



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember Amber Grant, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Jeff Domanski, Ward 2
Councilmember Pam Wetherbee, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**June 3, 2024
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

Public Hearing for Proposed Local Law No. 2 of 2024 Concerning Fire Hydrants

Public Hearing for Proposed Local Law No. 3 of 2024 Termination of Illegal Sewer Connections

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 49 - Appointing Michael Confield to the Position of Police Lieutenant
2. Resolution No. 50 - Appointing Affdecrin Vargas to the Position of Police Lieutenant
3. Resolution No. 51 - Appointing Alyssa Rudden to the Position of Police Sergeant
4. Resolution No. 52 - Appointing Carl Garofolo to the Position of Police Detective
5. Resolution No. 53 - Setting a Public Hearing for the Proposed 2025-2029 Capital Program
6. Resolution No 54 - Setting a Public Hearing Regarding Proposed Local Law No. 4 of 2024 Concerning Towing
7. Resolution No. 55 - Approving Amendments to the 2024 Budget
8. Resolution No. 56 - Adopting Local Law No. 2 of 2024 Concerning Fire Hydrants
9. Resolution No. 57 - Amending the Schedule of Fees Concerning Fire Hydrants
10. Resolution No. 58 - Adopting Local Law No. 3 of 2024 Concerning Termination of Illegal Sewer Connections
11. Resolution No. 59 - Amending the Schedule of Fees Concerning Illegal Sewer Connections

Approval of Minutes

1. [May 20, 2024 Minutes](#)

Public Comment - Second Opportunity

Announcement of Next Meeting: June 17, 2024 at 7:00 p.m.

Adjournment

City of Beacon City Council Agenda
06/03/2024

Title:

Public Hearing for Proposed Local Law No. 2 of 2024 Concerning Fire Hydrants

ATTACHMENTS

[Proposed Local Law No. 2 of 2024 Concerning Fire Hydrants](#)

LOCAL LAW NO. 2 OF 2024

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 219 OF THE BEACON CITY CODE
CONCERNING FIRE HYDRANTS

A LOCAL LAW to amend
Beacon City Code, Chapter
219, Article IV, concerning
Fire Hydrants.

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

Section 1. Chapter 219 of the Code of the City of Beacon, Article VI entitled “Fire Hydrants”, is hereby amended as follows:

§ 219-23 **Permit required to open; exceptions.**

No person shall open, interfere with or draw water from any fire hydrant in the City without first obtaining a written permit from the Administrator Superintendent of Water and Wastewater authorizing such use~~therefor~~, except that fire hydrants may be opened by or on the order of any member of a Fire Department within the City in case of fire or other emergency for the purpose of attaching thereto fire hose and equipment. A public fire hydrant shall mean any fire hydrant owned or controlled by the City of Beacon.

§ 219-24 **Use regulations; Penalties.**

A. The following regulations shall govern the use of any fire hydrant in the City:

1. Whenever a fire hydrant is to be opened and used by any non-City entity, a written permit from the Superintendent of Water and Wastewater shall be first acquired, notification of such fact shall first be given the City.
2. A permit to open, interfere with, or draw water from any fire hydrant shall only be issued under special circumstances, such as when a property is under construction and sufficient water is not yet available on site.
3. No permit to open, interfere with, or draw water from any fire hydrant may be issued unless the applicant has first paid the permit fee set forth in the City Schedule of Fees. If the permit is issued for the use of a public hydrant the permittee shall also pay a monthly rental fee as set forth in the City Schedule of Fees.

4. No permit shall be issued between November 15 and March 15, nor shall any permittee be allowed to open or draw water from any fire hydrant during this time.
5. All permits issued herein shall expire within 180 calendar days of issuance.
6. Prior to the opening or drawing any water from a fire hydrant, a permittee shall:
 - i. Install a water meter and back flow device approved by the Superintendent of Water and Wastewater
 - ii. Establish a water account with the City of Beacon to pay for the water usage from such fire hydrant.
7. The permittee shall be solely responsible for paying for water drawn from any fire hydrant based upon the usage thereof.
8. No tools or implements shall be used to open fire hydrants except such ~~as are~~ furnished by the City or by the Fire Department tools that are approved for the operation of fire hydrants. No use of pipe wrenches, pump pliers or channel locks is permitted.
9. Swimming pools and other bodies of water shall not be filled from fire hydrants.
10. The permittee shall be solely responsible for any damage to public fire hydrants and/or property caused by the use of any fire hydrant.
- ~~A.11.~~ In addition to the use regulations set forth herein, the Superintendent of Water and Wastewater may prescribe such reasonable conditions and restrictions upon the permittee.

- B. ~~No tools or implements shall be used to open hydrants except such as are furnished by the City or by the Fire Department.~~ Penalties. Any person, entity, or permittee who violates any provision of this Article shall be subject to a fine pursuant to § 1-3.A of the Code.

§ 219-24.1 Private Fire Hydrants.

All privately owned fire hydrants in the City of Beacon shall be operated and maintained in compliance with the following standards and specifications. Privately owned fire hydrants shall mean any fire hydrant within the City which is owned or controlled by a person, partnership, corporation, or entity other than a federal, state, county or local government.

- A. New installations of privately owned fire hydrants after the filing of this local law shall conform to the following standards in addition to any other requirements set forth herein.

1. Prior to the installation of any new private fire hydrant a permit shall be acquired from the City of Beacon Water Department and a fee shall be paid as set forth in the City's Schedule of Fees.
 2. The City of Beacon Water Department shall oversee the installation of all new private fire hydrants, which shall conform to the applicable federal, state, and local regulations, including but not necessarily limited to the New York State Fire Prevention and Building Code and/or NFPA.
 3. Privately owned fire hydrants shall be appropriately designed and specified on site plans.
 4. Be breakaway style if located within 15 feet of any street or right-of-way.
 5. Upon installation and prior to the flowing of any water via a newly installed private fire hydrant, the City of Beacon Water Department shall be contacted and shall inspect the private fire hydrant. No water shall be allowed to flow through any private fire hydrant without documentation by the City of Beacon Water Department of the inspection(s) and a determination that the private fire hydrant complies with all applicable standards, rules and regulations.
- B. Maintenance, standards, and specifications. All private fire hydrants shall comply with the following standards and specifications, regardless of when so installed:
1. Be in compliance with the New York State Fire Code, and such other county, state, or federal laws, rules and regulations applicable to privately owned fire hydrants.
 2. Be mechanically complete and in good working condition.
 3. Be accessible and free of obstructions, including but not limited to, all vegetation, landscaping, and other obstructions are at least three feet away from fire hydrants. Any private fire hydrant shall have a snow marker between the period of November 15 and March 15 if such hydrant is located outdoors at ground level.
 4. Be free of rust and corrosion.
 5. Be painted with the City of Beacon identifying colors and have flow rating bands per NFPH standards.
 6. Drain completely within 60 minutes of closing the valve(s).
 7. Have outlet caps secured.

8. Have gaskets which do not leak when the hydrant is on.
 9. Have an operating nut which is not in worn condition and does not have rounded corners.
 10. Open in a counterclockwise direction.
 11. Be a Mueller manufactured fire hydrant, if erected subsequent to the effective date of this article.
 12. No person or entity may shut off, disconnect, remove, or disable a private fire hydrant without the prior written approval of the City of Beacon.
 13. It shall be strictly prohibited to open or draw water from a private fire hydrant, except in the case of a bona fide emergency or when performing legitimate inspections in accordance with the requirements herein, without the prior written approval of the City of Beacon Water Department.
 14. The City of Beacon shall be permitted to access and inspect all private fire hydrants as necessary and upon reasonable prior notice. In the event such property owner or person in control of a privately owned fire hydrant refuses permission, the City Attorney may seek an administrative search warrant for the purposes of City personnel to perform such inspection.
 15. Failure to meet such standards herein shall be cause to deny either a temporary or final permit by the City of Beacon, or the revocation of any existing permits.
- C. Duty to Repair. The owner of such land in which a privately owned fire hydrant is located has the affirmative duty to repair or replace any fire hydrant in accordance with the standards herein. Upon notice of required repairs by the City of Beacon, the property owner must complete such repairs and certify that the hydrant meets all required standards herein within thirty (30) calendar days of the notice. Such repairs shall be at the sole cost and expense of the owner. Failure of the City of Beacon to notify any owner of a privately owned fire hydrant that such hydrant is not in good working order shall not relieve such owner of the affirmative obligation to ensure that the hydrant is in good working order and complies with the applicable standards, regulations, and rules herein.
- D. Inspections. All privately owned fire hydrants shall be inspected annually at the owner's expense, in accordance with the applicable local, state, and federal laws, rules and regulations. Any person or entity who owns or controls a private fire hydrant in the City of Beacon shall have the affirmative obligation, without request from the City, to cause such inspections to be made. Any such person or entity who owns, controls, operates, or maintains any private fire hydrant shall submit a copy of the report

generated from its annual fire hydrant testing performed pursuant to the New York State Fire Code and NFPA to the Building Inspector of the City of Beacon. The report shall include, but not be limited to, the water pressure level coming out of each hydrant as measured by pounds per square inch (psi) and a calculation of the number of gallons of water per minute from each hydrant based on a reading of 20 psi of flowing pressure.

E. Notifications and access. The City of Beacon Building Inspector and City of Beacon Water Department shall be contacted immediately regarding any privately owned fire hydrant that:

1. Is taken out of service for any reason; or
2. Is found to be inoperable or fails the inspection; or
3. Upon completion of any work performed on a private fire hydrant. Prior to placing such private fire hydrant back into service, no water shall be allowed to flow through any private fire hydrant without written documentation by the City of Beacon Water Department of an inspection certifying that the private fire hydrant complies with all applicable standards, rules, and regulations.

F. Inspection and registration fee. Any person or entity which owns, controls, operates, or maintains a private fire hydrant, shall pay an annual fee of \$125.00 for each such fire hydrant that the person or entity is responsible for, whether located on private property or private streets.

G. Penalties. Any person or entity who violates any provision of this Section shall be subject to a fine pursuant to § 1-3.A of the Code. Prior to commencing any enforcement action for violation of this Section, the enforcing person shall grant the property owner thirty-days' notice to comply. Each day a privately owned hydrant is not in compliance with this Section, and each hydrant found to be in violation of this Section, shall constitute a separate offence.

H. More stringent rules and regulations to apply. The provisions of the New York State Fire Code, as well as any county, state, and federal laws or regulations, relating to privately owned fire hydrants shall remain in full force and effect within the City of Beacon, and shall be in addition to the provisions set forth in this Section. To the extent there is any conflict with the provisions herein and that contained in the New York State Fire Code or any county, state, or federal law or regulation, the more restrictive shall apply.

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 219 of the Code 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 Charter 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 City Council Agenda
06/03/2024

Title:

Public Hearing for Proposed Local Law No. 3 of 2024 Termination of Illegal Sewer Connections

ATTACHMENTS

[Proposed Local Law No. 3 of 2024 Concerning Termination of Illegal Sewer Connections](#)

LOCAL LAW NO. ____ OF 2024

CITY COUNCIL

CITY OF BEACON

**A LOCAL LAW AMENDING CHAPTER 179 OF THE BEACON CITY CODE
CONCERNING TERMINATION OF ILLEGAL SEWER CONNECTIONS**

A LOCAL LAW to amend Chapter 179 of the Beacon City Code concerning the termination of illegal connections or discharges into the sewer system.

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

Section 1. Chapter 179 of the Code of the City of Beacon entitled “Sewers” is hereby amended as follows:

§ 179-4 **Restrictions on discharges into public sanitary sewers and storm sewers.**

...

- B. No person shall discharge or cause to be discharged any nonsanitary substance, including, but not limited to, stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, air-conditioning and refrigerating wastewaters or unpolluted industrial process water or any other similar discharge to any sanitary sewer. Any existing connection or discharge resulting in a nonsanitary discharge to the sanitary sewer shall be terminated. Any connection to be terminated shall be done in a manner satisfactory to the Building Inspector to ensure that the pipe cannot be reconnected. Proof of such termination shall be provided to the Building Inspector within 30 days of discovery, including but not limited to, receipts from a licensed plumber, photographs and/or attestation by the owner and plumber that the connection has been permanently terminated. The owner shall also provide proof satisfactory to the Building Inspector demonstrating how the discharge has been redirected to stormwater pipes, dry well, the ground or otherwise.

...

§ 179-11 **Penalties for offense.**

...

- D. Any reconnection of a previously terminated illegal connection or discharge to the sanitary sewer system shall result in a fine no less than \$ 1,000 and no more than \$1,500.

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 179 of the Code 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 Charter 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 Charter 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 City Council Agenda
06/03/2024

Title:

Resolution No. 49 - Appointing Michael Confield to the Position of Police Lieutenant

ATTACHMENTS

[Memorandum from the Chief of Police in Support of the Promotion of Michael Confield](#)

[Resolution Appointing Michael Confield to the Position of Police Lieutenant](#)



**CHIEF OF POLICE
SANDS FROST**

CITY OF BEACON POLICE DEPARTMENT

**1 MUNICIPAL PLAZA, SUITE 3
BEACON, NY 12508
(845) 831-4111
FAX: (845) 838-5092**



TO: Mayor Kyriacou and City Council

FROM: Chief of Police Sands Frost

RE: Proposed Appointment of Michael Confield to the Rank of Lieutenant

DATE: May 24, 2024

The City of Beacon Police Department would like to promote Michael Confield to the rank of Lieutenant.

Michael Confield is currently a Sergeant for the City of Beacon and has been a Police Officer in the State of New York since 2006. He is a 2005 graduate of Mount Saint Mary's College with a Bachelor's Degree in Human Resources. He is an active member of the Hudson Valley Community, and has coached youth basketball across grade levels for many years.

Sergeant Confield has previous work experience as a Police Officer for the Town of Wallkill Police Department, before being hired by the City of Beacon on September 22, 2008.

In February of 2021, Michael Confield was promoted to his current rank of Sergeant, and since that time has worked to supervise patrol shifts, review reports, investigate use-of-force incidents, collect and maintain mental health statistics, and files monthly reports to Dutchess County. Among his many other qualifications, he has experience in scheduling in several annual trainings and testing requirements, and is responsible for annual reporting to NYSDOCCS.

If approved by City Council, Sergeant Confield would be moved to the rank of Lieutenant with a promotion date of June 10, 2024. Based on Sergeant Confield's performance and experience with the City of Beacon Police Department, I recommend that the City Council vote to approve the promotion of Sergeant Michael Confield to the rank of Lieutenant.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 49 OF 2024

APPOINTING MICHAEL CONFIELD TO THE POSITION OF POLICE LIEUTENANT

WHEREAS, there is an upcoming vacancy for the position of Police Lieutenant; and

WHEREAS, Michael Confield meets the qualifications for the position of Police Lieutenant and is recommended for appointment to the position by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Michael Confield to the position of Police Lieutenant.

Resolution No. 49 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 50 - Appointing Affdecrin Vargas to the Position of Police Lieutenant

ATTACHMENTS

Memorandum from the Chief of Police in Support of the Promotion of Affdecrin Vargas

Resolution Appointing Affdecrin Vargas to the Position of Police Lieutenant



**CHIEF OF POLICE
SANDS FROST**

CITY OF BEACON POLICE DEPARTMENT

**1 MUNICIPAL PLAZA, SUITE 3
BEACON, NY 12508
(845) 831-4111
FAX: (845) 838-5092**



TO: Mayor Kyriacou and City Council

FROM: Chief of Police Sands Frost

RE: Proposed Appointment of Affdecrin Vargas to the Rank of Lieutenant

DATE: May 24, 2024

The City of Beacon Police Department would like to promote Affdecrin Vargas to the rank of Lieutenant.

Affdecrin Vargas is currently a Sergeant for the City of Beacon and has been a Police Officer in the State of New York since 2012. He is a graduate of Dutchess County Community College with an Associate's Degree in Business Administration and from New York University School of Engineering with a Bachelor's Degree in Computer Science.

Sergeant Vargas has previous work experience as a Police Officer for the Village of Greenwood Lake Police Department, before being hired by the City of Beacon in 2014.

In September of 2021, Affdecrin Vargas was promoted to his current rank of Sergeant, and since that time has worked to supervise patrol shifts, review reports, investigate use-of-force incidents, serve as the Department's Ejustice Agency Coordinator, train new hires in computer platforms, and supervise the child safety seat program. Among his many other qualifications, he is also fluent in Spanish.

If approved by City Council, Sergeant Vargas would be moved to the rank of Lieutenant with a promotion date of June 16, 2024. Based on Sergeant Vargas' performance and experience with the City of Beacon Police Department, I recommend that the City Council vote to approve the promotion of Sergeant Affdecrin Vargas to the rank of Lieutenant.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 50 OF 2024

APPOINTING AFFDECRIN VARGAS TO THE POSITION OF POLICE LIEUTENANT

WHEREAS, there is an upcoming vacancy for the position of Police Lieutenant; and

WHEREAS, Affdecrin Vargas meets the qualifications for the position of Police Lieutenant and is recommended for appointment to the position by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Affdecrin Vargas to the position of Police Lieutenant.

Resolution No. 50 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 51 - Appointing Alyssa Rudden to the Position of Police Sergeant

ATTACHMENTS

[Memorandum from the Chief of Police in Support of the Promotion of Alyssa Rudden](#)

[Resolution Appointing Alyssa Rudden to the Position of Police Sergeant](#)



**CHIEF OF POLICE
SANDS FROST**

CITY OF BEACON POLICE DEPARTMENT

**1 MUNICIPAL PLAZA, SUITE 3
BEACON, NY 12508
(845) 831-4111
FAX: (845) 838-5092**



TO: Mayor Kyriacou and City Council

FROM: Chief of Police Sands Frost

RE: Proposed Appointment of Alyssa Rudden to the Rank of Sergeant

DATE: May 24, 2024

The City of Beacon Police Department would like to promote Alyssa Rudden to the rank of Sergeant.

Alyssa Rudden is currently a Detective for the City of Beacon and has nearly nine years of experience as an officer in the State of New York. She is a 2012 graduate of Mount Saint Mary's College with a Bachelor's Degree in Sociology with a concentration in Criminology. She completed the Ulster County Police Academy in 2015.

Detective Rudden has previous work experience for both the Town of Saugerties Police Department and City of Poughkeepsie Police Department, before being hired by the City of Beacon on May 15, 2017.

Since that time, Detective Rudden has served as a State-certified field training officer for new hires, is a certified Procedural Justice Instructor, and was promoted to the position of Detective in June of 2023. She also conducts a number of the Department's annual trainings, including for: Sexual Harassment, Workplace Violence, Disability Awareness, and Taser Use. Officer Rudden has previously conducted all required training required to be a detective in the State of New York. Further, she was selected as an instructor for the recent Rockland County Police Academy and also completed her required Police Supervisory training on May 17th.

If approved by City Council, Detective Rudden would be moved to the rank of Sergeant with a promotion date of June 16, 2024. Based on Detective Rudden's performance and experience with the City of Beacon Police Department, I recommend that the City Council vote to approve the promotion of Detective Alyssa Rudden to the rank of Sergeant.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 51 OF 2024

APPOINTING ALYSSA RUDDEN TO THE POSITION OF POLICE SERGEANT

WHEREAS, there is an upcoming vacancy for the position of Police Sergeant; and

WHEREAS, Alyssa Rudden meets the qualifications for the position of Police Sergeant and is recommended for appointment to the position by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Alyssa Rudden to the position of Police Sergeant.

Resolution No. 51 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 52 - Appointing Carl Garofolo to the Position of Police Detective

ATTACHMENTS

Memorandum from the Chief of Police in Support of the Promotion of Carl Garofolo

Resolution Appointing Carl Garofolo to the Position of Detective



**CHIEF OF POLICE
SANDS FROST**

CITY OF BEACON POLICE DEPARTMENT

**1 MUNICIPAL PLAZA, SUITE 3
BEACON, NY 12508
(845) 831-4111
FAX: (845) 838-5092**



TO: Mayor Kyriacou and City Council

FROM: Chief of Police Sands Frost

RE: Proposed Appointment of Carl Garofolo to the Rank of Detective

DATE: May 24, 2024

The City of Beacon Police Department would like to promote Carl Garofolo to the rank of Detective.

Carl Garofolo is currently a Police Officer for the City of Beacon and has seven years of experience as an officer in the State of New York. He is a graduate of Dutchess County Community College with an Associate's Degree in Criminal Justice. He completed the Dutchess County Police Academy in 2017.

Officer Garofolo has previous work experience with the Dutchess County Sheriff's Office, before being hired by the City of Beacon on May 1, 2017.

Since that time, Officer Garofolo has served as a certified field training officer and child safety seat technician. He has been working in Beacon's Detective Bureau since January 8, 2024 and has received the required training for the rank of Detective since that time.

If approved by City Council, Officer Garofolo would be moved to the rank of Detective with a promotion date of June 10, 2024. Based on Officer Garofolo's performance and experience with the City of Beacon Police Department, I recommend that the City Council vote to approve the promotion of Officer Carl Garofolo to the rank of Detective.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 52 OF 2024

APPOINTING CARL GAROFOLO TO THE POSITION OF POLICE DETECTIVE

WHEREAS, there is an upcoming vacancy for the position of Police Detective; and

WHEREAS, Carl Garofolo meets the qualifications for the position of Police Detective and is recommended for appointment to the position by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Carl Garofolo to the position of Police Detective.

Resolution No. 52 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 53 - Setting a Public Hearing for the Proposed 2025-2029 Capital Program

ATTACHMENTS

[Proposed 2025-2029 Capital Program](#)

[Resolution Setting a Public Hearing for the Proposed 2025-2029 Capital Program](#)

CITY OF BEACON

CAPITAL PROGRAM

2025-2029



CITY OF BEACON

CAPITAL PROGRAM 2025-2029 (DRAFT)

	DESCRIPTION OF ITEMS	2025	2026	2027	2028	2029
GENERAL FUND						
FIRE DEPARTMENT						
	Ladder Truck	1,741,450				
	Firefighter Personal Protective Equipment	19,150	19,530	19,920	20,320	20,730
	Self-Contained Breathing Apparatus (SCBA)	69,640				54,000
	Ford Interceptor (Hybrid)		71,450			
	Ford Interceptor (Hybrid)			73,600		
	Ford F-150 (Electric)			84,340		
	Self-Contained Breathing Apparatus Cylinders				20,000	6,800
ROAD RECONSTRUCTION						
	Mill & Pave Streets/Install ADA Curb Ramps	600,000	500,000	500,000	500,000	500,000
	Mill & Pave Fishkill Ave (Blackburn to Prospect)	320,000				
CITY BUILDINGS & LOTS						
	Mill and Pave Van Nydek Parking Lot	50,000				
SIDEWALKS						
	Sidewalk Improvements	250,000	250,000	250,000	250,000	250,000
STORMWATER SYSTEM						
	Repair Stormwater Main on Depuyster Ave. (Hiddenbrook to Violet Dr.)	30,000				

CITY OF BEACON

CAPITAL PROGRAM 2025-2029 (DRAFT)

	DESCRIPTION OF ITEMS	2025	2026	2027	2028	2029
HIGHWAY DEPARTMENT						
	Dump Truck/Plow/Sander	375,000				
	Salt Brine Maker - Advantage	125,000				
	Large Tractor with Roadside Mower/Closed Cab	200,000				
	Skidsteer		140,000			
	2026 Bucket Truck		175,000			
	Front End Loader - John Deere		273,000			
	Dump Truck/Plow/Sander		340,000			
	Backhoe - John Deere			180,000		
	1-Ton Dump Truck with Plow			93,640		
	1-Ton Dump Truck with Plow			93,640		
	Street Sweeper				393,750	
	Dump Truck/Plow/Sander				393,750	
	2027 Track Loader				350,000	
	Debris Bucket				30,000	
PARKS & RECREATION DEPARTMENT						
	South Avenue Park Rehabilitation (Increase)	575,750				
	Memorial Park Parking Lot Paving	50,000				
	Memorial Park - Basketball Court Resurfacing		105,000			
	Riverfront Park- Court & Parking Reconstruction			1,575,000		
	Memorial Park- Hilltop Pavillion (Increase)			52,500		
	USC- Pool Restoration - Fiberglass			210,000		
	Memorial Park- Walkway			525,000		
	Riverfront Park & Memorial Park- Splash Pads				210,000	
	Riverfront Park & Memorial Park- Playgrounds				420,000	
	Community Center					5,250,000

CITY OF BEACON

CAPITAL PROGRAM 2025-2029 (DRAFT)

	DESCRIPTION OF ITEMS	2025	2026	2027	2028	2029
	POLICE DEPARTMENT					
	Locker Room Renovations	100,000				
	Street Camera - Main Street and 9D	9,800				
	Patrol Vehicle - Interceptor (Hybrid)	85,000				
	Unmarked Vehicle - Chevy Blazer (Electric)	67,000				
	Street Camera - Main Street and Tioronda Avenue		20,600			
	Unmarked Vehicles - Chevy Blazer (Electric)		69,000			
	Unmarked Vehicles - Chevy Blazer (Electric)		69,000			
	Patrol Vehicle - Interceptor (Hybrid)			90,120		
	Patrol Vehicle - Interceptor (Hybrid)			90,120		
	Unmarked Vehicle - Mach E (Electric)				73,100	
	Patrol Vehicle - Interceptor (Hybrid)				93,000	
	Patrol Vehicle - Interceptor (Hybrid)					95,700
	Patrol Vehicle - Interceptor (Hybrid)					95,700
	Subtotal General Fund	4,667,790	2,032,580	3,837,880	2,753,920	6,272,930

CITY OF BEACON

CAPITAL PROGRAM 2025-2029 (DRAFT)

	DESCRIPTION OF ITEMS	2025	2026	2027	2028	2029
WATER FUND						
EQUIPMENT						
	1-Ton Dump Truck with Plow	85,000				
	Vacuum Truck		600,000			
	Ford F-150		60,000			
	1-Ton Dump Truck with Plow			90,000		
	E350 Cutaway Maintenance Truck			100,000		
	Valve Truck and Pacific Valve Operator				150,000	
	1-Ton Dump Truck with Plow				90,000	
	Meter Van (Electric)					70,000
	Mini Excavator and Trailer					100,000
WATER SUPPLY						
	Well # 1 Investigation	55,000				
	Melzingah Rehabilitation (Increase)	1,000,000				
	Water Main Replacement Fishkill Ave. (Blackburn to Prospect)	1,000,000				
	Mt. Beacon Water Storage Tank- Construction		1,365,000			
WATER FILTRATION PLANT						
	High Lift Pump # 4- Engineering	50,000				
	High Lift Pump # 4- Construction		241,500			
Subtotal Water Fund		2,190,000	2,266,500	190,000	240,000	170,000

CITY OF BEACON

CAPITAL PROGRAM 2025-2029 (DRAFT)

		2025	2026	2027	2028	2029
	DESCRIPTION OF ITEMS					
	SEWER FUND					
	WASTEWATER TREATMENT PLANT					
	WWTP Administration Building Roof Replacement	500,000				
	Aeration Blower Replacement (2)	804,000				
	Hauler Digester Tank Cleaning	205,000				
	Aeration Tanks/Air System Replacement (Engineering/Construction)	89,280	2,142,720			
	Concentration Tank Refurbishing, Weir and Collection System Replacement		330,000			
	SANITARY SEWER SYSTEM					
	Monell Pump Station- Construction		400,000			
	Subtotal Sewer Fund	1,598,280	2,872,720	-	-	-
	GRAND TOTAL	8,456,070	7,171,800	4,027,880	2,993,920	6,442,930



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 53 OF 2024

SETTING A PUBLIC HEARING FOR THE PROPOSED 2025-2029 CAPITAL PROGRAM

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for June 17, 2024 at 7:00 pm for the Proposed 2025-2029 Capital Program.

Resolution No. 53 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No 54 - Setting a Public Hearing Regarding Proposed Local Law No. 4 of 2024 Concerning Towing

ATTACHMENTS

Keane & Beane P.C. Memorandum Regarding Revisions to Proposed Local Law No. 4 of 2024 Concerning Towing

Proposed Local Law No. 4 of 2024 Concerning Towing

Resolution Setting a Public Hearing for Proposed Local Law No. 4 of 2024 Concerning Towing

MEMORANDUM

TO: Mayor Kyriacou
Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: Revisions to Proposed Towing Law

DATE: May 29, 2024

In response to the comments made by the City Council at its May 28, 2024 work session, our office revised the proposed Towing Law. A summary of the revisions is as follows:

1. New definition for “parking facility” has been provided that reads as follows: “Any real property, not owned or operated by the state, a municipality or public authority, used for the parking of motor vehicles, having a parking capacity of five or more motor vehicles.”¹
2. New definition for “privately owned real property” reads: “Any real property used for private parking, which is not a parking facility.”
3. Only parking facilities must have a contract with a towing company.
4. Only parking facilities are required to have tow warning signage.²
5. Signs must now be a minimum size of twelve (12) inches by eighteen (18) inches. This is the same size as the City of Beacon uses for its parking signs.
6. Revisions to ensure that owners or operators of privately owned real property will have the proper authority to have illegally or improperly parked vehicles towed.
7. Revisions to ensure that the consumer protections are still in place if an illegally or improperly parked vehicle is towed from privately owned real property (e.g.,

¹ Pursuant to New York State General Business Law § 399-v, the City of Beacon is preempted from adopting a local law which is less stringent than this definition. The Beacon Code is currently more stringent as well as the draft reviewed by the City Council at its May 28 workshop meeting.

² General Business Law § 399-v requires all parking facilities to have signs, however, the state statute is silent on the dimensions of the sign.
5102/011/4857-1518-0995v1 5/29/24

fee cap, anti-patrolling provisions, impound lot within 10-mile radius of Beacon, etc.).

8. Revisions to ensure vehicles towed from privately owned facilities are subject to the same reporting and verification procedures as vehicles towed from parking facilities. This helps to avoid a situation where a vehicle is reported as stolen. These reporting and verification procedures are the responsibility of the towing company.
9. For avoidance of doubt, privately owned real properties are expressly exempted from the signage requirements as well as being required to have a contract with towing companies.

Please do not hesitate to contact our office with any questions. Thank you.

cc: Chris White, City Administrator
Sands Frost, Police Chief
Tom Figlia, Police Lieutenant (incoming Police Chief)

PROPOSED LOCAL LAW NO. 4 OF 2024

**CITY COUNCIL
CITY OF BEACON**

**A LOCAL LAW TO AMEND CHAPTER 211 OF THE BEACON CODE
CONCERNING TOWING**

A LOCAL LAW to amend Chapter 211, Article V, of the Beacon City Code concerning booting and towing of vehicles in private lots.

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

Section 1. Chapter 211 of the Beacon City Code, Article V entitled “Booting and Towing of Vehicles,” is hereby amended as follows:

ARTICLE V

~~Booting and~~ Towing of Vehicles

§ 211-35 Legislative Findings.

- A. It is hereby declared and found that the ~~booting and subsequent~~ towing of vehicles in the City of Beacon involves matters affecting the public interest and that certain improper practices related thereto should be subject to regulation for the purpose of protecting and safeguarding the public health, safety and welfare and to prevent and protect the public from fraud, abuses and unnecessary inconvenience.
- B. The City has received ongoing complaints that insufficient signage is posted in parking lots to warn the public that vehicles may be ~~booted and then~~ towed if parked improperly or illegally. Other complaints have been made concerning alleged abuses by towing company personnel. The City finds that appropriate business practices should include giving adequate warning to the general public of the consequences of parking improperly or illegally on privately owned real property, standardized penalties for violations, and giving the vehicle operators an opportunity to correct what might otherwise be an innocent mistake.
- C. The City therefore desires to regulate ~~booting services and~~ certain towing services within the City through licensing of the businesses providing such services and establishing guidelines for the property owners/operators who employ them. These regulations are hereby enacted to safeguard the public against future fraud and ~~improper booting practices~~

~~and~~ certain towing practices and to better serve the overall health, safety, welfare and good order of the City of Beacon and its inhabitants.

§ 211-36 **Definitions.**

As used in this ~~A~~article, the following terms shall have the meanings indicated:

BOOT

~~A device or lock which is affixed to the wheel of a motor vehicle, preventing the wheel from rotating and, thereby, immobilizing the vehicle; may also be referred to herein as a "booting device."~~

IMMOBILIZATION OR BOOTING

~~The act of affixing a boot to a motor vehicle. The use of any method, manner, mode, device or artifice, whether or not affixed to a motor vehicle, with the intent to and which has the effect of preventing either the moving of a motor vehicle by its normal mode of operation or preventing the departure of the motor vehicle from the real property on which it is then located. For purposes of this Article, the term "immobilization" shall be deemed to include the act of removing the immobilizing device or the discontinuance of the immobilization. The term "booting" shall be deemed equivalent to the term "immobilization." This term shall not apply to mechanical gates located at the entrance or exit of any lot.~~

IMPOUND LOT

A yard, garage or storage facility capable of storing motor vehicles safely and which is made secure by the installation of fences, walls and other security devices designed to protect vehicles being stored therein, subject to additional requirements set forth in § 211-40C of this ~~A~~article.

MOTOR VEHICLE

Shall be defined the same as §§ 79-2 and 145-2 of the Beacon City Code and interpreted in conformity with the New York State Vehicle and Traffic Laws.

PARKING FACILITY

~~Any real property, not owned or operated by the state, a municipality or public authority, used for the parking of motor vehicles, having a parking capacity of five or more motor vehicles.~~

PRIVATELY OWNED REAL PROPERTY

~~Any real property used for private parking, which is not a parking facility. Real property owned by an individual, firm, association, joint venture, partnership, corporation, or other legal entity whatsoever, and shall include, without limitation, the parking lots, parking areas, driveways and sidewalks of shopping centers, parking garages, apartment complexes, condominium complexes, and other land used for multifamily or~~

~~commercial purposes, but shall not include the driveways or parking areas of private homes which are not held open to the public.~~

TOW

The lawful moving of a vehicle which has been parked illegally or improperly on ~~the~~ privately owned real property ~~or a parking facility of another or which has been disabled, abandoned or improperly or illegally parked on a public street.~~

TOWING COMPANY

Any business or person lawfully engaged in the practice of towing vehicles for a fee in the City of Beacon. ~~For purposes of this article, "towing company" shall also include any business or person lawfully engaged in the practice of booting motor vehicles for a fee in the City of Beacon.~~

TOW TRUCK

A motor vehicle used for towing, usually equipped with a crane, winch, tow bar, push plate, flat bed or other device or feature used to push or pull another motor vehicle.

§ 211-37 Registration requirements.

- A. Towing company registration. No towing company shall ~~provide booting services or~~ tow a vehicle ~~from any parking facility that has been booted~~ within the City of Beacon without first applying for and receiving a license from the City ~~unless the tow is at the behest of the vehicle's owner or operator.~~

(1) Application. All towing companies wishing to provide towing services ~~from any parking facility~~ within the City of Beacon shall complete an application filed with the office of the City Clerk. Such applications shall include the following items and such other information as the City Clerk deems necessary:

- (a) The name of the towing company;
- (b) The postal and e-mail address and telephone number of the towing company's primary place of business;
- (c) The names, postal and e-mail addresses and telephone numbers of the owners, managers, and chief operating officers of the towing company;
- (d) Copies of the current licenses/identification cards of all employees of the towing company whose job it shall be to tow ~~or boot motor~~ vehicles, subject to the additional requirement that the list of employees held by the City must be kept current and up-to-date by the towing company;
- (e) Certificates of insurance naming the City of Beacon as a certificate holder entitled to notice of cancellation or nonrenewal and evidencing public liability insurance covering personal injury, property damage, fire and

theft, held by the towing company and issued by an insurance carrier licensed to do business in New York State; and

- (f) Copies of the signed contracts for towing ~~and/or booting~~ services executed between the applicant towing company and the owners/operators of any ~~parking facility privately owned real property~~ that shall receive such services, provided that the towing company is also responsible for furnishing the City with copies of all contracts for towing ~~and/or booting~~ services executed following issuance of a license pursuant to this ~~A~~article.

- (2) Acknowledgment. All applications filed with the City shall have an attached acknowledgment, signed by an owner, manager, or chief officer of the towing company, stating that the towing company understands and is in compliance with all local and state laws concerning towing ~~and booting~~ operations.

- B. Annual registration. Towing companies must register/reregister with the City of Beacon on an annual basis, and fees for towing licenses ~~and booting licenses~~ shall be assessed and paid separately in accordance with the City's fee schedule.
- C. No license granted pursuant to this ~~A~~article may be transferred to another party or individual.

§ 211-38 Fees.

- A. Towing fees. The maximum fee that can be assessed against the owner/operator of a motor vehicle for towing of the vehicle from privately owned real property ~~or parking facility is \$75 shall be established by the City Administrator in consultation with the Police Chief and published publicly on the City's fee schedule~~, plus applicable taxes. Under no circumstances shall the owner/operator of a motor vehicle be charged more than this amount.
- B. Storage fees. The maximum fee that can be assessed against the owner/operator of a motor vehicle that has been towed and stored at an impound lot ~~is shall be established by the City Administrator in consultation with the Police Chief and published publicly on the City's fee schedule~~ \$15/day. Under no circumstances shall the owner/operator of a motor vehicle be charged more than this rate.
- C. ~~Prohibition on hookup fees. A towing company may not charge the owner/operator of a motor vehicle for merely attaching a motor vehicle to a tow truck where the vehicle is not subsequently removed from the premises. This provision does not prevent a towing company from collecting a fee for attachment of a booting device as defined in Article V of this chapter.~~ Prohibition on additional fees. No mileage fees or additional fees of any type shall be charged for tows from privately owned real property or any parking facility

without the permission of the motor vehicle owner or operator except those fees expressly permitted under §§ 211-38A and B.

~~D. Booting fees. The maximum fee that can be assessed against the owner/operator of a motor vehicle for attachment/removal of a booting device is \$25, plus applicable taxes. Under no circumstances, shall the owner/operator of a motor vehicle be charged more than this amount.~~

~~E. Prohibition on double fees for booting. The fee charged for attachment and removal of a booting device to a motor vehicle is a one-time charge, and a booting company may not charge for attachment and removal of a booting device separately.~~

§ 211-39 **Grant of permission.**

A. The owner/operator of privately owned real property or a parking facility may have a motor vehicle towed from the premises ~~or booted~~ where such motor vehicle is parked improperly or illegally ~~on the premises as set forth under this Article~~ and where the applicable signage requirements of this ~~A~~article have been satisfied.

~~B. A motor vehicle improperly or illegally parked on privately owned real property and subsequently booted may be towed from the premises, subject to the provisions in § 211-40 of this article, where the owner/operator of the vehicle fails to contact the towing company responsible for the booting within 24 hours from the time when the booting device was affixed to the motor vehicle, or where the owner/operator of the vehicle refuses to pay the applicable fees.~~

~~C.~~B. A motor vehicle is deemed to be parked improperly or illegally where it:

- (1) Obstructs access to a fire hydrant or emergency exit on the premises;
- (2) Obstructs the means of vehicular ingress and egress on the premises;
- (3) Obstructs the designated walkways on the premises or the public sidewalks abutting the premises;

(4) Is parked on privately owned real property or a parking facility without the consent of the owner/operator.

~~(4)~~(5) Is parked in a handicapped parking space or fire or ambulance zone;

~~(5)~~(6) Is not parked in any marked space, provided the parking area provides marked spaces for parking;

~~(6)~~(7) Prevents removal of garbage and other wastes from the premises;

~~(7)~~(8) Is parked in a way specifically prohibited by the property owner/operator and so noticed on the warning sign posted at the entrances to the ~~privately owned real property parking facility~~; or

~~(8)~~(9) Violates a provision of Article 32 of the New York State Vehicle and Traffic Law concerning stopping, standing and parking of motor vehicles.

§ 211-40 **Limitations on towing ~~and booting~~.**

- A. No towing company employee shall tow ~~or boot~~ an unattended motor vehicle improperly or illegally parked on privately owned real property or a parking facility sooner than five minutes after the vehicle has been parked. The time when the towing company personnel arrived at the location of the improperly or illegally parked vehicle shall be recorded in the log book maintained by the towing company pursuant to § **211-43A** of this article.
- B. All requests for tows from privately owned real property or a parking facility must be made directly by the owner or operator of the property to the towing company for each specific motor vehicle to be towed.
- C. No towing company employee shall tow ~~or boot~~ a motor vehicle from privately owned real property or a parking facility where the owner or operator of the vehicle appears and offers to remove the vehicle from the place where it is improperly or illegally parked as defined under § **211-39B**, provided that the motor vehicle has not been connected to the tow truck when the owner or operator of the motor vehicle appears and the towing company employee shall remove any connective or booting devices from the motor vehicle free of charge.
- D. Removal of vehicle. Except when towing a motor vehicle at the request of its owner or operator, no towing company, officer, employee, subcontractor or agent shall remove or attach a motor vehicle to its tow truck for removal from private real property or a parking facility unless, at the time the vehicle is to be removed:
- (1) For a parking facility, there is a current written agreement between the property owner and the towing company authorizing removal of illegally parked or unauthorized vehicles from its property and a copy of said agreement has been provided to the City of Beacon prior to such tow as set forth under § **211-37A(1)(f)** above; and
 - (2) For towing of a motor vehicle from a parking facility or privately owned real property, there is a written authorization signed by the owner or operator of the privately owned real property or parking facility which contains the following minimum requirements:

(a) A description of the motor vehicle to be removed, including the year, make, model, color, vehicle identification number, and state license plate number;

(b) The date and time of the motor vehicle's removal;

(c) The location from which the motor vehicle is removed;

(d) The reason(s) for removing the motor vehicle; and

~~(a)~~(e) The name and signature of the owner or operator of the parking facility or privately owned real property.

B.E. Any vehicle towed without the permission of the vehicle owner from privately owned real property or a parking facility in the City of Beacon must be taken to an impound lot or other storage facility located within a ten-mile radius of Beacon City Hall, 1 Municipal Plaza, Beacon, NY 12508.

C.F. Payment of the applicable fee, pursuant to § 211-38A through and B, for towing and storage of a motor vehicle shall be paid immediately prior to return of the vehicle to its owner and a receipt memorializing the transaction shall be given to the vehicle owner and a copy thereof retained by the towing company.

D.G. The owner or operator of an impounded-towed motor vehicle shall have the right to inspect his/her/their vehicle for damage prior to payment of the prescribed fees for towing and storage of motor vehicles.

H. Nothing herein shall prevent a City official or agent of the City from having a vehicle towed immediately in the event of an emergency, or where a motor vehicle is improperly or illegal parked on public land.

E.I. ~~Where a booting company employee boots a motor vehicle on privately owned real property, the employee, or another employee of the company, must remove the boot from the vehicle within 20 minutes after being contacted by the vehicle's owner or operator.~~ Immobilization or booting of vehicles parked on privately owned property or a parking facility shall be strictly prohibited within the City of Beacon and shall be punishable in accordance with the General Penalty set forth under § 1-3 of this Code and/or suspension or revocation of its license pursuant to § 211-42 of this Article.

~~F. Payment of the applicable fee, pursuant to § 211-38D through E, for attachment and removal of the booting device shall be paid immediately prior to removal of the device and a receipt memorializing the transaction shall be given to the vehicle owner or operator and a copy thereof retained by the booting company employee.~~

§ 211-41 **Signage and notice.**

The owner/operator of any parking facility ~~privately owned real property~~ may not order a towing company to tow ~~or boot~~ a motor vehicle parked improperly or illegally ~~on the premises~~ without first complying with the posting requirements below.

A. All signs required pursuant to this section shall be commissioned, installed and maintained at the expense of the property owner/operator. All owners/operators of parking facilities ~~privately owned real property~~ subject to towing ~~or booting~~ practices have a continuing obligation to ensure that proper signage is posted ~~on the premises~~ within the parking facility.

B. Posting requirements.

(1) Sign specifications. A sign shall be posted and maintained in a conspicuous location, easily observable from motor vehicles entering the parking facility ~~upon privately owned real property~~, and shall:

(a) Be at least ~~three feet~~ twelve inches wide and ~~three feet~~ eighteen inches high; and

(b) Feature a black border with red lettering upon a white background.

(2) Warning. All signs shall feature the word "WARNING" in capital lettering, displayed prominently on the top of the sign's facade, and shall state that motor vehicles parked ~~on the premises~~ within the parking facility are subject to towing ~~and/or booting~~ and, further, that any and all fees incurred as a result are the responsibility of the vehicle owner. Such signs must also specify the areas or spaces ~~on the premises~~ where parking is restricted or prohibited, or indicate how vehicle operators can distinguish such areas or spaces from those where parking is open to the public.

(3) Towing company information. In addition to the foregoing, all required signs ~~hereunder~~ shall feature the name, address and ~~contact information~~ telephone number of the parking facility and towing company contracted to provide towing ~~and/or booting~~ services to the subject ~~privately owned real property~~ as well as the applicable fees for towing and, storage ~~and booting~~ of vehicles.

(4) Placement. All warning signs must be posted within 15 feet of each curb cut that gives vehicular access to the parking facility ~~privately owned real property~~, facing in each authorized direction of travel on the abutting public highway(s). Such sign must be posted no lower than seven feet above grade level and no higher than 10 feet above grade level.

C. The Superintendent of Highways-Streets and a representative from the Beacon Police Department shall jointly inspect the location where a warning sign is to be installed no later

than one week prior to installation, and shall advise the property owner whether the proposed signage will be sufficient and in compliance with the requirements of this section.

- (1) The inspecting agents/officials shall order that any noncompliant signage be replaced at the property owner/operator's expense.
- (2) The inspecting individuals may order that a sign be relocated or adjusted in order to comply with public safety concerns or the requirements of this article.
- (3) No vehicle may be towed from, ~~or booted on, privately owned real property a~~ parking facility until proper signage has been inspected, approved and properly installed.

~~D. Written notice of booting. A booting company shall, at the time it attaches a booting device to a motor vehicle, affix a written notice to the same motor vehicle alerting the vehicle owner/operator that a boot has been placed on the vehicle. All notices hereunder shall be brightly colored, and shall state:~~

- ~~(1) The identifying features of the motor vehicle, including the make, model and year of the vehicle, as well as the license plate number, if possible;~~
- ~~(2) The date, time and street address/parking facility where the vehicle is located;~~
- ~~(3) The name, contact information and business hours of the booting company which attached the booting device; and~~
- ~~(4) The one-time fee for attachment and removal of the device.~~

~~D. Notification to Beacon Police Department. A towing company shall alert the City of Beacon Police Department immediately before it tows or boots any motor vehicle at the request of the owner/operator of privately owned real property without the consent of the motor vehicles' owner or operator and shall inform the Police Department of the time and location of the activity as well as the make, model, year, color, vehicle identification number, and license plate number, and state of issuance of the license plate of the affected motor vehicle. Immediately upon towing the motor vehicle, the tow company shall bring it to the Beacon Police Department for confirmation that the motor vehicle towed is the same as that which was previously reported prior to bringing the motor vehicle to the tow company's lot. Upon arrival the Beacon Police Department, the tow company shall provide the Beacon Police Department with the written authorization signed by the owner or operator of the privately owned real property or parking facility.~~

~~E. Any towing company which tows a motor vehicle without the consent of the owner or operator from within the City of Beacon must be open to allow for the retrieval of such towed vehicles between 9:00 a.m. and 6:00 p.m. daily excluding federal holidays and Sundays, and if the towing company performs towing services after 6:00 p.m., until at least one hour after the latest time such company provides towing services. The towing~~

company's telephone number to call to retrieve towed vehicles shall contain a message stating the hours during which a vehicle may be retrieved, the lot location, and that payment may be made by cash or by any major credit card or debit card. The telephone number shall also contain a system that allows callers to leave a message when their call is not answered.

§ 211-42 Denial, suspension or revocation of license.

After a hearing held on no fewer than 14 days' notice to the licensee towing company, served either in person or by certified mail to the mailing address on the towing company license application, the Police Department may, in a writing setting forth such reasons, deny a towing ~~or booting~~ license, refuse renewal of a towing ~~or booting~~ license, or suspend or revoke a towing ~~or booting~~ license where:

- A. The towing company application does not comply with one or more of the provisions set forth in this Aarticle;
- B. The towing company made intentional misrepresentations in its towing license application;
- C. The towing company is found to have violated the provisions of this article on three occasions or more; or
- D. There have been two or more complaints against the towing company or its personnel alleging fraudulent or abusive practices which are corroborated following a reasonable investigation by the Beacon Police Department.

§ 211-43 Recordkeeping provisions.

- A. Log books. All towing companies operating in the City of Beacon shall maintain a log book, in either paper or digital form, in each of their trucks.

(1) Log books shall contain:

- (a) The records of all incidents where an improperly or illegally parked motor vehicle has been towed from privately owned real property or a parking facility or booted, specifying information concerning the date, time and address or location of the activities, as well as the make, make model, year, color, vehicle identification number, and license plate number, and state of issuance of the license plate of the affected motor vehicles.
- (b) Laminated/protected copies of the towing company's current towing ~~and/or booting~~ licenses; and
- (c) A schedule of all applicable fees for towing, ~~booting~~ and storage services.

(2) Completed log books must be retained by the towing company and stored for no less than three years.

- B. The Office of the City Clerk shall promulgate a system for receiving applications for towing company registration; maintaining records of applications; recording payment of application fees; and shall maintain separate lists of registered towing companies operating within the City of Beacon. The City Clerk shall furnish copies of the specified lists to the City of Beacon Police Department.
- C. The City of Beacon Police Department shall promulgate rules for approving/denying applications for licenses and for responding to and recording reports made by towing companies regarding their towing activities within the City of Beacon and public complaints concerning the same. The log book(s) required herein shall be subject to inspection by the Beacon Police Department.

§ 211-44 Penalties for offenses; enforcement.

- A. Notwithstanding any other provision in the Beacon City Code concerning penalties, violation of this Article shall constitute a violation as defined in §§ 55.10, Subdivision 3, and 80.05, Subdivision 4, of the New York State Penal Law and shall be punishable by a mandatory fine of \$100 for the first offense, \$150 for a second offense and \$250 for each and every subsequent offense, provided that a fine under this Article may not exceed \$250.
- B. The City of Beacon Police Department shall be charged with enforcement of this Article and shall have the power and authority to issue summonses and tickets for violations thereof.

§ 211-45 Exceptions.

The provisions of this Article shall not apply to (i) repossessions, (ii) tows requested by the owner or operator of the motor vehicle to be towed, and (iii) to tows and impounds made by the City of Beacon on public roadways or property. The tow company contract requirements of § 241-40D(1) and signage requirements of § 241-41A, B, and C shall not apply to tows or impounds of improperly or illegally parked motor vehicles on privately owned real property.

§ 211-46 Conflict with other laws, rules, and regulations.

In the event any of the provisions, rules, and regulations set forth in this Article are less stringent than are set forth under State or Dutchess County laws, rules or regulations with respect to tows from private real property without the consent of the owner or operator of a motor vehicle, the more stringent laws, rules, or regulations shall control.

§ 211-~~47~~45 Severability.

If any provision, paragraph, word or section of this article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words and sections shall not be affected and shall be continued in full force and effect.

Section 2. Ratification, Readoption and Confirmation.

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

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

Section 5. Effective date.

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



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 54 OF 2024

**SETTING A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 4 OF 2024
CONCERNING TOWING**

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for June 17, 2024 at 7:00 pm for Proposed Local Law No. 4 of 2024 which amends Chapter 211, Article V, of the Beacon City Code concerning booting and towing of vehicles in private lots.

Resolution No. 54 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 55 - Approving Amendments to the 2024 Budget

ATTACHMENTS

[Director of Finance Memorandum Regarding Amendments to the 2024 Budget](#)

[Resolution Approving Amendments to the 2024 Budget](#)

City of Beacon
Council Budget Amendments
June 3, 2024 Meeting

1. Amend the 2024 Water Fund Budget to cover the cost of repairs to the back-up pump at Well #2. Below is the proposed budget amendment:

TRANSFER TO:		
F -08-8340-447200-	REPAIR OF EQUIPMENT	<u>\$ 47,000</u>
TRANSFER FROM:		
F -01-1990-400001-	CONTINGENCY FUND	\$ 30,000
F -00-0000-090900-	FUND BALANCE	<u>17,000</u>
	Total	<u>\$ 47,000</u>

Respectfully submitted,
Susan K. Tucker CPA



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 55 OF 2024

**APPROVING AMENDMENTS TO THE
2024 CITY OF BEACON BUDGET**

BE IT RESOLVED THAT, that the City of Beacon City Council hereby authorizes the attached amendments to the 2024 Budget.

Resolution No. 55 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon
Council Budget Amendments
June 3, 2024 Meeting

1. Amend the 2024 Water Fund Budget to cover the cost of repairs to the back-up pump at Well #2. Below is the proposed budget amendment:

TRANSFER TO:		
F -08-8340-447200-	REPAIR OF EQUIPMENT	<u>\$ 47,000</u>
TRANSFER FROM:		
F -01-1990-400001-	CONTINGENCY FUND	\$ 30,000
F -00-0000-090900-	FUND BALANCE	<u>17,000</u>
	Total	<u>\$ 47,000</u>

Respectfully submitted,
Susan K. Tucker CPA

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 56 - Adopting Local Law No. 2 of 2024 Concerning Fire Hydrants

ATTACHMENTS

[Local Law No. 2 of 2024 Concerning Fire Hydrants](#)

[Resolution Adopting Local Law No. 2 of 2024 Concerning Fire Hydrants](#)

LOCAL LAW NO. 2 OF 2024

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 219 OF THE BEACON CITY CODE
CONCERNING FIRE HYDRANTS

A LOCAL LAW to amend
Beacon City Code, Chapter
219, Article IV, concerning
Fire Hydrants.

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

Section 1. Chapter 219 of the Code of the City of Beacon, Article VI entitled “Fire Hydrants”, is hereby amended as follows:

§ 219-23 **Permit required to open; exceptions.**

No person shall open, interfere with or draw water from any fire hydrant in the City without first obtaining a written permit from the Administrator Superintendent of Water and Wastewater authorizing such use~~therefor~~, except that fire hydrants may be opened by or on the order of any member of a Fire Department within the City in case of fire or other emergency for the purpose of attaching thereto fire hose and equipment. A public fire hydrant shall mean any fire hydrant owned or controlled by the City of Beacon.

§ 219-24 **Use regulations; Penalties.**

A. The following regulations shall govern the use of any fire hydrant in the City:

1. Whenever a fire hydrant is to be opened and used by any non-City entity, a written permit from the Superintendent of Water and Wastewater shall be first acquired, notification of such fact shall first be given the City.
2. A permit to open, interfere with, or draw water from any fire hydrant shall only be issued under special circumstances, such as when a property is under construction and sufficient water is not yet available on site.
3. No permit to open, interfere with, or draw water from any fire hydrant may be issued unless the applicant has first paid the permit fee set forth in the City Schedule of Fees. If the permit is issued for the use of a public hydrant the permittee shall also pay a monthly rental fee as set forth in the City Schedule of Fees.

4. No permit shall be issued between November 15 and March 15, nor shall any permittee be allowed to open or draw water from any fire hydrant during this time.
5. All permits issued herein shall expire within 180 calendar days of issuance.
6. Prior to the opening or drawing any water from a fire hydrant, a permittee shall:
 - i. Install a water meter and back flow device approved by the Superintendent of Water and Wastewater
 - ii. Establish a water account with the City of Beacon to pay for the water usage from such fire hydrant.
7. The permittee shall be solely responsible for paying for water drawn from any fire hydrant based upon the usage thereof.
8. No tools or implements shall be used to open ~~fire~~ hydrants except such ~~as are~~ furnished by the City or by the Fire Department tools that are approved for the operation of fire hydrants. No use of pipe wrenches, pump pliers or channel locks is permitted.
9. Swimming pools ~~and other bodies of water~~ shall not be filled from fire hydrants.
10. The permittee shall be solely responsible for any damage to public fire hydrants and/or property caused by the use of any fire hydrant.
- ~~A.11.~~ In addition to the use regulations set forth herein, the Superintendent of Water and Wastewater may prescribe such reasonable conditions and restrictions upon the permittee.

- B. ~~No tools or implements shall be used to open hydrants except such as are furnished by the City or by the Fire Department.~~ Penalties. Any person, entity, or permittee who violates any provision of this Article shall be subject to a fine pursuant to § 1-3.A of the Code.

§ 219-24.1 Private Fire Hydrants.

All privately owned fire hydrants in the City of Beacon shall be operated and maintained in compliance with the following standards and specifications. Privately owned fire hydrants shall mean any fire hydrant within the City which is owned or controlled by a person, partnership, corporation, or entity other than a federal, state, county or local government.

- A. New installations of privately owned fire hydrants after the filing of this local law shall conform to the following standards in addition to any other requirements set forth herein.

1. Prior to the installation of any new private fire hydrant a permit shall be acquired from the City of Beacon Water Department and a fee shall be paid as set forth in the City's Schedule of Fees.
 2. The City of Beacon Water Department shall oversee the installation of all new private fire hydrants, which shall conform to the applicable federal, state, and local regulations, including but not necessarily limited to the New York State Fire Prevention and Building Code and/or NFPA.
 3. Privately owned fire hydrants shall be appropriately designed and specified on site plans.
 4. Be breakaway style if located within 15 feet of any street or right-of-way.
 5. Upon installation and prior to the flowing of any water via a newly installed private fire hydrant, the City of Beacon Water Department shall be contacted and shall inspect the private fire hydrant. No water shall be allowed to flow through any private fire hydrant without documentation by the City of Beacon Water Department of the inspection(s) and a determination that the private fire hydrant complies with all applicable standards, rules and regulations.
- B. Maintenance, standards, and specifications. All private fire hydrants shall comply with the following standards and specifications, regardless of when so installed:
1. Be in compliance with the New York State Fire Code, and such other county, state, or federal laws, rules and regulations applicable to privately owned fire hydrants.
 2. Be mechanically complete and in good working condition.
 3. Be accessible and free of obstructions, including but not limited to, all vegetation, landscaping, and other obstructions are at least three feet away from fire hydrants. Any private fire hydrant shall have a snow marker between the period of November 15 and March 15 if such hydrant is located outdoors at ground level.
 4. Be free of rust and corrosion.
 5. Be painted with the City of Beacon identifying colors and have flow rating bands per NFPH standards.
 6. Drain completely within 60 minutes of closing the valve(s).
 7. Have outlet caps secured.

8. Have gaskets which do not leak when the hydrant is on.
 9. Have an operating nut which is not in worn condition and does not have rounded corners.
 10. Open in a counterclockwise direction.
 11. Be a Mueller manufactured fire hydrant, if erected subsequent to the effective date of this article.
 12. No person or entity may shut off, disconnect, remove, or disable a private fire hydrant without the prior written approval of the City of Beacon.
 13. It shall be strictly prohibited to open or draw water from a private fire hydrant, except in the case of a bona fide emergency or when performing legitimate inspections in accordance with the requirements herein, without the prior written approval of the City of Beacon Water Department.
 14. The City of Beacon shall be permitted to access and inspect all private fire hydrants as necessary and upon reasonable prior notice. In the event such property owner or person in control of a privately owned fire hydrant refuses permission, the City Attorney may seek an administrative search warrant for the purposes of City personnel to perform such inspection.
 15. Failure to meet such standards herein shall be cause to deny either a temporary or final permit by the City of Beacon, or the revocation of any existing permits.
- C. Duty to Repair. The owner of such land in which a privately owned fire hydrant is located has the affirmative duty to repair or replace any fire hydrant in accordance with the standards herein. Upon notice of required repairs by the City of Beacon, the property owner must complete such repairs and certify that the hydrant meets all required standards herein within thirty (30) calendar days of the notice. Such repairs shall be at the sole cost and expense of the owner. Failure of the City of Beacon to notify any owner of a privately owned fire hydrant that such hydrant is not in good working order shall not relieve such owner of the affirmative obligation to ensure that the hydrant is in good working order and complies with the applicable standards, regulations, and rules herein.
- D. Inspections. All privately owned fire hydrants shall be inspected annually at the owner's expense, in accordance with the applicable local, state, and federal laws, rules and regulations. Any person or entity who owns or controls a private fire hydrant in the City of Beacon shall have the affirmative obligation, without request from the City, to cause such inspections to be made. Any such person or entity who owns, controls, operates, or maintains any private fire hydrant shall submit a copy of the report

generated from its annual fire hydrant testing performed pursuant to the New York State Fire Code and NFPA to the Building Inspector of the City of Beacon. The report shall include, but not be limited to, the water pressure level coming out of each hydrant as measured by pounds per square inch (psi) and a calculation of the number of gallons of water per minute from each hydrant based on a reading of 20 psi of flowing pressure.

E. Notifications and access. The City of Beacon Building Inspector and City of Beacon Water Department shall be contacted immediately regarding any privately owned fire hydrant that:

1. Is taken out of service for any reason; or
2. Is found to be inoperable or fails the inspection; or
3. Upon completion of any work performed on a private fire hydrant. Prior to placing such private fire hydrant back into service, no water shall be allowed to flow through any private fire hydrant without written documentation by the City of Beacon Water Department of an inspection certifying that the private fire hydrant complies with all applicable standards, rules, and regulations.

F. Inspection and registration fee. Any person or entity which owns, controls, operates, or maintains a private fire hydrant, shall pay an annual fee of \$125.00 for each such fire hydrant that the person or entity is responsible for, whether located on private property or private streets.

G. Penalties. Any person or entity who violates any provision of this Section shall be subject to a fine pursuant to § 1-3.A of the Code. Prior to commencing any enforcement action for violation of this Section, the enforcing person shall grant the property owner thirty-days' notice to comply. Each day a privately owned hydrant is not in compliance with this Section, and each hydrant found to be in violation of this Section, shall constitute a separate offence.

H. More stringent rules and regulations to apply. The provisions of the New York State Fire Code, as well as any county, state, and federal laws or regulations, relating to privately owned fire hydrants shall remain in full force and effect within the City of Beacon, and shall be in addition to the provisions set forth in this Section. To the extent there is any conflict with the provisions herein and that contained in the New York State Fire Code or any county, state, or federal law or regulation, the more restrictive shall apply.

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 219 of the Code 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 Charter 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
CITY COUNCIL**

RESOLUTION NO. 56 OF 2024

**ADOPTING LOCAL LAW NO. 2 OF 2024 TO AMEND THE BEACON CITY CODE
CONCERNING FIRE HYDRANTS**

WHEREAS, pursuant to Resolution No. 2024-046, passed on May 20, 2024, the City of Beacon City Council set a public hearing for June 3, 2024 regarding Proposed City of Beacon Local Law No. 2 of 2024 to amend the Beacon City Code, Chapter 219, Article IV, concerning Fire Hydrants; and

WHEREAS, notice for said Public Hearing was published in the Poughkeepsie Journal to provide notice for the public to attend and comment upon the proposed Local Law; and

WHEREAS, on June 3, 2024, the City Council opened and closed a duly noticed Public Hearing on the proposed local law, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED THAT that the City of Beacon City Council hereby adopts Local Law No. 2 of 2024 to amend the Beacon City Code, Chapter 219, Article IV, concerning Fire Hydrants.

Resolution No. 56 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 57 - Amending the Schedule of Fees Concerning Fire Hydrants

ATTACHMENTS

[Resolution Amending the Schedule of Fees Concerning Fire Hydrants](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 57 OF 2024

AMENDING THE SCHEDULE OF FEES CONCERNING FIRE HYDRANTS

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby amends the Beacon Schedule of Fees applicable to Water & Sewer Fees to provide as follows:

Fire Hydrants	Fee
Permit for Fire Hydrant Usage	\$125 (per fire hydrant)
Rental of Public Fire Hydrant	\$125 (per month)
Permit for installation of new private fire hydrants	\$125 (per private fire hydrant)

Resolution No. 57 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call.			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 58 - Adopting Local Law No. 3 of 2024 Concerning Termination of Illegal Sewer Connections

ATTACHMENTS

[Local Law No. 3 of 2024 Concerning Termination of Illegal Sewer Connections](#)

[Resolution Adopting Local Law No. 3 of 2024 Concerning Termination of Illegal Sewer Connections](#)

LOCAL LAW NO. ____ OF 2024

CITY COUNCIL

CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 179 OF THE BEACON CITY CODE
CONCERNING TERMINATION OF ILLEGAL SEWER CONNECTIONS

A LOCAL LAW to amend
Chapter 179 of the Beacon
City Code concerning the
termination of illegal
connections or discharges
into the sewer system.

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

Section 1. Chapter 179 of the Code of the City of Beacon entitled “Sewers” is hereby amended as follows:

§ 179-4 **Restrictions on discharges into public sanitary sewers and storm sewers.**

...

- B. No person shall discharge or cause to be discharged any nonsanitary substance, including, but not limited to, stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, air-conditioning and refrigerating wastewaters or unpolluted industrial process water or any other similar discharge to any sanitary sewer. Any existing connection or discharge resulting in a nonsanitary discharge to the sanitary sewer shall be terminated. Any connection to be terminated shall be done in a manner satisfactory to the Building Inspector to ensure that the pipe cannot be reconnected. Proof of such termination shall be provided to the Building Inspector within 30 days of discovery, including but not limited to, receipts from a licensed plumber, photographs and/or attestation by the owner and plumber that the connection has been permanently terminated. The owner shall also provide proof satisfactory to the Building Inspector demonstrating how the discharge has been redirected to stormwater pipes, dry well, the ground or otherwise.

...

§ 179-11 Penalties for offense.

...

- D. Any reconnection of a previously terminated illegal connection or discharge to the sanitary sewer system shall result in a fine no less than \$ 1,000 and no more than \$1,500.

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 179 of the Code 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 Charter 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 Charter 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
CITY COUNCIL**

RESOLUTION NO. 58 OF 2024

**ADOPTING LOCAL LAW NO. 3 OF 2024 TO AMEND THE BEACON CITY CODE
CONCERNING TERMINATION OF ILLEGAL SEWER CONNECTIONS**

WHEREAS, pursuant to Resolution No. 2024-047, passed on May 20, 2024, the City of Beacon City Council set a public hearing for June 3, 2024 regarding Proposed City of Beacon Local Law No. 3 of 2024 to amend the Beacon City Code, Chapter 179, concerning the termination of illegal connections or discharges into the sewer system; and

WHEREAS, notice for said Public Hearing was published in the Poughkeepsie Journal to provide notice for the public to attend and comment upon the proposed Local Law; and

WHEREAS, on June 3, 2024, the City Council opened and closed a duly noticed Public Hearing on the proposed local law, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED THAT that the City of Beacon City Council hereby adopts City of Beacon Local Law No. 3 of 2024 to amend the Beacon City Code, Chapter 179, concerning the termination of illegal connections or discharges into the sewer system.

Resolution No. 58 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
06/03/2024

Title:

Resolution No. 59 - Amending the Schedule of Fees Concerning Illegal Sewer Connections

ATTACHMENTS

[Resolution Amending the Schedule of Fees Concerning Sewer Connection or Discharge Waiver](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 59 OF 2024

**AMENDING THE SCHEDULE OF FEES CONCERNING SEWER CONNECTION OR
DISCHARGE WAIVER**

WHEREAS, § 179-6.C of the Beacon City Code allows the City to waive the removal of an illegal connection or discharge to the sanitary sewer system if it is not reasonably practical or possible due to the particular facts and circumstances presented; and

WHEREAS, illegal connections or discharges to the sanitary sewer, result in costs for the City to process such discharge at the City's wastewater treatment plant; and

WHEREAS, pursuant to § 179-6.C of the Beacon City Code, a waiver may only be granted upon the payment of a fee as set forth in the Schedule of Fees.

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

	Fee
Sanitary sewer connection or discharge wavier	\$100 per quarterly billing cycle (each connection or discharge point)

Resolution No. 59 of 2024			Date: June 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call.			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
06/03/2024

Title:

May 20, 2024 Minutes

ATTACHMENTS

[May 20, 2024 Minutes](#)



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember Amber Grant, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Jeffrey Domanski, Ward 2
Councilmember Pam Wetherbee, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**May 20, 2024
7:00 PM
Draft
City Council
Minutes**

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council. The City Council Meeting was held through video conference and in the Courtroom at 1 Municipal Plaza, Beacon NY 12508. A video recording of the meeting is available at

<https://vimeo.com/user1296488>. The public was able to attend in-person or through video or telephone and were made aware via the City of Beacon website, beaconny.gov. Please take notice that the full transcript of this meeting is available upon request at City Hall Suite 1, 1 Municipal Plaza, Beacon NY 12508, or by calling (845) 838 – 5010, or by emailing cityofbeacon@beaconny.gov.

Councilmembers Present

Mayor Lee Kyriacou

Councilmember Amber Grant, At Large

Councilmember Paloma Wake, At Large

Councilmember Molly Rhodes, Ward One

Councilmember Pam Wetherbee, Ward Three

Councilmember Dan Aymar-Blair, Ward Four

Also Present

Christopher White, City Administrator

Christian A.L. Gates, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

[Public Hearing on a Proposed Local Law Concerning Minimum Parking Requirements \(to be adjourned to June 17, 2024\)](#)

Motion to adjourn the public hearing to June 17, 2024 by Councilmember Grant.

Second by Councilmember Wetherbee.

Motion passes 7 – 0.

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 42 - Appointing Thomas Figlia to the Position of Police Chief](#)

Motion to pass the resolution by Councilmember Grant.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

2. [Resolution No. 43 - Appointing Jamie Mickle to the Position of Motor Equipment Operator](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Wetherbee.

Motion passes 7 – 0.

3. [Resolution No. 44 - Authorizing the City Administrator to Execute a User Agreement for the NYSDOT Equitable Business Opportunities System](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

4. [Resolution No. 45 - Authorizing the City Administrator to Amend a Grant Agreement with the Howland Cultural Center](#)

Motion to pass the resolution by Councilmember Wake.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

5. [Resolution No. 46 - Setting a Public Hearing for a Proposed Local Law Concerning Fire Hydrants](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

6. [Resolution No. 47 - Setting a Public Hearing for a Proposed Local Law Concerning Termination of Illegal Sewer Connections](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 – 0.

7. [Resolution No. 48 - Authorizing the Naming of a Private Street Arno Drive](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Rhodes.

Motion passes 6 – 1. Councilmember Aymar-Blair voted against the resolution.

Approval of Minutes

1. [May 6, 2024 Minutes](#)

Motion to approve the minutes by Councilmember Rhodes.

Second by Councilmember Grant.

Motion passes 6 – 0.

Public Comment - Second Opportunity

Announcement of Next Meeting: May 28, 2024 at 7:00 p.m.

Executive Session

1. [Executive Session: Personnel](#)

Motion to go into executive session regarding personnel and to adjourn therefrom with no further business by Councilmember Rhodes.

Second by Councilmember Wetherbee.

Motion passes 7 – 0.

Adjournment

Motion to come out of executive session and adjourn by Councilmember Grant.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.