



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

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**December 18, 2023
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

Honoring of Outgoing Councilmembers: George Mansfield (At-Large) and Justice McCray (Ward 2)

Public Comment

Public Hearings

Public Hearing for a Proposed Local Law to Amend the Zoning Code Concerning Parking Requirements (to be Adjourned)

Public Hearing for a Proposed Local Law to amend the City Charter Concerning Compensation

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 132 - Authorizing the City Administrator to Execute a Memorandum of Agreement with Civil Service Employees Association, Inc.
2. Resolution No. 133 - Authorizing the City Administrator to Execute a Memorandum of Agreement with International Association of Firefighters
3. Resolution No. 134 - Authorizing the City Administrator to Execute a Memorandum of Agreement with Patrolmen's Benevolent Association
4. Resolution No. 135 - Authorizing the City Administrator to Execute an Agreement with Brown & Brown, Inc. for NYMIR Insurance Services
5. Resolution No. 136 - Adopting Local Law No. 8 of 2023 to Amend the City Charter Concerning Compensation
6. Resolution No. 137 - Approving ENEL North America, Inc. 2023 Tax Certiorari Settlement
7. Resolution No. 138 - Urging Governor Kathy Hochul to Sign Bill No. S1163A/A7691 to

Establish the New York State Community Commission on Reparation Remedies

Approval of Minutes

1. [December 11, 2023 Minutes](#)

Public Comment - Second Opportunity

Adjournment

City of Beacon City Council Agenda
12/18/2023

Title:

Honoring of Outgoing Councilmembers: George Mansfield (At-Large) and Justice McCray (Ward 2)

ATTACHMENTS

City of Beacon City Council Agenda
12/18/2023

Title:

Public Hearing for a Proposed Local Law to Amend the Zoning Code Concerning Parking Requirements
(to be Adjourned)

ATTACHMENTS

[Proposed Local Law to Amend the Zoning Code Concerning Parking Requirement](#)

[Proposed Local Law to Amend the Zoning Code Concerning Parking Requirement - EAF Part 1](#)

[Proposed Local Law to Amend the Zoning Code Concerning Parking Requirement - Short EAF:
Part 1 Narrative](#)

PROPOSED LOCAL LAW NO. 8 OF 2023

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW TO AMEND PARKING REQUIREMENTS IN THE
CITY OF BEACON

A LOCAL LAW to amend
the Zoning Code concerning
parking requirements.

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

Section 1. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-26, entitled “Off-street parking, loading and vehicular access” is hereby amended as follows:

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

A. General.

~~All structures and land uses hereafter erected, enlarged, created or extended shall be provided with the amount of off-street automobile parking space and loading and unloading space required by the terms of this section to meet the needs of persons making use of such structures or land. A permit for the erection, replacement, reconstruction, extension or substantial alteration of a structure or the development of a land use shall not be issued unless off-street automobile parking facilities areas or structures and, where required appropriate loading and unloading spaces shall have been laid out in plan in accordance are consistent with the appropriate requirements for structures and uses as set forth provisions in this section, and such required parking and loading facilities shall be completed before a certificate of occupancy shall be issued. As used herein, "parking facilities" shall be construed to include loading and unloading spaces required by this section.~~

~~(1) In case of exceptional difficulty or unusual hardship to such properties arising out of the requirements of this section, the Board of Appeals may reduce the parking requirements but shall require such degree of compliance as it may deem reasonable for that part of the structure or use that is legally nonconforming and shall not waive any part of the requirement for that part of the structure or use that constitutes an enlargement or expansion and shall not permit reduction or elimination of whatever quantity of parking may already exist, unless it is in excess of requirements.~~

- ~~(2) Required off-street parking facilities which, after development, are later dedicated to and accepted by the City shall be deemed to continue to serve the uses or structures for which they were originally provided.~~

~~B. Effect on existing uses.~~

- ~~(1) Structures and land uses in existence on April 20, 1964, or structures and uses for which building permits had been approved on or before said date, shall not be subject to the requirements set forth in this section, unless there shall occur an increased intensity of use, provided that any parking facilities now existing to serve such structures or uses shall not in the future be reduced, except where they exceed such requirement, in which case they may not be reduced below such requirement.~~
- ~~(2) Whenever a building or structure erected prior to or after April 20, 1964, or any land use shall undergo any increase in intensity of use in the number of dwelling units, floor area, seating capacity, number of employees or other unit of measurement specified hereinafter for required parking facilities, or from other causes, and further when said increase would result in a requirement for additional parking facilities through application of the Schedule of Off Street Parking Requirements (Subsection F), additional parking facilities shall be provided accordingly, except that no building or structure erected prior to said date shall be required to provide parking facilities unless the aforesaid additional required facilities amount to a cumulative total increase of at least 25% over the existing use as of said date, in which case parking spaces shall be provided on the basis of the total units of measurements of the new use or of the alteration or expansion of the existing use.~~

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

- ~~(1) Location. The~~ Except as required elsewhere under the City Code, any approved off-street parking facilities area or structure which are required by this section shall be provided on the same lot or premises with such structure or land use; except unless that such off-street parking spaces ~~required~~ for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility.
- ~~(4)(2)~~ In any residence district, no designated off-street parking facility area or structure shall be developed in any required front yard forward of the principal building, except as approved by the Building Inspector or Planning Board for an unusual lot configuration. Nor shall any residence district off-street parking area or structure be developed or in any required minimum side or rear yard setback adjacent to a street line or in any other side or rear yard within five feet of the lot

line. However, off-street parking spaces shall be permitted in residential districts as indicated in § **223-17C**.

~~(2)~~(3) Parking specifications.

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

~~(4)~~ Landscaping. Except for parking spaces accessory to a one-family ~~and two-family dwellings and accessory apartment dwelling units subject to approval by the Building Inspector~~, all off-street parking areas shall be landscaped with appropriate trees, shrubs and other plant materials and ground cover, as approved by the Planning Board based upon consideration of the adequacy of the proposed landscaping to assure the establishment of a safe, convenient and attractive parking facility with a minimum amount of maintenance, including plant care, snowplowing and the removal of leaves and other debris.

~~(d)~~(a) At least one tree with a minimum caliper of three inches at a height of four feet above ground level shall be provided within such parking area for each ~~10-8~~ parking spaces.

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

~~(c)~~ The Planning Board may require curbing to facilitate surface drainage and prevent vehicles from overlapping sidewalks and damaging landscaping materials.

~~(d)~~ No obstruction to driver vision shall be erected or maintained on any lot within the triangle formed by the street line of such lot, the outer edge of the access driveway to the parking area and a line drawn between points along such street line and access drive ~~30-25~~ feet distant from their point of intersection.

~~(e)~~ Such property owner shall have an obligation to maintain and replace any landscaping which dies or becomes unsightly.

~~(3)~~(5) Grades, drainage, paving and marking. All proposed and ~~required-approved~~ parking ~~facilities~~areas and structures, regardless of size, shall be graded, surfaced, drained and maintained throughout the duration of their use so as to comply with the New York State Stormwater Management Design Manual, as amended from time to time, and/or Chapter 190, Stormwater Management and Erosion and Sediment Control, of this Code, or other acceptable stormwater management practice(s), as deemed suitable to the City Engineer to the extent necessary to avoid nuisances of dust, erosion or excessive water flow across public ways or adjacent lands. The drainage analysis for said parking ~~facilities~~areas or structures shall include pre- and post-development conditions as well as remediation and/or mitigation of stormwater runoff. The maximum slope within a parking area shall not exceed 5%. In RD Districts and in nonresidential developments, the Planning Board shall require the provision of suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits. The Planning Board shall require pervious surfaces for the parking spaces, unless the Applicant establishes to the Planning Board's satisfaction that if the underlying soils do not allow natural drainage.

~~(4)~~(6) Traffic circulation. In order to encourage safe and convenient traffic circulation, the Planning Board may require the interconnection of parking areas via access drives within and between adjacent lots. The Board shall require ~~written assurance and/or deed restrictions~~scasements, satisfactory to the Corporation Counsel, binding the owner and his heirs and assignees to permit and maintain such internal access and circulation and inter-use of parking ~~facilities~~areas or structures.

~~(5)~~(7) Two or more uses on same lot. Where two or more different uses occur on a single lot, ~~the total amount of parking facilities to be provided shall be the sum of the requirements of each individual use on the lot, except that~~ the Planning Board may approve the joint use of parking space by two or more establishments on the same lot or on contiguous lots, the total capacity of which is less than the sum of the spaces ~~required~~needed for each, provided that said Board finds that the capacity to be provided will substantially meet the intent of this article by reason of variation

in the probable time of maximum use by patrons or employees at such establishments and provided that such approval of such joint use shall be automatically terminated upon a change of use at any such establishment.

(6)(8) Designed residence and multifamily residence districts.

- (a) In RD Districts, in order that some of the ~~required~~ parking spaces may be convenient for use by visitors as well as by occupants, 2/3 of the ~~required~~ car spaces for a residential building shall, whenever possible, be directly accessible to a main entrance to that building and within 100 feet of that entrance.
- (b) In RD Districts, off-street parking lots shall be located behind, underneath, or to the side of the building, whenever possible. Any parking to the side of the building shall be screened from street views by a low wall, hedge, fence, and/or other landscaping and, whenever possible, it shall be located at least 40 feet from any property line that fronts on a street.

(7)(9) Off-street parking for private passenger vehicles may be allowed by a special permit from the Planning Board on a vacant lot in a residential district which has a shared parcel line for at least 20 feet with a commercial or industrial district, provided that the off-street parking shall be on a portion of the lot within 200 feet of the commercial or industrial district and that the use shall not include fee-based parking for railroad commuters.

D.C. Alternatives to providing parking spaces.

(1) Conveyance of land. Where, because of limitations of size, dimensions or topography of a lot, an applicant for a building permit in a business district finds it impractical to provide all or a portion of the off-street parking spaces required by ~~Subsection F herein~~ the Planning Board, in connection with a proposed building or addition, ~~he the applicant~~ may grant and convey to the City of Beacon, and the City Council, at its discretion, may accept, appropriately located and developed land for commercial parking as a permitted use equivalent, provided that said land is permanently dedicated to the City.

(4)(2) Waiver of improvement. Except within the Central Main Street District, and notwithstanding any other provision of this chapter, the City Council or Planning Board, in reviewing plans submitted in accordance with the provisions of this section or § 223-18 or 223-25, may waive the initial improvement of up to 50% of the ~~required~~ off-street parking spaces, provided that all of the ~~required~~ spaces are shown on the proposed plan and further provided that suitable agreements, satisfactory to the City Council or Planning Board, are obtained assuring the City that the property owner(s) will be responsible for the construction of such waived

spaces, or any portion thereof, within six months of the date such spaces may be deemed necessary by the City Council or Planning Board.

D. Schedule of Off-Street Parking Requirements Standards. Off-street parking spaces shall be provided as follows, except that the Board of Appeals may modify these provisions as a condition of the issuance of a special permit according to the provisions of § 223-19.

- (1) In order to promote walkability and other transportation alternatives and to avoid excessive automobile traffic and unnecessarily large paved parking lots, no minimum number of off-street parking spaces are required, except for one-family and two-family dwellings as well as accessory apartment dwelling units which shall require a minimum of one off-street parking space per dwelling unit.
- (2) The Planning Board shall determine the appropriate number of on-site parking spaces as part of site plan approval and based on the context of the property, including but not limited to the size of the parcel, proposed uses, existing buildings on the parcel, especially if they are designated as historic, availability of public and street parking in the area, walkable access to public transit, a parking study prepared by the applicant, shared parking arrangements, land-banking waivers under § 223-26C(2), compliance with the Americans with Disabilities Act (ADA) and any state requirements for accessible parking, and input from any public hearing.
- (3) Any professional parking study requested by the Planning Board and reviewed by the City's consultant shall be based primarily on specific site-related information, a comparable analysis of similar uses and properties in the area or region, and an examination of demand reduction strategies, including such elements as promotion of walking, bicycle parking or storage facilities, alternative mobility options, transit access opportunities, care-share rentals, and ride-sharing or carpooling services.
- (4) The following table gives guidance to the Planning Board on the maximum parking allowed, notwithstanding, the Planning Board may approve fewer spaces:

Use	Minimum <u>Maximum</u> Off-Street Parking
1- and 2-family dwelling	2 spaces <u>3 spaces</u> for each dwelling unit
Multifamily dwelling and/or apartment or artist live/work space	1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live/work space containing retail area
Professional home office or home occupation permitted in a residential district	2 spaces in addition to spaces required for the residential use, except that there shall be a maximum 4 spaces for each medical or dental practitioner in addition to spaces required for the residential use
Bed-and-breakfast establishment	1 space for each guest sleeping room, plus 2 spaces for the dwelling unit, plus 1 space for each nonresident employee
Hotel or inn	<u>Subject to § 223-14.1C- 1 for each hotel guest room, plus 1 for each employee on site at any one time</u>
Place of worship, theater, auditorium, athletic field or other place of assembly	1 space for each 4 seats or pew spaces or, in places or , in places without seats, 1 space for each 100 square feet of floor space used for public assembly
Nursery school or day-care center	1 per employee plus 1 per classroom
Primary or secondary school	1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater
Dance, art, tutorial, martial arts or similar instructional school	1 space for each 150 square feet of gross floor space
Hospital, nursing home, convalescent home or home for the aged	1 space for each 3 resident persons, plus space for each employee, including medical, nursing and service staff employed at the same time when the building is operating at full capacity
Golf and country club	1 space for each 2 memberships

Use	Minimum <u>Maximum</u> Off-Street Parking
Bowling alley or other place of indoor commercial recreation or public amusement	5 spaces for each bowling lane; all others, 1 space for each 4 persons of maximum occupancy or 1 space for each 200 square feet of gross floor area; whichever is greater
Retail or service business, including auction gallery	1 space for each 200 <u>250</u> square feet of gross floor area, excluding utility areas
Restaurant or coffee house	1 space for each 3 patron seats or 1 space for each 150 <u>200</u> square feet of gross floor area, excluding kitchen and storage areas; whichever is greater
Office for business or professional use (other than accessory to residential use)	1 space for each 200 <u>300</u> square feet of gross floor area, excluding utility areas
Banking office	1 space for each 200 <u>300</u> square feet of gross floor area, excluding utility areas
Funeral home or undertaking establishment	10 spaces per establishment, plus 1 space per employee
Motor vehicle sales and service	1 space per employee, plus 1 space per 150 square feet of gross floor space
Animal care facility	1 space per employee, plus 1 space per 300 square feet of gross floor space
Car washing establishment	Subject to § 223-21F <u>1 space per each two persons working at the same time at full capacity or 1 space for each 400 square feet of gross floor area;</u> whichever is greater
Research or development laboratory	1 space per employee; but not less than <u>or</u> 1 space per 600 square feet of gross floor space

Use	Minimum <u>Maximum</u> Off-Street Parking
Manufacturing or industrial use	1 space per 2 employees but not less than <u>or</u> 1 space per 400 square feet of gross floor space
Wholesale, warehouse storage, utility or other similar commercial use	1 space per employee but not less than <u>or</u> 1 space per 1,000 square feet of gross floor space
Self-storage facility	1 space per 10,000 square feet of gross floor space, plus one space per employee
Senior housing	2 spaces for each 3 dwelling units
Museums located within walking distance (3,000 feet) of entrance to train station	1 parking space per 3,000 feet of gross floor space
Artist studio	1 space for each 500 square feet of gross floor space
Art gallery/exhibit space	1 space for each 250 square feet of gross floor area
Bar or brew pub	1 space for each 3 patron seats or 1 space for each <u>250</u> square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Microbrewery or microdistillery	1 space for each employee on the largest shift, plus 1 space for each 3-patron sitting or standing spaces in any tasting room or other visitor facility open to the general public
Museum	1 space for each 300 <u>500</u> square feet of gross floor area
Other uses not listed	Off-street parking requirements for types of uses which do not fall within the categories listed above shall be determined by the Planning Board <u>or the Building Inspector, as the case may be,</u> upon consideration of relevant factors entering into the parking needs of each such use

~~(1) Notwithstanding § 223-26F above, with respect to lots which, on the effective date of this section, are located wholly or partially within 2,500 feet of the train station platform, the City Council shall have the authority to limit the amount of parking to be provided for multifamily and nonresidential development projects on said lots having a parking requirement in accordance with § 223-26F of 25 spaces or more, in the interest of appropriately and reasonably minimizing the environmental impact of the project's vehicular traffic accessing the train station. In such cases, the City Council shall ensure that convenient pedestrian access is provided by the project, or is otherwise available between the project and the train station. Where a substantial change in elevation exists between the project and the train station, the City Council may require the project to provide, if deemed feasible by the Council, an elevator, escalator, stairs and/or other similar pedestrian conveyance or access for such purpose.~~

E. Operation and maintenance of off-street parking ~~facilities~~areas and structures. ~~Required~~ Approved off-street parking ~~facilities~~areas or structures shall be maintained as long as the use of the structure exists which the ~~facilities~~parking areas or structures are designed to serve. ~~Required-Designated~~ parking areas developed for specific structures and uses shall be reserved at all times to those persons who are employed at or make use of such structures and land uses, except when dedicated to and accepted by the City as public parking areas.

F. Off-street loading requirements. Off-street loading and unloading facilities ~~shall be located on the same site with the use to be served, except as provided in Subsection C(1),~~ and shall be provided as follows:

(1) Size. Each off-street loading space shall be at least 14 feet in width, at least 35 feet in length and at least 14 feet in height, exclusive of access and turning areas, except that adjacent loading spaces may be each 12 feet in width.

(2) ~~Required number~~ Number of spaces. ~~The Planning Board shall determine the location (on-site or off-site) and appropriate number of on-site loading spaces as part of site plan approval and based on the context of the property, including but not limited to the size of the parcel, proposed uses, existing buildings on the parcel, a professional study prepared by the applicant, and input from any public hearing.~~

~~(a) For retail and/or service business establishments: a minimum of one space for the first 7,500 square feet or major portion thereof, plus one space for each additional 10,000 square feet of gross floor area or major portion thereof, except that no berths shall be required for buildings with a gross floor area of less than 5,000 square feet.~~

~~(b) For office establishments: a minimum of one space for the first 20,000 square feet of gross floor area or major portion thereof, plus one space for each additional 40,000 square feet of gross floor area or major portion~~

~~thereof, except that no berths are required for buildings of less than 10,000 square feet of gross floor area.~~

- ~~(c) For research establishments: a minimum of one space for the first 12,000 square feet of gross floor area of building or major portion thereof, plus one space for each additional 20,000 square feet of gross floor area or major portion thereof.~~
- ~~(d) For wholesale business, industry, storage, warehouses and other commercial establishments: a minimum of one space for each establishment, plus one space for each 10,000 square feet of gross floor area or major portion thereof.~~
- ~~(e) For nursing homes: a minimum of one space for each establishment.~~
- ~~(f) For museums, a minimum of one space for each establishment.~~
- ~~(g) Other uses which do not fall within the categories listed above shall be determined by the City Council and adopted as an amendment to this section.~~

G. Driveways. For reasons of traffic and pedestrian safety, both on and off street, as well as to provide for possible future road widening or other improvements, all new driveways and sidewalk crossings entering onto any street shall comply with all requirements of Chapter 100, Driveways, and shall be subject to the approval of the Highway Superintendent, except where such are part of a use subject to special permit or site development plan approval, in accordance with §§ 223-18 and 223-25, in which case they shall be subject to approval by the Planning Board and/or City Council.

Section 2. Ratification, Readoption and Confirmation.

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

Section 3. Numbering for Codification.

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

Section 4. Severability.

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

Section 5. Effective Date.

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

Short Environmental Assessment Form

Part 1 - Project Information

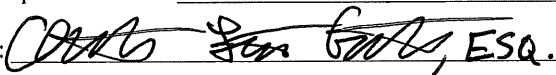
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Beacon			
Name of Action or Project:			
Proposed Local Law Amending Chapter 223 of the Zoning Code of the City of Beacon Concerning Parking Requirements			
Project Location (describe, and attach a location map):			
City of Beacon			
Brief Description of Proposed Action:			
The City Council of the City of Beacon (the "City") has introduced a local law to amend Chapter 223 of the City Code (the "Zoning Code") concerning parking requirements. Under the existing Zoning Code, Section 223-26, new land developments must provide a minimum number of parking spaces which varies depending on the proposed use. However, such minimum parking requirements often conflict with the promotion of the efficient use of mixed-use establishments, multistory buildings and walkable areas due to the need to provide such minimum number of parking spaces. Therefore, under the proposed amendment, the Planning Board would have the authority to determine the parking needs of each new mixed-use, commercial, and multi-family development on a case-by-case basis, except for one-family and two-family residences as well as accessory apartments which shall require at least one parking space per dwelling unit.			
Name of Applicant or Sponsor:		Telephone: 845-838-5000	
City of Beacon		E-Mail: cityofbeacon@beaconny.gov	
Address:			
1 Municipal Plaza			
City/PO:		State:	Zip Code:
Beacon		New York	12508
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
			☐
			☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			☐
			☐
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned _____ acres			
or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☐	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>City of Beacon</u> Date: <u>November 22, 2023</u> Signature: <u> Peter Gots, ESQ.</u> Title: <u>City Attorney</u>		

SEAF Part 1: Narrative

A Proposed Local Law Concerning Parking Requirements

The City Council of the City of Beacon (the “City”) introduced a local law to amend the text of Section 223-26 of the Beacon City Code (the “Zoning Code”) concerning parking requirements. Presently, the Zoning Code mandates minimum parking requirements for all new developments within the City. However, at times such minimum parking requirements conflict with the City’s planning goals to encourage the efficient use of diverse land uses, including multistory buildings and walkable areas. Thus, this proposed local law would eliminate minimum parking requirements within the City, except for one-family and two-family dwellings as well as accessory apartments which shall require at least one parking space per dwelling unit. Therefore, the Planning Board will have the ability to determine the appropriate number of parking spaces for mixed-use, commercial, and multifamily dwellings on a case-by-case basis.

In addition to gathering input from the public during any public hearing on a particular application, the Planning Board will be charged with determining the appropriate number of parking spaces for each new mixed-use, commercial, or multifamily dwelling based upon an evaluation of the context of the property, the size of the parcel, proposed uses, existing buildings on the parcel, availability of public and street parking in the vicinity, walkability and access to public transit, parking studies prepared by the applicant, shared parking arrangements, land-banking waivers, and compliance with the Americans with Disabilities Act. Moreover, this proposed local law would not alter permitted uses, setbacks, lot coverages, lot sizes, building heights, or any other use or dimensional requirements provided under the City’s Zoning Code.

City of Beacon City Council Agenda
12/18/2023

Title:

Public Hearing for a Proposed Local Law to amend the City Charter Concerning Compensation

ATTACHMENTS

[Proposed Local Law to Amend the City Charter Concerning Compensation](#)

LOCAL LAW NO. 8 OF 2023

**CITY COUNCIL
CITY OF BEACON**

**A LOCAL LAW TO AMEND THE CITY CHARTER SECTION 2.01
CONCERNING COMPENSATION**

A LOCAL LAW to amend the Charter of the City of Beacon, Section 2.01, concerning compensation of the Council and Mayor.

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

Section 1. The Charter of the City of Beacon, Article 2, City Council, Section 2.01 entitled “Compensation and expenses” is hereby amended as follows:

Sec. 2.01 Compensation and expenses.

The salary for each of the six (6) Council members shall be ~~nine thousand dollars (\$9,000)~~ eleven thousand dollars (\$11,000) per annum, and for the Mayor ~~twenty-five thousand dollars (\$25,000)~~ thirty thousand (\$30,000) per annum. Council members and the Mayor shall receive their actual and necessary expenses incurred in the performance of their duties of office. In addition, the Council members and the Mayor shall have the option of receiving individual health insurance coverage benefits, through the City of Beacon's health insurance plan, such insurance policy type shall be determined by the Director of Finance. The Mayor or a Council member who elects not to receive health insurance coverage shall be provided a cash payment of \$2,500. Once the Mayor or Council member elects not to receive the health insurance, such election must be for the full calendar year, unless the Mayor or Council Member is no longer covered by the health insurance from the other source. In such case, the Mayor or the Council member will receive a pro-rated cash payment. The City's contribution toward the premium cost of providing individual coverage shall be at the same percentage contribution rates as is provided to the City's department heads with the balance being paid for by the Council member or the Mayor who elected such health insurance coverage. Council members and the Mayor may secure family coverage through the City's insurance plan but such person is responsible for any such cost above the individual coverage cost. ~~This shall take effect on January 1, 2018 with respect to Council members and the Mayor.~~

Section 2. Ratification, Readoption and Confirmation.

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

Section 3. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the 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 on January 01, 2024.

City of Beacon City Council Agenda
12/18/2023

Title:

Resolution No. 132 - Authorizing the City Administrator to Execute a Memorandum of Agreement with Civil Service Employees Association, Inc.

ATTACHMENTS

Memorandum of Agreement with Civil Service Employees Association, Inc.

Resolution Authorizing the City Administrator to Execute a Memorandum of Agreement with Civil Service Employees Association, Inc.

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF BEACON, AND THE CIVIL SERVICE
EMPLOYEES ASSOCIATION INC., LOCAL 1000, AFSCME, AFL-CIO, CITY OF
BEACON UNIT 6662, DUTCHESS COUNTY LOCAL 814**

IT IS HEREBY AGREED, by and between the City of Beacon (hereinafter referred to as “the City”) and the Civil Service Employees Association Inc., Local 1000, AFSCME, AFL-CIO, City of Beacon Unit 6662, Dutchess County Local 814 (hereinafter referred to as the “CSEA”), the following shall constitute the new terms and conditions of the collective bargaining agreement (“CBA”) covering the period of January 1, 2022 through December 31, 2024.

Article III - COMPENSATION

Section 1 – Wage Adjustments

- Replace the ninth paragraph with the following:

Effective January 1, 2024, all employees shall receive a two and one-quarter (2.25%) across the board wage increase, plus \$1,000 added into the annual base wage rates as reflected in Appendix D of the 2024 Job Title Salary Schedule.

- Replace Appendix D 2024 2.25% Job Titles with the following:

2024
2.25%, plus \$1,000 added into annual base wage rates

JOB TITLES	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
ACCOUNT CLERK	21.49	22.68	23.90	25.22	26.94
ACCOUNT CLERK TYPIST	22.99	24.28	25.60	27.04	28.84
ACCOUNTANT	33.76	35.67	37.70	39.84	42.10
ASSESSOR AIDE	20.60	21.79	23.06	24.43	25.86
AUTOMOTIVE MECHANIC	27.83	29.38	31.06	32.82	34.70
CHIEF WATER TREATMENT PLANT OPERATOR - GRADE 1	32.64	34.48	36.42	38.55	40.76
CLEANER	22.71	23.98	25.30	26.74	28.23
CLERK	20.38	21.49	22.68	23.90	25.55
DEPUTY BUILDING INSPECTOR	34.28	36.30	38.45	40.74	43.72
DEPUTY CITY CLERK	21.49	22.68	23.90	25.22	26.94
GROUNDSKEEPER	22.71	23.98	25.30	26.74	28.23
HEAD AUTOMOTIVE MECHANIC	30.98	31.86	34.57	36.62	38.68
HEAVY MOTOR EQUIPMENT OPERATOR	27.83	29.38	31.06	32.82	34.70
LABORATORY TECHNICIAN	28.46	30.02	31.73	33.54	35.43
LABORER	22.71	23.98	25.30	26.74	28.23
MAINTENANCE CARPENTER	28.37	29.98	31.67	33.47	35.36
MAINTENANCE HELPER	26.22	27.68	29.24	30.89	32.59
MAINTENANCE MECHANIC	29.48	31.13	32.94	34.82	36.78
MAINTENANCE WORKER	27.83	29.38	31.06	32.82	34.70
MOTOR EQUIPMENT OPERATOR	26.22	27.68	29.24	30.89	32.59
MUNICIPAL SECRETARY	24.96	26.25	27.63	28.99	30.92

OFFICE ASSISTANT	24.96	26.25	27.63	28.99	30.92
PAYROLL CLERK	26.00	27.34	28.77	30.29	32.21
POLICE ASSISTANT	21.98	23.22	24.51	25.90	27.67
RECREATION ASSISTANT	18.95	20.07	21.23	22.47	23.78
SENIOR ACCOUNT CLERK TYPIST	26.00	27.34	28.77	30.29	32.21
SENIOR AUTOMOTIVE MECHANIC	29.48	31.13	32.94	34.82	36.78
SENIOR METER READER	29.48	31.13	32.94	34.82	36.78
SENIOR SEWAGE TREATMENT PLANT OPERATOR	32.64	34.48	36.42	38.55	40.76
SENIOR TYPIST	24.96	26.25	27.63	28.99	30.92
SENIOR WASTEWATER TREATMENT MAINTENANCE MECHANIC	29.11	30.69	32.34	34.10	35.95
SLUDGE CONTROL OPERATOR	27.24	28.79	30.42	32.09	33.94
TYPIST	20.38	21.49	22.68	23.90	25.55
WASTEWATER PLANT MAINTENANCE MECHANIC	27.24	28.79	30.42	32.09	33.94
WASTEWATER TREATMENT PLANT MAINTENANCE HELPER	22.71	23.98	25.30	26.74	28.23
WASTEWATER TREATMENT PLANT OPERATOR	29.48	31.13	32.94	34.82	36.78
WATER & SEWER MAINTENANCE FOREMAN	29.48	31.13	32.94	34.82	36.78
WATER & SEWER MAINTENANCE HELPER	22.71	23.98	25.30	26.74	28.23
WATER & SEWER MAINTENANCE MECHANIC	26.22	27.68	29.24	30.89	32.59
WATER TREATMENT PLANT OPERATOR - GRADE II	29.48	31.13	32.94	34.82	36.78
WATER TREATMENT PLANT OPERATOR (TRAINEE)	26.91	28.26	29.85	31.52	33.31
WORKING SUPERVISOR	30.98	31.86	34.57	36.62	38.68

All other terms of the CBA for the period from January 1, 2022 through December 31, 2024 not expressly modified above shall remain unchanged.

Dated: December 19, 2023

CITY OF BEACON

CIVIL SERVICE EMPLOYEES
ASSOCIATION INC. LOCAL 1000
AFSCME, AFL-CIO CITY OF BEACON
UNIT 6662

Christopher White, City Administrator

Jordan Rider, Labor Relations Specialist

Scott McHugh, Union President



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 132 OF 2023

**AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF
AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION INC.**

WHEREAS, the 2024 Adopted Budget for the City of Beacon authorized an employee retention initiative, which increases the base pay of all City employees by \$1,000 effective January 1, 2024; and

WHEREAS, implementing this initiative requires the City to execute a Memorandum of Agreement (MOA) with the Civil Service Employees Association Inc. (CSEA) in order to revise the Salary Schedules in the current Collective Bargaining Agreement dated January 1, 2022 to December 31, 2024; and

WHEREAS, the City of Beacon and CSEA have agreed to executed an MOA which increases the pay of employees represented by CSEA by \$1,000.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Beacon City Council hereby authorizes the City Administrator to execute a memorandum of agreement with CSEA to implement the employee retention attention funded in the 2024 Adopted Budget.

Resolution No. 132 of 2023			Date: December 18, 2023				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
12/18/2023

Title:

Resolution No. 133 - Authorizing the City Administrator to Execute a Memorandum of Agreement with International Association of Firefighters

ATTACHMENTS

[Memorandum of Agreement with International Association of Firefighters](#)

[Resolution Authorizing the City Administrator to Execute a Memorandum of Agreement with International Association of Firefighters](#)

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF BEACON, AND BEACON PERMANENT
FIREMEN’S ASSOCIATION, INC. LOCAL 3490, INTERNATIONAL ASSOCIATION
OF FIREFIGHTERS (IAFF), AFL-CIO**

IT IS HEREBY AGREED, by and between the City of Beacon (hereinafter referred to as “the City”) and the Beacon Permanent Firemen’s Association, Inc., Local 3490, International Association of Firefighters, AFL-CIO (the “Association”), the following shall constitute the modified terms and conditions of the collective bargaining agreement (“CBA”) covering the period of January 1, 2021 through December 31, 2025.

1. Article IV

SALARIES

Revise Section 1 to replace with the following:

The annual wage rate to be paid to each employee covered by this agreement is reflected in the following salary schedule, which provides for a wage rate increase on January 1, 2024 only:

EFFECTIVE		1/1/2021	1/1/2024
1ST YR OF EMPLOYMENT		56,606	57,606
2ND YR OF EMPLOYMENT		62,642	63,642
3RD YR OF EMPLOYMENT		64,553	65,553
4TH YR OF EMPLOYMENT		66,132	67,132
5TH YR OF EMPLOYMENT		69,224	70,224

All other terms of the CBA for the period from January 1, 2021 through December 31, 2025 not expressly modified above shall remain unchanged.

Dated: December 19, 2023

FOR THE CITY OF BEACON

FOR THE BEACON PERMANENT
FIREMEN'S ASSOCIATION, INC.
LOCAL 3490, INTERNATIONAL
ASSOCIATION OF
FIREFIGHTERS, AFL-CIO

Christopher White, City Administrator

Christopher Baum, Union President



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 133 OF 2023

**AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF
AGREEMENT WITH INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**

WHEREAS, the 2024 Adopted Budget for the City of Beacon authorized an employee retention initiative, which increases the base pay of all City employees by \$1,000 effective January 1, 2024; and

WHEREAS, implementing this initiative requires the City to execute a Memorandum of Agreement (MOA) with the International Association of Firefighters (IAFF) in order to revise the Salary Schedules in the current Collective Bargaining Agreement dated January 1, 2021 through December 31, 2025; and

WHEREAS, the City of Beacon and IAFF have agreed to executed an MOA which increases the pay of employees represented by IAFF by \$1,000.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Beacon City Council hereby authorizes the City Administrator to execute a memorandum of agreement with IAFF to implement the employee retention attention funded in the 2024 Adopted Budget.

Resolution No. 133 of 2023			Date: December 18, 2023				
☐ Amendments			☐ On roll call			☐ 2/3 Required	
☐ Not on roll call.						☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
12/18/2023

Title:

Resolution No. 134 - Authorizing the City Administrator to Execute a Memorandum of Agreement with Patrolmen's Benevolent Association

ATTACHMENTS

Memorandum of Agreement with Patrolmen's Benevolent Association

Authorizing the City Administrator to Execute a Memorandum of Agreement with Patrolmen's Benevolent Association

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF BEACON, AND THE PATROLMEN'S
BENEVOLENT ASSOCIATION OF BEACON, NEW YORK, INC.**

IT IS HEREBY AGREED, by and between the City of Beacon (hereinafter referred to as “the City”) and The Patrolmen’s Benevolent Association of Beacon, New York, Inc. (“hereinafter the “Association”), the following shall constitute the new terms and conditions of the collective bargaining agreement (“CBA”) covering the period from January 1, 2022 through December 31, 2025.

Article VII (Compensation)

- Delete Section A. and replace with the following:

A. Effective the 1st day of January, in the year indicated, the following Officers of the Police Department shall receive the following annual salaries:

Police Officer:

	2021	2022	2023	2024	2025
Starting Salary	\$57,182	\$58,326	\$59,493	\$61,683	\$62,917
After 1 Year	\$62,154	\$63,397	\$64,665	\$66,958	\$68,297
After 2 Years	\$67,126	\$68,469	\$69,838	\$72,235	\$73,680
After 3 Years	\$72,099	\$73,721	\$75,380	\$78,076	\$79,833
After 4 Years	\$77,072	\$78,806	\$80,579	\$83,392	\$85,268
After 5 Years	\$82,043	\$84,094	\$86,196	\$89,351	\$91,585
After 6 Years	\$90,588	\$92,853	\$95,174	\$98,553	\$101,017

Detective:

	2021	2022	2023	2024	2025
Starting Salary	\$92,194	\$94,499	\$96,861	\$100,283	\$102,790
After 1 Year	\$95,137	\$97,515	\$99,953	\$103,452	\$106,038

Sergeant:

	2021	2022	2023	2024	2025
Starting Salary	\$98,430	\$100,891	\$103,413	\$106,998	\$109,673
After 1 Year	\$103,449	\$106,035	\$108,686	\$112,403	\$115,213

Detective Sergeant:

	2021	2022	2023	2024	2025
Starting Salary	\$102,902	\$105,475	\$108,112	\$112,085	\$115,167
After 1 Year	\$105,571	\$108,210	\$110,915	\$114,688	\$117,555

Lieutenant:

	2021	2022	2023	2024	2025
Starting Salary	\$104,099	\$107,222	\$110,439	\$114,752	\$118,195
After 1 Year	\$108,685	\$111,946	\$115,304	\$119,763	\$123,356

Above figures do not include longevity steps. Employees shall remain on each salary step for one (1) year and move to the next grade on their anniversary date from their date of hire.

All other terms of the CBA covering the period from January 1, 2022 through December 31, 2025 not expressly modified above shall remain unchanged.

Dated: December 19, 2023

FOR THE CITY OF BEACON

FOR THE PATROLMEN'S BENEVOLENT
ASSOCIATION OF BEACON, NEW YORK,
INC.

Christopher White, City Administrator

Affdecrin Vargas, President



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 134 OF 2023

**AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF
AGREEMENT WITH PATROLMEN'S BENEVOLENT ASSOCIATION OF BEACON, NEW
YORK, INC.**

WHEREAS, the 2024 Adopted Budget for the City of Beacon authorized an employee retention initiative, which increases the base pay of all City employees by \$1,000 effective January 1, 2024; and

WHEREAS, implementing this initiative requires the City to execute a Memorandum of Agreement (MOA) with the Patrolmen's Benevolent Association of Beacon, New York, Inc. (PBA) in order to revise the Salary Schedules in the current Collective Bargaining Agreement dated January 1, 2022 through December 31, 2025; and

WHEREAS, the City of Beacon and PBA have agreed to executed an MOA which increases the pay of employees represented by PBA by \$1,000.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Beacon City Council hereby authorizes the City Administrator to execute a memorandum of agreement with PBA to implement the employee retention attention funded in the 2024 Adopted Budget.

Resolution No. 134 of 2023			Date: December 18, 2023				
☐ Amendments			☐ On roll call			☐ 2/3 Required	
☐ Not on roll call.						☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
12/18/2023

Title:

Resolution No. 135 - Authorizing the City Administrator to Execute an Agreement with Brown & Brown, Inc. for NYMIR Insurance Services

ATTACHMENTS

[Brown & Brown, Inc. 2024 Proposal Premium Summary](#)

[Resolution Authorizing the City Administrator to Execute an Agreement with Brown & Brown, Inc. for NYMIR Insurance Services](#)



PROPERTY & CASUALTY

Proposal Prepared for City of Beacon

Policy Period 01/01/2024 - 01/01/2025



Proposal Premium Summary

Premiums - 2024-2025

Line of Business	Insurance Company	2023-2024 Premium	2024-2025 Premium
Property	NYMIR	\$ 53,072.00	\$ 73,186.00
Boiler & Machinery	NYMIR	\$ 9,086.00	\$ 11,300.00
Commercial General Liability	NYMIR	\$ 153,265.20	\$ 167,699.00
Cyber	NYMIR	\$ 27,500.00	\$ 7,299.00
Crime	NYMIR	\$ 6,466.90	\$ 6,466.90
OCP - GL	NYMIR	\$ 275.00	\$ 275.00
Commercial Automobile	NYMIR	\$ 63,343.10	\$ 67,318.00
Inland Marine	NYMIR	\$ 31,702.00	\$ 32,017.00
Public Officials	NYMIR	\$ 29,889.20	\$ 30,785.00
Law Enforcement	NYMIR	\$ 87,974.70	\$ 98,719.00
Excess Liability	NYMIR	\$ 49,363.60	\$ 53,184.00
Sub-Total Premium		\$ 511,937.70	\$ 548,248.90
NY Fire Fee		\$ 224.09	\$ 246.16
Motor Vehicle Enforcement Fee		\$ 720.00	\$ 710.00
Total Premium		\$ 512,881.79	\$ 549,205.06



This proposal is based upon the exposures made known to the Agency by you and contains only a general description of the coverage(s) and does not constitute a policy/contract. For complete policy information, including exclusions, limitations, and conditions, please refer to your policy. In the event of differences, the policy will prevail.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 135 OF 2023

**AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH
BROWN & BROWN INSURANCE, INC. FOR 2024 NYMIR INSURANCE SERVICES**

WHEREAS, the City of Beacon seeks to contract for NYMIR Insurance services for 2024; and

WHEREAS, Brown & Brown Insurance, Inc. (“Brown & Brown”) provides the above services and is willing and able to extend the same to the City of Beacon; and

NOW, THEREFORE, BE IT RESOLVED THAT the City of Beacon City Council hereby authorizes the City Administrator to execute an agreement with Brown & Brown for NYMIR Insurance services for 2024, subject to approval by the City Attorney as to form and substance.

BE IT FURTHER RESOLVED, that City Administrator is hereby authorized to execute any extensions or amendments to this Agreement subject to review and approval by the City Attorney as to form and substance.

Resolution No. 135 of 2023			Date: December 18, 2023				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
12/18/2023

Title:

Resolution No. 136 - Adopting Local Law No. 8 of 2023 to Amend the City Charter Concerning Compensation

ATTACHMENTS

[Local Law No. 8 of 2023 to Amend the City Charter Concerning Compensation](#)

[Resolution Adopting Local Law No 8 of 2023](#)

LOCAL LAW NO. 8 OF 2023

**CITY COUNCIL
CITY OF BEACON**

**A LOCAL LAW TO AMEND THE CITY CHARTER SECTION 2.01
CONCERNING COMPENSATION**

A LOCAL LAW to amend the Charter of the City of Beacon, Section 2.01, concerning compensation of the Council and Mayor.

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

Section 1. The Charter of the City of Beacon, Article 2, City Council, Section 2.01 entitled “Compensation and expenses” is hereby amended as follows:

Sec. 2.01 Compensation and expenses.

The salary for each of the six (6) Council members shall be ~~nine thousand dollars (\$9,000)~~ eleven thousand dollars (\$11,000) per annum, and for the Mayor ~~twenty-five thousand dollars (\$25,000)~~ thirty thousand (\$30,000) per annum. Council members and the Mayor shall receive their actual and necessary expenses incurred in the performance of their duties of office. In addition, the Council members and the Mayor shall have the option of receiving individual health insurance coverage benefits, through the City of Beacon's health insurance plan, such insurance policy type shall be determined by the Director of Finance. The Mayor or a Council member who elects not to receive health insurance coverage shall be provided a cash payment of \$2,500. Once the Mayor or Council member elects not to receive the health insurance, such election must be for the full calendar year, unless the Mayor or Council Member is no longer covered by the health insurance from the other source. In such case, the Mayor or the Council member will receive a pro-rated cash payment. The City's contribution toward the premium cost of providing individual coverage shall be at the same percentage contribution rates as is provided to the City's department heads with the balance being paid for by the Council member or the Mayor who elected such health insurance coverage. Council members and the Mayor may secure family coverage through the City's insurance plan but such person is responsible for any such cost above the individual coverage cost. ~~This shall take effect on January 1, 2018 with respect to Council members and the Mayor.~~

Section 2. Ratification, Readoption and Confirmation.

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

Section 3. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the 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 on January 01, 2024.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 136 OF 2023

**ADOPTING LOCAL LAW NO. 8 OF 2023 TO AMEND THE CHARTER OF THE CITY OF
BEACON, SECTION 2.01, CONCERNING COMPENSATION OF THE COUNCIL AND MAYOR**

WHEREAS, pursuant to Resolution No. 2023-128, passed on December 11, 2023, the City of Beacon City Council set a public hearing for December 18, 2023 regarding a local law to amend the Charter of the City of Beacon, section 2.01, concerning compensation of the Council and Mayor; and

WHEREAS, notice for the Public Hearing was published in the Poughkeepsie Journal on December 10, 2023; and

WHEREAS, on December 18, 2023, 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 such.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 8 of 2023 to amend the Charter of the City of Beacon, section 2.01, concerning compensation of the Council and Mayor.

Resolution No. 136 of 2023			Date: December 18, 2023				
☐ Amendments			☐ On roll call			☐ 2/3 Required	
☐ Not on roll call.						☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
12/18/2023

Title:

Resolution No. 137 - Approving ENEL North America, Inc. 2023 Tax Certiorari Settlement

ATTACHMENTS

[Resolution Approving ENEL North America, Inc. 2023 Tax Certiorari Settlement](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 137 OF 2023

**APPROVING MTR. OF ENEL NORTH AMERICA, INC. v. BOARD OF ASSESSMENT
REVIEW OF THE CITY OF BEACON, ET ANO. (SUP. CT. DUTCHESS CO. INDEX NO.
52548/23) – SETTLEMENT OF 2023 TAX CERTIORARI PROCEEDING**

WHEREAS, a tax certiorari proceeding, titled Mtr. of ENEL North America, Inc. v. Board of Assessment Review of the City of Beacon, et al. (Sup. Ct. Dutchess Co. Index No. 52548/23), is pending before the Supreme Court, Dutchess County (Hon. James V. Brands, J.S.C., presiding); and

WHEREAS, this proceeding contests the 2023 assessment of property identified as Parcel No. 6055-04-590165 on the City of Beacon 2023 Assessment Roll; and

WHEREAS, this parcel is the site of the Groveville Hydroelectric facility, owned and operated by Petitioner ENEL North America, Inc. (“ENEL”); and

WHEREAS, a proposed settlement of this proceeding has been reached by and between ENEL and the City of Beacon; and

WHEREAS, the City of Beacon has obtained the advice and assistance of its counsel, Keane & Beane, P.C., with respect to the proposed settlement terms and has duly considered same; and

WHEREAS, under the settlement terms, the City will be liable for a City tax refund in the projected amount of One Thousand One Hundred Forty-Five and 09/100 (\$1,145.09) Dollars.

NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the settlement of this proceeding so that the following adjustment is made to the real property tax assessment of the above-described tax parcel:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2023	\$750,000	\$625,000	\$125,000

BE IT FURTHER RESOLVED, that counsel for the City of Beacon, Keane & Beane, P.C., together with the City Administration, is hereby authorized to undertake such actions as are necessary to confirm and effectuate this settlement, including execution of the Consent Order and Judgment incorporating the settlement terms.

Resolution No. 137 of 2023			Date: December 18, 2023				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
12/18/2023

Title:

Resolution No. 138 - Urging Governor Kathy Hochul to Sign Bill No. S1163A/A7691 to Establish the New York State Community Commission on Reparation Remedies

ATTACHMENTS

[New York State Senate Bill No. S1163A](#)

[New York State Assembly Bill No. A7691](#)

[Resolution Urging Governor Kathy Hochul to Sign Bill No. S1163A/A7691 to Establish the New York State Community Commission on Reparation Remedies](#)

STATE OF NEW YORK

1163--A

2023-2024 Regular Sessions

IN SENATE

January 10, 2023

Introduced by Sens. SANDERS, CLEARE, COMRIE, HOYLMAN-SIGAL, JACKSON, PARKER, RIVERA, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to acknowledge the fundamental injustice, cruelty, brutality and inhumanity of slavery in the City of New York and the State of New York; to establish the New York State community commission on reparations remedies, to examine the institution of slavery, subsequently de jure and de facto racial and economic discrimination against people of African descent, and the impact of these forces on living people of African descent and to make determinations regarding compensation; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "New York
2 State community commission on reparations remedies".

3 § 2. Legislative intent. Contrary to what many believe, slavery was
4 not just a Southern institution. Prior to the American Revolution, there
5 were more enslaved Africans in New York City than in any other city
6 except Charleston, South Carolina. During this period, enslaved Africans
7 accounted for 20% of the population of New York and approximately 40% of
8 colonial New York's households owned enslaved Africans. These enslaved
9 Africans were an integral part of the population which settled and
10 developed what we now know as the State of New York.

11 The first enslaved Africans arrived in New Amsterdam, a Dutch settle-
12 ment established at the southern tip of Manhattan Island, around 1627.
13 These enslaved Africans did not belong to individuals, but worked for
14 the Dutch West India Company. The Dutch West India Company had estab-
15 lished Fort Amsterdam, a fortification located on the southern tip of
16 the Island of Manhattan, for the purpose of defending the company's fur

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD00148-11-3

1 trade operations on the North River, now known as the Hudson River. In
2 1624, New Amsterdam became a provincial extension of the Dutch Republic
3 and it was designated the capital of the province in 1625.

4 These first enslaved Africans cleared forests, prepared land for agri-
5 culture and built an infrastructure of roads, buildings and walls of
6 timber and earthwork, including the wall that gives Wall Street its
7 name. During the following years, more enslaved Africans were brought to
8 the New World for the purpose of expanding the settlement.

9 New Amsterdam came under English control in 1664 and was renamed New
10 York in honor of the then Duke of York, in whose name the English had
11 captured it. Three years later, the Dutch gave up their claim of the
12 city and the rest of the colony, in exchange for control of certain
13 trade routes and areas.

14 The change of control of the city did not hinder the system of slav-
15 ery; it was an enormously profitable enterprise and it continued under
16 English control. In fact, the English enacted new slave codes aimed at
17 keeping this population repressed. Further, a new class of pro-slavery
18 business owners also emerged seeking to, directly and indirectly, bene-
19 fit from the slave trade. They supplied food, tools and grain to slave
20 plantations in North America and in the West Indies. Slave labor built
21 and maintained ships used for trade between North America, Europe, the
22 Caribbean and Africa. Enslaved Africans produced goods for sale and
23 worked in private homes. Even newspapers benefited from slavery: adver-
24 tisements of enslaved Africans for purchase were a major source of
25 revenue for the papers during the eighteenth century. With these econom-
26 ic relationships in place, the pro-slavery forces in New York jealously
27 guarded what they viewed as their financial interests.

28 Life was repressive for enslaved Africans in New York. The New York
29 City Common Council passed a number of restrictive laws designed at
30 curtailing the rights and freedoms of enslaved Africans. Enslaved Afri-
31 cans were barred from owning significant property and from bequeathing
32 what they did own to their children. The number of people of African
33 descent who could gather in one place was limited. Restrictions on move-
34 ment included requiring enslaved Africans to carry lanterns after dark
35 and to remain in certain geographic areas.

36 Penalties for breaking these and other laws were severe. Beatings,
37 mutilations and executions were common.

38 Enslaved Africans refused to submit to the slave existence. The condi-
39 tions of their lives gave rise to rebellions and the development of a
40 network known as the Underground Railroad.

41 Moreover, a powerful abolitionist movement developed. Nonetheless, the
42 end of slavery in New York did not come easily or quickly. Those who
43 profited from the slave economy fought to maintain the system.

44 In 1799, the New York State Legislature, at a time when sixteen
45 sitting New York State Senators personally owned dozens of enslaved
46 Africans, passed "An Act for the Gradual Abolition of Slavery." This
47 legislation was a first step in the direction of emancipation, but it
48 provided little relief in the short-term. Rather, it provided for only a
49 gradual manumission. All children born to enslaved women after July 4,
50 1799 would be freed, but only after their most productive years: age 28
51 for men and age 25 for women. Enslaved Africans already in servitude
52 before July 4, 1799 were reclassified as "indentured servants," but in
53 reality, remained enslaved Africans for the duration of their lives.

54 In 1817, the New York State Legislature enacted a statute that gave
55 freedom to New York enslaved Africans who had been born before July 4,
56 1799. However, this statute did not become effective until July 4, 1827.

1 Despite these laws, there were exceptions under which certain persons
2 could still own enslaved Africans. Non-residents could enter New York
3 with enslaved Africans for up to nine months, and the law allowed part-
4 time residents to bring their enslaved Africans into the state temporar-
5 ily. The nine-month exception remained law until its repeal in 1841,
6 when the North was redefining itself as the "free" region in advance of
7 the Civil War.

8 Nevertheless, many formerly enslaved Africans fleeing slavery and
9 arriving in New York were forced back into slavery following the Fugi-
10 tive Slave Law of 1850. Moreover, even as the laws regarding slavery
11 were loosened, both public and private discrimination continued to main-
12 tain similar social relationships and racial hierarchies.

13 During the Civil War, sentiments in New York regarding the war were
14 divided and tense. New York's finance and local institutions were still
15 deeply entangled in the slave trade in the South and the Caribbean, and
16 New York profited tremendously from the trade in Southern cotton. By
17 some estimates, New York received 40% of U.S. cotton revenue through its
18 financial firms, shipping businesses, and insurance companies.

19 Near the start of the war, in January 1861, New York City Mayor
20 Fernando Wood actually suggested to the New York City Council that New
21 York secede and declare itself a "free city" in order to continue its
22 profitable cotton trade with the Confederacy. These same pro-slavery
23 forces erupted into violence when the national Conscription Act was
24 enacted on July 11, 1863. Pro-slavery forces engaged in "draft riots" in
25 New York City, violently targeting Black Americans. Before the riots
26 were finally stopped by federal troops four days later, over 119 New
27 Yorkers, mostly Black Americans, had been killed. After the end of the
28 Civil War, Congress passed the 13th, 14th, and 15th Amendments to offi-
29 cially end slavery, make Black people citizens, and enable Black men to
30 enjoy all rights of citizenship including the right to vote. Although
31 New York had given Black men the right to vote in 1827, it retained
32 property requirements, and included new restrictions on the right to
33 vote for those accused of committing crimes, to continuously maintain a
34 system of disenfranchisement. On April 14, 1869, New York ratified the
35 15th Amendment in a party-line vote. In 1870, however, control of the
36 Senate changed to those who were sympathetic to the recently defeated
37 South, with State Senator William "Boss" Tweed leading a charge for New
38 York to rescind its ratification of the 15th amendment (i.e., the right
39 to vote). New York legislators at the time claimed that allowing Black
40 New Yorkers to vote "would introduce ignorance to the ballot box and the
41 suffrage would be cheapened and degraded". Along another party-line
42 vote, New York rescinded its ratification. Fortunately, however, this
43 rescission did not prevent the 15th Amendment from being ratified.

44 Following the Civil War, conditions for Black Americans in New York
45 remained poor. Newly emancipated enslaved people and their families
46 needed to contend with both public and private discrimination in the
47 State of New York. Although civil rights legislation was passed in the
48 years following the Civil War, in an attempt to guard against acts of
49 discrimination, Associate Justice Joseph P. Bradley, of New York State,
50 wrote a majority (8-1) decision for the United States Supreme Court,
51 striking down these civil rights laws. The case related to an 1879 inci-
52 dent, where a Black New Yorker had been turned away from the Grand Opera
53 House located on West 23rd Street and 8th Avenue; even though this man
54 had paid for a ticket, he was turned away, and a local policeman forc-
55 ibly removed him from the premises. Although the following lawsuit was
56 brought under the civil rights act, Justice Bradley rejected the claims,

1 stating: "Can the act of a mere individual, the owner of the inn, the
2 public conveyance or place of amusement, refusing the accommodation, be
3 justly regarded as imposing any badge of slavery or servitude upon the
4 applicant...? After giving to these questions all the consideration
5 which their importance demands, we are forced to the conclusion that
6 such an act of refusal has nothing to do with slavery or involuntary
7 servitude." With this ruling, private citizens were once again permitted
8 to lawfully discriminate against their fellow New Yorkers, with no legal
9 recourse. A subsequent New York Times editorial, however, stated that it
10 did not foresee any substantial changes in daily life because the civil
11 rights legislation to protect Black New Yorkers "has never been
12 enforced" in any meaningful way.

13 With this legal precedent, expanding even more broadly when the 1896
14 case of Plessy v. Ferguson explicitly permitted segregated railroads and
15 street cars, Jim Crow laws, along with various forms of private discrim-
16 ination, spread across the country and New York State. Segregation
17 became particularly common in both education and housing. In 1883, when
18 a Black resident of Kings County sought to enroll her daughter in a
19 school for white children, her child was denied admission. In the subse-
20 quent lawsuit of People, ex. Rel King v. Gallagher, the Court ruled in a
21 4-2 decision that "[~~t~~]he system of authorizing the education of the two
22 races separately has been for many years the settled policy of all
23 departments of the State government, and it is believed obtains very
24 generally in the States of the Union." The New York Court of Appeals
25 upheld the segregation of schools in Kings County. Although the laws
26 have changed in the years since this decision, research has shown that
27 up to the present day of this writing, New York still is the most segre-
28 gated state for Black students.

29 Discrimination in housing has also been a persistent and constant
30 issue in New York since the Civil War. In addition to the housing
31 inequality that came with wealth inequality, landlords have engaged in
32 discriminatory housing practices. Black Americans of all backgrounds
33 typically paid disproportionately higher rents, and were forced into
34 dilapidated tenement conditions, with the support of public officials.
35 This pattern of geographic isolation would continue to impact Black
36 Americans in New York continuously throughout the years, including
37 through the state-sanctioned discriminatory "redlining" practices in the
38 1930s, and in the segregationist urban planning implemented by individ-
39 uals like Robert Moses in later decades. Importantly, the Federal Hous-
40 ing Administration (FHA), an institution that refused to insure mort-
41 gages in or near African American neighborhoods, subsidized builders who
42 were creating subdivisions and developments in the suburbs, with the
43 proviso that none of the homes be sold to African Americans. For exam-
44 ple, in Levittown, New York, the FHA guaranteed bank loans for
45 construction and development to Levittown on the condition that no homes
46 be sold to African-Americans, and that every home have a clause in its
47 deed prohibiting resale to African-Americans.

48 The consequences of these past practices are still with us today. In
49 1991, a massive African burial ground was discovered in the heart of New
50 York's financial district during the construction of a skyscraper. The
51 excavations that followed the termination of the construction project
52 yielded the skeletal remains of 419 Africans, many of whom were women
53 and children.

54 The consequences of slavery in New York State is not an echo of the
55 past, but can still be observed in daily life. Systemic racism has
56 cemented a legacy of generational poverty, and we still see today

1 instances of voter suppression, housing discrimination, biased policing,
2 food apartheid, and disproportionate rates of incarceration. Currently,
3 in the United States, the imprisonment rate of Black Americans for drug
4 charges is almost six times that of white Americans, despite the rate of
5 drug usage being similar among both groups. Likewise, the use of the
6 "Stop and Frisk" tactic by the New York City Police Department has had
7 disparate impacts: at the policy's peak in 2011, an estimated 685,724
8 people were stopped, with fifty-three percent of those being Black, even
9 though only twenty-six percent of New York City's population was Black.
10 These policies have also led to the tragic deaths of Black Americans
11 here in New York, such as Daniel Prude, who was unarmed and facing a
12 mental health crisis when he was forcibly restrained by Rochester
13 police, and ultimately died due to complications of asphyxia resulting
14 from his restraint.

15 New York State's status as an economic and cultural hub of the world
16 has been built and shaped by slavery. The contributions of enslaved
17 Africans has provided the resources upon which trade and commerce in New
18 York was built. Some of our most prestigious institutions and infras-
19 tructure were built with these contributions. However, New York State
20 also has the largest income disparity in the country, and that large
21 disparity is in large part the legacy of our slave system.

22 This legislation is necessary because the slavery that flourished in
23 New York State constituted an immoral and inhumane deprivation of Afri-
24 cans' life, liberty, citizenship rights, cultural heritage, and denied
25 them the fruits of their own labor. A sufficient inquiry has not been
26 made into the effects of the institution of slavery on present day soci-
27 ety in New York.

28 § 3. Establishment, purpose and duties of the commission. a. Estab-
29 lishment. There is hereby established the New York State community
30 commission on reparations remedies (hereinafter referred to as the
31 "commission").

32 b. Duties. The commission shall perform the following duties:

33 (1) Examine the institution of slavery which existed within the State
34 of New York and in the City of New York. The commission's examination
35 shall include, but not be limited to, an examination of:

36 (A) the capture and procurement of Africans;

37 (B) the transport of Africans to what is now known as New York City
38 and New York State for the purpose of enslavement, including their
39 treatment during transport;

40 (C) the sale and acquisition of Africans as chattel property in inter-
41 state and intrastate commerce, including the direct and indirect bene-
42 fits that New York received from these economic relationships;

43 (D) the treatment of enslaved Africans in the City of New York and the
44 State of New York, including the deprivation of their freedom, exploita-
45 tion of their labor, and destruction of their culture, language, reli-
46 gion, and families; and

47 (E) the treatment of formerly enslaved Africans and their descendants
48 in the City of New York and the State of New York during the period
49 between the end of the Civil War and the present.

50 (2) Examine the extent to which the federal government, as well as the
51 state and local governments of New York, supported the institution of
52 slavery, including the extent to which such governments prevented,
53 opposed, or restricted efforts of freed enslaved Africans to repatriate
54 to their homeland.

(3) Examine how New York State engaged in the interstate transfer of enslaved Africans, and carried out federal policies in the furtherance of slavery.

(4) Examine the de jure and de facto discrimination against freed enslaved Africans, their descendants, and people of African descent, generally, at both the state and federal levels of government, during the period between the end of the Civil War and the present, including, but not limited to, economic, political, educational, and social discrimination.

(5) Examine the lingering negative effects of the institution of slavery and discrimination on living people of African descent and on society in the State of New York.

(6) Examine the current condition of living people of African descent in the State of New York, to the extent practicable, including, but not limited to, economic, political, educational, and social conditions.

(7) Recommend appropriate ways to educate the public of the commission's findings.

(8) Recommend appropriate remedies and reparations in consideration of the commission's findings on the matters described in paragraphs 1, 2, 3, 4, 5, and 6 of this subdivision to determine how the state of New York may provide for appropriate laws, policies, programs, projects, and other recommendations in order to reverse such injuries. Such remedies may include compensation, including but not limited to the amount of compensation and who should be eligible for such compensation.

(9) Examine the feasibility for the creation of a bureau to assist in the distribution and administration of remedies and reparations as recommended by the commission pursuant to paragraph 8 of this subdivision.

c. Report to the legislature. The commission shall submit a written report of its findings and recommendations to the temporary president of the senate, the speaker of the assembly, the minority leaders of the senate and the assembly and the governor not later than one year after the date of the first meeting of the commission held pursuant to subdivision c of section four of this act.

§ 4. Membership. a. Appointment of members. The commission shall be composed of nine members who shall be appointed within 90 days after the effective date of this act, as follows:

(1) three members shall be appointed by the governor;

(2) three members shall be appointed by the speaker of the assembly;

(3) three members shall be appointed by the temporary president of the senate.

b. Qualification of members. All members appointed to the commission shall be persons who are especially qualified to serve on the commission by virtue of their expertise, education, training, or lived experience, in the fields of African or American studies, the criminal legal system, human rights, civil rights, law, economics, psychology, civil society and reparations organizations that have historically championed the cause of reparatory justice, clergy, and/or the history of slavery in New York, and, to the extent possible, represent geographically diverse areas of the state.

c. First meeting. The first meeting of the commission shall take place within 180 days after the effective date of this act.

d. Quorum. Five members of the commission shall constitute a quorum, but a lesser number may hold hearings.

e. Chair and Vice Chair. The commission shall elect a Chair and Vice Chair from among its members no later than the first meeting.

1 f. Compensation. The members of the commission shall receive no
2 compensation for their services as members, but shall be reimbursed for
3 their actual and necessary expenses incurred in the performance of their
4 duties.

5 § 5. Powers of the commission. a. Hearings and sessions. The commis-
6 sion shall, for the purpose of carrying out the provisions of this act,
7 solicit public input from stakeholders and interested parties, and shall
8 hold such public hearings as the commission considers appropriate.

9 b. Powers of subcommittees and members. Any subcommittee or member of
10 the commission may, if authorized by the commission, take any action
11 which the commission is authorized to take by this section.

12 c. Obtaining official data. The commission may acquire directly from
13 the head of any department, agency, or instrumentality of the state,
14 available information which the commission considers useful in the
15 discharge of its duties. All departments, agencies, and instrumentali-
16 ties of the state shall cooperate with the commission with respect to
17 such information and shall furnish all information requested by the
18 commission to the extent permitted by law. The commission may also
19 coordinate with historically black colleges and universities and
20 research centers to conduct research and acquire additional information
21 which the commission considers useful in the discharge of its duties
22 pursuant to this act.

23 § 6. Termination. The commission shall terminate 90 days after the
24 date on which the commission submits its report to the temporary presi-
25 dent of the senate, the speaker of the assembly, the minority leaders of
26 the senate and the assembly and the governor as provided in subdivision
27 c of section three of this act.

28 § 7. This act shall take effect immediately and shall expire and be
29 deemed repealed 90 days after the New York State community commission to
30 study reparations remedies submits its report to the temporary president
31 of the senate, the speaker of the assembly, the minority leaders of the
32 senate and the assembly and the governor as provided in subdivision c of
33 section three of this act; provided that, the chair of the New York
34 State community commission to study reparations remedies shall notify
35 the legislative bill drafting commission upon the submission of its
36 report as provided in subdivision c of section three of this act in
37 order that the commission may maintain an accurate and timely effective
38 data base of the official text of the laws of the State of New York in
39 furtherance of effecting the provisions of section 44 of the legislative
40 law and section 70-b of the public officers law.

STATE OF NEW YORK

7691

2023-2024 Regular Sessions

IN ASSEMBLY

June 5, 2023

Introduced by M. of A. SOLAGES, LUCAS -- read once and referred to the Committee on Ways and Means

AN ACT to acknowledge the fundamental injustice, cruelty, brutality and inhumanity of slavery in the City of New York and the State of New York; to establish the New York State community commission on reparations remedies, to examine the institution of slavery, subsequently de jure and de facto racial and economic discrimination against people of African descent, and the impact of these forces on living people of African descent and to make determinations regarding compensation; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "New York
2 State community commission on reparations remedies".

3 § 2. Legislative intent. Contrary to what many believe, slavery was
4 not just a Southern institution. Prior to the American Revolution, there
5 were more enslaved Africans in New York City than in any other city
6 except Charleston, South Carolina. During this period, enslaved Africans
7 accounted for 20% of the population of New York and approximately 40% of
8 colonial New York's households owned enslaved Africans. These enslaved
9 Africans were an integral part of the population which settled and
10 developed what we now know as the State of New York.

11 The first enslaved Africans arrived in New Amsterdam, a Dutch settle-
12 ment established at the southern tip of Manhattan Island, around 1627.
13 These enslaved Africans did not belong to individuals, but worked for
14 the Dutch West India Company. The Dutch West India Company had estab-
15 lished Fort Amsterdam, a fortification located on the southern tip of
16 the Island of Manhattan, for the purpose of defending the company's fur
17 trade operations on the North River, now known as the Hudson River. In
18 1624, New Amsterdam became a provincial extension of the Dutch Republic
19 and it was designated the capital of the province in 1625.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD00148-10-3

1 These first enslaved Africans cleared forests, prepared land for agri-
2 culture and built an infrastructure of roads, buildings and walls of
3 timber and earthwork, including the wall that gives Wall Street its
4 name. During the following years, more enslaved Africans were brought to
5 the New World for the purpose of expanding the settlement.

6 New Amsterdam came under English control in 1664 and was renamed New
7 York in honor of the then Duke of York, in whose name the English had
8 captured it. Three years later, the Dutch gave up their claim of the
9 city and the rest of the colony, in exchange for control of certain
10 trade routes and areas.

11 The change of control of the city did not hinder the system of slav-
12 ery; it was an enormously profitable enterprise and it continued under
13 English control. In fact, the English enacted new slave codes aimed at
14 keeping this population repressed. Further, a new class of pro-slavery
15 business owners also emerged seeking to, directly and indirectly, bene-
16 fit from the slave trade. They supplied food, tools and grain to slave
17 plantations in North America and in the West Indies. Slave labor built
18 and maintained ships used for trade between North America, Europe, the
19 Caribbean and Africa. Enslaved Africans produced goods for sale and
20 worked in private homes. Even newspapers benefited from slavery: adver-
21 tisements of enslaved Africans for purchase were a major source of
22 revenue for the papers during the eighteenth century. With these econom-
23 ic relationships in place, the pro-slavery forces in New York jealously
24 guarded what they viewed as their financial interests.

25 Life was repressive for enslaved Africans in New York. The New York
26 City Common Council passed a number of restrictive laws designed at
27 curtailing the rights and freedoms of enslaved Africans. Enslaved Afri-
28 cans were barred from owning significant property and from bequeathing
29 what they did own to their children. The number of people of African
30 descent who could gather in one place was limited. Restrictions on move-
31 ment included requiring enslaved Africans to carry lanterns after dark
32 and to remain in certain geographic areas.

33 Penalties for breaking these and other laws were severe. Beatings,
34 mutilations and executions were common.

35 Enslaved Africans refused to submit to the slave existence. The condi-
36 tions of their lives gave rise to rebellions and the development of a
37 network known as the Underground Railroad.

38 Moreover, a powerful abolitionist movement developed. Nonetheless, the
39 end of slavery in New York did not come easily or quickly. Those who
40 profited from the slave economy fought to maintain the system.

41 In 1799, the New York State Legislature, at a time when sixteen
42 sitting New York State Senators personally owned dozens of enslaved
43 Africans, passed "An Act for the Gradual Abolition of Slavery." This
44 legislation was a first step in the direction of emancipation, but it
45 provided little relief in the short-term. Rather, it provided for only a
46 gradual manumission. All children born to enslaved women after July 4,
47 1799 would be freed, but only after their most productive years: age 28
48 for men and age 25 for women. Enslaved Africans already in servitude
49 before July 4, 1799 were reclassified as "indentured servants," but in
50 reality, remained enslaved Africans for the duration of their lives.

51 In 1817, the New York State Legislature enacted a statute that gave
52 freedom to New York enslaved Africans who had been born before July 4,
53 1799. However, this statute did not become effective until July 4, 1827.

54 Despite these laws, there were exceptions under which certain persons
55 could still own enslaved Africans. Non-residents could enter New York
56 with enslaved Africans for up to nine months, and the law allowed part-

1 time residents to bring their enslaved Africans into the state temporar-
2 ily. The nine-month exception remained law until its repeal in 1841,
3 when the North was redefining itself as the "free" region in advance of
4 the Civil War.

5 Nevertheless, many formerly enslaved Africans fleeing slavery and
6 arriving in New York were forced back into slavery following the Fugi-
7 tive Slave Law of 1850. Moreover, even as the laws regarding slavery
8 were loosened, both public and private discrimination continued to main-
9 tain similar social relationships and racial hierarchies.

10 During the Civil War, sentiments in New York regarding the war were
11 divided and tense. New York's finance and local institutions were still
12 deeply entangled in the slave trade in the South and the Caribbean, and
13 New York profited tremendously from the trade in Southern cotton. By
14 some estimates, New York received 40% of U.S. cotton revenue through its
15 financial firms, shipping businesses, and insurance companies.

16 Near the start of the war, in January 1861, New York City Mayor
17 Fernando Wood actually suggested to the New York City Council that New
18 York secede and declare itself a "free city" in order to continue its
19 profitable cotton trade with the Confederacy. These same pro-slavery
20 forces erupted into violence when the national Conscription Act was
21 enacted on July 11, 1863. Pro-slavery forces engaged in "draft riots" in
22 New York City, violently targeting Black Americans. Before the riots
23 were finally stopped by federal troops four days later, over 119 New
24 Yorkers, mostly Black Americans, had been killed. After the end of the
25 Civil War, Congress passed the 13th, 14th, and 15th Amendments to offi-
26 cially end slavery, make Black people citizens, and enable Black men to
27 enjoy all rights of citizenship including the right to vote. Although
28 New York had given Black men the right to vote in 1827, it retained
29 property requirements, and included new restrictions on the right to
30 vote for those accused of committing crimes, to continuously maintain a
31 system of disenfranchisement. On April 14, 1869, New York ratified the
32 15th Amendment in a party-line vote. In 1870, however, control of the
33 Senate changed to those who were sympathetic to the recently defeated
34 South, with State Senator William "Boss" Tweed leading a charge for New
35 York to rescind its ratification of the 15th amendment (i.e., the right
36 to vote). New York legislators at the time claimed that allowing Black
37 New Yorkers to vote "would introduce ignorance to the ballot box and the
38 suffrage would be cheapened and degraded". Along another party-line
39 vote, New York rescinded its ratification. Fortunately, however, this
40 rescission did not prevent the 15th Amendment from being ratified.

41 Following the Civil War, conditions for Black Americans in New York
42 remained poor. Newly emancipated enslaved people and their families
43 needed to contend with both public and private discrimination in the
44 State of New York. Although civil rights legislation was passed in the
45 years following the Civil War, in an attempt to guard against acts of
46 discrimination, Associate Justice Joseph P. Bradley, of New York State,
47 wrote a majority (8-1) decision for the United States Supreme Court,
48 striking down these civil rights laws. The case related to an 1879 inci-
49 dent, where a Black New Yorker had been turned away from the Grand Opera
50 House located on West 23rd Street and 8th Avenue; even though this man
51 had paid for a ticket, he was turned away, and a local policeman forc-
52 ibly removed him from the premises. Although the following lawsuit was
53 brought under the civil rights act, Justice Bradley rejected the claims,
54 stating: "Can the act of a mere individual, the owner of the inn, the
55 public conveyance or place of amusement, refusing the accommodation, be
56 justly regarded as imposing any badge of slavery or servitude upon the

1 applicant...? After giving to these questions all the consideration
2 which their importance demands, we are forced to the conclusion that
3 such an act of refusal has nothing to do with slavery or involuntary
4 servitude." With this ruling, private citizens were once again permitted
5 to lawfully discriminate against their fellow New Yorkers, with no legal
6 recourse. A subsequent New York Times editorial, however, stated that it
7 did not foresee any substantial changes in daily life because the civil
8 rights legislation to protect Black New Yorkers "has never been
9 enforced" in any meaningful way.

10 With this legal precedent, expanding even more broadly when the 1896
11 case of Plessy v. Ferguson explicitly permitted segregated railroads and
12 street cars, Jim Crow laws, along with various forms of private discrim-
13 ination, spread across the country and New York State. Segregation
14 became particularly common in both education and housing. In 1883, when
15 a Black resident of Kings County sought to enroll her daughter in a
16 school for white children, her child was denied admission. In the subse-
17 quent lawsuit of People, ex. Rel King v. Gallagher, the Court ruled in a
18 4-2 decision that "[~~t~~]he system of authorizing the education of the two
19 races separately has been for many years the settled policy of all
20 departments of the State government, and it is believed obtains very
21 generally in the States of the Union." The New York Court of Appeals
22 upheld the segregation of schools in Kings County. Although the laws
23 have changed in the years since this decision, research has shown that
24 up to the present day of this writing, New York still is the most segre-
25 gated state for Black students.

26 Discrimination in housing has also been a persistent and constant
27 issue in New York since the Civil War. In addition to the housing
28 inequality that came with wealth inequality, landlords have engaged in
29 discriminatory housing practices. Black Americans of all backgrounds
30 typically paid disproportionately higher rents, and were forced into
31 dilapidated tenement conditions, with the support of public officials.
32 This pattern of geographic isolation would continue to impact Black
33 Americans in New York continuously throughout the years, including
34 through the state-sanctioned discriminatory "redlining" practices in the
35 1930s, and in the segregationist urban planning implemented by individ-
36 uals like Robert Moses in later decades. Importantly, the Federal Hous-
37 ing Administration (FHA), an institution that refused to insure mort-
38 gages in or near African American neighborhoods, subsidized builders who
39 were creating subdivisions and developments in the suburbs, with the
40 proviso that none of the homes be sold to African Americans. For exam-
41 ple, in Levittown, New York, the FHA guaranteed bank loans for
42 construction and development to Levittown on the condition that no homes
43 be sold to African-Americans, and that every home have a clause in its
44 deed prohibiting resale to African-Americans.

45 The consequences of these past practices are still with us today. In
46 1991, a massive African burial ground was discovered in the heart of New
47 York's financial district during the construction of a skyscraper. The
48 excavations that followed the termination of the construction project
49 yielded the skeletal remains of 419 Africans, many of whom were women
50 and children.

51 The consequences of slavery in New York State is not an echo of the
52 past, but can still be observed in daily life. Systemic racism has
53 cemented a legacy of generational poverty, and we still see today
54 instances of voter suppression, housing discrimination, biased policing,
55 food apartheid, and disproportionate rates of incarceration. Currently,
56 in the United States, the imprisonment rate of Black Americans for drug

1 charges is almost six times that of white Americans, despite the rate of
2 drug usage being similar among both groups. Likewise, the use of the
3 "Stop and Frisk" tactic by the New York City Police Department has had
4 disparate impacts: at the policy's peak in 2011, an estimated 685,724
5 people were stopped, with fifty-three percent of those being Black, even
6 though only twenty-six percent of New York City's population was Black.
7 These policies have also led to the tragic deaths of Black Americans
8 here in New York, such as Daniel Prude, who was unarmed and facing a
9 mental health crisis when he was forcibly restrained by Rochester
10 police, and ultimately died due to complications of asphyxia resulting
11 from his restraint.

12 New York State's status as an economic and cultural hub of the world
13 has been built and shaped by slavery. The contributions of enslaved
14 Africans has provided the resources upon which trade and commerce in New
15 York was built. Some of our most prestigious institutions and infras-
16 tructure were built with these contributions. However, New York State
17 also has the largest income disparity in the country, and that large
18 disparity is in large part the legacy of our slave system.

19 This legislation is necessary because the slavery that flourished in
20 New York State constituted an immoral and inhumane deprivation of Afri-
21 cans' life, liberty, citizenship rights, cultural heritage, and denied
22 them the fruits of their own labor. A sufficient inquiry has not been
23 made into the effects of the institution of slavery on present day soci-
24 ety in New York.

25 § 3. Establishment, purpose and duties of the commission. a. Estab-
26 lishment. There is hereby established the New York State community
27 commission on reparations remedies (hereinafter referred to as the
28 "commission").

29 b. Duties. The commission shall perform the following duties:

30 (1) Examine the institution of slavery which existed within the State
31 of New York and in the City of New York. The commission's examination
32 shall include, but not be limited to, an examination of:

33 (A) the capture and procurement of Africans;

34 (B) the transport of Africans to what is now known as New York City
35 and New York State for the purpose of enslavement, including their
36 treatment during transport;

37 (C) the sale and acquisition of Africans as chattel property in inter-
38 state and intrastate commerce, including the direct and indirect bene-
39 fits that New York received from these economic relationships;

40 (D) the treatment of enslaved Africans in the City of New York and the
41 State of New York, including the deprivation of their freedom, exploita-
42 tion of their labor, and destruction of their culture, language, reli-
43 gion, and families; and

44 (E) the treatment of formerly enslaved Africans and their descendants
45 in the City of New York and the State of New York during the period
46 between the end of the Civil War and the present.

47 (2) Examine the extent to which the federal government, as well as the
48 state and local governments of New York, supported the institution of
49 slavery, including the extent to which such governments prevented,
50 opposed, or restricted efforts of freed enslaved Africans to repatriate
51 to their homeland.

52 (3) Examine how New York State engaged in the interstate transfer of
53 enslaved Africans, and carried out federal policies in the furtherance
54 of slavery.

55 (4) Examine the de jure and de facto discrimination against freed
56 enslaved Africans, their descendants, and people of African descent,

1 generally, at both the state and federal levels of government, during
2 the period between the end of the Civil War and the present, including,
3 but not limited to, economic, political, educational, and social
4 discrimination.

5 (5) Examine the lingering negative effects of the institution of slav-
6 ery and discrimination on living people of African descent and on socie-
7 ty in the State of New York.

8 (6) Examine the current condition of living people of African descent
9 in the State of New York, to the extent practicable, including, but not
10 limited to, economic, political, educational, and social conditions.

11 (7) Recommend appropriate ways to educate the public of the commis-
12 sion's findings.

13 (8) Recommend appropriate remedies and reparations in consideration of
14 the commission's findings on the matters described in paragraphs 1, 2,
15 3, 4, 5, and 6 of this subdivision to determine how the state of New
16 York may provide for appropriate laws, policies, programs, projects, and
17 other recommendations in order to reverse such injuries. Such remedies
18 may include compensation, including but not limited to the amount of
19 compensation and who should be eligible for such compensation.

20 (9) Examine the feasibility for the creation of a bureau to assist in
21 the distribution and administration of remedies and reparations as
22 recommended by the commission pursuant to paragraph 8 of this subdivi-
23 sion.

24 c. Report to the legislature. The commission shall submit a written
25 report of its findings and recommendations to the temporary president of
26 the senate, the speaker of the assembly, the minority leaders of the
27 senate and the assembly and the governor not later than one year after
28 the date of the first meeting of the commission held pursuant to subdivi-
29 sion c of section four of this act.

30 § 4. Membership. a. Appointment of members. The commission shall be
31 composed of nine members who shall be appointed within 90 days after the
32 effective date of this act, as follows:

33 (1) three members shall be appointed by the governor;

34 (2) three members shall be appointed by the speaker of the assembly;

35 (3) three members shall be appointed by the temporary president of the
36 senate.

37 b. Qualification of members. All members appointed to the commission
38 shall be persons who are especially qualified to serve on the commission
39 by virtue of their expertise, education, training, or lived experience,
40 in the fields of African or American studies, the criminal legal system,
41 human rights, civil rights, law, economics, psychology, civil society
42 and reparations organizations that have historically championed the
43 cause of reparatory justice, clergy, and/or the history of slavery in
44 New York, and, to the extent possible, represent geographically diverse
45 areas of the state.

46 c. First meeting. The first meeting of the commission shall take place
47 within 180 days after the effective date of this act.

48 d. Quorum. Five members of the commission shall constitute a quorum,
49 but a lesser number may hold hearings.

50 e. Chair and Vice Chair. The commission shall elect a Chair and Vice
51 Chair from among its members no later than the first meeting.

52 f. Compensation. The members of the commission shall receive no
53 compensation for their services as members, but shall be reimbursed for
54 their actual and necessary expenses incurred in the performance of their
55 duties.

1 § 5. Powers of the commission. a. Hearings and sessions. The commis-
2 sion shall, for the purpose of carrying out the provisions of this act,
3 solicit public input from stakeholders and interested parties, and shall
4 hold such public hearings as the commission considers appropriate.

5 b. Powers of subcommittees and members. Any subcommittee or member of
6 the commission may, if authorized by the commission, take any action
7 which the commission is authorized to take by this section.

8 c. Obtaining official data. The commission may acquire directly from
9 the head of any department, agency, or instrumentality of the state,
10 available information which the commission considers useful in the
11 discharge of its duties. All departments, agencies, and instrumentalities
12 of the state shall cooperate with the commission with respect to
13 such information and shall furnish all information requested by the
14 commission to the extent permitted by law. The commission may also
15 coordinate with historically black colleges and universities and
16 research centers to conduct research and acquire additional information
17 which the commission considers useful in the discharge of its duties
18 pursuant to this act.

19 § 6. Termination. The commission shall terminate 90 days after the
20 date on which the commission submits its report to the temporary presi-
21 dent of the senate, the speaker of the assembly, the minority leaders of
22 the senate and the assembly and the governor as provided in subdivision
23 c of section three of this act.

24 § 7. This act shall take effect immediately and shall expire and be
25 deemed repealed 90 days after the New York State community commission to
26 study reparations remedies submits its report to the temporary president
27 of the senate, the speaker of the assembly, the minority leaders of the
28 senate and the assembly and the governor as provided in subdivision c of
29 section three of this act; provided that, the chair of the New York
30 State community commission to study reparations remedies shall notify
31 the legislative bill drafting commission upon the submission of its
32 report as provided in subdivision c of section three of this act in
33 order that the commission may maintain an accurate and timely effective
34 data base of the official text of the laws of the State of New York in
35 furtherance of effecting the provisions of section 44 of the legislative
36 law and section 70-b of the public officers law.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 138 OF 2023

**URGING GOVERNOR KATHY HOCHUL TO SIGN BILLS NO. S1163A/A7691
TO ESTABLISH THE NEW YORK STATE COMMUNITY COMMISSION
ON REPARATION REMEDIES**

WHEREAS, the “New York State Community Commission on Reparation Remedies” S1163A/A7691 is designed to acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the State of New York, which did not fully end until 1827: and

WHEREAS, S1163A/A7691 would establish a commission on reparations remedies (“Commission”) to examine both the legacy of the institution of slavery and the subsequent de jure and de facto racial and economic discrimination against people of African descent, and to evaluate the current impact of these forces today on people of African descent; and

WHEREAS, the proposed Commission would examine the condition of living people of African descent in the State of New York, including, but not limited to, economic, political, educational, and social conditions, and use findings from this process to recommend remedies and reparations which are found to be appropriate; and

WHEREAS, New York State’s status as an economic and cultural hub has been built and shaped by slavery, and the State continues to feature the largest racially-based income disparity in the country, a feature which is largely a legacy of that past; and

WHEREAS, in June of 2023, New York made history by becoming the second state to pass legislation in both the Assembly and Senate which recommended the establishment of a reparations commission.

NOW, THEREFORE, BE IT RESOLVED that the Beacon City Council urges New York State Governor Kathy Hochul to sign the “New York State Community Commission on Reparation Remedies” (S1163A/A7691) by December 31, 2023; and

BE IT FURTHER RESOLVED, that the City Clerk of the City of Beacon is directed to send a copy of this resolution to Governor Kathy Hochul.

Resolution No. 138 of 2023			Date: December 18, 2023				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

**City of Beacon City Council Agenda
12/18/2023**

Title:

December 11, 2023 Minutes

ATTACHMENTS

[December 11, 2023 Minutes](#)



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

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**December 11, 2023
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 George Mansfield, At Large

Councilmember Paloma Wake, At Large

Councilmember Molly Rhodes, Ward One

Councilmember Justice McCray, Ward Two

Councilmember Wren Longno, Ward Three

Councilmember Dan Aymar-Blair, Ward Four

Also Present

Christopher White, City Administrator

Nicholas Ward-Willis, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

Public Hearing for the 2024 Proposed Budget

Motion to close the public hearing by Councilmember Aymar-Blair.

Second by Councilmember Rhodes.

Motion Passes 7 – 0.

Public Hearing for Proposed Local Law No. 7 of 2023 Concerning Internal Lot Subdivisions

Motion to close the public hearing by Councilmember Mansfield.

Second by Councilmember Rhodes.

Motion Passes 7 – 0.

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

Motion to modify the agenda order such that the resolutions for Police Officer Appointments, and the swearing in of said Officers afterwards, are moved to occur prior to all remaining resolutions by Councilmember Aymar-Blair.

Second by Councilmember Longno.

Motion passes 7 – 0.

1. Resolution No. 125 - Appointing Nicholaus Thomas to the Position of Police Officer

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Mansfield

Motion passes 6 – 1. Councilmember McCray voted against the resolution.

2. Resolution No. 126- Appointing Michelle Mortensen to the Position of Police Officer

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Mansfield

Motion passes 6 – 1. Councilmember McCray voted against the resolution.

Community Segment

Swearing in of Nicholas Thomas and Michelle Mortensen as Police Officers

Local Laws and Resolutions (Continued)

1. [Resolution No. 127 - Approving Amendments to the 2023 Budget](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 – 0.

2. [Resolution No. 128 - Adopting the 2024 Budget](#)

Motion to amend the budget to allocate \$4,000.00 to Police Equipment from fund balance by Councilmember Aymar-Blair.

Second by Councilmember McCray.

Motion passes 7 – 0.

Motion to adopt the 2024 Budget, as amended, by Councilmember Aymar-Blair.

Second by Councilmember McCray.

Motion passes 7 – 0.

3. [Resolution No. 129 - Adopting Local Law No. 7 of 2023 Concerning Internal Lot Subdivisions](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Mansfield.

Motion passes 7 – 0.

4. [Resolution No. 130 - Setting a Public Hearing for Proposed Local Law No. 9 of 2023 to amend the City Charter Concerning Compensation](#)

Motion to pass the resolution by Councilmember McCray.

Second by Councilmember Longno.

Motion passes 7 – 0.

5. [Resolution No. 131 - Authorizing the City Administrator to Accept Routine Performance and Maintenance Bonds](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember McCray.

Motion passes 7 – 0.

Approval of Minutes

1. [November 27, 2023 Minutes](#)

Motion to approve the minutes by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 – 0.

Public Comment - Second Opportunity

Adjournment

Motion to approve the minutes by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 – 0.