



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

**March 7, 2022
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

[Notice of Meeting Location March 7, 2022](#)

Public Hearings

[Public Hearing for a Proposed Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief](#)

[Public Hearing for Proposed Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause](#)

[Public Hearing for a Proposed Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections](#)

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

- [1. Resolution No. 43 - Appointing Peter Hockler to the Position of Wastewater Plant Maintenance Mechanic](#)
- [2. Resolution No. 44 - Appointing Andret Hart to the Position of Wastewater Treatment Plant Operator - Type A Plant](#)
- [3. Resolution No. 45 - Appointing Amanda Caputo to the Position of Municipal Secretary](#)
- [4. Resolution No. 46 - Appointing Christopher Egitto to the Position of Motor Equipment Operator](#)
- [5. Resolution No. 47 - Approving the City of Beacon Fire Department Volunteer Members who Qualify for Length of Service Award Program Contribution for 2021](#)
- [6. Resolution No. 48 - Amending the Master Fee Schedule Concerning Wireless Telecommunication Services Facilities](#)

7. [Resolution No. 49 - Adopting a Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief](#)
8. [Resolution No. 50 - Adopting a Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections](#)
9. [Resolution No. 51 - Adopting a Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause, as Amended.](#)

Approval of Minutes

1. [Approval of Minutes - February 22, 2022](#)

2nd Opportunity for Public Comments

Executive Session

Adjournment

City of Beacon City Council Agenda
03/07/2022

Title:

Notice of Meeting Location March 7, 2022

ATTACHMENTS

[Notice of Meeting Location March 7, 2022](#)



NOTICE OF PUBLIC MEETING LOCATION

PLEASE TAKE NOTICE that the City of Beacon City Council will be holding the City Council Meeting of March 7, 2022 in the Courtroom at 1 Municipal Plaza, Beacon, NY 12508. The meeting will simultaneously be streamed via Zoom. The public can attend and comment in the Courtroom, or access the meeting via Zoom at

<https://us02web.zoom.us/j/86919893837?pwd=VmFpRVlFT1ZhSkcyRG1Obm1oYlI3QT09>

Webinar ID: 869 1989 3837 Passcode: 441729. To the extent internet access is not available, the public can attend and comment via telephone by dialing + 1 929 205 6099 and entering the Webinar ID: 869 1989 3837 Passcode: 441729.

PLEASE TAKE FURTHER NOTICE, that the City Council Meeting of March 7, 2022 at 7:00 pm can be accessed live at <https://www.youtube.com/channel/UCvPpigGwZDeR7WYmw-SuDxg>

City of Beacon City Council Agenda
03/07/2022

Title:

Public Hearing for a Proposed Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief

ATTACHMENTS

Proposed Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief

LOCAL LAW NO. ____ OF 2022

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND CHAPTER 31, SECTIONS 8 AND 10 OF
THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend Chapter 31, Sections 8 and 10 of the City of Beacon concerning residency requirements for career firefighters and the Fire Chief.

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

Section 1. Chapter 31, Section 8 entitled “Qualifications for membership,” is hereby amended to modify subsection E as follows:

§ 31-8 Qualifications for membership.

...

- E. All active members shall reside no more than 30 miles from the nearest boundary line of the City ~~shall live within a fifteen-mile radius of the City~~ and be able to render assistance in the time of need.

...

Section 2. Chapter 31, Section 10 entitled “Career firefighters and career Fire Chief,” is hereby amended as follows:

§ 31-10 Career firefighters and career Fire Chief.

- A. The career Fire Chief and career firefighters shall be legal residents of the United States.
~~They shall be without a record of felony conviction.~~

~~No person shall perform the duties of the Fire Chief unless he or she is a resident of the City of Beacon or resides no more than 30 miles from the nearest boundary line of the City.~~
~~Notwithstanding the foregoing, any requirement with respect to residency or location from~~

~~the City applicable to the Fire Chief shall be at the Mayor's discretion, subject to the consent of a majority of the Council.~~

- B. All career firefighters, ~~other than the Fire Chief,~~ shall be residents of the City of Beacon or reside within no more than 30 miles from the nearest boundary line of the City, a fifteen-mile radius of the City of Beacon except for the Fire Chief, who may reside outside the City of Beacon upon approval by the Mayor.-
- C. Names of eligible candidates for the position of the career Fire Chief or career firefighter shall come from the Dutchess County Civil Service List. Notwithstanding the foregoing, persons already or previously employed as a career Fire Chief or career firefighter in another municipality shall also be eligible for the position of the career Fire Chief and career firefighter as a lateral transfer as long as all civil service and local qualifications are satisfied.
- D. It shall be the duty of the career firefighter on duty to respond to all alarms as dispatched. Additional firefighting duties, as the incident dictates, may also be undertaken.
- E. It shall be the duty of the career firefighters assigned to each station to maintain said station according to the Fire Department Rules and Regulations and to report any and all problems with the fire apparatus or station to the Fire Chief or Assistant Chiefs as appropriate.
- F. Minimum training for career firefighter shall consist of those requirements as stated in Chapter XII, Office of Fire Prevention and Control, Part 426, New York Code of Rules and Regulations, and the Executive Law § 159-d.

Section 3. Ratification, Readoption and Confirmation

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

Section 4. Numbering for Codification

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

Section 5. Severability. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had

March 3, 2022

been specifically exempt there from.

Section 6. Effective Date

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

DRAFT

City of Beacon City Council Agenda

03/07/2022

Title:

Public Hearing for Proposed Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause

ATTACHMENTS

Proposed Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause

LOCAL LAW NO. ____ OF 2022

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND
CHAPTER 173 OF THE
CODE OF THE CITY OF BEACON**

A LOCAL LAW to amend Chapter 173 of the Code of the City of Beacon concerning rental properties to prohibit eviction without good cause.

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

Section 1. Purpose :

Tenants require additional protections to prevent displacement. The purpose of this local law is to protect tenants from eviction by requiring good cause be shown before a property owner can evict a tenant and to enforce the rental property registration requirement by prohibiting collection of rent during periods of noncompliance.

Section 2. Chapter 173 of the Code of the City of Beacon entitled “Rental Properties Registration” is hereby repealed in its entirety.

Section 3. Chapter 173 of the Code of the City of Beacon entitled “Rental Properties” is hereby created as follows:

Chapter 173. Rental Properties

Article I. Definitions

§ 173-1 Definitions.

A. As used in this chapter, these terms shall have the following meanings:

ACTION or PROCEEDING

Any action or proceeding which may be instituted in the City Court of the City of Beacon, or any other court of competent jurisdiction, to enforce this chapter.

BUILDING

Any improved real property, residential, commercial (nonresidential) or mixed use (commercial-residential), located within the City of Beacon.

DISABLED PERSON

A person who has any condition which substantially limits one or more of such person’s major life activities, and which are expected to be either permanent or to last for more than six months; or a person who is regarded to have such an impairment.

HOUSING ACCOMMODATION

Any residential premises offered for rent within the City of Beacon. A housing accommodation shall include a residential unit in a mixed use (commercial-residential) building. A housing accommodation shall not include any property to be solely occupied for a commercial use.

LANDLORD

Any owner, lessor, sublessor, assignor, or other person receiving or entitled to receive rent for the occupancy of any housing accommodation or an agent of any of the foregoing.

NON-OWNER-OCCUPIED PROPERTY

A property that does not qualify as owner-occupied.

OWNER

Any individual or individuals, partnership or corporation or other organization, whether for-profit or otherwise, in whose name title to a building stands, including a

mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation in control of the property.

OWNER-OCCUPIED PROPERTY

A property used by the property owner(s) as their primary residence. If the property is owned by a business entity, all owners of the business entity must use the property as their primary residence. When a property is titled in the name of a trustee, the property shall be considered an occupied primary residence if the grantor or grantee is the occupant of the property.

PRIMARY RESIDENCE

The primary location that a person inhabits and resides for at least 180 days in the calendar year.

PROCESS

Any notice, summons or other process issued under any provision of the Code of the City of Beacon or any law or regulation of the State of New York.

RENT

Any consideration, including any bonus, benefit or gratuity demanded or received for or in connection with the possession, use or occupancy of housing accommodations.

RENTAL PROPERTY

Any property which is rented, intended for rental, leased, let or hired out to be occupied for residential, commercial (nonresidential) or mixed use (commercial - residential).

TENANT

A tenant, sub-tenant, lessee, sublessee, assignee, an occupant of a rooming house or hotel as defined in section seven hundred eleven of the Real Property Actions and Proceedings Law or any other person entitled to the possession, use or occupancy of any housing accommodation.

Article II. Non-Owner-Occupied Registration Requirements

§ 173-2 Intent.

The City of Beacon finds that there are numerous City residential and commercial properties owned by persons who do not occupy said property. It is important for the effective enforcement of applicable fire and housing codes and to better protect the health and safety of those located in and near non-owner-occupied residential and commercial properties that a current list of such owners be maintained by the City through a registration filing process.

§ 173-3 Registration of property required.

- A. The owner of non-owner-occupied property shall register the property with the Building Department of the City of Beacon on a form provided by the Building Department of the City of Beacon. This form shall be known as the "Landlord Registration Statement," which shall be signed by the owner under oath.
- B. It shall be a violation of this article for an owner to offer any non-owner-occupied building for rent, or to rent any building, or to allow any building to be occupied other than by an owner without having registered pursuant to this article.

§ 173-4 Landlord registration statement; managing agent designation.

- A. Every owner of a non-owner-occupied property shall file with the Building Department of the City of Beacon a landlord registration statement, on forms to be provided by the Building Department of the City of Beacon, containing the following:
 - (1) A description of the premises by street number or block and lot number, including tax identification number.
 - (2) The owner's name, residential address and mailing address, business telephone number, home telephone number, cell telephone number, fax number and e-mail address, and if such owner is a corporation or other organization, the name and address of such entity and the name and residential and business address, together with the business telephone number, cell phone number, fax number and e-mail address, of the president and of the treasurer of such corporation or organization.
 - (3) Designation of managing agent.
 - (a) In the event an owner does not reside within a fifteen-mile radius of the City of Beacon, the owner shall provide the following information

to the Building Department of the City of Beacon, with respect to the managing agent:

[1] The name, the residence, business and e-mail addresses and the business and residential telephone and fax numbers of a natural person, 18 years of age or over, who shall reside within a fifteen-mile radius and who shall be designated by such owner as the managing agent responsible for and in control of the maintenance and operation of such non-owner-occupied property and who shall be designated as the person upon whom process may be served on behalf of the owner.

- (b) The managing agent or owner shall keep a current record of all tenants, and their names and addresses, who are renting, leasing or living in the premises. There shall be endorsed upon such designation statement a written consent to such designation signed by the managing agent. An owner who is a natural person and who meets the requirements of this subsection as to the location of the residence or place of transacting business of a managing agent may designate himself or herself as such managing agent.
- (c) Nothing contained in this section shall be construed as preventing a corporation which is an owner of real property from designating as its managing agent any officer of such corporation who meets the requirements of this subsection as to location of the residence or the place of transacting business of the managing agent.
- (d) Any designation of managing agent made pursuant to this section shall remain in full force and effect until changed or terminated as hereinafter provided.
- (e) The owner is required to keep this designation information current, and when there is a change in ownership or managing agent, the owner shall be required to update such information by amending the landlord registration statement and designation accordingly within 15 days from the date of any such change.

- B. Upon submission of the completed landlord registration statement, the Statement shall be reviewed by the Building Department of the City of Beacon within three business days of submission. Should the Building Department of the City of Beacon determine that the statement is incomplete, defective or untrue, the statement shall be rejected and returned to the filer, and the owner shall be deemed not in compliance with this article.

- C. The owner of the rental property shall notify the Building Department of the City of Beacon, in writing, whenever the information provided in the landlord registration statement is no longer accurate or complete.
- D. A copy of the landlord registration statement shall be annexed to any non-owner-occupied agreement with a tenant, and the filing and approval of such statement by the Building Department of the City of Beacon shall be required for the owner to rent any non-owner-occupied unit in the non-owner-occupied property.
- E. If, after filing the landlord registration statement pursuant to this article, the owner of such non-owner-occupied property shall have transferred or granted to another his/her right, title or interest therein, such owner shall file with the Building Department of the City of Beacon, within 15 days after such grant or transfer, a written statement, under oath, which shall contain the name and residence, business address, business and home telephone number, cell telephone number, fax number, and e-mail of the grantee, transferee or other successor to the owner or, if such grantee, transferee or successor is a corporation or other organization, the name and address of such entity, including the name of its president and its treasurer, and their addresses, business and residence telephone numbers and cell numbers, as well as, their e-mail addresses and fax numbers. If the owner is unable to secure the foregoing information from the grantee, transferee or purchaser, then the owner shall immediately so notify the Building Department of the City of Beacon, in writing, of such inability.
- F. If, after the filing of any landlord registration statement with the Building Department of the City of Beacon pursuant to this article, any change, other than a designation of a different managing agent or different ownership, occurs in any name, residence or any business address set forth in such statement, the owner, within 15 days after such change, shall notify the Building Department of the City of Beacon, in writing, under oath, setting forth the particulars of such change so as to supply the information necessary to correct the last filed landlord registration statement.
- G. An owner may terminate such managing agent designation by filing with the Building Department of the City of Beacon a written statement, under oath, designating a new managing agent made in conformity with the provisions of this article.
- H. Any landlord registration statement or designation of managing agent required to be filed with the Building Department of the City of Beacon shall be signed by such owner or, if such owner is a corporation or other organization, by the president or treasurer thereof, under oath.
- I. Any landlord registration statement or designation of managing agent shall be deemed prima facie proof of the truth of the statement or designation in any action or proceeding instituted by the City of Beacon or other agency against an owner or managing agent of a rental property in the City of Beacon.

§ 173-5 Public access to records.

Any person, upon request, may inspect and copy a landlord registration statement or designation of managing agent form on file with the City's Building Department pursuant to the Freedom of Information Law.

§ 173-6 Non-owner-occupied permit required.

- A. Non-owner-occupied permit. A non-owner-occupied property shall not be occupied by any tenant without a valid non-owner-occupied permit issued by the Building Department.
- B. The Building Department of the City of Beacon shall issue such permit after approval of a valid landlord registration statement, which shall be approved or denied within three business days of its submission. Such non-owner-occupied permit shall be valid until such time as the owner or any new owner is required to file a new landlord registration statement.

§ 173-7 Revocation or suspension of permit.

Any permit issued pursuant to this article may be revoked or suspended by the Building Department of the City of Beacon for cause, after notice to the owner and after an opportunity for the owner to be heard by the Building Department, upon a finding by the Building Department that any requirement of this article has been violated.

§ 173-8 Permit fees.

Each applicant for a non-owner-occupied permit, pursuant to this article requiring the filing of a landlord registration statement, shall pay a non-owner-occupied permit fee once every three years in an amount set forth in the City of Beacon fee schedule .

§ 173-9 Effect on other laws.

Nothing in this article shall be deemed to preempt the laws of the State of New York for the rental of residential or commercial property or the application of other City of Beacon laws and ordinances and the Code to the premises, including inspection of the premises.

§ 173-10 Prohibition on collection of rent and eviction.

The owner of a non-owner-occupied property shall be prohibited from collecting rent or evicting a tenant during any period of noncompliance with this article. The owner of a non-owner-occupied property shall also be prohibited from collecting rent for any unit that is not in compliance with the certificate of occupancy or any provision of the applicable provisions of the Uniform Code or City Code. Nothing herein shall prevent a landlord, upon receipt of the rental property registration, from receiving the equitable value of the occupancy of the premises from the earliest date of occupancy, but in no event shall a landlord recover in

excess of the agreed rent. Failure on the part of the tenant to pay the equitable value of the occupancy of the premises from the earliest date of occupancy until the landlord's receipt of the rental property registration may not be used as a basis for eviction.

§ 173-11 Enforcement.

The City of Beacon shall enforce compliance with this article by seeking civil penalties, instituting a criminal proceeding, or both.

- A. Criminal proceeding. A summons or appearance ticket for any violation of this article may be served on the owner, or in the event that an owner designates a managing agent pursuant to § 173-4A(3), of this article, process may be served on the managing agent of the non-owner-occupied property with equal force and effect as if served on the owner.

§ 173-12 Service of notice of violation.

Notice of noncompliance with this article shall be made:

- A. By delivering to, and leaving a copy of a notice of violation of this article with, any person or persons violating the provisions of this article.
- B. By sending, by registered or certified mail, a notice of violation to the owner or managing agent at the address on file in the landlord registration statement.
- C. By sending, if no such address is on file, a notice of violation to the most current address in the City Assessor's Office, by registered or certified mail, to the owner and managing agent.
- D. If such person or persons cannot be served by any of the aforesaid methods, then such notice or order may be served by posting the same in a conspicuous place upon the non-owner-occupied property where such violation is alleged to exist, or upon the rental property to which such notice may refer, which shall be the equivalent of personal service of said notice upon all parties, including the owner and/or managing agent of the non-owner-occupied property.
- E. By any other method or service authorized pursuant to the New York Civil Practice Law and Rules.

§ 173-13 Penalties for offenses.

Violations of this article constitute an offense within the meaning of the Penal Law of the State of New York, punishable as provided by law. In addition, a violation of any provision of this article shall be subject to the following penalties under this article:

- A. For the first offense by an owner or managing agent of up to five non-owner-occupied units: a fine of \$200;
- B. For the first offense by an owner or managing agent of between six and 10 non-owner-occupied units: a fine of \$500;
- C. For the first offense by an owner or managing agent of more than ten non-owner-occupied units: a fine of \$750; and
- D. For each subsequent offense in each foregoing unit category of ownership or management: a fine of \$400, \$1,000, and \$1,500, respectively.

Article III Prohibition of Eviction Without Good Cause Law

§ 173-14 Applicability.

This article shall apply to all housing accommodations except:

- A. Owner-occupied premises with less than four dwelling units.
- B. Premises where the possession, use or occupancy of which is solely incidental to employment and such employment is being lawfully terminated.
- C. Premises otherwise subject to regulation of rents or evictions pursuant to state or federal law to the extent that such state or federal law requires “good cause” for termination or non-renewal of such tenancies.
- D. Premises sublet pursuant to section two hundred twenty-six-b of the NYSRPL or otherwise, whether the sub-lessor seeks in good faith to recover possession of such housing accommodation for personal use and occupancy.

§ 173-15 Necessity for good cause.

No landlord shall, by action to evict or to recover possession, by exclusion from possession, by failure to renew any lease, or otherwise, remove any tenant from housing accommodation except for good cause as defined in section 17 of this article.

§ 173-16 Grounds for removal of tenants.

- A. No landlord shall remove a tenant from any housing accommodation, or attempt such removal or exclusion from possession, notwithstanding that the tenant has no written lease or that the lease or other rental agreement has expired or otherwise terminated, except upon order of a court of competent jurisdiction entered in an appropriate judicial action or proceeding in which the petitioner or plaintiff has established one of the following grounds as good cause for removal or eviction:

- (1) The tenant has failed to pay rent due and owing, provided, however, that the rent due and owing, or any part thereof, did not result from a rent increase or pattern of rent increases which, regardless of the tenant's prior consent, if any, is unconscionable or imposed for the purpose of circumventing the intent of this article. In determining whether all or part of the rent due and owing is the result of an unconscionable rent increase or pattern of rent increases, the Court may

shall consider, ~~among other factors~~, i) the rate of the increase relative to the tenant's ability to afford said increase, ii) improvements made to the subject unit or common areas serving said unit, iii) whether the increase was precipitated by the tenant engaging in the activity described at section 223-b(1)(a)-(c) of the Real Property Actions and Proceedings Law, iv) significant ~~market~~ changes in operating or carrying costs directly related to the unit, such as property taxes or insurance premiums, v) the condition of the unit or common areas serving the unit, vi) the northeast consumer price index as established in August of the calendar year proceeding, vii) the frequency that the landlord increases rent for the tenant, viii) the amounts of previous rent increases for the tenant, and ix) building sale price, ~~and~~ it shall be a rebuttable presumption that the rent for a dwelling not protected by rent regulation is unconscionable or imposed for the purpose of circumventing the intent of this article if said rent has been increased in any calendar year by a percentage exceeding five percent, unless such rent increase is justified by one or more factors set forth herein;

- (2) The tenant is violating a substantial obligation of their tenancy, other than the obligation to surrender possession, and has failed to cure such violation after written notice that the violation cease within ten (10) days of receipt of such written notice, provided however, that the obligation of tenancy for which violation is claimed was not imposed for the purpose of circumventing the intent of this article;
- (3) The tenant is committing or permitting a nuisance in such housing accommodation, or is maliciously or by reason of negligence damaging the housing accommodation; or the tenant's conduct is such as to interfere with the safety and comfort of the other tenants or occupants of the same rental property;
- (4) Occupancy of the housing accommodation by the tenant is in violation of or causes a violation of law and the landlord is subject to civil or criminal penalties; therefore, provided however that the City of Beacon Building Inspector has issued an order requiring the tenant to vacate the housing accommodation. No tenant shall be removed from possession of a housing accommodation on such ground unless the court finds that the cure of the violation of law requires the removal of the tenant and that the landlord did not, through neglect or deliberate action or failure to act, create the condition necessitating the order to vacate. In instances where the landlord does not undertake to cure conditions of the housing accommodation causing such violation of the law, the tenant shall have the right to pay or secure payment in a manner satisfactory to the court, to cure

such violation provided that any tenant expenditures shall be applied against rent to which the landlord is entitled. In instances where removal of a tenant is absolutely essential to their health and safety, the removal of the tenant shall be without prejudice to any leasehold interest or other right of occupancy the tenant may have, and the tenant shall be entitled to resume possession at such time as the dangerous conditions have been removed. Nothing herein shall abrogate or otherwise limit the right of a tenant to bring an action for monetary damages against the landlord to compel compliance by the landlord with all applicable laws;

- (5) The tenant is using or permitting the housing accommodation to be used for an illegal purpose;
- (6) The tenant has unreasonably refused the landlord access to the housing accommodation for the purpose of making necessary repairs or improvements required by law or for the purpose of showing the housing accommodation to a prospective purchaser, mortgagee, or other person having a legitimate interest therein;
- (7) The landlord seeks in good faith to recover possession of a housing accommodation located in a building containing fewer than twelve units because of immediate and compelling necessity for their own personal use and occupancy as their principal residence, or the personal use and occupancy as a principal residence of their immediate family member including but not limited to a partner, spouse, parent, child, stepchild, father-in-law, mother-in-law, grandparent etc. when no other suitable housing accommodation in such building is available. This paragraph shall permit recovery of only one housing accommodation and shall not apply to a housing accommodation occupied by a tenant who is sixty-two years of age or older or who is a disabled person;
- (8) The landlord seeks in good faith to recover possession of any or all housing accommodations located in a building with less than five (5) units to personally occupy such housing accommodations as their principal residence;
- (9) Where the tenant has refused in bad faith to enter into a written lease which has been offered in good faith to the tenant by the landlord, subject to the following.
 - (a) The proposed written lease must have been offered to the tenant in writing on at least two occasions at least two weeks apart, which such written offer to include,

- [1] an original and one copy of the proposed written lease, executed by the landlord or their designee;
 - [2] notice of the landlord's intention to pursue eviction within 120 days pursuant to this article if the tenant rejects the proposed written lease and/or does not enter into said lease within forty-five days of the initial offer;
 - [3] clear instructions to the tenant concerning the manner in which the tenant is to communicate to the landlord acceptance or rejection of the written lease; and
 - [4] Notice of any proposed increase equal to or greater than ~~3.55~~% shall be provided in compliance with NY Real Property Law Section 226-C.
- (b) The proposed written lease shall not supersede an existing, active lease to which the landlord and the tenant are parties;
 - (c) The terms of the proposed written lease may not:
 - [1] be unreasonable and/or mandate or proscribe activities not rationally related to the regulation of activities which would create a nuisance at the property or cause discomfort to the tenants or occupants of the same or adjacent buildings or structures as described at section A(3) above; or
 - [2] substantially alter the terms ~~any~~ of any existing lease;
 - (d) The proposed written lease shall not be offered for the purposes of circumventing this article;
 - (e) The tenant shall be entitled to dismissal of any eviction petition brought for the tenant's refusal to enter into a lease according to these terms if:
 - [1] the tenant consents to enter into the proposed written lease presented in the first offer pursuant to subsection ~~409~~(a) at any time prior to the execution of the warrant of eviction regardless of landlord's willingness to accept said consent at the time it is communicated; and/or
 - [2] prior to the commencement of the eviction proceeding the tenant attempted in good faith to negotiate the terms of the proposed written lease and that the landlord refused in bad faith to engage in such negotiation; and/or

[3] the tenant's failure to enter into the proposed written lease was due to a good faith failure to comprehend the terms of the proposed written lease;

[4] the tenant is a victim of domestic violence as defined by NY Social Service Law §459-A and is unable to safely enter into the proposed written lease due to good faith concerns for the tenant's personal safety; and/or

[5] the proposed written lease includes an increase in rent or increase in the tenant's responsibility for recurring payments associated with the tenancy which is unreasonable or imposed for the purposes of circumventing the intent of this article per subsection (A), above.

(f) That any proceeding for eviction pursuant to this subsection shall have been commenced within 120 days of the proposed written lease first having been offered to the tenant.

B. A tenant required to surrender a housing accommodation by virtue of the operation of paragraph (7), (8), or (9) of subsection (A) of this section shall have a cause of action in any court of competent jurisdiction for damages, declaratory, and injunctive relief against a landlord or purchaser of the premises who makes a fraudulent statement regarding a proposed use of the housing accommodation. In any action or proceeding brought pursuant to this provision a prevailing tenant shall be entitled to recovery of actual damages, and reasonable attorneys' fees.

C. Nothing in this section shall abrogate or limit the tenant's right, pursuant to section 751 of the NY Real Property Actions and Proceedings Law, to permanently stay the issuance or execution of a warrant or eviction in a summary proceeding, whether characterized as a nonpayment, objectionable tenancy, or holdover proceeding, the underlying basis of which is the nonpayment of rent, so long as the tenant complies with the procedural requirements of section 751 of the NY Real Property Actions and Proceedings Law.

§ 173-17 Intimidation and Illegal Conduct.

- A. It shall be a rebuttable presumption that the eviction is not for good cause if there is a history of landlord intimidation of the tenant or illegal conduct pertaining to the landlord tenant relationship.
- B. For the purpose of this Section, illegal conduct and intimidation shall be deemed established by the Tenant's establishment through written proof, such as a police report

or testimony demonstrating illegal behavior or the use of aggressive methods by the landlord in an attempt to pressure or harass a tenant.

§ 173-18 Preservation of existing requirements of law.

No action shall be maintainable, and no judgment of possession shall be entered for housing accommodations pursuant to this article, unless the landlord has complied with any and all applicable laws governing such action or proceeding and has complied with any and all applicable laws governing notice to tenants including, without limitation, the manner and the time of service of such notice and the contents of such notice.

§ 173-19 Waiver of rights void.

Any agreement by a tenant heretofore or hereinafter entered into in a written lease or other rental agreement waiving or modifying their rights as set forth in this article shall be void as contrary to public policy.

Section 4. City Council Review

The City Council shall review the proposed local law in June 2023 to determine the impacts of Article III and reevaluate the need of the good cause eviction provisions.

Section 5. Ratification, Readoption and Confirmation

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

Section 6. 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 7. 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 8. Effective Date

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

DRAFT

City of Beacon City Council Agenda

03/07/2022

Title:

Public Hearing for a Proposed Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections

ATTACHMENTS

Proposed Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections

CITY COUNCIL
CITY OF BEACON

LOCAL LAW TO AMEND CHAPTER 211, SECTION 10, SUBSECTION B
OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend Chapter 211, Section 10, Subsection B of the Code of the City of Beacon concerning stops signs on Depuyster Avenue and Lincoln Avenue.

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

Section 1. Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon is hereby amended to add stop signs on Depuyster Avenue and Lincoln Avenue as follows:

§ 211-10 Stop intersections.

...

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

Stop Sign on	Direction of Travel	At intersection of
<u>Depuyster Avenue</u>	<u>Both</u>	<u>Davison Street</u>
<u>Lincoln Avenue</u>	<u>Northwest</u>	<u>Cannon Street</u>

Section 2. Ratification, Readoption and Confirmation

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

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to

accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability.

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

Section 5. Effective date.

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

City of Beacon City Council Agenda
03/07/2022

Title:

Resolution No. 43 - Appointing Peter Hockler to the Position of Wastewater Plant Maintenance Mechanic

ATTACHMENTS

Chief Wastewater Treatment Plant Operator Memorandum for the Appointment of Peter Hockler to the Position of Wastewater Plant Maintenance Mechanic

Resolution Approving the Appointment of Peter Hockler to the Position of Wastewater Plant Maintenance Mechanic



CITY OF BEACON New York

David Tavernier
Chief Operator

SEWER DEPARTMENT

845-831-7130

TO: Mayor Kyriacou and the City Council

FROM: David Tavernier, Chief Wastewater Treatment Plant Operator

RE: Proposed Appointment of Peter Hockler to Position of Wastewater Plant Maintenance Mechanic

DATE: February 22, 2022

The City of Beacon Wastewater Treatment Department would like to promote Peter Hockler to the position of Wastewater Plant Maintenance Mechanic from his current position as WWP Maintenance Mechanic Helper. Mr. Hockler has worked for the City since May 2017 and is a City of Beacon High School graduate. During his more than 4 years with the City of Beacon Wastewater Treatment Department, he has proven himself to be a reliable and resourceful employee.

Mr. Hockler is tasked currently with maintaining plant headworks, working in the septage receiving station, groundskeeping, maintaining buildings, and operating heavy equipment. He is very eager to progress in his maintenance role, and it comes at a good time as we need another person to operate sludge dewatering equipment on the second shift, in view of a recent retirement in this section of the process.

I respectfully request that the Council promote Peter Hockler to the position of Wastewater Plant Maintenance Mechanic based on his reliable track record, qualifications, and experience at the Beacon WWTP. I will be happy to answer any questions you may have.

Sincerely,

David Tavernier
Chief Operator



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 43 OF 2022

**RESOLUTION APPOINTING PETER HOCKLER TO THE POSITION OF
WASTEWATER PLANT MAINTENANCE MECHANIC**

WHEREAS, there is currently a vacancy for the position of Wastewater Plant Maintenance Mechanic with the City of Beacon; and

WHEREAS, Peter Hockler meets the qualifications for the position of Wastewater Plant Maintenance Mechanic and is recommended for appointment to the position by the Chief Wastewater Treatment Plant Operator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Peter Hockler to the position of Wastewater Plant Maintenance Mechanic in the City of Beacon Wastewater Treatment Department effective March 13, 2022.

Resolution No. 43 of 2022			Date: March 7, 2022				
☐ 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
03/07/2022

Title:

Resolution No. 44 - Appointing Andret Hart to the Position of Wastewater Treatment Plant Operator - Type A Plant

ATTACHMENTS

Chief Wastewater Treatment Plant Operator Memorandum for the Appointment of Andret Hart to the Position of Wastewater Treatment Plant Operatory - Type A Plant

Resolution Approving the Appointment of Andret Hart to the Position of Wastewater Treatment Plant Operator - Type A Plant



CITY OF BEACON New York

David Tavernier
Chief Operator

SEWER DEPARTMENT

845-831-7130

TO: Mayor Kyriacou and the City Council

FROM: David Tavernier, Chief Wastewater Treatment Plant Operator

RE: Proposed Hiring of Andret Hart to Waste Water Treatment Plant Operator - Type A Plant

DATE: February 23, 2022

The City of Beacon Wastewater Treatment Department would like to propose hiring Andret Hart, to the position of Waste Water Treatment Plant Operator -Type A Plant.

Mr. Hart has worked in the wastewater treatment field for 10 years. He is a NYS Grade 2A licensed wastewater treatment operator, and meets the experience requirements to work at the City of Beacon's Wastewater Treatment Plant as an operator.

Mr. Hart is a graduate of Arlington High School in Lagrangeville NY, and attended the Ridley Lowell Business and Technical Institute for 1 year.

I respectfully request that the Council hire Mr. Andret Hart to the position of Wastewater Treatment Plant Operator -Type A Plant based on his qualifications and experience in the wastewater treatment field. I will be happy to answer any questions you may have.

Sincerely,

David Tavernier
Chief Operator



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 44 OF 2022

**RESOLUTION APPOINTING ANDRET HART TO THE POSITION OF
WASTEWATER TREATMENT PLANT OPERATOR – TYPE A PLANT**

WHEREAS, there is currently a vacancy for the position of Wastewater Treatment Plant Operator - Type A Plant with the City of Beacon; and

WHEREAS, Andret Hart meets the qualifications for the position of Wastewater Treatment Plant Operator - Type A Plant and is recommended for appointment to the position by the Chief Wastewater Treatment Plant Operator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Andret Hart to the position of Wastewater Treatment Plant Operator - Type A Plant in the City of Beacon Wastewater Treatment Department effective March 13, 2022.

Resolution No. 44 of 2022			Date: March 7, 2022				
☐ 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
03/07/2022

Title:

Resolution No. 45 - Appointing Amanda Caputo to the Position of Municipal Secretary

ATTACHMENTS

Building Inspector Memorandum for the Appointment of Amanda Caputo to the Position of
Municipal Secretary

Resolution Approving the Appointment of Amanda Caputo to the Position of Municipal Secretary



CITY OF BEACON New York

David Buckley
Building Inspector

BUILDING DEPARTMENT

845-838-5020
Email: dbuckley@beaconny.gov

Memorandum

To: Christopher White, City Administrator
From: David Buckley, Building Inspector
Re: Appointment of Amanda Caputo to Municipal Secretary
Date: February 18, 2022

The building/planning ~ zoning department currently has a position open for Municipal Secretary. After canvassing the civil service list of eligible candidates, the County determined the list to be invalid.

I am recommending the appointment of Amanda Caputo to the position of Municipal Secretary. Amanda exceeds the qualifications, is already familiar with our software programs and has always been extremely proficient and helpful when needed. Amanda has been employed by the City of Beacon since May of 2018, has held the position of Deputy City Clerk since September 2018 and earned a bachelor's degree in Marketing from SUNY New Paltz in 2019. Amanda will make a great addition to our department.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 45 OF 2022

**RESOLUTION APPOINTING AMANDA CAPUTO
TO THE POSITION OF MUNICIPAL SECRETARY**

WHEREAS, there is currently a vacancy for the position of Municipal Secretary with the City of Beacon Building Department; and

WHEREAS, Amanda Caputo meets the qualifications for the position of Municipal Secretary and is recommended for appointment to the position by the Building Inspector.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Amanda Caputo to the position of Municipal Secretary in the City of Beacon Building Department effective March 13, 2022.

Resolution No. 45 of 2022			Date: March 7, 2022				
☐ 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
03/07/2022

Title:

Resolution No. 46 - Appointing Christopher Egitto to the Position of Motor Equipment Operator

ATTACHMENTS

Superintendent of Streets Memorandum for the Appointment of Christopher Egitto to the Position of Motor Equipment Operator

Resolution Approving the Appointment of Christopher Egitto to the Position of Motor Equipment Operator

Memorandum
Highway Department



To: City of Beacon Administrator Christopher White
City of Beacon City Council

From: Michael Manzi, Superintendent of Streets

Re: Motor Equipment Operator Appointment

Date: February 28, 2022

Please be advised that on February 10, 2022 interviews were conducted to fill one Motor Equipment Operator position within the City of Beacon Highway Department.

The interviews for the above position were conducted with Dave Way, Ed Balicki, and myself present. Based upon the interviews, it was our determination that Christopher Egitto was the best candidate.

At this time, with your support, I would like to move forward with hiring Christopher Egitto to fill this position. Thank you.

Sincerely,

Michael Manzi

Michael Manzi
City of Beacon
Superintendent of Streets



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 46 OF 2022

**RESOLUTION APPOINTING CHRISTOPHER EGITTO
TO THE POSITION OF MOTOR EQUIPMENT OPERATOR**

WHEREAS, there is currently a vacancy for the position of Motor Equipment Operator with the City of Beacon; and

WHEREAS, Christopher Egitto meets the qualifications for the position of Motor Equipment Operator and is recommended for appointment to the position by the Superintendent of Streets.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Christopher Egitto to the position of Motor Equipment Operator in the City of Beacon Highway Department effective March 13, 2022.

Resolution No. 46 of 2022			Date: March 7, 2022				
☐ 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
03/07/2022

Title:

Resolution No. 47 - Approving the City of Beacon Fire Department Volunteer Members who Qualify for Length of Service Award Program Contribution for 2021

ATTACHMENTS

2021 Service Award Program Firefighter Records

Resolution Approving the City of Beacon Fire Department Volunteer Members who Qualify for Length of Service Award Program Contribution for 2021

42

Accrued 2021

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2021 Service Award Program Firefighter Records

City of Beacon Fire Department Service Award Program

#	Last name	First name	MI	Date of Birth	Gender	Accrued 2021		Mailing Address	City, State & Zip Code	Status
						Service Credit	Points Earned			
18	Bianco	Scott	A.	[REDACTED]	M	8	0	[REDACTED]	[REDACTED]	Entitled 1/2022
19	Gillmore	Gary	J.	[REDACTED]	M	6	0	[REDACTED]	[REDACTED]	Entitled 1/2022
20	Joseph	Timothy	T.	[REDACTED]	M	14	0	[REDACTED]	[REDACTED]	Entitled 5/2019
21	Kellher	Patrick	J.	[REDACTED]	M	20	MAX	[REDACTED]	[REDACTED]	Entitled 8/2005
22	Kimmel	William	B.	[REDACTED]	M	15	0	[REDACTED]	[REDACTED]	Entitled 1/2003
23	Kolakoski	Richard	C.	[REDACTED]	M	13	39	[REDACTED]	[REDACTED]	Entitled 10/2009
24	Lahey Jr.	Dennis	P.	[REDACTED]	M	20	MAX	[REDACTED]	[REDACTED]	Entitled 3/2019
25	Lahey Sr.	Dennis	J.	[REDACTED]	M	14	0	[REDACTED]	[REDACTED]	Entitled 1/2003
26	Lawrence	Richard	P.	[REDACTED]	M	10	0	[REDACTED]	[REDACTED]	Entitled 8/2006
27	McVicker, Jr.	Frederick	O.	[REDACTED]	M	4	82	[REDACTED]	[REDACTED]	Entitled 1/2018
28	Piccone	Anthony	J.	[REDACTED]	M	20	MAX	[REDACTED]	[REDACTED]	Entitled 5/2013
29	Plumer	Dale	B.	[REDACTED]	M	15	0	[REDACTED]	[REDACTED]	Entitled 12/2012
30	Shares	Raymond	R.	[REDACTED]	M	5	0	[REDACTED]	[REDACTED]	Entitled 7/2021
31	Smith	Ernest	R.	[REDACTED]	M	8	0	[REDACTED]	[REDACTED]	Entitled 12/2016
32	Stella	John	N.	[REDACTED]	M	15	0	[REDACTED]	[REDACTED]	Entitled 1/2004
33	Amoroso Jr.	Louis	J.	[REDACTED]	M	15	0	[REDACTED]	[REDACTED]	Term. Vested '13
34	Antalek Jr.	Gerald		[REDACTED]	M	9	0	[REDACTED]	[REDACTED]	Term. Vested '10

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2021 Service Award Program Firefighter Records

City of Beacon Fire Department Service Award Program

#	Last name	First name	MI	Date of Birth	Gender	Accrued 2021		Mailing Address	City, State & Zip Code	Status
						Service Credit	Points Earned			
35	Ciralli	Daniel	T.	[REDACTED]	M	9	0	[REDACTED]	[REDACTED]	Term. Vested '17
36	Davis	Terrance		[REDACTED]	M	9	0	[REDACTED]	[REDACTED]	Term. Vested '19
37	Dubetsky	Cory		[REDACTED]	M	6	0	[REDACTED]	[REDACTED]	Term. Vested '18
38	Fisch	Jason	W.	[REDACTED]	M	6	0	[REDACTED]	[REDACTED]	Term. Vested '06
39	Fraioili	Anthony	P.	[REDACTED]	M	6	0	[REDACTED]	[REDACTED]	Term. Vested '20
40	Frederic	Michael	T.	[REDACTED]	M	10	0	[REDACTED]	[REDACTED]	Term. Vested '16
41	Greenough	James	E.	[REDACTED]	M	9	0	[REDACTED]	[REDACTED]	Term. Vested '08
42	Hernandez	Brandon	C.	[REDACTED]	M	9	0	[REDACTED]	[REDACTED]	Term. Vested '19
43	Lahey	Kari-Leigh		[REDACTED]	F	6	0	[REDACTED]	[REDACTED]	Term. Vested '10
44	McGovern	Nicholas	A.	[REDACTED]	M	11	0	[REDACTED]	[REDACTED]	Term. Vested '16
45	Monroe	Chris	S.	[REDACTED]	M	5	0	[REDACTED]	[REDACTED]	Term. Vested '17
46	Pedro, III	Joseph	M.	[REDACTED]	M	5	0	[REDACTED]	[REDACTED]	Term. Vested '06
47	Pellett	John	D.	[REDACTED]	M	5	0	[REDACTED]	[REDACTED]	Term. Vested '13
48	Pisanelli	Charles	M.	[REDACTED]	M	13	0	[REDACTED]	[REDACTED]	Term. Vested '17
49	Pomarico	John	F.	[REDACTED]	M	5	0	[REDACTED]	[REDACTED]	Term. Vested '18
50	Simmonds	David		[REDACTED]	M	20	MAX	[REDACTED]	[REDACTED]	Term. Vested '19
51	Simmonds Jr.	Robert	J.	[REDACTED]	M	5	0	[REDACTED]	[REDACTED]	Term. Vested '17

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2021 Service Award Program Firefighter Records

City of Beacon Fire Department Service Award Program

#	Last name	First name	MI	Date of Birth	Gender	Accrued 2021		Mailing Address	City, State & Zip Code	Status
						Service	Points			
52	Sine	Peter	L.	[REDACTED]	M	12	0	[REDACTED]	[REDACTED]	Term. Vested '15
53	Skenar	Matthew	J.	[REDACTED]	M	5	0	[REDACTED]	[REDACTED]	Term. Vested '14
54	Smith	Brian		[REDACTED]	M	9	0	[REDACTED]	[REDACTED]	Term. Vested '16
55	Smith	Joshua	D.	[REDACTED]	M	9	0	[REDACTED]	[REDACTED]	Term. Vested '06
56	Smith	Matthew	D.	[REDACTED]	M	11	0	[REDACTED]	[REDACTED]	Term. Vested '19
57	Stanulwich	Terrence		[REDACTED]	M	6	0	[REDACTED]	[REDACTED]	Term. Vested '15
58	Volk Jr.	Joseph	L.	[REDACTED]	M	7	0	[REDACTED]	[REDACTED]	Term. Vested '14
59	Winterberg	Jeffrey	A.	[REDACTED]	M	11	0	[REDACTED]	[REDACTED]	Term. Vested '10
60	Wolfe	Brian		[REDACTED]	M	6	0	[REDACTED]	[REDACTED]	Term. Vested '07

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

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Prior 2021

Service Points

Page 1 of 1



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 47 OF 2022

**RESOLUTION APPROVING THE CITY OF BEACON VOLUNTEER FIREFIGHTERS WHO
QUALIFY FOR LENGTH OF SERVICE AWARD CREDIT FOR 2021**

WHEREAS, Article 11-A of the General Municipal Law was enacted to aid in the recruitment and retention of volunteer firefighters by permitting the establishment of a Length of Service Award Program (“LOSAP”), which the Beacon City Council has previously authorized; and

WHEREAS, based on LOSAP requirements, the City of Beacon Fire Chief has posted for thirty days at the Beacon Fire Department Stations the attached certified list of active volunteer firefighters who qualify for LOSAP contribution for the year 2021; and

WHEREAS, following the public posting, the Fire Chief has presented the attached certified list of active volunteer firefighters to the Mayor and City Council.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council have reviewed the list of volunteer firefighters who qualify for LOSAP credit for the year 2021 and hereby approve the award of credit as detailed in the attached certified list.

Resolution No. 47 of 2022			Date: <u>March 7, 2022</u>				
☐ 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
03/07/2022

Title:

Resolution No. 48 - Amending the Master Fee Schedule Concerning Wireless Telecommunication Services Facilities

ATTACHMENTS

Resolution Amending the Master Fee Schedule Concerning Wireless Telecommunication Services Facilities



**CITY COUNCIL
CITY OF BEACON**

RESOLUTION NO. 48 OF 2022

**RESOLUTION AMENDING THE CITY OF BEACON MASTER FEE SCHEDULE
CONCERNING WIRELESS TELECOMMUNICATION SERVICES FACILITIES**

WHEREAS, City Code Section 223-26.4.H requires that an application for a wireless telecommunication services facility and small cell facility be accompanied by a nonrefundable application fee, payable to the City of Beacon in the amount set forth in the City of Beacon Fee Schedule; and

WHEREAS, City Code Section 223-26.4.I further provides that, in addition to application fees, every wireless telecommunication services facility and small cell facility located in the public right-of-way shall be subject to an annual fair and reasonable fee to be paid by for use and occupancy of the public right-of-way.

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

Permit	Base Fee
Small Cell Permit Fee	\$ 250 per small cell wireless facility per site <u>\$500 for non-recurring application fee for up to five applications, with an additional \$100 for each small wireless facility beyond five</u>
Wireless Telecommunication Services Facility:	\$ 250 per wireless telecommunication <u>\$1,000 for non-recurring application fee for a new pole (not a collocation)</u>
For placement of a wireless telecommunication services facility, including small cell wireless facilities, on private utility poles or private infrastructure in the public right-of-way	\$ 650 per year per pole
For placement of a wireless telecommunication services facility on existing City-owned utility poles, infrastructure or property located in the public right-of-way	\$ 650 per year per pole <u>\$270 per small wireless facility per year</u>

Resolution No. 48 of 2022				Date: <u>March 7, 2022</u>			
☐ 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
03/07/2022

Title:

Resolution No. 49 - Adopting a Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief

ATTACHMENTS

Proposed Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief

Resolution Adopting a Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief

LOCAL LAW NO. ____ OF 2022

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND CHAPTER 31, SECTIONS 8 AND 10 OF
THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend
Chapter 31, Sections 8 and 10 of
the City of Beacon concerning
residency requirements for career
firefighters and the Fire Chief.

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

Section 1. Chapter 31, Section 8 entitled “Qualifications for membership,” is hereby amended to modify subsection E as follows:

§ 31-8 Qualifications for membership.

...

- E. All active members shall reside no more than 30 miles from the nearest boundary line of the City ~~shall live within a fifteen-mile radius of the City~~ and be able to render assistance in the time of need.

...

Section 2. Chapter 31, Section 10 entitled “Career firefighters and career Fire Chief,” is hereby amended as follows:

§ 31-10 Career firefighters and career Fire Chief.

- A. The career Fire Chief and career firefighters shall be legal residents of the United States.
~~They shall be without a record of felony conviction.~~

~~No person shall perform the duties of the Fire Chief unless he or she is a resident of the City of Beacon or resides no more than 30 miles from the nearest boundary line of the City.~~
~~Notwithstanding the foregoing, any requirement with respect to residency or location from~~

~~the City applicable to the Fire Chief shall be at the Mayor's discretion, subject to the consent of a majority of the Council.~~

- B. All career firefighters, ~~other than the Fire Chief,~~ shall be residents of the City of Beacon or reside within no more than 30 miles from the nearest boundary line of the City, a fifteen-mile radius of the City of Beacon except for the Fire Chief, who may reside outside the City of Beacon upon approval by the Mayor.
- C. Names of eligible candidates for the position of the career Fire Chief or career firefighter shall come from the Dutchess County Civil Service List. Notwithstanding the foregoing, persons already or previously employed as a career Fire Chief or career firefighter in another municipality shall also be eligible for the position of the career Fire Chief and career firefighter as a lateral transfer as long as all civil service and local qualifications are satisfied.
- D. It shall be the duty of the career firefighter on duty to respond to all alarms as dispatched. Additional firefighting duties, as the incident dictates, may also be undertaken.
- E. It shall be the duty of the career firefighters assigned to each station to maintain said station according to the Fire Department Rules and Regulations and to report any and all problems with the fire apparatus or station to the Fire Chief or Assistant Chiefs as appropriate.
- F. Minimum training for career firefighter shall consist of those requirements as stated in Chapter XII, Office of Fire Prevention and Control, Part 426, New York Code of Rules and Regulations, and the Executive Law § 159-d.

Section 3. Ratification, Readoption and Confirmation

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

Section 4. Numbering for Codification

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

Section 5. Severability. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had

March 3, 2022

been specifically exempt there from.

Section 6. Effective Date

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

DRAFT



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 49 OF 2022

**RESOLUTION ADOPTING A LOCAL LAW TO AMEND CHAPTER 31,
SECTIONS 8 AND 10 OF THE CODE OF CITY OF BEACON CONCERNING RESIDENCY AND
EMPLOYMENT REQUIREMENTS FOR CAREER FIREFIGHTERS AND THE FIRE CHIEF**

BE IT RESOLVED, that the City of Beacon City Council hereby adopts a Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency and Employment Requirements for Career Firefighters and the Fire Chief.

Resolution No. 49 of 2022			Date: <u>March 7, 2022</u>				
☐ 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
03/07/2022

Title:

Resolution No. 50 - Adopting a Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections

ATTACHMENTS

Proposed Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections

Resolution Adopting a Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections

CITY COUNCIL
CITY OF BEACON

LOCAL LAW TO AMEND CHAPTER 211, SECTION 10, SUBSECTION B
OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend Chapter 211, Section 10, Subsection B of the Code of the City of Beacon concerning stops signs on Depuyster Avenue and Lincoln Avenue.

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

Section 1. Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon is hereby amended to add stop signs on Depuyster Avenue and Lincoln Avenue as follows:

§ 211-10 Stop intersections.

...

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

Stop Sign on	Direction of Travel	At intersection of
<u>Depuyster Avenue</u>	<u>Both</u>	<u>Davison Street</u>
<u>Lincoln Avenue</u>	<u>Northwest</u>	<u>Cannon Street</u>

Section 2. Ratification, Readoption and Confirmation

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

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to

accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability.

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

Section 5. Effective date.

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



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 50 OF 2022

**RESOLUTION ADOPTING A LOCAL LAW TO AMEND CHAPTER 211, ARTICLE II,
SECTION 10, SUBSECTION B OF THE CODE OF THE CITY OF BEACON TO ADD STOP
SIGNS AT CERTAIN INTERSECTIONS**

BE IT RESOLVED, that the City of Beacon City Council hereby adopts a Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections.

Resolution No. 50 of 2022			Date: <u>March 7, 2022</u>				
☐ 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
03/07/2022

Title:

Resolution No. 51 - Adopting a Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause, as Amended.

ATTACHMENTS

Local Law Amending Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause, as Amended

Resolution Adopting a Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause, as Amended

LOCAL LAW NO. ____ OF 2022

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND
CHAPTER 173 OF THE
CODE OF THE CITY OF BEACON

A LOCAL LAW to amend
Chapter 173 of the Code of the
City of Beacon concerning
rental properties to prohibit
eviction without good cause.

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

Section 1. Purpose :

Tenants require additional protections to prevent displacement. The purpose of this local law is to protect tenants from eviction by requiring good cause be shown before a property owner can evict a tenant and to enforce the rental property registration requirement by prohibiting collection of rent during periods of noncompliance.

Section 2. Chapter 173 of the Code of the City of Beacon entitled “Rental Properties Registration” is hereby repealed in its entirety.

Section 3. Chapter 173 of the Code of the City of Beacon entitled “Rental Properties” is hereby created as follows:

Chapter 173. Rental Properties

Article I. Definitions

§ 173-1 Definitions.

A. As used in this chapter, these terms shall have the following meanings:

ACTION or PROCEEDING

Any action or proceeding which may be instituted in the City Court of the City of Beacon, or any other court of competent jurisdiction, to enforce this chapter.

BUILDING

Any improved real property, residential, commercial (nonresidential) or mixed use (commercial-residential), located within the City of Beacon.

DISABLED PERSON

A person who has any condition which substantially limits one or more of such person’s major life activities, and which are expected to be either permanent or to last for more than six months; or a person who is regarded to have such an impairment.

HOUSING ACCOMMODATION

Any residential premises offered for rent within the City of Beacon. A housing accommodation shall include a residential unit in a mixed use (commercial-residential) building. A housing accommodation shall not include any property to be solely occupied for a commercial use.

LANDLORD

Any owner, lessor, sublessor, assignor, or other person receiving or entitled to receive rent for the occupancy of any housing accommodation or an agent of any of the foregoing.

NON-OWNER-OCCUPIED PROPERTY

A property that does not qualify as owner-occupied.

OWNER

Any individual or individuals, partnership or corporation or other organization, whether for-profit or otherwise, in whose name title to a building stands, including a

mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent or any other person, firm or corporation in control of the property.

OWNER-OCCUPIED PROPERTY

A property used by the property owner(s) as their primary residence. If the property is owned by a business entity, all owners of the business entity must use the property as their primary residence. When a property is titled in the name of a trustee, the property shall be considered an occupied primary residence if the grantor or grantee is the occupant of the property.

PRIMARY RESIDENCE

The primary location that a person inhabits and resides for at least 180 days in the calendar year.

PROCESS

Any notice, summons or other process issued under any provision of the Code of the City of Beacon or any law or regulation of the State of New York.

RENT

Any consideration, including any bonus, benefit or gratuity demanded or received for or in connection with the possession, use or occupancy of housing accommodations.

RENTAL PROPERTY

Any property which is rented, intended for rental, leased, let or hired out to be occupied for residential, commercial (nonresidential) or mixed use (commercial - residential).

TENANT

A tenant, sub-tenant, lessee, sublessee, assignee, an occupant of a rooming house or hotel as defined in section seven hundred eleven of the Real Property Actions and Proceedings Law or any other person entitled to the possession, use or occupancy of any housing accommodation.

Article II. Non-Owner-Occupied Registration Requirements

§ 173-2 Intent.

The City of Beacon finds that there are numerous City residential and commercial properties owned by persons who do not occupy said property. It is important for the effective enforcement of applicable fire and housing codes and to better protect the health and safety of those located in and near non-owner-occupied residential and commercial properties that a current list of such owners be maintained by the City through a registration filing process.

§ 173-3 Registration of property required.

- A. The owner of non-owner-occupied property shall register the property with the Building Department of the City of Beacon on a form provided by the Building Department of the City of Beacon. This form shall be known as the "Landlord Registration Statement," which shall be signed by the owner under oath.
- B. It shall be a violation of this article for an owner to offer any non-owner-occupied building for rent, or to rent any building, or to allow any building to be occupied other than by an owner without having registered pursuant to this article.

§ 173-4 Landlord registration statement; managing agent designation.

- A. Every owner of a non-owner-occupied property shall file with the Building Department of the City of Beacon a landlord registration statement, on forms to be provided by the Building Department of the City of Beacon, containing the following:
 - (1) A description of the premises by street number or block and lot number, including tax identification number.
 - (2) The owner's name, residential address and mailing address, business telephone number, home telephone number, cell telephone number, fax number and e-mail address, and if such owner is a corporation or other organization, the name and address of such entity and the name and residential and business address, together with the business telephone number, cell phone number, fax number and e-mail address, of the president and of the treasurer of such corporation or organization.
 - (3) Designation of managing agent.
 - (a) In the event an owner does not reside within a fifteen-mile radius of the City of Beacon, the owner shall provide the following information to the Building Department of the City of Beacon, with respect to the managing agent:

[1] The name, the residence, business and e-mail addresses and the business and residential telephone and fax numbers of a natural person, 18 years of age or over, who shall reside within a fifteen-mile radius and who shall be designated by such owner as the managing agent responsible for and in control of the maintenance and operation of such non-owner-occupied property and who shall be designated as the person upon whom process may be served on behalf of the owner.

- (b) The managing agent or owner shall keep a current record of all tenants, and their names and addresses, who are renting, leasing or living in the premises. There shall be endorsed upon such designation statement a written consent to such designation signed by the managing agent. An owner who is a natural person and who meets the requirements of this subsection as to the location of the residence or place of transacting business of a managing agent may designate himself or herself as such managing agent.
 - (c) Nothing contained in this section shall be construed as preventing a corporation which is an owner of real property from designating as its managing agent any officer of such corporation who meets the requirements of this subsection as to location of the residence or the place of transacting business of the managing agent.
 - (d) Any designation of managing agent made pursuant to this section shall remain in full force and effect until changed or terminated as hereinafter provided.
 - (e) The owner is required to keep this designation information current, and when there is a change in ownership or managing agent, the owner shall be required to update such information by amending the landlord registration statement and designation accordingly within 15 days from the date of any such change.
- B. Upon submission of the completed landlord registration statement, the Statement shall be reviewed by the Building Department of the City of Beacon within three business days of submission. Should the Building Department of the City of Beacon determine that the statement is incomplete, defective or untrue, the statement shall be rejected and returned to the filer, and the owner shall be deemed not in compliance with this article.
- C. The owner of the rental property shall notify the Building Department of the City of Beacon, in writing, whenever the information provided in the landlord registration statement is no longer accurate or complete.

- D. A copy of the landlord registration statement shall be annexed to any non-owner-occupied agreement with a tenant, and the filing and approval of such statement by the Building Department of the City of Beacon shall be required for the owner to rent any non-owner-occupied unit in the non-owner-occupied property.
- E. If, after filing the landlord registration statement pursuant to this article, the owner of such non-owner-occupied property shall have transferred or granted to another his/her right, title or interest therein, such owner shall file with the Building Department of the City of Beacon, within 15 days after such grant or transfer, a written statement, under oath, which shall contain the name and residence, business address, business and home telephone number, cell telephone number, fax number, and e-mail of the grantee, transferee or other successor to the owner or, if such grantee, transferee or successor is a corporation or other organization, the name and address of such entity, including the name of its president and its treasurer, and their addresses, business and residence telephone numbers and cell numbers, as well as, their e-mail addresses and fax numbers. If the owner is unable to secure the foregoing information from the grantee, transferee or purchaser, then the owner shall immediately so notify the Building Department of the City of Beacon, in writing, of such inability.
- F. If, after the filing of any landlord registration statement with the Building Department of the City of Beacon pursuant to this article, any change, other than a designation of a different managing agent or different ownership, occurs in any name, residence or any business address set forth in such statement, the owner, within 15 days after such change, shall notify the Building Department of the City of Beacon, in writing, under oath, setting forth the particulars of such change so as to supply the information necessary to correct the last filed landlord registration statement.
- G. An owner may terminate such managing agent designation by filing with the Building Department of the City of Beacon a written statement, under oath, designating a new managing agent made in conformity with the provisions of this article.
- H. Any landlord registration statement or designation of managing agent required to be filed with the Building Department of the City of Beacon shall be signed by such owner or, if such owner is a corporation or other organization, by the president or treasurer thereof, under oath.
- I. Any landlord registration statement or designation of managing agent shall be deemed prima facie proof of the truth of the statement or designation in any action or proceeding instituted by the City of Beacon or other agency against an owner or managing agent of a rental property in the City of Beacon.

§ 173-5 Public access to records.

Any person, upon request, may inspect and copy a landlord registration statement or designation of managing agent form on file with the City's Building Department pursuant to the Freedom of Information Law.

§ 173-6 Non-owner-occupied permit required.

- A. Non-owner-occupied permit. A non-owner-occupied property shall not be occupied by any tenant without a valid non-owner-occupied permit issued by the Building Department.
- B. The Building Department of the City of Beacon shall issue such permit after approval of a valid landlord registration statement, which shall be approved or denied within three business days of its submission. Such non-owner-occupied permit shall be valid until such time as the owner or any new owner is required to file a new landlord registration statement.

§ 173-7 Revocation or suspension of permit.

Any permit issued pursuant to this article may be revoked or suspended by the Building Department of the City of Beacon for cause, after notice to the owner and after an opportunity for the owner to be heard by the Building Department, upon a finding by the Building Department that any requirement of this article has been violated.

§ 173-8 Permit fees.

Each applicant for a non-owner-occupied permit, pursuant to this article requiring the filing of a landlord registration statement, shall pay \a non-owner-occupied permit fee once every three years in an amount set forth in the City of Beacon fee schedule .

§ 173-9 Effect on other laws.

Nothing in this article shall be deemed to preempt the laws of the State of New York for the rental of residential or commercial property or the application of other City of Beacon laws and ordinances and the Code to the premises, including inspection of the premises.

§ 173-10 Prohibition on collection of rent and eviction.

The owner of a non-owner-occupied property shall be prohibited from collecting rent or evicting a tenant during any period of noncompliance with this article. The owner of a non-owner-occupied property shall also be prohibited from collecting rent for any unit that is not in compliance with the certificate of occupancy or any provision of the applicable provisions of the Uniform Code or City Code. Nothing herein shall prevent a landlord, upon receipt of the rental property registration, from receiving the equitable value of the occupancy of the premises from the earliest date of occupancy, but in no event shall a landlord recover in excess of the agreed rent. Failure on the part of the tenant to pay the equitable value of the occupancy of the premises from the earliest date of occupancy until the landlord's receipt of the rental

property registration may not be used as a basis for eviction.

§ 173-11 Enforcement.

The City of Beacon shall enforce compliance with this article by seeking civil penalties, instituting a criminal proceeding, or both.

- A. Criminal proceeding. A summons or appearance ticket for any violation of this article may be served on the owner, or in the event that an owner designates a managing agent pursuant to § 173-4A(3), of this article, process may be served on the managing agent of the non-owner-occupied property with equal force and effect as if served on the owner.

§ 173-12 Service of notice of violation.

Notice of noncompliance with this article shall be made:

- A. By delivering to, and leaving a copy of a notice of violation of this article with, any person or persons violating the provisions of this article.
- B. By sending, by registered or certified mail, a notice of violation to the owner or managing agent at the address on file in the landlord registration statement.
- C. By sending, if no such address is on file, a notice of violation to the most current address in the City Assessor's Office, by registered or certified mail, to the owner and managing agent.
- D. If such person or persons cannot be served by any of the aforesaid methods, then such notice or order may be served by posting the same in a conspicuous place upon the non-owner-occupied property where such violation is alleged to exist, or upon the rental property to which such notice may refer, which shall be the equivalent of personal service of said notice upon all parties, including the owner and/or managing agent of the non-owner-occupied property.
- E. By any other method or service authorized pursuant to the New York Civil Practice Law and Rules.

§ 173-13 Penalties for offenses.

Violations of this article constitute an offense within the meaning of the Penal Law of the State of New York, punishable as provided by law. In addition, a violation of any provision of this article shall be subject to the following penalties under this article:

- A. For the first offense by an owner or managing agent of up to five non-owner-occupied units: a fine of \$200;
- B. For the first offense by an owner or managing agent of between six and ten non-owner-occupied units: a fine of \$500;
- C. For the first offense by an owner or managing agent of more than ten non-owner-occupied units: a fine of \$750; and
- D. For each subsequent offense in each foregoing unit category of ownership or management: a fine of \$400, \$1,000, and \$1,500, respectively.

Article III Prohibition of Eviction Without Good Cause Law

§ 173-14 Applicability.

This article shall apply to all housing accommodations except:

- A. Owner-occupied premises with less than four dwelling units.
- B. Premises where the possession, use or occupancy of which is solely incidental to employment and such employment is being lawfully terminated.
- C. Premises otherwise subject to regulation of rents or evictions pursuant to state or federal law to the extent that such state or federal law requires “good cause” for termination or non-renewal of such tenancies.
- D. Premises sublet pursuant to section two hundred twenty-six-b of the NYSRPL or otherwise, where the sub-lessor seeks in good faith to recover possession of such housing accommodation for personal use and occupancy.

§ 173-15 Necessity for good cause.

No landlord shall, by action to evict or to recover possession, by exclusion from possession, by failure to renew any lease, or otherwise, remove any tenant from housing accommodation except for good cause as defined in § 173-16.A.

§ 173-16 Grounds for removal of tenants.

- A. No landlord shall remove a tenant from any housing accommodation, or attempt such removal or exclusion from possession, notwithstanding that the tenant has no written lease or that the lease or other rental agreement has expired or otherwise terminated, except upon order of a court of competent jurisdiction entered in an appropriate judicial action or proceeding in which the petitioner or plaintiff has established one of the following grounds as good cause for removal or eviction:
 - (1) The tenant has failed to pay rent due and owing, provided, however, that the rent due and owing, or any part thereof, did not result from a rent increase or pattern of rent increases which, regardless of the tenant's prior consent, if any, is unconscionable or imposed for the purpose of circumventing the intent of this article. In determining whether all or part of the rent due and owing is the result of an unconscionable rent increase or pattern of rent increases, the Court shall consider, as applicable: i) the rate of the increase relative to the tenant's ability to afford said increase, ii) improvements made to the subject unit or common areas serving said unit, iii) whether the increase was precipitated by the tenant engaging in the activity described at section 223-b(1)(a)-(c) of the Real Property Actions and

Proceedings Law, iv) significant changes in operating or carrying costs directly related to the unit, such as property taxes or insurance premiums, v) the condition of the unit or common areas serving the unit, vi) the northeast consumer price index as established in August of the calendar year proceeding, vii) the frequency that the landlord increases rent for the tenant, viii) the amounts of previous rent increases for the tenant, and ix) building sale price; and it shall be a rebuttable presumption that the rent for a dwelling not protected by rent regulation is unconscionable or imposed for the purpose of circumventing the intent of this article if said rent has been increased in any calendar year by a percentage exceeding five percent, unless such rent increase is justified by one or more factors set forth herein;

- (2) The tenant is violating a substantial obligation of their tenancy, other than the obligation to surrender possession, and has failed to cure such violation after written notice that the violation cease within ten (10) days of receipt of such written notice, provided however, that the obligation of tenancy for which violation is claimed was not imposed for the purpose of circumventing the intent of this article;
- (3) The tenant is committing or permitting a nuisance in such housing accommodation, or is maliciously or by reason of negligence damaging the housing accommodation; or the tenant's conduct is such as to interfere with the safety and comfort of the other tenants or occupants of the same rental property;
- (4) Occupancy of the housing accommodation by the tenant is in violation of or causes a violation of law and the landlord is subject to civil or criminal penalties; provided however that the City of Beacon Building Inspector has issued an order requiring the tenant to vacate the housing accommodation. No tenant shall be removed from possession of a housing accommodation on such ground unless the court finds that the cure of the violation of law requires the removal of the tenant and that the landlord did not, through neglect or deliberate action or failure to act, create the condition necessitating the order to vacate. In instances where the landlord does not undertake to cure conditions of the housing accommodation causing such violation of the law, the tenant shall have the right to pay or secure payment in a manner satisfactory to the court, to cure such violation provided that any tenant expenditures shall be applied against rent to which the landlord is entitled. In instances where removal of a tenant is absolutely essential to their health and safety, the removal of the tenant shall be without prejudice to any leasehold interest or other right of occupancy the tenant may have, and the tenant shall be entitled to resume possession at such time as the dangerous conditions have been removed.

Nothing herein shall abrogate or otherwise limit the right of a tenant to bring an action for monetary damages against the landlord to compel compliance by the landlord with all applicable laws;

- (5) The tenant is using or permitting the housing accommodation to be used for an illegal purpose;
- (6) The tenant has unreasonably refused the landlord access to the housing accommodation for the purpose of making necessary repairs or improvements required by law or for the purpose of showing the housing accommodation to a prospective purchaser, mortgagee, or other person having a legitimate interest therein;
- (7) The landlord seeks in good faith to recover possession of a housing accommodation located in a building because of immediate and compelling necessity for their own personal use and occupancy as their principal residence, or the personal use and occupancy as a principal residence of their immediate family member including but not limited to a partner, spouse, parent, child, stepchild, father-in-law, mother-in-law, grandparent etc. when no other suitable housing accommodation in such building is available. This paragraph shall permit recovery of only one housing accommodation and shall not apply to a housing accommodation occupied by a tenant who is sixty-two years of age or older or who is a disabled person;
- (8) The landlord seeks in good faith to recover possession of any or all housing accommodations located in a building with less than five (5) units to personally occupy such housing accommodations as their principal residence;
- (9) Where the tenant has refused in bad faith to enter into a written lease which has been offered in good faith to the tenant by the landlord, subject to the following.
 - (a) The proposed written lease must have been offered to the tenant in writing on at least two occasions at least two weeks apart, which such written offer to include,
 - [1] an original and one copy of the proposed written lease, executed by the landlord or their designee;
 - [2] notice of the landlord's intention to pursue eviction within 120 days pursuant to this article if the tenant rejects the proposed written lease and/or does not enter into said lease within forty-five days of the initial offer;

- [3] clear instructions to the tenant concerning the manner in which the tenant is to communicate to the landlord acceptance or rejection of the written lease; and
 - [4] Notice of any proposed increase equal to or greater than 5% shall be provided in compliance with NY Real Property Law Section 226-C.
- (b) The proposed written lease shall not supersede an existing, active lease to which the landlord and the tenant are parties;
- (c) The terms of the proposed written lease may not:
- [1] be unreasonable and/or mandate or proscribe activities not rationally related to the regulation of activities which would create a nuisance at the property or cause discomfort to the tenants or occupants of the same or adjacent buildings or structures as described at section A(3) above; or
 - [2] substantially alter the terms of any existing lease;
- (d) The proposed written lease shall not be offered for the purposes of circumventing this article;
- (e) The tenant shall be entitled to dismissal of any eviction petition brought for the tenant's refusal to enter into a lease according to these terms if:
- [1] the tenant consents to enter into the proposed written lease presented in the first offer pursuant to subsection 9(a) at any time prior to the execution of the warrant of eviction regardless of landlord's willingness to accept said consent at the time it is communicated; and/or
 - [2] prior to the commencement of the eviction proceeding the tenant attempted in good faith to negotiate the terms of the proposed written lease and that the landlord refused in bad faith to engage in such negotiation; and/or
 - [3] the tenant's failure to enter into the proposed written lease was due to a good faith failure to comprehend the terms of the proposed written lease;
 - [4] the tenant is a victim of domestic violence as defined by NY Social Service Law §459-A and is unable to safely enter into the proposed written lease due to good faith concerns for the tenant's personal safety; and/or
 - [5] the proposed written lease includes an increase in rent or increase in the tenant's responsibility for recurring payments associated with the

tenancy which is unreasonable or imposed for the purposes of circumventing the intent of this article per subsection (A), above.

(f) That any proceeding for eviction pursuant to this subsection shall have been commenced within 120 days of the proposed written lease first having been offered to the tenant.

B. A tenant required to surrender a housing accommodation by virtue of the operation of paragraph (7) or (8) of subsection (A) of this section shall have a cause of action in any court of competent jurisdiction for damages, declaratory, and injunctive relief against a landlord or purchaser of the premises who makes a fraudulent statement regarding a proposed use of the housing accommodation. In any action or proceeding brought pursuant to this provision a prevailing tenant shall be entitled to recovery of actual damages, and reasonable attorneys' fees.

C. Nothing in this section shall abrogate or limit the tenant's right, pursuant to section 751 of the NY Real Property Actions and Proceedings Law, to permanently stay the issuance or execution of a warrant or eviction in a summary proceeding, whether characterized as a nonpayment, objectionable tenancy, or holdover proceeding, the underlying basis of which is the nonpayment of rent, so long as the tenant complies with the procedural requirements of section 751 of the NY Real Property Actions and Proceedings Law.

§ 173-17 Intimidation and Illegal Conduct.

A. It shall be a rebuttable presumption that the eviction is not for good cause if there is a history of landlord intimidation of the tenant or illegal conduct pertaining to the landlord tenant relationship.

B. For the purpose of this section, illegal conduct and intimidation shall be deemed established by the Tenant's establishment through written proof, such as a police report or testimony demonstrating illegal behavior or the use of aggressive methods by the landlord in an attempt to pressure or harass a tenant.

§ 173-18 Preservation of existing requirements of law.

No action shall be maintainable, and no judgment of possession shall be entered for housing accommodations pursuant to this article, unless the landlord has complied with any and all applicable laws governing such action or proceeding and has complied with any and all

applicable laws governing notice to tenants including, without limitation, the manner and the time of service of such notice and the contents of such notice.

§ 173-19 Waiver of rights void.

Any agreement by a tenant heretofore or hereinafter entered into in a written lease or other rental agreement waiving or modifying their rights as set forth in this article shall be void as contrary to public policy.

Section 4. City Council Review

The City Council shall review the proposed local law in June 2023 to determine the impacts of Article III and reevaluate the need of the good cause eviction provisions.

Section 5. Ratification, Readoption and Confirmation

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

Section 6. 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 7. 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 8. Effective Date

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



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 51 OF 2022

**RESOLUTION ADOPTING A LOCAL LAW AMENDING CHAPTER 173 OF THE CODE OF
THE CITY OF BEACON CONCERNING RENTAL PROPERTIES TO PROHIBIT EVICTION
WITHOUT GOOD CAUSE, AS AMENDED**

WHEREAS, the City of Beacon City Council proposed a local law to Amend Chapter 173 of the Code of the City of Beacon Concerning rental properties to prohibit eviction without good cause; and

WHEREAS, the City Council proposed an amendment to said local law which added the phrase “as applicable” to Section 16, Subsection A(1), and did remove the phrase “containing fewer than twelve units” from Section 16, Subsection A(7); and

NOW, THEREFORE BE IT RESOLVED, that the City of Beacon City Council hereby adopts the proposed amendments to the Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause.

Resolution No. 51 of 2022				Date: <u>March 7, 2022</u>			
☒ Amendments				☐ 2/3 Required			
				☐ 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							



BE IT FURTHER RESOLVED, that the City of Beacon City Council hereby adopts a Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause, as amended.

Resolution No. 51 of 2022			Date: <u>March 7, 2022</u>				
☐ Amendments			☐ 2/3 Required ☐ 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
03/07/2022

Title:

Approval of Minutes - February 22, 2022

ATTACHMENTS

[City Council Minutes - February 22, 2022](#)



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

**February 22, 2022
7:00 PM
City Council Agenda**

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council. Due to COVID-19, 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/667793599>. 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 Paloma Wake, At Large
Councilmember George Mansfield, 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

Chris White, City Administrator
Drew Victoria Gamils, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

[Discussion of Billing Issues with Central Hudson Gas & Electric Corp.](#)

Public Comment

[Notice of Meeting Location February 22, 2022](#)

Public Hearings

[Public Hearing for a Proposed Local Law to Amend Chapter 31, Sections 8 and 10 of the Code of City of Beacon Concerning Residency Requirements for Career Firefighters and the Fire Chief](#)

Motion to open the public hearing by Councilmember Rhodes.

Second by Councilmember McCray.

Motion passes 7 – 0

Motion to adjourn the public hearing to March 7, 2022 by Councilmember Longno.

Second by Councilmember Wake.

Motion passes 7 – 0

[Public Hearing for Proposed Local Law to Amend Chapter 173 of the Code of the City of Beacon Concerning Rental Properties to Prohibit Eviction without Good Cause](#)

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

Second by Councilmember Wake.

Motion passes 7 – 0

Motion to adjourn the public hearing to March 7, 2022 by Councilmember Rhodes.

Second by Councilmember Mansfield.

Motion voting via voice and passes 5 – 2; Votes for by Mayor Kyriacou and Councilmembers Mansfield, Rhodes, Longno, and Aymar-Blair. Votes against by Councilmembers Wake and McCray.

Reports: Mayor, City Council, and City Administrator

Councilmember Aymar-Blair read the appended document into the record.

Local Laws and Resolutions

1. [Resolution No. 37 - Authorizing the City Administrator to Execute an Agreement with Weston & Sampson to Develop a Community Facility and Program Report](#)

Motion to pass the resolution by Councilmember Longno.

Second by Councilmember Rhodes.

Motion passes 7 – 0

2. [Resolution No. 38 - Authorizing the City Administrator to Execute a Sewer Tenancy Agreement with WSH Realty Corp. and Healey Chrysler Dodge Jeep, LLC](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Mansfield.

Motion passes 7 – 0

3. [Resolution No. 39 - Accepting the Dedication of River Ridge Sidewalk and Stairway from River Ridge Views Homeowners Association, Inc.](#)

Motion to pass the resolution by Councilmember McCray.

Second by Councilmember Longno.

Motion passes 7 – 0

4. [Resolution No. 40 - Accepting the Dedication of River Ridge Water and Sewer Mains from River Ridge Views Homeowners Association, Inc.](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0

5. [Resolution No. 41 - Authorizing the Mayor and City Administrator to Amend the Existing Sales Tax Agreement and to Execute a New Sales Tax Agreement with the City of Poughkeepsie and County of Dutchess](#)

Motion to pass the resolution by Councilmember Aymar-Blair.

Second by Councilmember Longno.

Motion voting via voice vote and passes 7 – 0

6. [Resolution No. 42 - Setting a Public Hearing for a Proposed Local Law to Amend Chapter 211, Article II, Section 10, Subsection B of the Code of the City of Beacon to Add Stop Signs at Certain Intersections](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0

Approval of Minutes

1. [City Council Meeting Minutes – February 7, 2022](#)

Motion to approve the minutes from January 18, 2022 by Councilmember Longno.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0

2nd Opportunity for Public Comments

Adjournment

Motion to adjourn by Councilmember McCray.

Second by Councilmember Mansfield.

Motion passes 7 – 0

Appendix

Mayor Lee Kyriacou
Honorable City Councilmembers Dan Aymar-Blair, Justice McCray, Molly Rhodes, Wren Longno, George Mansfield, and Paloma Wake
1 Municipal Plaza
Beacon, NY
12508

Yvette Valdés Smith, Minority Leader
Dutchess County Legislature,
District 16 Legislator, Fishkill/Beacon
yvaldessmith@dutchessny.gov
(845) 440-7477

February 22, 2022

To Whom It May Concern:

I would like to thank Mayor Lee Kyriacou and the entire Beacon City Council for listening to our public hearing this evening. Their hard work and dedication is formidable and my family and I are grateful for it. Beacon is an incredible community that deserves representatives that care and listen. And, I believe that is exactly what will happen here.

I am the County Legislator of District 16 and proudly represent the people of Fishkill and Beacon. I am also a wife, mother, daughter, teacher, and friend who loves her community. I ran for office to make sure that all of us are represented equitably and fairly- and that all voices are heard.

My family and I rented in Beacon for many years prior to becoming homeowners. We know what a struggle it is to manage a household budget and pay rent. It was difficult for us as it is for a lot of our population. Tenants need to be protected and I stand firmly behind Good Cause Eviction. It is time we spoke up for what is right and housing is a BASIC HUMAN RIGHT.

The NYS Eviction Moratorium has ended and people are in jeopardy of losing their homes now. There is no time to delay. There is a lot of misinformation regarding Good Cause Eviction. And, it is times like these, in which we must speak up and clarify false information. Good Cause Eviction will strengthen our community. It will not hurt small and responsible landlords. This is clearly outlined within GCE. However, it will protect working families, people of color, the elderly, and those on fixed incomes. We claim to care about this in our beloved Beacon- let's act like it.

I have been contacted by many of my constituents about Good Cause Eviction. They have come to me with their own stories about outrageous rent increases, unlawful evictions, and irresponsible landlords. And, more of us have stories of losing neighbors due to exorbitant rent increases. Our housing market has skyrocketed locally but our incomes have not. The pandemic has only brought this inequity into sharper focus. This is not the community we claim and aim to build. The stability of our community and the protection of those most at risk is not an insignificant problem.

Good Cause Eviction will help protect tenants rights; however, I would be remiss in saying that it is perfect. There is still a provision about market changes in the law being an allowable reason for a rent increase of greater than 5% (page 11, section 1). This must be taken out because it is the reason that we have this problem in the first place. Landlords see how desirable our area has become and have raised rents at this rate- which is unmanageable and unjust. And, not in the spirit of what Good Cause Eviction aims to do. I have faith that our representatives to be able to rectify this issue in the law.

Good Cause Eviction will help protect Beacon residents. It will protect what we know and love about Beacon. I encourage you to support this now.

Proudly serving the people of Fishkill and Beacon,
Yvette Valdés Smith, Minority Leader
Dutchess County Legislature,
District 16 Legislator, Fishkill/Beacon