield Place
Cross Street	Both	Orchard Place
Cross Street	Both	Silvers Place
Cross Street	Both	Verplanck Avenue
Cross Street	Both	Wilkes Street
Davidson Street	--	DePuyster Avenue
Davies Avenue	North	South Avenue
Delavan Avenue	South	Fishkill Avenue
Delavan Avenue	South	Highland Hospital access road
Dennings Avenue	South	Hudson Avenue
DePuyster Avenue	South	East Main Street
DePuyster Avenue	North	Washington Avenue
DeWindt Street	Both	South Brett Street
Dinan Street	Both	West Center Street
Dutchess Terrace	South	Talbot Avenue
Dutchess Terrace	South	Verplanck Avenue
East Main Street	East	Spring Valley Street

East Main Street	Both	Howland Avenue and DePuyster Avenue
East Main Street	West	Washington Avenue
East Willow Street	--	Orchard Place
Eliza Street	South	Church Street
Grace Street	South	Washington Avenue
Henry Street	East	Teller Avenue
<u>Herbert Street</u>	<u>Both</u>	<u>Blackburn Avenue</u>
High Goal Lane	South	Slocum Road
Howland Avenue	North	East Main Street
Liberty Street	--	Washington Avenue
Main Street	South	Herbert Street
Matteawan Road	Both	Main driveway to Rombout Middle School
Matteawan Road	Both	Wilkes Street
Matteawan Road	South	Verplanck Avenue
North Brett Street	Both	Church Street
North Cedar Street	Both	Church Street
North Cedar Street	North	Verplanck Avenue
North Chestnut Street	Both	Church Street
North Elm Street	Both	Church Street
North Elm Street	Both	Verplanck Avenue
North Elm Street	South	Oak Street
North Walnut Street	Both	Church Street
North Walnut Street	Both	Verplanck Avenue
North Walnut Street	Both	Wilkes Street

Oak Street	Both	North Chestnut Street
Oak Street	Both	North Elm Street
Oak Street	Both	Willow Street
Orchard Place	--	East Willow Street
Orchard Place	--	West Willow Street
Phillips Street	Both	Wolcott Avenue
Phillips Street	North	Union Street
Prospect Street	North	Union Street
Prospect Street	Northeast	Alice Street
Rende Drive	West	Phillips Street
River Street	--	West Main Street
Rombout Avenue	Both	School Street
Rombout Avenue	Both	South Brett Street
Rombout Avenue	Both	South Chestnut Street
Rombout Avenue	Both	Teller Avenue
Rombout Avenue	West	South Avenue
Russell Avenue	North	East Main Street
Russell Avenue	Both	Union Street
Russell Avenue	Both	Vail Avenue
Sargent Avenue	North	Wolcott Avenue
Sargent Avenue	Southwest	South Avenue
Schenck Avenue	Both	Verplanck Avenue
School Street	North	Rombout Avenue
Silvers Place	Both	Dutchess Terrace
Slocum Road	North	Grandview Avenue

South Avenue	Both	Beacon Street
South Avenue	--	Sargent Avenue
South Avenue	South	Wolcott Avenue
South Brett Street	Both	Rombout Avenue
South Brett Street	North	DeWindt Street
South Cedar Street	Both	DeWindt Street
South Cedar Street	Both	Rombout Avenue
South Chestnut Street	Both	DeWindt Street
South Chestnut Street	Both	Rombout Avenue
South Chestnut Street	Both	West Center Street
South Chestnut Street	South	Wolcott Avenue
South Elm Street	Both	DeWindt Street
South Walnut Street	Both	DeWindt Street
Spring Street	East	Washington Avenue and East Main Street
Spring Valley Street	Both	Churchill Street
Spring Valley Street	North	East Main Street
Spring Valley Street	South	Wolcott Avenue
Talbot Avenue	East	Dutchess Terrace
Teller Avenue	South	Wolcott Avenue
Tillot Street	Both	Anderson Street
Tillot Street	Both	Washington Avenue
Union Street	Both	Phillips Street
Union Street	Both	Russell Avenue
Vail Avenue	Both	Russell Avenue

Veterans Place	--	Henry Street
Vine Street	East	Teller Avenue
Water Street	North	East Main Street
West Center Street	Both	South Chestnut Street
West Willow Street	--	Orchard Place
West Willow Street	Both	Wilkes Street
Wilkes Street	West	Matteawan Road
Wilkes Street	Both	West Willow Street
Wilkes Street	East	East Willow Street
Willow Street	--	Orchard Place

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

5102/11/613747v2 10/12/17

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

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

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

Tioronda Avenue	North	To a point 20 feet in both directions from the intersection of Van Nydeck Avenue
Van Nydeck Avenue	North	To a point 275 feet from Teller Avenue
Van Nydeck Avenue	South	To a point 150 feet from Teller Avenue
Van Nydeck Avenue	North	To a point 215 feet from Tioronda Avenue
Van Nydeck Avenue	South	To a point 95 feet from Tioronda Avenue

Section 3. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 211 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. Numbering for Codification

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

Section 5. Severability

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

Section 6. Effective Date

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

**City of Beacon Council Agenda
10/16/2017**

Title:

Resolution to Schedule a Public Hearing for December 11, 2017 to Receive Comments Concerning the Proposed 2018 Budget

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. sched PH re 2018 budget	Resolution



CITY OF BEACON

CITY COUNCIL

RESOLUTION NO. _____ OF 2017

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR DECEMBER 11, 2017 TO
RECEIVE PUBLIC COMMENT ON THE PROPOSED 2018 BUDGET FOR
THE CITY OF BEACON, NEW YORK**

BE IT RESOLVED that the City of Beacon hereby schedules a public hearing for December 11, 2017 at 7:00 p.m. at City Hall, One Municipal Plaza, Beacon, New York 12508 to receive public comment concerning the proposed 2018 Budget for the City of Beacon, New York.

Resolution No. _____ of 2017			Date: <u>October 16, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Randy Casale					
		Motion Carried					

City of Beacon Council Agenda
10/16/2017

Title:

Resolution to Schedule a Public Hearing for November 6, 2017 to Receive Comments Concerning a Proposed Local Law Regarding Street Closures

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. sched ph re street closings for events	Resolution
LL Street Closures	Local Law



CITY OF BEACON

CITY COUNCIL

RESOLUTION NO. _____ OF 2017

**A RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER 6, 2017 TO
RECEIVE PUBLIC COMMENT ON A PROPOSED LOCAL LAW TO AMEND CHAPTER 211
OF THE CITY CODE AS IT RELATES TO STREET CLOSINGS FOR SPECIAL EVENTS**

BE IT RESOLVED that the City of Beacon hereby schedules a public hearing for November 6, 2017 at 7:00 p.m. at City Hall, One Municipal Plaza, Beacon, New York 12508 to receive public comment concerning the proposed local law to amend Chapter 211 of the City Code as it relates to street closings for special events.

Resolution No. _____ of 2017			Date: <u>October 16, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

DRAFT LOCAL LAW NO. ____ OF 2017

**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,
concerning Street
Closings for Special
Events.

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

Section 1. Chapter 211, Article II entitled “Traffic Regulations” “is hereby amended to add Section 13.2 as follows:

§203-13.2. Street closings for special events.

- A. Policy and Intent. It is the policy of the City of Beacon to encourage the occurrence of special events that enhance quality of life, provide entertainment and other leisure activities, promote local economic health, attract visitors, and contribute to the dynamic atmosphere of the community. It is the City’s intent to offer applicants support in planning a variety of safe and successful events that will serve diverse audiences and will create minimal disruption to surrounding areas.
- B. No person, corporation or other legal entity shall occupy, march or proceed along or close any City highway or part thereof without having first obtained a special event permit from the City of Beacon.
- C. Definitions.

(1) For purposes of this section, a “special event” shall mean:

- (a) An Event which requires the closure of a public street, or the usage or closure of another public place or park, which involves:

[1] Public entry; or

[2] Vending of food, drink or merchandise; or

[3] Public entertainment; or

[4] A moving athletic event like a race or walk; or

(b) An outdoor event on private property which is open to the public and due to its size and activities:

[1] Has a significant impact on the surrounding streets and neighborhoods; or

[2] Requires special police or fire attention or the use of other special City services or facilities.

(2) Block parties.

(a) Applicants for permits for block parties shall submit a special event permit application containing so much of the information on the application as may be required by the Chief of Police, along with a street closing petition with signatures of support from at least 70% of residents on the block proposed for closure. Such applications may be approved or denied by the Chief of Police based on the general factors applying to special events and compliance with the specific block party requirements set forth herein.

(b) A “block party” shall mean an event which requires the closure of one block, from intersection to intersection, of a street in a residential area, through the use of barricades, at the request of and for the benefit of the immediate residents of the neighborhood.

(c) A block party permit shall be limited to six hours in duration and shall not extend beyond dusk. There shall be no charge for admission and no vending or amplified entertainment shall be allowed at a block party.

D. Applications for permits for special events shall be made to the City Clerk and shall be reviewed and approved by the Highway Superintendent, the Department of Public Works, City Administrator, Fire Chief and the Chief of Police. The permit shall be issued by the Chief of Police through the City Clerk’s office within 15 days of the submission of the application.

E. Applicants for permits shall submit a special event permit application at least 30 days prior to the proposed event, which shall include, but not be limited to, the following information. Additional information may be required by the Chief of Police in order for the application to be considered complete and ready for review. The following information shall be provided:

- (1) The name, address and telephone number of the person or organization seeking to conduct such event.
- (2) The name, address and telephone number of the person who will be the event chairperson and who will be responsible for its conduct.
- (3) The proposed date(s) when the event is to be conducted.
- (4) The type of event and a full description of the activities to be conducted. Activities to be specifically described shall include, but not be limited to, cooking, vending, sale of alcoholic beverages, entertainment, athletic events, fireworks, and the use of bounce-houses or animals.
- (5) A detailed site plan, including, but not limited to, the location or route of the activities to be conducted, including the part of street to be closed and the method of closure and any entrances or exits; the location of parking, bathrooms or other facilities; and the location where any activities listed above are to be conducted.
- (6) If the event includes a moving closure of streets, as in a race, walk, or other athletic event, a written route and map must be included, as well as an estimation of the time period of the closures.
- (7) General liability insurance, if required.
- (8) Documentation of all related and necessary licenses or permits from the state or other municipalities or agencies.
- (9) Whether alcoholic beverages are to be sold and, if so, documentation of necessary permits and insurance.
- (10) The estimated attendance at the event.
- (11) The impact of the event on local residents and businesses, which shall include local notifications and responses.
- (12) The proposed hours when such event will start and terminate.
- (13) The security plan for the event, and the name of the licensed security agency to be used, when required.
- (14) The plan for litter and trash removal and sanitary facilities.
- (15) The plan for emergency medical services.
- (16) The parking and transportation plan for the event, both for residents of the affected area and for event participants and attendees.

- (17) The City support services requested for the event, including fee-based services, and including, but not limited to, police and fire services, street barriers, use of City facilities, trash and litter collection, and street sweeping.
 - (18) The applicant's history in providing similar events and obtaining and abiding by the terms of necessary licenses and permits.
- F. The following factors shall be taken into consideration when determining said applications and may provide the basis for denial of an application:
- (1) Whether the application is complete or contains a material misrepresentation;
 - (2) Whether there are any objections to the special event
 - (3) The maintenance of safety of all persons throughout the event;
 - (4) The provision of safe and orderly movement of pedestrian and vehicular traffic at and contiguous to the event;
 - (5) The area affected by the event;
 - (6) The length of the event and hours of operation;
 - (7) The noise to be produced by the event;
 - (8) The availability of necessary parking and transportation for the event;
 - (9) The support of, and potential impact of the event on, local residents and businesses, and the community in general, as demonstrated by documentation from the applicant and/or from public input received by direction of the City Administrator ;
 - (10) The public and community purposes served by the event and the manner in which the event promotes the City and its cultural diversity;
 - (11) The type of activities and facilities to be located in the street;
 - (12) The economic impact of the event;
 - (13) The provision of litter and trash removal and sanitary services;
 - (14) The availability of police, fire and other necessary City services, and emergency medical services;
 - (15) The existence of competing requests for use of the City streets;

- (16) The applicant's history of providing similar events and abiding by the terms of necessary licenses and permits.

G. Notification and public comment.

- (1) The event sponsor shall provide notification via regular mail within seven days of submitting an application for a special event to the City Clerk, to all properties that shall be impacted by any street closures and/or activities related to the event. Notice shall be provided to properties located within 200 feet of the event or route as part of the planning for and consideration of an application for a special event, and before and during the special event. Any resident or business may contact the City Clerk or the Chief of Police to object to the special event. No less than fourteen (14) days prior to the event, the event sponsor shall provide proof of notification as required herein to the City Clerk.
- (2) The City Clerk shall post on the City website all approved applications for all special event permits. Such posting shall include the name and contact information of the applicant, a description of the special event, and the date, time and location(s) or route(s) of the event.

H. Permit Conditions.

- (1) A permittee shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- (2) Possession of permit. The event chairperson shall carry the special event permit upon his or her person during the event.
- (3) The Chief of Police shall have the authority to prohibit or restrict the parking of vehicles along a street constituting a part of the event area or route or as necessary to facilitate pedestrian and vehicular traffic in the vicinity of the event. Signs shall be posted to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this section.
- (4) The hours of operation taking place within a public place shall be between the hours of 9:00 a.m. and until dusk Monday through Sunday.
- (5) All areas used must be left in a clean condition. Any need for trash receptacles or trash removal must be negotiated and approved by the Department of Public Works. Cleanup must be completed by 12:00 noon on the day following the event.

- (6) A special event permit does not relieve any participant, including but not limited to food stands, vendors, peddlers or exhibitors from the responsibility of applying for any other permits or licenses or meeting any other requirements which may be applicable.
- (7) A special event permit is not transferrable.
- I. Only the applicant, Chief of Police or Highway Superintendent may remove the road barricades closing the street during the special event. Any resident or individual who needs to obtain ingress or egress on the closed street must contact an authorized individual to move the road barricades. The contact information of said authorized individuals will be available on the City's website and will be posted on the barricades.
- J. The Chief of Police is authorized to adopt such procedures and to require such additional information as he or she deems appropriate, to allow for the full assessment and consideration of permit applications for the smooth and safe operation of special events in the City.
- K. Exceptions. Events initiated by and/or sponsored or co-sponsored by the City are excluded from the provisions of this Section.
- L. Penalties:
 - (1) Special events shall not be held without a special event permit. Violation of this Section may subject the event sponsor to a fine of \$500 in addition to any other penalty provide in the any other law or ordinance. The Police Chief may close any special event conducted without an approved permit.
 - (2) The Police Chief/Director of Public Safety, the Deputy Fire Chief or their designated representative(s) may close any special event or any portion of a special event that is subsequently determined to be an imminent hazard to the public health, safety or welfare.
 - (3) It shall be unlawful to drive over, through or around any barricade, fence or obstruction erected for the purpose of preventing traffic from passing over a portion of a highway closed to public travel or to remove, deface or damage any such barricade, fence, or obstruction. Only authorized individuals may remove the barricades to permit ingress and egress. Failure to comply with this provision is a violation of this chapter and shall be punishable by a fine of up to \$250. A person violating this provision may be guilty of a misdemeanor.

Section 2. 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 3. Numbering for Codification

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

Section 4. Severability

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

Section 5. Effective Date

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

City of Beacon Council Agenda
10/16/2017

Title:

Resolution Authorizing the Submission of the Fiscal Year 2018 Dutchess County Community Development Block Grant Application for Construction of a Sidewalk on Blackburn Avenue Between Herbert Street and Route 52 (Fishkill Avenue)

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. CDBG 2018 Application	Resolution



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ____ OF 2017

**A RESOLUTION AUTHORIZING THE SUBMISSION OF THE
FISCAL YEAR 2018 DUTCHESS COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION
FOR CONSTRUCTION OF A SIDEWALK ON BLACKBURN AVENUE BETWEEN HERBERT
STREET AND ROUTE 52 (FISHKILL AVENUE)**

WHEREAS, City of Beacon is participating in the Dutchess County Community Development Consortium for Fiscal Year 2018, and

WHEREAS, input from citizens and groups has been received and considered, and

WHEREAS, an application has been prepared which addresses Beacon community concerns; and

NOW, THEREFORE BE IT RESOLVED, that the Dutchess County Community Development Consortium Fiscal Year 2018 application for City of Beacon including the certifications included therein be and hereby is approved.

BE IT FURTHER RESOLVED, that the submission of said application to the Dutchess County Department of Planning and Development be and hereby is authorized.

Resolution No. ____ of 2017		Date: _____					
<input type="checkbox"/> <input type="checkbox"/> Amendments				<input type="checkbox"/> 2/3 Required			
<input type="checkbox"/> <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
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					x
		George Mansfield					
		Pamela Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
Motion Carried							

City of Beacon Council Agenda
10/16/2017

Title:

Resolution to Adopt the Local Law to Amend the City Charter

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. adopt LL re Charter	Resolution
LL Charter	Local Law



CITY OF BEACON
CITY COUNCIL
RESOLUTION NO. _____ OF 2017

A RESOLUTION TO ADOPT A LOCAL LAW TO AMEND THE CITY CHARTER

NOW, THEREFORE, BE IT RESOLVED that the Beacon City Council hereby adopts a local law to amend the City Charter.

BE IT FURTHER RESOLVED, that the Mayor's salary shall increase during his term of office as proposed in Section 2.01 of the City Charter, subject to a permissive referendum.

BE IT FURTHER RESOLVED, that this local law shall take effect immediately upon filing with the Office of the Secretary of State, except that Section 2.01 shall take effect under passage and upon expiration of the time period for filing a petition for permissive referendum. In the event that a petition is duly filed and a referendum held, Section 2.01 shall take effect after said referendum has been duly passed by a majority of voters and said Section has been duly filed with the Department of State.

Resolution No. _____ of 2017			Date: <u>September 18, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Mayor Randy Casale					
Motion Carried							

DRAFT LOCAL LAW NO. ____ OF 2017

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW AMENDING
THE CITY OF BEACON CHARTER**

A LOCAL LAW to
amend the City of
Beacon Charter.

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

Section 1. Chapter C of the City of Beacon entitled “Charter” is hereby amended as follows:

Chapter C. Charter

Article 1. Title; Powers of City; Boundaries

Sec. 1.00. Short title.

This Charter shall be known and may be cited as "Charter of the City of Beacon."

Sec. 1.~~02~~01. Purpose.

The purpose of this Charter is to provide the legal framework for organizing and operating the government of the City of Beacon.

Sec. 1.~~04~~02. Corporate name.

The City of Beacon, hereinafter referred to as the "city," shall continue to be a municipal corporation in perpetuity, as heretofore established and as provided by law, under the name "City of Beacon."

Sec. 1.~~06~~03. Powers of the city.

The city shall have all powers granted to a city of its population under the constitution and laws of the State of New York, as fully and completely as though they were specifically enumerated in this Charter.

Sec. 1.~~0704~~. Authorization to sell or convey city-owned property.

The purpose of this chapter is to supersede General City Law § 23(2)(b) so as to authorize the public or private sale or lease of real property owned by or in the control of the city through public or private transaction.

- A. Authorization for sale or lease. The City Council may by a resolution adopted by majority vote, sell, convey, exchange, grant or release any city real estate or franchise belonging to or under the control of the city at public or private sale, and grant rights or interests in, over, under and across any real property in which the city has any right, title or interest, for such consideration and upon such terms and conditions as the City Council may deem proper, and with respect to the sale of surplus real property, such terms and conditions may include purchase money mortgages, installment contract sales and any other means of selling and financing.
- B. Procedure for sale at public auction. Real property owned by the city leased, sold or otherwise alienated by public sale shall be at public auction or by sealed bid to the highest bidder, under proper regulations as to the giving of security and after public notice of the time and place and terms of such sale has been published at least once in the official newspaper of the city at least one week prior to such sale.

Sec. 1.~~0805~~. Vested rights and duties.

All property, power, contracts, local laws, ordinances, rules, regulations, obligations and liabilities of the city existing at the time of adoption of this Charter, unless explicitly superseded by this Charter, shall be in no way affected or changed by its adoption. All actions and proceedings pending for or against the city at the time that this Charter takes effect shall be continued unless the parties shall otherwise stipulate.

Sec. 1.~~0640~~. Construal.

The powers of the city under this Charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general powers stated in this Article or provided by the laws of the State of New York.

Sec. 1.~~4207~~. Intergovernmental relations.

The city may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one (1) or more states or civil divisions or agencies thereof, as authorized by the Constitution and Laws of the State of New York.

Sec. 1.~~4608~~. Boundaries of the wards.

The city shall be divided into four wards, the boundaries of which shall be set forth in the City Code and reviewed and adjusted as appropriate within six months after publication of the results of each Federal decennial census. ~~The current ward boundaries are as follows (all references to a street refer to its center line; all references to a compass point are approximate):~~

~~Ward One:~~

~~From the point on the western city boundary where it touches Red Flynn Drive; then~~

~~South on Red Flynn Drive, across the railroad overpass to Beekman Street; then~~

~~Northeast on Beekman Street to North Avenue; then~~

~~South on North Avenue to Main Street; then~~

~~East on Main Street to Fishkill Avenue; then~~

~~North on Fishkill Avenue to Verplanck Avenue; then~~

~~West on Verplanck Avenue to Matteawan Road; then~~

~~North on Matteawan Road to Camp Beacon Road; then~~

~~North on Camp Beacon Road and continuing in the same direction to the northern city boundary; then~~

~~10. Along the northern and western city boundaries back to the starting point.~~

~~Ward Two:~~

~~From the point on the western city boundary where it touches Red Flynn Drive; then~~

~~South on Red Flynn Drive, across the railroad overpass to Beekman Street; then~~

~~Northeast on Beekman Street to North Avenue; then~~

~~South on North Avenue to Main Street; then~~

~~East on Main Street to Teller Avenue; then~~

~~South on Teller Avenue to Wolcott Avenue; then~~

~~West on Wolcott Avenue to Sargent Avenue; then~~

~~South on Sargent Avenue to South Avenue; then~~

~~South on South Avenue to the midpoint of Fishkill Creek; then~~

~~South along the midpoint of Fishkill Creek to the southern city boundary; then~~

~~Along the southern and western city boundaries back to the starting point.~~

~~Ward Three.~~

~~From the point on the eastern city boundary where Mount Beacon Monument Road crosses;
then~~

~~West on Mount Beacon Monument Road to East Main Street; then~~

~~West on East Main Street to Washington Avenue; then~~

~~North on Washington Avenue to Grove Street; then~~

~~West on Grove Street to Liberty Street; then~~

~~South on Liberty Street to East Main Street; then~~

~~West on East Main Street to Main Street; then~~

~~North on Main Street to Verplanck Avenue; then~~

~~West on Verplanck Avenue to Matteawan Road; then~~

~~North on Matteawan Road to Camp Beacon Road; then~~

~~North on Camp Beacon Road and continuing in the same direction to the northern city
boundary; then~~

~~Along the northern and eastern city boundaries back to the starting point.~~

~~Ward Four.~~

~~From the point on the eastern city boundary where Mount Beacon Monument Road crosses;
then~~

~~West on Mount Beacon Monument Road to East Main Street; then~~

~~West on East Main Street to Washington Avenue; then~~

~~North on Washington Avenue to Grove Street; then~~

~~West on Grove Street to Liberty Street; then~~

~~South on Liberty Street to East Main Street; then~~

~~West on East Main Street to Main Street; then~~

~~North on Main Street to Verplanck Avenue; then~~
~~West on Verplanck Avenue to Fishkill Avenue; then~~
~~South on Fishkill Avenue until it turns into Teller Avenue; then~~
~~South on Teller Avenue to Wolcott Avenue; then~~
~~West on Wolcott Avenue to Sargent Avenue; then~~
~~South on Sargent Avenue to South Avenue; then~~
~~South on South Avenue to the midpoint of Fishkill Creek; then~~
~~South along the midpoint of Fishkill Creek to the southern city boundary; then~~
~~Along the southern and eastern city boundaries back to the starting point.~~

Article 2. City Council

Sec. 2.00. Composition; eligibility; election; terms.

- A. ~~Compensation~~Composition. There shall be a City Council of six (6) members and a Mayor. The term "Council" or "City Council" shall include the Mayor unless said Mayor is excluded by express provision therefrom or by operation of law. Two (2) of the Council members will be elected at-large, and the remaining four (4) Council members will be elected from ~~districts~~ wards, the boundaries and dimensions of which shall be determined by the City Council, in conformity with constitutional requirements and the requirements of the Laws of the State of New York.
- B. Eligibility. Only qualified voters of the city shall be eligible to hold the office of Council members and Mayor. Any such elected officer of the city shall vacate ~~his~~ the office upon removal of his/ her domicile from the city and shall be disqualified from holding such office.
- C. Qualifications. Every elected or appointed city officer shall possess the qualifications prescribed by the Public Officers Law of the State of New York, except as otherwise provided in this Charter.
- D. Election and terms. ~~The first city election under this Charter shall be held on the first Tuesday in November in the year 1991 and in conformity with the Election Law. The terms of the officers so elected shall begin on January 1, 1992. Thereafter, regular elections shall be held as provided by this Charter, to elect successors to those officers whose terms are about to expire.~~

- (1) The Mayor shall be elected for a term of four (4) years.

- (2) The Council members shall be elected for a term of two (2) years.
- (3) Four (4) Council members shall each represent one (1) of the four (4) ~~districts~~ wards of the city, and a Council member representing such ~~district-ward~~ shall be domiciled and a qualified voter therein.

Sec. 2.0201. Compensation and expenses.

The salary for each of the six (6) Council members shall be nine thousand dollars (\$9,000) per annum, and for the Mayor twenty-five thousand dollars(\$25,000) per annum. ~~The Council may determine the compensation of the Council members and for the Mayor by ordinance. This includes, but is not limited to, salary, health insurance and/or other fringe benefits.~~ Council members and the Mayor shall receive their actual and necessary expenses incurred in the performance of their duties of office. In addition, the Council members and the Mayor shall have the option of receiving individual health insurance coverage benefits, ~~individual or family coverage~~, through the City of Beacon's health insurance plan, such insurance policy type shall be determined by the Director of Finance. The Mayor or a Council member who elect not to receive health insurance coverage shall be provided a cash payment of \$2,500. Once the Mayor or Council member elects not to receive the health insurance, such election must be for the full calendar year, unless the Mayor or Council Member is no longer covered by the health insurance from the other source. In such case, the Mayor or the Council member will receive a pro-rated cash payment. The City's contribution toward the premium cost of providing ~~this individual coverage, individual or family,~~ shall be at the same percentage contribution rates as is provided to the City's department heads with the balance being paid for by the Council member or the Mayor who elected such health insurance coverage. Council members and the Mayor may secure family coverage through the City's insurance plan but such person is responsible for any such cost above the individual coverage cost. -This shall take effect on January 1, 2018 with respect to Council members and the Mayor.

Sec. 2.0402. Mayor.

The Mayor shall preside at meetings of the Council and shall be recognized as chief executive officer of the city government. The Mayor shall appoint the Council Secretary. The Mayor, with the consent of a majority vote of the Council, shall appoint all members to, and fill all vacancies on, all boards, commissions and similar bodies created and authorized by state law or this Charter. The Mayor may appoint, from time to time, such nonsalaried advisory committees as may be necessary to make nonbinding recommendations as to those matters which they are assigned to review. ~~The Mayor shall submit a yearly planning report to the Council no later than June 1.~~

Sec. 2.0603. Prohibitions.

- A. Holding other office. Except where authorized by law, no Council member shall hold any other city office or employment during the term for which elected to the Council;

and no former Council member shall hold any compensated appointive city office or employment until one (1) year after the expiration of the term for which elected to the Council.

- B. Appointments and removals. Neither the Council nor any of its members, with the exception of the Mayor, shall in any manner dictate the appointment or removal of any city administrative officers or employees whom the Mayor or any subordinates are empowered to appoint, but the Council may express its views and fully and freely discuss with the Mayor anything pertaining to appointment and removal of such officers and employees.
- C. Interference with administration. Except for the purpose of inquiries and investigations under Section 2.4206, neither the Council nor any of its members shall direct or otherwise manage any city officer or employee, other than through the City Administrator or Mayor.

Sec. 2.0804. Vacancies in elective office.

- A. Creation of vacancies. A vacancy in an elective office shall exist when the person elected fails to qualify for the office within thirty (30) days thereafter, dies, resigns, ceases to be domiciled in the city and/or ward from which elected, is determined to be either mentally or physically incompetent to perform the duties for which that person was elected or is convicted of a felony or a crime involving a violation of oath of office or when a judgment of a court declares the election void, the office forfeited or vacant or when the person fails or refuses to file the official oath or undertaking as prescribed by law.
- B. Procedures. If a vacancy shall occur in any elective office of the city (with the exception of Mayor), otherwise than by expiration of term, the Mayor, with the consent of the majority of the City Council, shall appoint a duly qualified person to fill such vacancy until a successor is chosen in accordance with the Public Officers Law. If a vacancy in an elective office is not filled by the Mayor with Council approval within forty-five (45) days of its occurrence, the Council shall have the power to fill such vacancy by four (4) affirmative votes of the Council. In the event that no appointment is made to fill the vacancy as hereinbefore provided, the Council may call a special election to fill such vacancy for the unexpired term. Such a special election shall be held no later than ninety (90) days from the occurrence of the vacancy. If the vacancy shall occur in the office of Mayor, the City Council, by a majority vote of its members, shall appoint a duly qualified person to fill such vacancy until a successor is chosen in accordance with the provisions of the Public Officers Law. In the event that no appointment is made to fill the vacancy in the office of Mayor within forty-five (45) days of its occurrence, the Council may call a special election to fill such vacancy for the remainder of the unexpired term. Such a special election shall be held no later than ninety (90) days from the occurrence of the vacancy. During the interim, the person so appointed as Mayor pursuant to Chapter

23 of the Code of Ordinances shall perform the duties of Mayor until the vacancy is filled as hereinabove provided and shall assume the additional compensation for Mayor while assuming those duties.

- C. In the event there is a conflict with the language contained in either Chapter 19 or Chapter 23 of the Code of Ordinances, the terms of this section shall supersede the provisions in Chapters 19 and 23 of the Code of Ordinances entitled "Continuity of Government" and "Disaster Preparedness Committee," respectively.

Sec. 2.~~400~~5. Judge of qualifications.

The Council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of and removal from their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office other than those grounds causing an immediate vacancy, by operation of state law, shall be entitled to a public hearing on demand, after seven (7) days' written notice. Notice of such hearing shall be published in one (1) or more newspapers of general circulation in the city at least one (1) week in advance of the hearing. Decisions made by the Council under this section shall be subject to review by the courts. In determining the qualifications of its members, the Council shall use the standards set forth in the Public Officers Law and General Municipal Law, and such additional standards as may be enacted by Charter amendment or local law, provided that the same are not inconsistent with the Public Officers Law or General Municipal Law.

Sec. 2.~~420~~6. Inquiries and investigations.

The Council shall have access to all information concerning any aspect of the affairs of the city, and may request such information in writing. The Council shall also have the power to make formal investigations into any aspect of the affairs of the city, and for such purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Any person who fails to obey any subpoena or lawful directive of the Council pursuant to this section shall be punished as provided by law for contempt.

Sec. 2.~~440~~7. Independent audits.

The Council shall obtain an independent audit of all financial accounts at least once annually. Such audits must be conducted by a certified public accountant who has no direct personal interest in the financial affairs of the city government or any of its officials. The annual audit must be reported to the Council and the public no later than ~~April 30~~ June 30 of each year.

Sec. 2.~~460~~8. Procedures.

- A. Meetings. The Council shall meet regularly twice in every month at such times and places as the Council may prescribe by rule. The Mayor's office shall prepare and

make public a written agenda ~~the Friday at least two (2) working days~~ before each regular Council meeting. Special meetings may be held on the call of the Mayor or of four (4) or more members, and whenever practicable, upon no less than twenty-four (24) hours' written notice to each member. All meetings shall be public; however, the Council may recess for the purpose of discussing, in a closed or executive session, those topics or items for which the Public Officers Law allows a closed session. The general subject matter for consideration must be expressed in the motion calling for such closed session. Final action thereon shall not be taken by the Council until the matter is placed on the agenda.

- B. Rules and journal. The Council shall determine its own rules and order of business and shall provide for keeping of a full and accurate journal of its proceedings and communications, which shall be a public record. They shall provide for public comments at all meetings.
- C. Workshops. In order to prepare for regular meetings, the Council may meet in informal public workshops. Workshop meetings shall be subject to the same requirements as regular meetings with respect to notice, public attendance, advance public agenda, and public record. No formal legislative decision may take place at a workshop. Any Council member may request the Mayor add an item to the workshop agenda and if not added to the Agenda, a Council member may at the next workshop meeting request that the item be added to the end of the Agenda upon approval of a majority of the Council. Any Council member may refer to workshop any item of business that has not been previously reviewed in workshop and/or any item of business discussed at a regular meeting which requires further discussion.
- D. A majority of the whole number of the Council, including vacancies, abstentions and any members disqualified, shall constitute a quorum, and the same number shall be necessary to perform and exercise any power, authority or duty of the Council.
- E. Official newspaper. The Council shall designate on an annual basis an official newspaper or newspapers, which may be a daily or weekly newspaper of general circulation in the City of Beacon.

Sec. 2.~~1809~~. Action requiring an ordinance or local law.

The Council shall have the power to enact ordinances for any lawful purpose, within its powers, as provided and authorized by § 20 of the General City Law or any other statute of the State of New York. The Council may enact local laws, for any purpose authorized under the laws of the State of New York, pursuant to the procedures set forth by the laws of the State of New York for such enactments.

Sec. 2.~~2010~~. Ordinances in general.

All proposed ordinances must be presented, in writing, by the Council at least one (1) meeting before adoption, except for emergency ordinances as provided in Section 2.2412. All ordinances, resolutions and charter amendments adopted by the Council shall be recorded in the journal.

Sec. 2.2211. Franchises.

No franchise or renewal thereof shall be granted except upon a public hearing, a notice of which shall be published at least three (3) weeks before the date set for the hearing. The request for such franchise or renewal shall be on file with the City Clerk for public inspection for the three (3) weeks prior to the date of the hearing.

Sec. 2.2412. Emergency ordinance.

To meet a public emergency affecting life, health, property or the public peace, the Council may adopt one (1) or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services or authorize the borrowing of money. An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting emergency clause, a declaration stating that an emergency exists and describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least five (5) Council members shall be required for adoption. After its adoption the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed as of the 61st day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

Sec. 2.2613. Publication of ordinances and resolutions.

The Council shall cause ~~a summary of the entire text of~~ every ordinance and of every resolution having the effect of law ~~to be printed in full in the minutes of the meeting at which they are introduced and adopted, and of the entire text of each amendment to this Charter, to be published promptly in the official newspaper following its adoption before it becomes effective.~~ The full text of the ordinances, resolutions and charter amendments shall be published on the City website and made available to the public, free of charge, from the City Clerk. ~~The published notice shall specifically state that a full copy of the ordinance or resolution may be obtained, free of charge, from the City Clerk.~~

Article 3. Mayor; Administrator

Sec. 3.00. Powers and duties of Mayor.

- A. ~~1.~~ The Mayor shall appoint, subject to Council approval, all city employees, department heads and administrative officers provided for by this Charter, created by the Council, authorized or approved by the Council or required by State Law.
- B. ~~2.~~ The Mayor shall have the power to remove, suspend or terminate any and/or all city employees, department heads, and/or administrative officers where and when the Mayor deems it necessary, except as otherwise provided for by this Charter or personnel rules adopted pursuant to this Charter and/or state law.
- C. ~~3.~~ The Mayor may authorize any administrative officer who is subject to the Mayor's authority and supervision to exercise any of the Mayor's powers with respect to subordinates in that officer's department, office or agency.
- D. ~~4.~~ The Mayor shall direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this Charter or by law.
- E. ~~5.~~ The Mayor shall see that all laws, provisions of this Charter and acts of the Council subject to enforcement by the Mayor or by officers or subject to the Mayor's direction and supervision are faithfully executed.
- F. ~~6.~~ The Mayor shall direct the City Administrator to prepare the budget ~~prepare~~ and submit the annual budget and capital program to the Council.
- G. ~~7.~~ The Mayor shall submit to the Council and make available to the public by ~~March~~ May 1 each year a complete written report on the finances and administrative activities of the city as of the end of the prior year.
- H. ~~8.~~ The Mayor shall make such other reports as the Council may require concerning the operations of city departments, officers and agencies subject to the Mayor's direction and supervision.
- I. ~~9.~~ The Mayor shall keep the Council fully advised as to the financial condition and future needs of the city and make recommendations to the Council concerning the affairs of the city.
- J. ~~10.~~ The Mayor shall perform such other duties as are specified in this Charter or may be required by the Council.
- K. ~~11.~~ The Mayor shall sign ~~all~~ contracts when authorized and approved by the Council.
- L. ~~12. The Mayor shall designate a purchasing agent who shall be responsible for all city purchases.~~
- M. ~~13.~~ The Mayor, as the chief executive officer of the city government, shall represent the city at functions which require official representation.

- N. ~~14.~~ The Mayor shall notify the City Council of the expiration dates of all appointed positions that are subject to this provision, at least sixty (60) days prior to said expiration date. The Mayor shall also post a notice ~~at City Hall~~ on the City website and publicly announce all such expiration dates at the same time as Council notification. Resignations shall be announced at the first Council meeting following the receipt of said notice of resignation by the Mayor.
- O. ~~15.~~ Nominations and applications for such positions shall be accepted from both the Council and the public for a two-week period following said notification. Applications received by the Mayor prior to the notification set forth above shall also be considered for these positions.
- P. ~~16.~~ Proposed appointments by the Mayor will not be added to the agenda between the adjournment of a workshop session and the commencement of the following City Council meeting.

Sec. 3.01. Acting City Administrator.

- A. ~~Each year~~ The City Administrator shall recommend to the Mayor two individuals qualified to fill in as Acting Administrator. At the beginning of the year, at the annual reorganization meeting, the Mayor shall publicly announce and approve the two individuals. If and when an Acting City Administrator is required to perform the duties of City Administrator, a resolution shall be approved by the City Council appointing one of the two individuals. Council hereby creates the position of Acting City Administrator who may be appointed by the Mayor, subject to Council approval, whenever the Mayor determines that ~~Council hereby creates the position of Acting City Administrator who may be appointed by the Mayor, subject to Council approval, whenever the Mayor determines that~~ An Acting City Administrator may be appointed, whenever the Mayor determines that:
- (1) The City Administrator is medically unable to perform his ~~or~~ / her duties full-time;
 - (2) The City Administrator is or will be on a leave of absence or vacation for more than ~~five (5) days~~ thirty (30) days;
 - (3) The City Administrator is prevented by an emergency from carrying out his ~~or~~ / her duties;
 - (4) The City Administrator has resigned or is terminated.
- B. Qualifications.
- (1) If the Acting City Administrator is expected to perform for less than three (3) consecutive months, the Acting Administrator shall possess a baccalaureate degree from an accredited college or university or at least one (1) year of special training in public administration and finance or at least three (3) years' successful experience in a responsible executive position in governmental administration,

or any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration.

- (2) If the Acting Administrator is expected to or does perform in that capacity for more than three (3) consecutive months, the Acting City Administrator's qualifications shall be a baccalaureate degree from an accredited college or university and at least one (1) year of special training in public administration and finance and at least three (3) years' successful experience in a responsible executive position in governmental administration, or any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration.
- C. Upon determination by the Mayor of the existence of any of the events set forth in Subsection A, the Mayor's appointment of the Acting City Administrator shall commence on a date designated by the Mayor. The Acting City Administrator shall have all the powers and perform all the duties of the City Administrator during any period of the City Administrator's absence.
- D. The Acting Administrator shall terminate upon the City Administrator's resumption of his-~~or~~-her duties full time.
- E. The Acting City Administrator's compensation shall be determined by the Mayor, subject to Council approval.
- F. The Mayor or the Council may require certification from a medical doctor that the City Administrator is able to resume full-time duties where the City Administrator's absence is due to medical reasons.
- G. The Acting City Administrator's term of appointment shall not exceed six (6) months unless reappointed by the Mayor with Council approval prior to the expiration of the six-month period.
- H. An appointment of an Acting City Administrator shall be made no later than sixty (60) days after any of the events set forth in Subsection A occurs, as may be determined by the Mayor.

Sec. 3.02. City Administrator.

- A. The Mayor shall appoint a City Administrator subject to an affirmative vote of a majority of the Council members. The City Administrator shall serve at the pleasure of the Mayor. Prior to appointment, the City Administrator shall be qualified with a baccalaureate degree from an accredited college or university and at least one (1) year's special training in public administration and finance and by at least three (3) years' successful experience in a responsible executive position in governmental administration, or by any equivalent training or combination of experience and

training sufficient to indicate capacity for effective governmental administration. The City Administrator shall attend all Council meetings and shall have the right to take part in discussion, but may not vote.

B. The City Administrator shall, as directed by the Mayor:

- (1) Supervise the operations of all departments and units of the city government. As the Supervisor of all department heads, the City Administrator has the authority to discipline any department head for cause, up to but not including termination.
- (2) Prepare or cause to be prepared and submit to the Mayor an annual budget and a capital program pursuant to the provisions of Article 5 of the Charter and Code, and when the same has been approved by the Mayor and the Council, administer the operations under his/her jurisdiction and within those budgetary provisions.
- (3) Report to the Mayor on the needs, finances and progress of the city in conforming to its Comprehensive Plan, with such recommendations for action by the Council.
- (4) Promulgate a personnel and salary plan and, when it is approved by the Council, faithfully execute and adhere to its provisions, and in the same manner revise and update such plans as may be necessary.
- (5) Negotiate, on behalf of the city, agreements with recognized employee representatives on conditions of employment, wages, employee sick leave, vacations, compensatory time off, health insurance, retirement plans and such other personnel matters as may be negotiated, and recommend to the Mayor necessary action thereon as they may deem necessary.
- (6) He/She shall see that all laws and provisions of the Charter and the Code and directions of the Council, subject to enforcement by him/her or officers subject to his/her supervision, are faithfully executed.
- (7) Promulgate a uniform purchasing plan for the procurement of all goods and services required in the administration of the city government, and when approved by the Mayor and the Council, faithfully administer the same.
- (8) Execute such purchasing and service contracts as may be required for the effective administration of the government and the care of its equipment and property under such general authorization as he/she may request and the Mayor and the Council may, by resolution, grant.

- (9) Authorize the attendance of city officials and employees at meetings, seminars and other such gatherings and functions, within budgetary limits or upon special action by the Council.
- (10) Authorize functions and duties not otherwise provided for by the Charter and Code, to units of his/her own choosing, and to transfer employees from one unit to another, temporarily or permanently, as he/she may deem appropriate.
- (11) Act promptly to deal with minor emergencies and breakdowns in city service, and assign administrative resources as available and needed to deal with major emergencies.
- (12) Pursue grant proposals that may benefit the city.
- (13) Carry out such related and nonconflicting duties as may be directed by the Mayor, or as the Council may, by resolution, empower the Mayor to assume, within the constraints imposed by the Charter and Code.
- (14) Approve each voucher, claim or account presented.
- (15) Sign all orders and vouchers for any material or services ordered, rendered, delivered or used.
- (16) Approve all bonds or other security and all public liability and property damage insurance policies required by this Charter and the Code of Ordinances to be given in favor of the city and its inhabitants.

Sec. 3.0403. Removal of Administrator.

The Mayor, with the consent of the council, may remove the Administrator from office in accordance with the following procedures:

- (1) The Mayor shall submit to the Council a preliminary resolution which must state the reason for removal and may suspend the Administrator from duty for a period not to exceed thirty (30) days. A copy of the resolution shall be delivered promptly to the Administrator.
- (2) Within fifteen (15) days after a copy of the resolution is delivered to the Administrator, the Administrator may file with the Council a written response to the preliminary resolution.
- (3) The Council may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members, at any time after the expiration of fifteen (15) days from the date when a copy of the preliminary resolution was delivered to the Administrator. The Administrator

shall continue to receive his/~~her~~ salary until the effective date of a final resolution of removal.

Sec. 3.~~05~~04. Acting Mayor.

~~A. Title. This local law shall be entitled “A Local Law Adding to the City Charter Section 3.05 to the Powers and Duties of the Mayor to Appoint an Acting Mayor.”~~

~~B.~~A. Intent and purpose. This local law provides for the creation of the position of Acting Mayor, who shall be appointed by the Mayor to assure that the office and powers of the Mayor are properly executed in the absence of the Mayor from office or where the Mayor’s disability causes his/her absence, preventing the Mayor from executing the functions of the Mayor’s office.

~~C.~~B. Appointment of Acting Mayor.

- (1) The City Council hereby creates the position of Acting Mayor, who shall be appointed by the Mayor, subject to City Council approval, within three (3) months of the City of Beacon’s reorganization meeting.
- (2) In the event of a tie vote of the City Council on the approval of the Mayor’s appointment of an Acting Mayor, the Mayor’s appointment shall stand.

~~D.~~C. Qualifications of Acting Mayor. The Acting Mayor shall be a member of the City Council at the time of appointment.

~~E.~~D. Duties of Acting Mayor. The Acting Mayor shall have all the powers and perform all the duties of the Mayor during any period of the Mayor’s absence from office and shall be entitled to cast one (1) vote as Acting Mayor and no vote as a Council member.

~~F.~~E. Term of service. The Acting Mayor shall cease serving as Mayor upon the termination of the Mayor’s absence and resumption by the Mayor of his/her mayoral duties.

~~G.~~F. Compensation. The Acting Mayor will not receive compensation for services as Mayor.

~~H.~~G. Determination. The determination of whether a vacancy exists in the elective office of Mayor shall be made as set forth in City Charter Section 2.~~08-04~~ and the Public Officers Law. If there is a conflict between the language of this local law and Section 2.~~08-04~~ or the Public Officers Law, the terms of Section 2.~~08-04~~ or the Public Officers Law shall supersede the provisions of this law.

~~I.H.~~_____Effective date. This law shall take effect immediately upon its filing in the office of the Secretary of State.

Article 4. Administrative Departments

Sec. 4.00. General provisions.

- A. Creation of departments. The Council may establish city departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices and agencies.
- B. Personnel system. All appointments and promotions of city officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence, and according to the provisions and requirements of the Civil Service Law.
- C. Salaries. The Mayor shall fix reasonable salaries of all department heads and nonelected, nonaffiliated personnel, within the budgetary limits set by the Council.
- D. The Mayor and City Council shall approve in advance the creation of all employment positions within the City of Beacon, by roll call vote. Prior to such vote, the Mayor shall provide the Council with the position title, rate of pay, description of duties to be performed and the planned date of hire.

Sec. 4.~~0201~~. City Attorney.

The City Attorney shall be a law firm or an attorney and counselor at law, duly licensed to practice law in the State of New York for at least five (5) years prior to appointment. The City Attorney shall be appointed by the Mayor with the consent of the Council. The City Attorney shall serve at the pleasure of the Mayor for a term that shall not exceed four (4) years and shall commence with the appointment of the Mayor at the beginning of the Mayor's term of office. The City Attorney shall be the legal advisor of the Mayor and Council and all city departments, boards and commissions. The City Attorney shall conduct all cases in court wherein the City shall be a party plaintiff or defendant or a party in interest and shall perform such other duties as are required by law.

Sec. 4.~~0402~~. City Clerk.

The City Clerk shall:

- A. Perform all duties assigned to the position by law, unless modified in the City Code, and such other duties as requested by the City Administrator.

- B. Act as the City's custodian of records, the Records Access Officer, and receive all documents filed with the City.
- C. Be the depositor and custodian for all performance bonds.
- D. Give notice of all City Council meetings to members and the public, and shall be the custodian of the journal of its proceedings.
- E. Act as the City Registrar and issue dog licenses.
- F. File all propositions submitted to the citizens of Beacon, together with the affidavits of publication and posting thereof as required in the Code of Ordinances and resolutions adopted by the City Council.
- G. File such other reports, records, oaths, documents and instruments as are required to be filed by the laws of the State of New York and the provisions of the Beacon Code of Ordinances and City Charter.

Sec. 4.~~0603~~. Department of Finance.

There shall be a Department of Finance, the head of which shall be the Director of Finance, which shall be responsible for the management and disbursement of all City revenues and other assets. The individual so appointed to the position of Director of Finance shall have attained certification as a certified public accountant, or shall have a graduate degree in law, business, or public administration with a minimum of five years of experience in public finance; or shall possess ~~or an~~ equivalent qualifications, certification ~~or and~~ experience ~~and shall possess the experience and qualifications~~ necessary to perform the duties of the office. Whether a candidate meets the requisite experience and qualifications to serve as Director of Finance shall be determined by the City Administrator.

Sec. 4.~~0804~~. Department of Public Works.

There shall be a ~~Public Works Department as organized, and staffed upon the effective date of this Charter shall continue until otherwise provided by local law or ordinance.~~

Sec. 4.~~1005~~. Fire Department.

The Fire Department shall be organized and staffed as set forth in City Code Chapter 31 and any amendments thereto ~~and shall continue until otherwise provided by law or ordinance.~~ There shall be a full-time Fire Chief, who shall be a paid employee of the City appointed by the Mayor, subject to the consent of the Council. There shall also be one (1) or more unpaid Assistant Fire Chiefs, to be known as First Assistant Fire Chief and so on, who shall be appointed from the ranks of the volunteer firefighters pursuant to the provisions set forth in City Code § 31-9 and any amendments thereto.

~~Sec. 4.10.1. Fire and Inspection Coordinator.~~

~~The position of Fire and Inspection Coordinator may be appointed by the Mayor with the consent of the City Council. The Fire and Inspection Coordinator shall:~~

- ~~1 At the Fire Chief's direction, supervise and assign daily work activities to paid career firefighters.~~
- ~~2 At the Fire Chief's direction, assign Fire Department personnel to cover vacation, holiday, personal leave and other approved time off, together with reviewing and approving or denying all leave requests.~~
- ~~3 Coordinate and supervise fire inspections of multiple dwellings and other occupancies in consultation with the Building Department.~~
- ~~4 At the Fire Chief's direction, monitor performance and conduct regularly scheduled performance evaluations of all paid career firefighters.~~
- ~~5 At the Fire Chief's direction, coordinate and supervise paid career firefighter's training.~~
- ~~6 Participate in fire suppression and emergency medical treatment activities, as required.~~
- ~~7 Perform new construction inspections, zoning law administration, code enforcement duties, fire inspections and building plan review, as required.~~
- ~~8 Complete required reports relative to personnel, training, zoning law administration, code enforcement duties, construction inspections, and fire inspections.~~
- ~~9 Enter and inspect any such building, structure or premises in the City of Beacon and may perform any other act or duty necessary for the proper enforcement of the codes, ordinances and law of the City of Beacon.~~
- ~~10 Issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to ensure compliance during the entire course of construction with the requirements of such laws, ordinances or regulations.~~
- ~~11 Issue summons and appearance tickets for violations of the codes, ordinances and local laws of the City of Beacon.~~
- ~~12 Be designated as a career firefighter in the City of Beacon Fire Department.~~
- ~~13 Perform related work and duties as required.~~

Sec. 4.~~1206~~. Police Department.

~~The Police Department, as organized and staffed upon the effective date of this Charter, shall continue until otherwise provided by local law or ordinance.~~ The executive head of the Police Department shall be the Chief of Police, who shall be appointed by the Mayor, with the consent of a majority of the Council, pursuant to the Civil Service Law.

Sec. 4.~~1407~~. Office of Assessor.

The Assessor shall be appointed by the Mayor with consent of a majority of the Council for a term as provided by the New York Real Property Tax Law. The office of Assessor shall meet the qualification standards set forth in the Real Property Tax Law.

~~Sec. 4.16. City Officers.~~

~~The positions of Code Enforcement Officer, inspectors and other officers of the city as existing on the effective date of this Charter shall continue until otherwise provided by local law or ordinance. Every city officer shall, before he enters upon the duties of his office, take, subscribe and file with the City Clerk the constitutional oath of office.~~

Article 5. Financial Procedures

Sec. 5.00. Fiscal year.

The fiscal year of the city shall begin on the first day of January and end on the last day of December.

Sec. 5.~~0201~~. Submission of budget and budget message.

At the first regular meeting in October of each year the Mayor shall submit to the Council a proposed budget for the ensuing fiscal year and an accompanying message.

Sec. 5.~~0402~~. Budget message.

The budget message shall explain the budget both in fiscal terms and in terms of the work programs. It shall outline the proposed financial policies of the city for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures and revenues, together with the reasons for such changes, summarize the city's debt position and include such other material as deemed appropriate.

Sec. 5.~~0603~~. Budget.

- A. Specifications. The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the Mayor deems appropriate or the Council may require. The budget shall utilize the most feasible combination of expenditure classification by funds, organization unit, program, purpose or activity and object. It shall begin with a

clear general summary of its contents and shall show in detail all estimated income, including the proposed tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year. It shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (1) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs, and the method of financing such expenditures.
- (2) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each.
- (3) Anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the city and the proposed method of its disposition. Subsidiary budgets for each such utility giving detailed income and expenditure information shall be attached as appendices to the budget.
- (4) All equipment budget lines must include a separate itemized list of proposed equipment purchases for that budget year with proposed expenditures for each piece of equipment. No equipment may be purchased during the course of the fiscal year that is not included on said itemized list, unless the Council approves, upon a roll-call vote, any addition or deletion from said list.

B. Balanced budget. The total of proposed expenditures shall not exceed the total of estimated income.

C. Notice and hearing. The Council shall publish in the official newspaper of the city and one (1) or more newspapers of general circulation in the city the general summary of the budget and a notice stating:

- (1) The times and places where copies of the message and budget are available for inspection by the public; and
- (2) The time and place, not less than two (2) weeks after such publication, for a public hearing on the budget.

D. Amendment before adoption. After the public hearing, the Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service.

E. Adoption. The Council shall adopt the budget on or before the 31st day of the last month of the fiscal year. In the event that the Council fails to adopt a budget by said

date, then, in such event, the proposed budget of the Mayor shall, by operation of law, become the budget for the ensuing fiscal year. If the default budget provides for a tax levy in excess of the allowable levy limit, the City Council shall pass a resolution to reduce the amount of the tax levy to an amount that complies with the allowable levy limit. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated. The property tax therein proposed shall constitute a levy.

- F. Quarterly reports. The Mayor shall submit to the Council a written summary of the quarterly financial report each year in April, July and October.

Sec. 5.0804. Capital program and action.

- A. Submission to council. The Mayor shall submit to the Council a five-year capital program by May 31 of each year.
- B. Notice and hearing. The Council shall publish in the official newspaper of the city and in one (1) or more newspapers of general circulation in the city the general summary of the capital program and a notice stating:
- (1) The times and places where copies of the capital program are available for inspection by the public; and
 - (2) The time and place, not less than two (2) weeks after such publication, for a public hearing on the capital program.
- C. Adoption. The Council, by resolution, shall adopt the capital program with or without amendment after the public hearing and on or before the 31st day of July of each year.

Sec. 5.0540. Amendments after adoption.

- A. Supplemental appropriations. If during the fiscal year the Mayor certifies that there are available for appropriation revenues in excess of those estimated in the budget, the Council, by ordinance, may make supplemental appropriations for the year up to the amount of such excess.
- B. Emergency appropriations. To meet a public emergency affecting life, health, property or the public peace, the Council may make emergency appropriations. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

- C. Reduction of appropriations. If at any time during the fiscal year it appears probable to the Mayor that the revenues available will be insufficient to meet the amount appropriated, he/she shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken by him/her and his/her recommendations as to any steps to be taken. The Council shall then take such further action as it deems necessary to prevent or minimize any deficit, and for that purpose it may by ordinance reduce one (1) or more appropriations as allowed by law.
- D. Transfer of appropriations. All budget transfers of moneys, except transfers within a department as provided below, must be approved by the City Council upon a roll-call vote, for each requested transfer. No transfers may be made within a department involving accounts for payroll, employee benefits and equipment purchases. In addition, budget transfers of any unencumbered appropriation balance which exceeds ~~three-seven~~ thousand five hundred dollars (\$37,500.) must also be approved by the City Council upon a roll-call vote for each requested transfer.

Sec. 5.~~1206~~. Administration of budget.

- A. Payment and obligations prohibited. No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made, and unless the Mayor or his/her designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal. Such illegal authorization or payment shall be cause for removal of any officer who knowingly authorized or made such payment or incurred such obligation, and he/she shall also be liable to the city for any amount so paid.

~~Sec. 5.14. Public moneys.~~

- ~~A. The Mayor, or an officer designated by the Mayor, shall, under the power and control of the City Council, have the direct management of the revenue of the city, except as otherwise provided by this Charter or by ordinance. The Mayor, or his designate, shall be ex officio City Treasurer, with the usual duties and powers of that office.~~
- B. No city officer or employee shall utilize an automatic signature ~~a signature stamp or signature plate~~ in processing checks to pay bills and vouchers incurred by the City of Beacon, except in the case of payroll or accounts-payable checks.

Sec. 5.~~1608~~. No liability without appropriation.

Except as herein otherwise specifically provided, the city expenditures in any one (1) year shall not be increased over and above the amount provided in the budget duly adopted by

the City Council pursuant to Section 5.~~06-03~~ herein. No contract involving the expenditure and no expenditure for any improvement to be paid out of the general or special funds of the city or for defraying the expenses and liabilities of the city shall exceed in any one (1) year the amount provided in said budget to be paid out of the said general and special funds so appropriated and set apart, but the said general funds shall be maintained for, used and devoted to be particular purposes specified in said budget, except that the unexpended balance in any budget appropriation may, by motion, be transferred to any other budget appropriation contained in said duly adopted budget.

Sec. 5.~~1809~~. Unlawful to incur expense unless appropriation made.

It shall not be lawful for any department or officer of the city to incur or contract any expense or liability for or on behalf of the city unless such an appropriation shall have been made concerning such expenses. Such contract shall be ab initio null and void as to the city for any other or further liability; provided, first, that nothing herein contained shall prevent the city from providing from sums made available for such purposes pursuant to the Local Finance Law for the payment of any expense the necessity of which is caused by any casualty, accident or unforeseen contingency arising after the passage of the Budget; and provided, second, that the provisions of this section shall not apply to or limit the authority conferred pursuant to the Local Finance Law nor for moneys to be collected by special assessments for local improvements. It shall be lawful for the City Council upon the happening of any emergency and upon the declaration of such emergency by resolution of the Council to appropriate from any unexpended funds not otherwise designated for specific purposes by law sufficient funds for the payment of any expenses created by such emergency.

Article 46. Collection of Taxes

Sec. 46.00. Levy and collection of taxes.

Any and all issues relating to the collection of Beacon City taxes are hereby governed by the applicable provisions of the New York State Real Property Tax Law, Article 9, entitled, "Levy and Collection of Taxes," as the same may be amended from time to time.

Sec. 46.021. Procedures for enforcement of collection of delinquent taxes.

Any and all issues relating to the enforcement of collection of delinquent taxes are hereby governed by the applicable provisions of the New York State Real Property Tax Law, Article 11, entitled, "Procedures for Enforcement of Collection of Delinquent Taxes," as the same may be amended from time to time.

Article ~~67~~. Planning

Sec. ~~67.00~~. Comprehensive Plan.

- A. Content. The Council shall adopt ~~the a Comprehensive Plan and amend it from time to time pursuant to General City Law Section 28-a existing Master Plan, or shall amend the same, to constitute a Comprehensive Plan~~ to govern the future physical development of the city.
- B. Periodic update. Separate from any individual amendments, the Council shall periodically undertake a full update of the Comprehensive Plan, at least every 10 years. The Council may delegate such responsibility either to the Planning Board or to a special committee whose members the Mayor shall appoint and the Council approve.
- ~~C. Adoption. Upon receipt of a proposed Comprehensive Plan or proposed modification of the existing plan, the Council shall, by resolution, refer such proposal to the City Planning Board, which shall within a time specified by the Council report its recommendations thereon. After receipt of the recommendations of the Planning Board, the Council shall hold a public hearing on the proposal and shall thereafter adopt it by resolution with or without amendment.~~
- ~~D. Effect. The Comprehensive Plan shall serve as a guide to all future Council action concerning land use and development regulations, community development programs and expenditures for capital improvements.~~

Sec. ~~67.0201~~. Implementation of Comprehensive Plan.

- A. Land use and development regulations. The Council may by ordinance adopt land use and development regulations, including, but not limited to an official map and zoning and subdivision regulations.
- ~~B. Annual report on comprehensive implementation. At the beginning of each year, to review progress on implementation of the current Comprehensive Plan, including an enumeration of actual changes in the prior year and expected changes in the current year.~~
- ~~C. Community development.~~ B. Community development. The Council may by ordinance provide for redevelopment, rehabilitation, conservation and renewal programs for: (1) the alleviation or prevention of slums, obsolescence, blight or other conditions of deterioration, (2) low-income housing, ~~and~~ (3) the achievement of the most appropriate use of the land, ~~and~~ (4) promotion of sustainability and resiliency in capital projects.
- ~~D.~~ C. Council action. Before acting on any proposed ordinance concerning land use and development regulations, community development or expenditures for capital improvements, where such ordinance refers to a matter covered by the

Comprehensive Plan, the Council shall refer the proposal to the City Planning Board, which shall, within a time specified by the Council and prior to public hearing on the proposed ordinance, report its recommendations thereon. In the event that such ordinance is contrary to the Comprehensive Plan, then and in that event, the ordinance shall not take effect until such time as the Comprehensive Plan is amended following such public hearing.

Sec. ~~67.0402~~. Planning Board.

There shall be a City Planning Board consisting of seven (7) members appointed by the Mayor, with the consent of the City Council, for terms of three (3) years, from among the qualified voters of the city. Members of the Board shall hold no other city office. The Board shall make recommendations to the Mayor and the City Council on all matters affecting the physical development of the city, shall be consulted on the Comprehensive Plan and the implementation thereof as provided in Sections ~~67.00~~ and ~~67.02-01~~ and shall exercise all other responsibilities as may be provided by law.

Sec. ~~67.0603~~. Zoning Board of Appeals.

There shall be a Zoning Board of Appeals consisting of five members appointed by the Mayor, with the consent of the City Council, for terms of three years, from among the qualified voters of the city. Members of the Board shall hold no other city office. The Board shall hear and determine appeals from administrative decisions, petitions for variances and such other matters as may be required by the Council or by the laws of the State of New York.

Article ~~78~~. Nominations and Elections

Sec. ~~78.00~~. Regular election.

The regular city election shall be held on the first Tuesday of November in each odd-numbered year.

Sec. ~~78.02~~. Nominations and elections.

All city nominations for election to city office and all elections shall be conducted in accordance with the Election Law of the State of New York and shall be held at such time as may be specified by said Election Law.

Sec. ~~78.0403~~. Qualification of voters.

All citizens qualified by the laws of the State of New York to vote in the city and who satisfy the requirements for registration prescribed by law shall be qualified voters of the city within the meaning of this Charter.

Sec. - ~~78.0604~~. Procedures for elections.

Candidates for the at-large seats on the City Council must be so designated. Candidates for the ward seats must be domiciled in the ward from which they are seeking election, and only qualified electors shall be eligible to hold such office.

Article 89. Finances, Taxation, Local Assessments and Improvements

Sec. 89.00. Indebtedness and taxation.

The city shall have the power to contract indebtedness for any municipal purpose, if authorized by the Local Finance Law of the State of New York or any other state law, to accomplish any lawful purpose to the extent authorized for such purpose and subject to the provisions of this Charter. The city shall have the power to raise money to defray the cost of the carrying on of the general government and for the doing of any of the things authorized by law, by general taxation and by local assessment where authorized, not to exceed the amounts otherwise provided by law.

Sec. 89.0201. Bond referendum.

Any bond ordinance hereafter adopted by the Council authorizing the issuance of bonds of the city, other than bond ordinances expressly excepted hereafter, shall be subject to a permissive referendum to be called and conducted under the same procedures for permissive referenda set forth in the Municipal Home Rule Law.

Sec. 89.0403. Notice of adoption.

Notwithstanding the provisions of the Municipal Home Rule Law, the City Clerk shall, within ten (10) days after the adoption of any bond ordinance which is subject to a permissive referendum, publish a notice in the official newspaper of the city, which notice shall state the date of adoption of such bond ordinance and that such bond ordinance was adopted subject to a permissive referendum and shall contain a summary of such ordinance and state that a full copy of said ordinance is available, free of charge, from the City Clerk.

Sec. 89.0604. Referendum procedures.

Any bond ordinance which is subject to a permissive referendum shall not take effect until the time limits for a permissive referendum as provided in the Municipal Home Rule Law have expired without a petition being presented, or until approved by an affirmative vote of a majority of the qualified electors of the city after the filing of a petition pursuant to the Municipal Home Rule Law. If a petition be filed as provided by the Municipal Home Rule Law, a proposition for approval of the bond ordinance therein described shall be submitted at the next general election in the city unless the Council, within thirty (30) days after the filing, shall direct by resolution that such proposition be submitted at a special election which shall be held not less than ninety (90) days nor more than one hundred twenty (120) days after the filing of such petition.

Any such petition may be made upon separate sheets, and the signatures to each shall be signed and authenticated in the manner provided by the Election Law for the signing and authentication of designating petitions insofar as applicable. The several sheets so signed and authenticated, when fastened together and offered for filing, shall be deemed to constitute one (1) petition. The City Clerk shall examine each such petition so filed with ~~him~~the City Clerk and shall, not later than thirty (30) days after the date of filing, transmit to the Council a certificate that he/she has examined it and found that it complies or does not comply, as the case may be, with the requirements of the law. If, within thirty (30) days after the filing of any such petition, a written objection thereto is filed with the Supreme Court, or any Justice thereof, of the judicial district in which the city is located, such Court or Justice shall determine any question arising thereunder and make such order as justice may require. Such proceeding shall be heard and determined in the manner prescribed by § 335 of the Election Law.

In the event that the Council shall determine to submit a proposition for the approval of a bond ordinance at a special election, the Council shall, in a resolution making the determination, specify the date of such special election, whether voting machines or paper ballots will be used, the persons to act as election inspectors as hereinafter provided, the hours during which the polls will remain open at such special election, which shall include at least three (3) consecutive hours between 7:00 in the morning and 7:00 in the evening, the polling place or places therefor and the text of the proposition to be submitted thereat. The City Clerk shall cause notice of any such special election to be published once in the official newspaper of the city not less than ten (10) nor more than twenty (20) days before the date of such election, which notice shall state the date of the election, the hours during which the polls will remain open, the polling place or places and the text of the proposition to be submitted thereat. Such notice shall also contain an abstract of the bond ordinance referred to in such proposition, briefly summarizing the subject matter thereof. The Council shall select from the election inspectors previously designated for general election purposes pursuant to the Election Law not fewer than two (2) nor more than four (4) persons to act as election inspectors for each polling place at which such a special election shall be held. In other respects, such special election shall be conducted, the votes canvassed and the results certified and returned so far as practicable in the manner prescribed by the Election Law to the extent not inconsistent with this section.

The qualifications for voting on a proposition for the approval of a bond ordinance submitted at either a special or general election pursuant to this section shall be the same as the qualifications for voting upon the election of city officers.

Sec. ~~89.0805~~. Notice of referendum.

In the event that a proposition for the approval of any bond ordinance shall be submitted at an election pursuant to this Article, the City Clerk shall cause a notice of such submission to be published once not less than ten (10) nor more than twenty (20) days before the date of such election, which notice shall set forth the text of such proposition, summarizing the

subject matter thereof and stating that a true copy of the same may be obtained, free of charge, from the City Clerk.

Sec. ~~89.1006~~. Exceptions to referendum.

The provisions of this Article pertaining to permissive referenda shall not apply to any bond ordinance authorizing the issuance of bonds in an amount of two hundred fifty thousand dollars (\$250,000.) or less, nor to any bond ordinance authorizing the issuance of bonds for capital improvements of which more than fifty per centum (50%) of the cost thereof is to be levied by assessments upon property especially benefited thereby, nor to any bond ordinance authorizing the issuance of bonds for the payments of judgments or compromised or settled claims against the city or awards or sums payable by the city pursuant to a determination by a court, officer, body or agency acting in an administrative or quasi-judicial capacity, or providing for the construction or maintenance of sewer treatment facilities or water pollution control facilities.

Sec. ~~89.1207~~. State and county taxes.

Payment of all taxes for state and county purposes shall be made as collected, or by the end of the calendar year for which the warrant for the same is delivered, whichever shall occur first, without interest or penalty.

Article ~~910~~. General Provisions

Sec. ~~910.00~~. Personal financial interest.

No officer or employee of the City of Beacon shall engage in any conduct constituting a conflict of interest or a prohibited action, as provided in Article 18 of the General Municipal Law of the State of New York, nor shall such officer or employee fail to disclose any interest required to be disclosed under such law. In addition to any penalty provided by state law, such officer or employee who shall knowingly and intentionally violate this section shall be removed from office or employment in the manner provided by law or by this Charter.

Sec. ~~910.0201~~. Prohibitions.

A. Activities prohibited.

- (1) No person shall be appointed to or removed from or in any way favored or discriminated against with respect to any city position or appointive city administrative office because of age, handicap, race, sex or political or religious opinions or affiliations.
- (2) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the personnel provisions of this Charter or the rules and regulations made thereunder or in any

manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.

- (3) No person who seeks appointment or promotion with respect to any city position or appointive city administrative officer shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his/her test, appointment, proposed appointment, promotion or proposed promotion.
- (4) No person shall orally, by letter or otherwise solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose whatever from any person holding any compensated appointive city position.
- (5) No person who holds any elected or compensated appointive city position shall solicit any contribution to the campaign funds of any political party or any candidate for public office during working hours, nor shall such person at any time use the name of the city or his/her office for such purposes.

B. Penalties. Any officer or employee of the city who shall: (1) make a false or deceptive report or statement in the course of his/~~or~~ her duties; (2) receive compensation except for payment from the city for performance of any official duty; or (3) accept or receive any gratuity from any person whose interest may be affected by his/her official action shall be guilty of a misdemeanor and, if convicted, shall forfeit his/~~or~~ her office or employment immediately upon conviction.

Sec. 910.042. Charter review.

The Mayor, with the consent of the City Council, shall appoint a commission at least every ten (10) years after the effective date of this Charter to review the Charter and to make recommendations to the Mayor and the City Council for revision or amendment.

Sec. 910.0603. Amendment ~~or repeal~~ Procedures.

This Charter shall only be amended by adoption of a local law pursuant to the procedures set forth in the Municipal Home Rule Law.

Sec. 910.0804. Penalty for violation.

Any person who shall violate any of the provisions of this Charter for the violation of which no punishment has been provided herein shall be deemed guilty of a violation and, upon conviction thereof, shall be punished by a fine not exceeding two hundred fifty dollars (\$250.) or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment.

Sec. ~~910.1405~~. Limitation of actions against city.

- A. No action or proceeding to recover or enforce any claim, debt or demand against the city shall be brought until the expiration of thirty (30) days after the same has been presented, in writing, to the City Council. All actions brought against the city, upon any contractual liability, express, ~~or~~ implied or quasi-contract, must be begun within one (1) year from the time when the cause of action accrued; or, for injury to a person or property because of negligence, within one (1) year and ninety (90) days from the time of receiving such injuries; and, in all other cases, within six (6) months after the cause of action accrued. No civil action shall be maintained against the city for damages or injuries to persons or property sustained in consequence of the existence of snow or ice upon any sidewalk, crosswalk, street, path or place or in consequence of any street, highway, bridge, culvert, sidewalk, crosswalk, grating, opening, drain or sewer being of faulty design or construction, defective, out of repair, unsafe, dangerous or obstructed unless, previous to the occurrence resulting in such damages or injuries, written notice of the existence of such snow or ice at the particular place or of the defects or unsafe, dangerous or obstructed condition of the particular place shall have been filed in the office of the City ~~Clerk Administrator~~ of the city, and it shall be made to appear that there was a failure or neglect within a reasonable time after the filing of such notice to remedy the condition.
- B. No civil action shall be maintained against the City of Beacon for damages or injuries to person or property sustained in consequence of the existence of a defect in any of the playground equipment, playing fields, paths, grounds of any playground or public park owned, operated or maintained by the City of Beacon or for a defect in any such equipment, place or facility maintained at a public bathing beach, skating rink or pond owned, operated or maintained by the City of Beacon unless, prior to the occurrence resulting in such damage or injury, written notice of the existence of such defect relating to the particular equipment, playing fields, paths, grounds of any playground or public park owned, operated or maintained by the City of Beacon shall have been filed in the office of the City ~~Clerk Administrator~~ of the city and unless it shall be made to appear that there was a failure or neglect to remedy or repair such alleged defect or condition in the equipment, facility or place or to cause the equipment, facility or place to be otherwise made reasonably safe within a reasonable time after the filing of such notice.
- C. All claims against the city for damages or injuries to person or property alleged to have been caused by the misfeasance or negligence of the city or any of its officers or employees shall be presented to the City Council, in writing, within ~~thirty ninety~~ (320) days after the happening of the accident or injury out of which the claim arose. Such writing shall describe the time when, the particular place where and the circumstances under which the damages or injuries were sustained and the cause thereof; it shall also state, so far as then practicable, the nature and extent of the damages or injuries; shall

also state the place of residence of the claimant by street and number, and, if there be no street or number, it shall contain such statement as will disclose the place of residence; and all such claims shall be verified by the oath of the claimants. The omission to present such claim within ~~thirty ninety~~ (320) days from the date when such alleged injuries were received and to commence an action within one (1) year ~~and ninety (90) days~~ from the time of such alleged injuries shall be a bar to any claim or action therefor against the city; but no action shall be brought upon any such claim until thirty (30) days have elapsed after the presentation of the claim to the City Council.

D. Nothing contained in this section shall be held to repeal or modify any existing requirement or statute of limitations which is applicable to this class of actions, but on the contrary shall be held to be an additional requirement to the rights to maintain such action, nor shall anything herein contained be held to modify any existing rule of law relative to the question of contributory negligence nor to impose upon the city any greater duty or obligation than that it shall keep its streets and public places in a reasonably safe condition for public use and travel.

E. The place of trial of all actions or proceedings against the city or any of its officers, boards or departments shall be the County of Dutchess.

~~Article 10. Transitional Provisions~~

~~Sec. 10.00. Charter replacement.~~

~~This Charter shall replace the previous City Charter in its entirety.~~

~~Sec. 10.02. Transitional provisions.~~

~~Nothing in this Charter, except as otherwise specifically provided, shall affect or impair the rights or privileges of persons who are city officers or employees at the time of its adoption.~~

~~Sec. 10.04. Rights of officers and employees.~~

~~A. All elected officials shall continue to hold their respective offices until January 1, 1992, and shall perform the duties of their respective offices as prescribed herein.~~

~~B. Appointed officials whose offices are continued pursuant to this Charter shall continue to hold their respective offices until the expiration of the term for which they were originally appointed and shall perform the duties of their respective offices as prescribed herein and shall be subject to removal only as originally provided at the time of their appointment.~~

~~Continuation of powers and duties. Any powers which are conferred and duties which are imposed upon an officer, board, commission or department under any laws of the State of New York or by any ordinance or local law in force at the time this Charter takes effect shall~~

~~be retained and exercised by the officer, board, commission or department except as amended by the provisions of this Charter.~~

~~C. Continuation of status and classification. All officers and employees of the city who shall hold office or be employed subject to Civil Service Law and Rules when this Charter shall take effect shall continue in their respective positions and employment and in their respective civil service classifications and status as officers or employees of the city, consistent with the provisions of this Charter.~~

~~Sec. 10.06. Transfer of officers and employees.~~

~~Pursuant to the provisions of this Charter, any functions, powers or duties heretofore exercised by an officer, department, board, commission or agency, including the officers and employees in the classified civil service, who are engaged in the performance of such functions, powers or duties at the time this Charter takes effect shall be transferred to the office, department, board, commission or agency to which such functions, powers or duties are assigned by this Charter without examination and without affecting existing compensation, pension or retirement rights, privileges or obligations of such officers and employees.~~

~~All records, property and equipment whatsoever of any office, department, board, commission or agency the powers and duties of which are assigned to any other office, department, board, commission or agency by this Charter shall be transferred and delivered to the office, department, board, commission or agency to which such powers and duties are assigned.~~

~~Sec. 10.08. Transfer of powers.~~

~~If a city department, office or agency is abolished by this Charter, the powers and duties given it by law shall be transferred to the city department, office or agency designated in this Charter or, if the Charter makes no provision, designated by the City Council.~~

~~Sec. 10.10. Severability.~~

~~If any provision of this Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons or circumstances shall not be affected thereby.~~

~~Sec. 10.12. Effect of Charter on existing provisions.~~

~~All existing city ordinances, resolutions, orders and regulations shall continue to be in full force and effect after the effective date of this Charter, except as to those matters which are expressly and specifically addressed by this Charter. All local laws previously enacted shall remain in full force and effect.~~

~~Sec. 10.14. Repealer and savings clause.~~

~~All existing city ordinances, resolutions, orders and regulations which are in force when this Charter becomes fully effective are hereby repealed only to the extent to which they are directly repealed or annulled by this Charter. Otherwise, all such existing city ordinances, resolutions, orders and regulations adopted pursuant thereto shall continue to be in full force and effect after the adoption and effective date of this Charter.~~

~~Sec. 10.16. Effective date of new Charter.~~

~~Upon the adoption of this Charter at the referendum or election held in 1989, it shall thereupon become effective insofar as and to the extent that it governs and controls the election of the Mayor, Council members, City Judge and county legislators in the primary and general elections of 1991. In all other respects this Charter shall become effective on the first day of January 1992.~~

~~Sec. 10.18. Code review task force.~~

~~Upon adoption of this Charter, the City Council shall appoint, within ninety (90) days thereafter, a task force to review the administrative codes and local laws of the City of Beacon for consistency with this Charter and to make written recommendations to the City Council to prepare the existing government for the transition to the new form of government adopted under this Charter.~~

~~Article 11. Collection of Taxes~~

~~Sec. 11.00. Levy and collection of taxes.~~

~~Any and all issues relating to the collection of Beacon City taxes are hereby governed by the applicable provisions of the New York State Real Property Tax Law, Article 9, entitled, "Levy and Collection of Taxes," as the same may be amended from time to time.~~

~~Sec. 11.02. Procedures for enforcement of collection of delinquent taxes.~~

~~Any and all issues relating to the enforcement of collection of delinquent taxes are hereby governed by the applicable provisions of the New York State Real Property Tax Law, Article 11, entitled, "Procedures for Enforcement of Collection of Delinquent Taxes," as the same may be amended from time to time.~~

Section 2. Ratification, Readoption and Confirmation

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

Section 3. Numbering for Codification

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

Section 4. Severability

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

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Office of the Secretary of State, except that Section 2.01 shall take effect under passage and upon expiration of the time period for filing a petition for permissive referendum. In the event that a petition is duly filed and a referendum held, Section 2.01 shall take effect after said referendum has been duly passed by a majority of voters and said Section has been duly filed with the Department of State.

City of Beacon Council Agenda
10/16/2017

Title:

Resolution to Adopt the Local Law Regarding the Ward Boundaries

Subject:

Background:

ATTACHMENTS:

Description	Type
Res. adopt LL re Ward Boundaries	Resolution
LL Ward boundaries	Local Law



CITY OF BEACON
CITY COUNCIL
RESOLUTION NO. _____ OF 2017

**A RESOLUTION TO ADOPT A LOCAL LAW TO ADD ARTICLE VII TO CHAPTER 5 OF
THE CITY CODE CONCERNING THE CITY'S WARD BOUNDARIES**

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby adopts a local law to add Article VII to Chapter 5 of the City Code concerning the City's Ward Boundaries.

Resolution No. _____ of 2017			Date: <u>October 16, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Mayor Randy Casale					
Motion Carried							

DRAFT LOCAL LAW NO. ____ OF 2017

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND
CHAPTER 5 OF THE CODE OF THE
CITY OF BEACON

A LOCAL LAW to add
Chapter 5, Article VII
concerning the City's
Ward Boundaries.

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

Section 1. Chapter 5 entitled “Administration of Government” is hereby amended to add Article VII entitled “Wards” as follows:

Article VII Wards

§5-19. Purpose

It is the purpose of this chapter to comply with the equal protection provisions of the Federal and State Constitutions to provide equality of representation.

§5-20. Ward boundaries established.

- A. The city shall be divided into four wards, the boundaries of which shall be reviewed and adjusted as appropriate within six months after publication of the results of each Federal decennial census. The current ward boundaries are as follows (all references to a street refer to its center line; all references to a compass point are approximate):
- B. Ward One.
 - 1. From the point on the western city boundary where it touches Red Flynn Drive; then
 - 2. South on Red Flynn Drive, across the railroad overpass to Beekman Street; then
 - 3. Northeast on Beekman Street to North Avenue; then
 - 4. South on North Avenue to Main Street; then
 - 5. East on Main Street to Fishkill Avenue; then

6. North on Fishkill Avenue to Verplanck Avenue; then
7. West on Verplanck Avenue to Matteawan Road; then
8. North on Matteawan Road to Camp Beacon Road; then
9. North on Camp Beacon Road and continuing in the same direction to the northern city boundary; then
10. Along the northern and western city boundaries back to the starting point.

C. Ward Two.

1. From the point on the western city boundary where it touches Red Flynn Drive; then
2. South on Red Flynn Drive, across the railroad overpass to Beekman Street; then
3. Northeast on Beekman Street to North Avenue; then
4. South on North Avenue to Main Street; then
5. East on Main Street to Teller Avenue; then
6. South on Teller Avenue to Wolcott Avenue; then
7. West on Wolcott Avenue to Sargent Avenue; then
8. South on Sargent Avenue to South Avenue; then
9. South on South Avenue to the midpoint of Fishkill Creek; then
10. South along the midpoint of Fishkill Creek to the southern city boundary; then
11. Along the southern and western city boundaries back to the starting point.

D. Ward Three.

1. From the point on the eastern city boundary where Mount Beacon Monument Road crosses; then
2. West on Mount Beacon Monument Road to East Main Street; then
3. West on East Main Street to Washington Avenue; then
4. North on Washington Avenue to Grove Street; then
5. West on Grove Street to Liberty Street; then
6. South on Liberty Street to East Main Street; then
7. West on East Main Street to Main Street; then
8. North on Main Street to Verplanck Avenue; then
9. West on Verplanck Avenue to Matteawan Road; then
10. North on Matteawan Road to Camp Beacon Road; then

11. North on Camp Beacon Road and continuing in the same direction to the northern city boundary; then
12. Along the northern and eastern city boundaries back to the starting point.

E. Ward Four

1. From the point on the eastern city boundary where Mount Beacon Monument Road crosses; then
2. West on Mount Beacon Monument Road to East Main Street; then
3. West on East Main Street to Washington Avenue; then
4. North on Washington Avenue to Grove Street; then
5. West on Grove Street to Liberty Street; then
6. South on Liberty Street to East Main Street; then
7. West on East Main Street to Main Street; then
8. North on Main Street to Verplanck Avenue; then
9. West on Verplanck Avenue to Fishkill Avenue; then
10. South on Fishkill Avenue until it turns into Teller Avenue; then
11. South on Teller Avenue to Wolcott Avenue; then
12. West on Wolcott Avenue to Sargent Avenue; then
13. South on Sargent Avenue to South Avenue; then
14. South on South Avenue to the midpoint of Fishkill Creek; then
15. South along the midpoint of Fishkill Creek to the southern city boundary; then
16. Along the southern and eastern city boundaries back to the starting point.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapter 5 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that

any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability

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

Section 5. Effective Date

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

City of Beacon Council Agenda
10/16/2017

Title:

Resolution Authorizing a Subordination Agreement for 26 Beekman Street (the View)

Subject:

Background:

ATTACHMENTS:

Description

Res. Subordination Agmt the view

Type

Resolution

CITY OF BEACON

CITY COUNCIL

Resolution No. _____ of 2017

**RESOLUTION AGREEING TO SUBORDINATE CITY'S RIGHT OF REVERTER FOR
FINANCING FOR A CERTAIN 0.3 ACRE PARCEL OF LAND ON BEEKMAN STREET SOLD
TO DMS CONSOLIDATORS, LTD.**

WHEREAS, the City of Beacon entered into a Contract of Sale to convey an approximately 0.3 acre of vacant land located on Beekman Street to DMS Consolidators, Ltd. ("DMS"); and

WHEREAS, said Contract of Sale and the Deed dated July 5, 2015 conveying the property from the City to DMS contained certain terms and conditions, which among other matters, provide the City with a Right of Reversion such that title to the Property will revert to the City in the event DMS does not comply with certain conditions enumerated within the Conditions of Sale attached to the Deed; and

WHEREAS, DMS has advised the City that lending institutions have indicated they will not secure a loan against property which contains a right for the City to have a reversionary interest in the Property; and

WHEREAS, the City recognizes its right of a reversionary interest is a business term that will impact the ability for DMS to obtain a loan and the City is willing to subordinate its reversionary interest as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon subordinate the City's rights to its reversionary interest set forth in Paragraphs 15 of the Conditions of Sale attached to the Deed to the rights of any first mortgage secured against the Property; and

BE IT FURTHER RESOLVED, the City Council recognizes that any Lender who secures a loan against the property will retain and have the right to complete the work on the project in the event DMS is in default of any of the loan terms and that such construction and completion of the work by the Lender will be on notice to the City and will not be in breach of the Conditions of Sale; and

BE IT FURTHER RESOLVED, that the City Attorney is authorized to negotiate and prepare, at DMS's cost and expense, any documentation required to subordinate the City's reversionary interest and the City Administrator is authorized to sign same.

Resolution No. _____ of 2017			Date: <u>October 16, 2017</u>				
<input type="checkbox"/> <input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> <input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Mayor Randy J. Casale					
		Motion Carried					

**City of Beacon Council Agenda
10/16/2017**

Title:

Minutes of September 18 and Oct. 2, 2017

Subject:

Background:

ATTACHMENTS:

Description	Type
091817 draft minutes	Minutes
100217 draft minutes	Minutes

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on September 18, 2017. Please note that the video recording of this meeting is available at <http://vimeo.com/channels/40154>.

Council Members Present:

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

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

Anthony Ruggiero, City Administrator
Nick Ward-Willis, City Attorney

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

First Opportunity for Public Comments: Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight.

Speakers:

Tom DiCastro, 8 Wilkin St.: The intersection of Main and East Main is getting more and more dangerous. Believes that the Tioronda Bridge should be able to accommodate two lanes of automotive traffic and should be strong enough to hold emergency vehicles.

Cecelia Rittman: Thanked the council members who offered an apology for the way the bike day incident was handled. The woman who moved the barricades should be fined.

Dennis Pavelock: Is in favor of a police officer being placed in Beacon High School.

John Gilvey: Has concerns about the 40' pole installed by Verizon on Main Street. Would like to know about the formula used for calculating the sales tax. Would like to know how much we collect and how much do we get back from the County.

Priscilla Kelly, 29 Tompkins Ave.: Met with the Police Chief, the City Administrator, Mayor and Council Member Muhammad. Did not receive an apology from the City for the way the bike day incident was handled.

Arthurs Kamins, 39 Rombout Ave.: Would like Beacon and the County to make a statement relating to the Federal government's stance on DACA.

April Farley: Asks that people take part in stocking the community pantry. Families who are struggling financially utilize the community pantry. Invited the council to the next NAACP meeting. Would like council to discuss affordable housing and rent stabilization.

Ariel Espinoza: Is upset about the bike day incident. Is concerned that a person in power felt like she could move the barrier.

Michal Mart: With regard to the PILOT agreement with Mr. Kearney, would like to know how the \$170,000 figure was determined. Requests transparency as this agreement will likely be the template for future PILOT agreements.

Anna Joannas: Spoke against the notion of having a police officer stationed in the high school. Believes that there are other ways to ensure student safety.

Community Segment:

The organizers of the Youth Police Academy gave a presentation. The students were presented with certificates of completion.

Presentation:

Thomas Wright, Chairman of the Beacon Hudson River Trail Committee gave a presentation about the Trail Master Plan. (the entire plan can be viewed on the City's website) .

Mayor Casale thanked the Greenway/Trail Committee for all of their work on this project.

Dennis Pavelock gave a brief history of the Pumpkin Carving Contest origins and details about the upcoming event.

Public Hearings:

No. 1 Local Law Concerning Water Cross Connections:

Water Superintendent, Ed Balicki gave an overview of the intent of the local law. This amendment would assist the city in preventing water contamination issues.

Council discussed the details of the local law.

Motion to Close the Public Hearing: Council Member Mansfield, second by Council Member Harper.

No. 2 Local Law Concerning the Installation of Water and Sewer Utilities:

City Administrator Ruggiero explained the intent of the local law.

John Furst, Attorney at Catania, Mahon, Milligram, ...: Advised that he has been hired by the DeDominicus family. This law has been on the books for 13 years. Hopes that council will review the consequences. The family feels like they are being signed out. (see full comments attached)

The Council and the City Attorney Nick Ward-Willis discussed the specifics of the impact of the local law. Mr. Ward-Willis opined that for the City to pay 10% of the costs of the installation would not be an appropriate use of public funds.

Art DeDominicus: Thinks that back in the 1900s water and sewer was put through all the streets in Beacon but his road was not included. Only asking that his street be treated like all the other streets in Beacon. George Mansfield asked a few questions of Mr. DeDominicus.

Motion to Close the Public Hearing: Council Member Mansfield, second by Council Member Wetherbee 7-0

No. 3 Local Law to Amend the City Charter

Nick Ward-Willis explained the amendments.

Lou Amoroso: Does not feel that the City should be providing health insurance to its council members.

Justin Riccobono: Was a council member 10 years ago. Believes that health insurance should be budgeted not included in the charter. Feels that council members giving themselves a raise on top of healthcare is ridiculous.

Motion to Close the Public Hearing: Council Member Muhammad, second by Council Member Harper 7-0

No. 4 Local Law to Enact a Residential Building Moratorium:

Nick Ward-Willis explained the intent of the local law. Added that the Planning Board accepted the City's local law and that the DC Planning Department viewed it as a local issue.

Council discussed the many aspects and implication of the local law. Mayor Casale advised that we are having a water study performed by LBG. Ed Balicki added that they will be conducting the bathymetric and leak detection projects.

Nick Ward Willis explained the effective date of the moratorium and which property would be affected.

Lou Amoroso: Asked about the formula for calculating water users; why don't we factor in the visitors to Dia:Beacon and the Breweries. Feels that underground parking garages are unsafe. Mentioned the plastic factory explosion in Texas. We have more stop and yield signs than NYC. Stated that he is pro Smart Growth.

Theresa Kraft: Support the moratorium. Does not want to see this extra burden on our services and water supply.

Melissa Dunne: Supports the expanded moratorium. The Main Street experience is changing due to development. Residential growth is a drain on a community. Traffic is increasing but jobs are not. Feels we should be skeptical of studies conducted for developers. The City should perform independent research. Would like to see incentives for light industrial development.

Dan _____ (read on behalf of Paulette Meyers): Supports a moratorium not only for the water issue but to review our current zoning laws. More work on the Comp Plan needs to be done. We should integrate thoughtful planning for our future. Our natural resources are things you cannot buy. The

needs of current businesses and residents should be met. Opposed to 4 stories in the historic district. Would also like to see additional training for Planning and Zoning Board members.

Julie Shiroshi, East Willow St.: Thanked the Mayor and Council for considering the moratorium. Asked about the timing of the moratorium. Feels that the residents are concerned about transparency. Feels that this is a tremendous opportunity to re-look at the comprehensive plan. Is concerned about some of the ideas of extending the commercial business district in some already dangerous intersections.

Jeff Domanski, 125 Catherine St.: Has worked for 30 years for smart development. This moratorium needs to be more than just a water issue. Feels that growth does not often pay for itself. In order to close the funding gap, cities cut services or raise taxes or both. When the population increases, services decrease. Gave examples to support his claim.

Bob Rogers: Resident of Glenham. Gave an analogy about a laundromat and its impact on water usage.

Elaine Muchacho: Supports the moratorium. Is very concerned about the water availability. Referred to the Comprehensive Plan where it said that we could sustain a population of \$17,000. If the current search for water is not successful, what will the people who currently live in Beacon going to do? We will have higher taxes, worse road conditions and higher costs of water. When there is a drought for a couple of years, it affects the water. We really need to decide if this push for higher density is worth it.

Darren Saragen: Grew up in Woodstock where in 50 years, not much has changed. Feels that Beacon is a real gem of a city. If you look at all of the development projects that are already approved, we need to take a serious look and protect what we have like they did in Woodstock.

Michal Mart: Supports the moratorium and agrees with the other speakers. Commented about the transparency issue. Does not feel that the explanation about the moratorium cut-off date is clear. It is very confusing. Would like council to explain what is actually happening.

Jodi McCredo: Asks that Council look at more than just the water issue. Feels that the community has made it clear that this would be a drain on our infrastructure. She grew up in the Bronx where she did not know her neighbors. Here she sees people caring enough about their community that they pick up trash that they did not even leave. Is proud of the way her kids view the world and feels that it is because of the Beacon community.

Maggie Yarnis: Is in favor of a moratorium. Asked if there are protections in place for the main building of Craig House. Asked if Beacon would take into consideration a privately funded environmental impact study. Mayor Casale answered that if a study was conducted, the City would review it.

Arthur Kamins: Asked about the next steps.

Michael Wolf, Architect and Engineer: Feels that there is adequate water around Beacon. Explained about the Fishkill strata. If we go a little north of our wells, we will find water. Feels that the newcomers are the ones who want to stop people from coming here. Old timers know where the water is.

Kathleen Mazza: Feels that even more careful management is needed now. We need a historical review board. We have enough residential units, we need commercial. We need to find out the impact the approved residential units will have on our infrastructure. The City should pay for its own studies.

Roxanne Meyer: Feels that most of what's been done so far is good. Does not want to see the old timers pushed out.

Mayor Casale explained what Beacon was like years ago. Many of the open spaces we have now are a result of urban renewal-those lots were meant to be redeveloped. We just completed an update to our comprehensive plan. Mentioned that the Comp Plan says that our current water resources can sustain 17,800 residents it does not say users.

No. 5 Ward Boundaries:

Randy explained the intent of the local law.

There were not comments.

Motion to close public hearing: Council Member Wetherbee, second by Council Member Harper 7-0

Council Member Reports:

Ali Muhammad: Thanked everyone for coming.

Omar Harper: Thanked everyone for coming.

Lee Kyriacou: (See attached)

George Mansfield: The Beacon Independent Film Festival was held this past weekend. Change is inevitable, but the important thing is how we deal with it. Appreciate those who come to meetings and watch at home.

Pam Wetherbee: Thanked George for his comments and agrees.

Peggy Ross: The Howland Center will host Jonathan Rose and Dar Williams to discuss their recent books. Thanked Lee for his comments and looks forward to discussing them more fully.

Mayor Randy Casale: Thanked everyone their comments. Assured the public that the council does listen and makes the best decisions for our City. Mentioned that the Fishkill cadet program is a great program for kids. Sunday is Spirit of Beacon Day and will be the last time Rose Story and Roy Ciancanelli will be the organizers. Pattern for Progress hosted an event with Jonathan Rose who gave a great presentation about change. He spoke about China and their plans for density. Is looking forward to meeting with the public in the Sukkah on Oct. 5 at 4pm.

Resolutions, Ordinances and Local Laws:

1. Resolution to Adopt the Local Law Regarding Water Cross Connections:
Council and Water Superintendent discussed different aspects of the local law.
 - Motion by Council Member Muhammad, second by Council Member Harper
7-0
2. Resolution to Adopt the Local Law Regarding the Installation of Water and Sewer Utilities.
Council and Water Superintendent discussed different aspects of the local law.
 - Motion by Council Member Wetherbee, second by Council Member Mansfield
7-0
3. Resolution to Adopt a Local Law Regarding the City Charter and the Resolution to Adopt a Local Law Regarding the Ward Boundaries.
Council will discuss these again at the next workshop.
4. Resolution to Adopt the Local Law Enacting a Residential Building Moratorium
Discussion to amend the language on the moratorium. Council Member Kyriacou read the sentence that would be amended. A lengthy discussion ensued with all members, the City Attorney and City Planner. The City Planner explained process of revising the comp plan to be consistent with the other areas of concern. Two issues to look at in terms of moratorium: water and zoning. City Planner suggested that Council work on zoning while engineers are looking into the water issue.
 - Motion to Amend – Council Member Kyriacou second by Council Member Mansfield
7-0
 - Motion to Adopt as Amended: Council Member Mansfield, second by Council Member Ross
7-0
5. Resolution Authorizing a PILOT Agreement with the Kearny Group
 - Motion by Council Member Mansfield, second by Council Member Harper
7-0
6. Resolution to Schedule a Public Hearing for October 2, 2017 to Receive Comments on the 2018 CDBG Grant Program
 - Motion by Council Member Wetherbee, second by Council Member Harper
7-0
7. Resolution to Express the City of Beacon's Opposition to the Elimination of the Deductibility of State and Local Taxes.
Council Member Kyriacou asked that it be amended to include all representatives not just Rep. Maloney.
 - Motion by Council Member Wetherbee, second by Council Member Ross
7-0

Approval of Minutes: September 5, 2017

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

Second Opportunity for Public Comments:

Lou Amoroso: Has noticed political signs in inappropriate places. Saw the firetrucks confirming that they can reach the top floors of the new building. Years ago, he was denied a seat on the Planning Board.

Michal Mert: Wants to make sure we are selling City-owned property to those who are intending to get zoning variances and hopes that the City is selling at market rate prices.

Kathleen Mazza: Is in favor of the skateboard park proposal. Believes that BMX bikes are not safe.

Maria, 502 Main Street: Stated that East Main does not get the attention that the rest of Main Street gets. There are no flowers, no holiday lights, etc. Hopes that E. Main will become integrated into Main Street.

Adjournment:

11:05 PM - Motion by Council Member Mansfield, second by Council Member Muhammad

Next Workshop: September 25, 2017

Next Meeting: October 2, 2017

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September 18, 2017

Via Hand Delivery & E-mail

City of Beacon, City Council
1 Municipal Plaza
Beacon, New York 12508

Attn: City Clerk

RE: Comments on Possible Repeal of §191-22 of the City Code
Our File No.: 14495-64494

Dear Mayor Casale and Members of the City Council:

We represent property owners Arthur and Michael De Dominicis as well as their corporation, Prospect Realty Syndicate, Inc., (hereinafter "De Dominicis"). We submit these comments on their behalf in connection with the City's public hearing concerning the repeal of §191-22 of the City Code. Section 191-22 was enacted on or about September 20, 2004 and essentially governs the installation of water and/or sewer utility services on existing City streets where no such services exist. Under §191-22, the City must apply certain criteria when a property owner petitions the City Council for the installation of water and/or sewer utilities on an existing City street. This includes, but is not limited to, working with the City's engineer and assessor to determine the City's share of the installation cost, and any bond amount the property owner must post; as well as the most cost effective means for providing City water and/or sewer. This law has been on the books for exactly thirteen (13) years, but the City Council is now considering repealing this important piece of legislation.

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The De Dominicises own approximately 1.6 acres of vacant land located along Judson Street and Howland Avenue identified as tax parcels 6054-17-265505, 6054-14-260488 and 6054-14-250984 (the "Property"). The family has owned two of the parcels constituting the Property since July of 1991. The third parcel was obtained in September of 2014.

The Property is located within the City's R1-7.5 Single Family Residence District, which permits single family homes, as of right, on lots with a minimum lot size of 7,500 square feet. There are already three (3) existing tax parcels and the De Dominicises merely propose to create two (2) additional parcels. The proposed parcels would range in size from approximately 9,500 square feet to 24,000 square feet. Four (4) lots would have frontage and access on Judson Street; and one (1) lot would have frontage and access on Howland Avenue. A subdivision application was submitted to the Planning Board on or about May 30, 2017; and the De Dominicis' engineer appeared before the Planning Board on June 13, 2017. The De Dominicises are currently in the process of responding to comments from the Planning Board and its consultants.

One of the comments concerned the need to extend the City's existing water and sewer infrastructure pursuant to §191-22 of the City Code. The area of the project that fronts Howland Avenue does not have any City sewer infrastructure. Although, it does currently contain City water infrastructure. The area of the project with frontage on Judson Street contains neither City water nor City sewer infrastructure. As per Section 191-22 of the City's Code, the De Dominicises recently submitted a petition to extend the necessary City utilities on Howland Avenue and Judson Streets in order to service this project.

Thus, the De Dominicises have already expended large amounts of time and money to create the two (2) additional lots. Besides the initial preparation of the proposed subdivision plans, the De Dominicis' engineer has been diligently working on addressing the comments from the City's engineer, planner and Planning Board. The De Dominicises were not aware of the City's recent decision to repeal §191-22 until August of 2017, wherein they were well into the subdivision application process. This proposed subdivision relied upon the existence of §191-22 and the City making a contribution to extend its water and/or sewer infrastructure to the entire Property. Given the above, the De Dominicises respectfully request that their subdivision application currently pending before the Planning Board (which merely creates two additional lots) be grandfathered, if the City Council does indeed determine to repeal §191-22.

The pending subdivision will provide a benefit to the community by taking land that is currently vacant and adding five (5) large lots, for single family homes, to the City's tax roll. In addition, the law in question better ensures that any new homes built within the City will be serviced by municipal water and sewer, as opposed to private water and/or a private septic system.

It appears the City's only basis for repealing §191-22 is to avoid any contribution with respect to the De Dominicis' subdivision. We are not aware of any other pending subdivision

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applications that adjoin a City street where water and/or sewer utility services are not currently available. In the interest of fairness and to avoid singling out my client, we respectfully request that the De Dominicis' pending subdivision application be "grandfathered", if the City Council decides to repeal this thirteen (13) year old law.

At a minimum, the City Council should refrain from any action tonight so that it may study the unintended consequences of repealing this law. Without this law, there may be numerous lots within the City essentially deemed unbuildable; and these lots will now most likely remain vacant. If you have any questions or comments, feel free to contact me.

Thank you.

Very truly yours,



JOHN W. FURST

JWF/1399600

cc: Prospect Realty Syndicate, Inc.
City Attorney, Nicholas Ward-Willis, Esq.
City Manager

Pursuant to IRS Regulations, any tax advice contained in this communication or attachments is not intended to be used and cannot be used for purposes of avoiding penalties imposed by the Internal Revenue Code or promoting, marketing or recommending to another person any tax related matter.



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September 18, 2017

Hon. Randy Casale, Mayor
and Members of City Council
1 Municipal Square
Beacon, NY 12508

Re: Proposed Moratorium Law—written comment

Dear Mayor and Members of the City Council:

The Council has undertaken a thoughtful and deliberative process involving ample opportunity for public input in its considering the wisdom of the moratorium law, and I have no further comments on the merits.

On the technical side, I simply wish to confirm the intent and meaning of Section 3, paragraph 2, which covers exemptions from the moratorium for projects filed on or before July 25, 2017. I understand, based on my conversation with Nick Ward-Willis on Friday, that if an application for a project has been duly submitted to the Planning Board on or before July 25, 2017, the exemption authorizes the project to proceed through its Planning Board approvals and to obtain any other related land use approvals required by the development plans, including, for example, building permits or area variances.

I request that this letter be made part of the public record of the public hearing of tonight's proceedings.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'J. Van Tuyl', with a stylized, flowing script.

Jennifer L. Van Tuyl

cc: Nicholas Ward-Willis, Esq.
Lt. Timothy Dexter

To: Mayor and City Council **CC:** Administrator, Attorney, Planner, Bldg. Dept.
From: Lee Kyriacou, Councilman At Large
Date: 18 September 2017
Subject: Comments Regarding Draft Proposal for Changes to Central Main Street (CMS) Zoning

Thank You. First, I want to thank John Clarke and Tim Dexter for offering a draft starting-point for changes to our Central Main Street (CMS) zoning. Having provided draft proposals on Main Street and other zoning last month, I am well aware how concrete proposals can focus a discussion, even though they are just a starting point. Let's keep up the pace – but more importantly, let's get this right.

Maximum Build-Out Analysis. Second, we are taking a look at our zoning at a critical time – when new development proposals are numerous and accelerating – as opposed to our recent past when they were few and far between. For me that means we must reconsider the premises of our zoning decisions – which I believe rest on the assumption that Beacon had to go out of its way to encourage development. Far from it today – if anything we must manage development much more firmly.

As a result, looking at how a zoning proposal would affect a single lot, or even some average impact, won't work now. Rather, we should be looking at the maximum build-out impact of a zoning change, assuming it will result in the maximum number of permitted units for every single lot. A maximum build-out is much closer to the reality of what Beacon is facing. Recent development proposals in Beacon have wanted the maximum unit count or even more – and we have in general approved it.

So I am asking for a maximum build-out analysis in order to assess proposed zoning changes. For Main Street, that means looking parcel-by-parcel at what's currently there, what could be built under zoning, and what total we could end up with. Let's get a maximum build-out analysis started ASAP. Once we see that maximum build-out analysis, we need to connect it to parking and transit as well. I intend to be exceedingly cautious about zoning until we see and get comfortable with maximum build-out analysis.

Specific Reactions to Main Street CMS Proposal. While I support the extension of CMS design concepts to all of Main Street, I do not support other key changes in the proposal, beginning with height and number of allowed units. These are my initial reactions, based on what I have seen to date.

- 1. Stories/Height.** I support density on Main Street. However, I believe the four- and five-story heights in the CMS zoning were premised on the assumption that we needed an incentive for developers to build in the not-so-attractive middle portion of our Main Street. It seems clear to me that Beacon is so attractive that we no longer have to provide any incentive – or certainly not a blanket incentive covering every parcel on Main Street. For height, I would start at three stories – certainly not five, and also not four. Maybe we can consider four under unusual circumstances, or with the right public benefits. But that should be by special permit for enumerated public benefits in the statute. And until we see a maximum build-out analysis of what four and five stories could add to Main Street, I don't see how I can budge off three stories. As for height, I agree we need a height and a story maximum.
- 2. Design Standards:** I support extending CMS form-based design standards to all of Main Street. However, I think we now need to review how have those design standards worked in practice on recent developments – in particular to compare the pocket hotel at Bank Square to the

development at Eliza and Main. We should learn lessons from actual development to tighten our form-based design standards. If the issue is not the statute, but rather its application by the Planning Board or the granting of variances by the Zoning Board of Appeals, then we should sit down in joint sessions with those boards and find ways to reach the outcomes we desire.

3. **Fishkill Avenue:** I do not support extending our Main Street zoning one block up Fishkill Avenue, at least not without analysis and revision. First, as I pointed out at workshop, this block has at least two historic homes – including the Forrestal homestead. Those homes should be added to our Historic Overlay zoning, and not be subject to CMS zoning. Second, we should understand what a maximum build-out under CMS zoning would mean on this block – are we talking an additional 100 or 200 units? Once we fully grasp this, we can set a maximum we think appropriate – which seems to me to be nowhere near an additional three-digit number.
4. **Back of Main Street Parcels.** I do not support extending our CMS zone to the rear portion of Main Street parcels backing up onto Van Nydeck, Dewindt or South Street. There are residences on these blocks, and extending the CMS zoning would result in having Main Street density buildings directly across the street – which would in effect tear apart these residential blocks. Current PB zoning allows either parking or residential construction that matches the zoning of what's across the street. That seems right.
5. **Historic Zoning.** Both ends of Main Street – west of Elm Street and east of Fishkill/Teller Ave – are largely in our Historic Overlay zone. These are historic districts, not just isolated structures. They merit our stewardship – even at the expense of stricter zoning on nearby parcels. I support the extension of design standards – appropriately tightened – to historic overlay lots. My current view is that we should set height in Historic Overlay zoning based on what best preserves and enhances existing historic structures. I want us to make sure that our Main Street zoning, as it applies to Historic Overlay buildings, does not in any way harm the ability for all to enjoy the views of the Howland Center and other historic structures.
6. **Rear Setback.** I do not support a blanket reduction of the rear lot setback from 25 feet to 10 feet. Yes, some lots are not very deep, such that it may be hard to build with a 25-foot setback. But that's not a reason to give away 15 feet of multi-story building potential to every other lot on Main Street. We can write the zoning narrowly – e.g., keep the rear setback at 25 feet, except for lots with less than a certain depth.

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council, held in the Municipal Center at One Municipal Plaza on October 2, 2017. Please note that the video recording of this meeting is available at on our website: www.cityofbeacon.org.

Council Members Present:

Lee Kyriacou, At Large
George Mansfield, At Large
Peggy Ross, Ward One
Pamela Wetherbee, Ward Three
Randy Casale, Mayor

Council Members Absent/Excused:

Omar Harper, Ward Two
Ali Muhammad, Ward Four

Also Present:

Anthony Ruggiero, City Administrator
Nick Ward-Willis, City Attorney

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

First Opportunity for Public Comments: Each speaker may have one opportunity to speak up to three minutes on any subject matter other than those which are the topic of a public hearing tonight.

Speakers:

Theresa Kraft: With regard to the Charter amendments, feels that the health insurance issue should go to public referendum.

Presentation:

2018 Proposed Budget: The Mayor read his budget message and explained the State Comptroller's ranking of Beacon's fiscal stress as low . City Administrator Ruggiero explained the finer points of the proposed budget with a power point presentation. Council Member Kyriacou asked questions about the levy and its effect on the tax rate. The City Administrator and Director of Finance answered his questions.

Public Hearing No. 1:

2018 CDBG Grant Program: The City Administrator explained the program and shared the details of the projects.

There were no speakers.

Motion to close by Council Member Mansfield, second by Council Member Wetherbee
5-0

Council Member Reports:

Ali Muhammad: Absent

Omar Harper: Absent.

Lee Kyriacou: Commented on the CMS Zone. (See attached)

George Mansfield: Advised that the dedication of the Ron and Ronnie Sauers Bridge is scheduled for Oct. 14. This dedication is to show appreciation for all of the work they did toward the revitalization of Beacon.

Pam Wetherbee: Attended the Traffic Safety Committee meeting on September 26. The committee will be making recommendations to address the concerns on Blackburn and Main. Received a phone call from a resident advising of his concerns at that intersection as well.

Peggy Ross: Announced the details of the Sukkah in Polhill Park.

Mayor Randy Casale: Announced that he too received a call from the same resident voicing his concerns about that intersection. Believes that the Traffic Safety Committee will make a good recommendation. Gave details about the pumpkin carving event, the high school athlete's parade and the Sukkah.

City Administrator Anthony Ruggiero: Announced that Dutchess County will be holding a police exam. Gave details of the prep sessions that are being held throughout the County. Read the amended Charter language.

Mayor Casale added that the City Council will meet with the School Board on Oct. 23 at 6pm to discuss the tax cap. (This meeting was canceled due to scheduling conflicts with the BCSD). The Mayor also mentioned the Special Workshop meeting with the Planning Board and Zoning Board which has been scheduled for 7pm on Oct. 23.

Resolutions, Ordinances and Local Laws:

1. Resolution Authorizing the Request of Rosenethe Estates, LLC for an Extension of Time to Submit a Complete Building Permit.
 - Motion by Council Member Mansfield, second by Council Member Ross
5-0
2. Resolution to Schedule a Public Hearing for October 16, 2017 to Receive Comments Concerning an Amendment to the Local Law Enacting the Residential Building Moratorium
 - Motion by Council Member Mansfield, second by Council Member Ross
5-0

Budget Amendments: October 2, 2017

- Motion by Council Member Wetherbee, second by Council Member Ross
5-0

Second Opportunity for Public Comments:

Michal Mart: Asked about the water usage issue in the amendment to the moratorium. Mayor Casale explained that the City has some manufacturing buildings that should not remain vacant. Manufacturing creates jobs. This will be discussed at the October 16 council meeting.

Executive Session:

Motion to enter executive session was made by Council Member Wetherbee, second by Council Member Mansfield

Next Workshop: October 10, 2017

Next Meeting: October 16, 2017

To: Mayor and City Council **CC:** Administrator, Attorney, Planner, Bldg. Dept.
From: Lee Kyriacou, Councilman At Large
Date: 2 October 2017
Subject: Fishkill Avenue between Main Street and Verplanck Avenue

Please receive these remarks in the same spirit as my past ones – to advance our rezoning discussion in light of our self-imposed time limits. These are starting points, recognizing it takes a full council discussion, public input, expert advice and more.

Since my last comments on Central Main Street (CMS) zoning, I had a chance to look closely at the first block of Fishkill Avenue – the structures on the block, the zoning and Comprehensive Plan. Having done so, I am opposed to extending the CMS zone to that block. Rather, the zoning should remain medium-density residential zoning (possibly with some changes) and we should add historic overlay zoning – largely because of existing homes and historic structures on that block, which warrant our protection.

The Comprehensive Plan did recommend extending the CMS zone to the first block of Fishkill Avenue. However, the only express justification for it is this one cryptic sentence: “The Plan supports the extension of the urban form of Main Street to Route 52 between Main Street and Verplanck Avenue.” Frankly, this is not by itself justification. There is no mention of what is currently on that block, current or desired uses, structures to preserve or not to preserve, adjacent areas, etc. I assume that the fuller unstated argument might be: applying CMS zoning to the intersection of Main and our major cross street in theory makes sense. If that’s the theory, let’s look at the actual situation on that block.

I walked that block and found: on the west side, the gas station on Main, a beautiful small Victorian (once dubbed the cutest house in the county by the *Poughkeepsie Journal*), a nice wood frame home with a garage addition, the back of Hamilton Fish Plaza senior housing, another nice wood frame home, the historic James V. Forrestal homestead (he was Secretary of the Navy in WWII and then our first Secretary of Defense), a renovated apartment building (5-6 units I think) on the corner. On the east side is the corner Main Street building, then a pretty blue Victorian with mansard roof that has become apartments, an auto repair shop, a fraternal organization, a house of worship, and another attractive wood frame home on the corner. A majority of the structures are wood frame homes.

I checked on the New York State website for historic property information (<https://cris.parks.ny.gov>), and found a half-dozen sites marked on their cultural resource map, but with “undetermined” as to their historic status. For comparison, my home and the adjacent ones on Route 9D, which I know to be part of an eligible historic register district, are also marked “undetermined.” I believe all these properties were inventoried by the state in the 1980s, and we as a community have not done the work to advance the survey and finalize all the potential historical assets of our community. I will assume that at least some of the homes and other properties on this block of Fishkill Avenue are eligible historic structures. At a minimum, I am confident that at least one home on each side of this block will be.

So here is what we should do. First we should rezone all or portions of this block into our city’s Historic Overlay Zone. The Comprehensive Plan recommends that we update our historic inventory and expand the zone, but left it for another day to get started. Okay, let’s start now – and let’s start here. We should empower a committee with the Beacon Historical Society and other interested citizens to begin updating our 1980s inventory, and identifying historic assets for inclusion in our historic overlay zoning.

I spoke to the State agency today, and they are certainly encouraging of a cultural resource update; no doubt if we look, we can find funding.

Second, we should understand how applying CMS zoning would effectively destroy these homes and other historic structures. I stood in front of the matchbox Victorian and imagined a 4-story structure across the street – it would be jarring to say the least. But more fundamental, extending the CMS zone to this block will almost certainly mark the inevitable demise of these structures – the much higher development value of tearing them down and building 4-story structures is too powerful an incentive. Developers will keep asking, and it only takes one day when the community's guard is down to see our historic assets disappear. We lost enough in urban renewal – let's preserve what we still have.

Third, the current zoning is residential – RD-5 – which is residential, permitting one-family, townhouses or apartments, 8 to 9 per acre. That seems plenty dense enough. On the west side of the block – where I believe all four homes are single family – I propose we change the zoning from RD-5 to R1-5, which is single family, 1/8th of an acre minimum lot size. That is the zoning directly behind these homes on Eliza Street, and would better protect these homes. The historic overlay zone also allows apartments with a special use permit, but would impose a more rigorous special use permit approval process.

On the east side of the block, I could see extending the same R1-5 and historic overlay zoning to this side of the street as well. That doesn't reduce current density (8-9 per acre), so long as you get a historic overlay special use permit. Alternatively, we could extend the residential zoning on the back side of that block, which is RD-4 (~11 per acre) – those are the attached townhouses facing Verplanck and Schenck are RD-4. Either way, the historic overlay is important to protect structures.

A couple of final notes. Some people have pointed out that the auto repair shop is an eyesore. But one parcel should not lead to wholesale rezoning of an entire block, especially one with historic structures. Rather, if that is an issue, we should work on that one property.

I have also received input that we should make room for office space on side streets. I fully agree. The light blue Victorian on the east side of the block, directly behind the Main Street corner building, would be perfect for it. It doesn't have to become a 4-story structure to support office space, and many businesses would love to renovate a Victorian that is only a few feet off Main Street. Further the historic overlay zone expressly permits office space, restaurant, and other uses – with a special use permit. So applying historic overlay here would enable office space.

We might consider adjusting another zone to encourage office space just off Main Street, without the 3- or 4-story CMS height that would effectively destroy side-street residential neighborhoods. Main Street should end on Main Street, not on residential blocks.

City of Beacon Council Agenda
10/16/2017

Title:

Budget Amendment 10-16-17

Subject:

Background:

ATTACHMENTS:

Description	Type
Budget Transfer 10-16-17	Budget Amendment

Council Budget Amendments
October 16, 2017 Meeting

1. Amend the 2017 Recreation Budget to account for the use of the part-time recreation assistant during transition and staffing shortages at the Pool and Afterschool program. See attached Memo from the Recreation Director. Below is the proposed budget amendment:

Transfer to:

A -07-7140-101000-	REGULAR SALARIES	<u>\$ 9,000</u>
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Transfer from:

A -07-7141-173102-	LIFEGUARDS	\$ 4,500
A -07-7140-173100-	AFTERSCHOOL COUNSELORS	<u>4,500</u>
	Total	<u>\$ 9,000</u>

2. Amend the 2017 Highway Budget to account for the utilization of the Highway staff for portions of milling and paving streets. This has been historically more expensive because it usually is contracted out. It is fully reimbursable by funds from NYS Consolidated Highway Improvement Program (CHIPS). Below is the proposed budget amendment:

Increase expense:

A -05-5110-105000-	OVERTIME	\$ 9,344
A -05-5110-112500-	MEALS	<u>420</u>
	Total	<u>\$ 9,764</u>

Increase Revenue:

A -05-5110-350100-	CHIPS REIMBURSEMENT	<u>\$ 9,764</u>
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Respectfully submitted,
Susan K. Tucker CPA