



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

**July 5, 2022
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

[Update from Spirit of Beacon Day from the Volunteer Committee](#)

Public Comment

Public Hearings

[Public Hearing for the Draft 2023-2027 Capital Program](#)

[Public Hearing for a Draft Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs](#)

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 88 - Appointing Isabella Nocerino to the Position of Police Assistant](#)
2. [Resolution No. 89 - Appointing Zachary Ross to the Position of Motor Equipment Operator](#)
3. [Resolution No. 90 - Appointing Elise LaRocco to the Tree Advisory Committee](#)
4. [Resolution No. 91 - Authorizing the City Administrator to Execute an Extension of an Agreement with Royal Carting Service Co. for Waste Collection](#)
5. [Resolution No. 92 - Adopting a Proposed Local Law to Allow Members of the City Council of the City of Beacon to Participate in Meetings via Videoconference](#)
6. [Resolution No. 93 - Adopting the 2023-2027 Capital Program](#)
7. [Resolution No. 94 - Adopting a Proposed Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs](#)
8. [Resolution No. 95 - Adopting a Proposed Local Law to Amend to Amend Chapter 219, Article IV, Article VII, Article VIII, and Article X of the Code of the City of Beacon, Concerning Water](#)

[Services](#)

Approval of Minutes

1. [Approval of Minutes - June 21, 2022](#)

2nd Opportunity for Public Comments

Executive Session

[Executive Session](#)

Adjournment

City of Beacon City Council Agenda
07/05/2022

Title:

Update from Spirit of Beacon Day from the Volunteer Committee

ATTACHMENTS

City of Beacon City Council Agenda
07/05/2022

Title:

Public Hearing for the Draft 2023-2027 Capital Program

ATTACHMENTS

[Draft 2023-2027 Capital Program](#)

[2023-2027 Capital Program Funding Sources](#)

CITY OF BEACON

CAPITAL PROGRAM 2023-2027

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
GENERAL FUND					
FIRE DEPARTMENT					
Firehouse renovation at Lewis Tompkins	10,471,630				
ROAD RECONSTRUCTION					
Fishkill & Teller Construction	1,990,800				
Milling & paving various roads	400,000	400,000	400,000	400,000	400,000
CITY BUILDINGS & LOTS					
Mill, Pave & Restripe Van Nydek Parking Lot		45,000			
Mill, Pave & Restripe City Hall Lots			70,000		
HIGHWAY DEPARTMENT					
3-ton Roller - John Deere	42,000				
Dump/Plow/Sander	320,000				
Backhoe - John Deere	150,000				
Asphalt Hot Box - Falcon	54,000				
Dump/Plow/Sander		365,000			
Salt Brine Maker - Advantage		80,000			
Front End Loader - John Deere			260,000		
Dump/Plow/Sander			340,000		
Backhoe - John Deere				180,000	
1-ton Dump with Plow				80,000	
1-ton Dump with Plow				80,000	
Skidsteer					90,000
Street Sweeper					300,000
Dump/Plow/Sander					375,000
Solar Panels on DPW Garage	400,000				

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
PARKS & RECREATION DEPARTMENT					
South Avenue Park Bathroom Engineering	30,000				
Memorial Park Hilltop Pavillion (increase in scope)		50,000			
Riverfront Park Court & Parking Reconstruction		1,500,000			
USC Pool Restoration - Fiberglass			200,000		
Memorial Park Walkway			500,000		
Riverfront Park & Memorial Park Splash Pads				200,000	
Riverfront Park & Memorial Park Playgrounds				400,000	
Recreation Center					5,000,000
POLICE DEPARTMENT					
Crime Scene Truck - F250	88,000				
Patrol Vehicle - Interceptor	69,285				
Street Camera - 223 Main	12,595				
Patrol Vehicle - Interceptor		76,214			
Patrol Vehicle - Interceptor		76,214			
Street Camera - Main St. - 9D		14,502			
Locker Room Improvement		127,360			
Patrol Vehicle - Interceptor			83,074		
Unmarked Vehicle - Mach E			75,324		
Street Camera - Main St. and Tioronda Ave.			19,646		
Street Camera - 285 Main				17,254	
Unmarked Vehicle - Mach E				81,350	
Unmarked Vehicle - Mach E				81,350	
Unmarked Vehicle - Mach E					87,045
Street Camera - Main St. at Mase Hook & Ladder					16,613
Patrol Vehicle - Interceptor					96,000
Subtotal General Fund	14,028,310	2,734,290	1,948,044	1,519,954	6,364,658

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
WATER FUND					
EQUIPMENT					
Jet Truck	300,000				
Vac Truck			540,000		
WATER SUPPLY					
Mt. Beacon Tank Engineering	100,000				
Mt. Beacon Tank Construction		1,300,000			
Melzingah Reservoir Rehabilitation Construction	2,900,000				
Well #1 Investigation		45,000			
WATER PLANT					
High Lift Pump # 4 Engineering		50,000			
High Lift Pump # 4 Construction			230,000		
Subtotal Water Fund	3,300,000	1,395,000	770,000	-	-
SEWER FUND					
SEWER PLANT					
Locker Room Renovation	240,000				
Dewatering System Building Upgrade Engineering	150,000				
Dewatering System Building Upgrade Construction		1,400,000	1,400,000		
Aeration Tanks Repair/Air System Upgrade Engineering		60,500			
Aeration Tanks Repair/Air System Upgrade Construction			1,297,725		
Subtotal Sewer Fund	390,000	1,460,500	2,697,725	-	-
GRAND TOTAL	17,718,310	5,589,790	5,415,769	1,519,954	6,364,658

CITY OF BEACON 2023 CAPITAL PROGRAM FINANCING											
	RED - General Fund			FUNDING SOURCES							
	BLUE - Water Fund	TOTAL	GENERAL	GENERAL	WATER	WATER	SEWER	SEWER	GRANT	REC	TOTAL
	GREEN- Sewer Fund	COST	FUND BALANCE	FUND DEBT	FUND BALANCE	FUND DEBT	FUND BALANCE	FUND DEBT	SOURCES	TRUST	COST
GENERAL FUND											
FIRE DEPARTMENT											
	Firehouse renovation at Lewis Tompkins	10,471,630		10,471,630							10,471,630
ROAD RECONSTRUCTION											
	Fishkill & Teller Construction	1,990,800							1,990,800		1,990,800
	Milling & paving various roads	400,000							400,000		400,000
HIGHWAY DEPARTMENT											
	3-ton Roller - John Deere	42,000	42,000								42,000
	Dump/Plow/Sander	320,000	320,000								320,000
	Backhoe - John Deere	150,000	150,000								150,000
	Asphalt Hot Box - Falcon	54,000	54,000								54,000
	Solar Panels on DPW Garage	400,000	275,000						125,000		400,000
PARKS & RECREATION DEPARTMENT											
	South Avenue Park Bathroom Engineering	30,000								30,000	30,000
POLICE DEPARTMENT											
	Crime Scene Truck - F250	88,000	88,000								88,000
	Patrol Vehicle - Interceptor	69,285	69,285								69,285
	Street Camera - 223 Main	12,595	12,595								12,595
Subtotal General Fund		14,028,310	1,010,880	10,471,630	-	-	-	-	2,515,800	30,000	4,317,174
WATER FUND											
	Jet Truck	300,000			300,000						300,000
	Mt. Beacon Tank Engineering	100,000			100,000						100,000
	Melzingah Reservoir Rehabilitation Construction	2,900,000				2,900,000					2,900,000
Subtotal Water Fund		3,300,000	-	-	400,000	2,900,000	-	-	-	-	3,300,000
SEWER FUND											
	Locker Room Renovation	240,000					240,000				240,000
	Dewatering System Building Upgrade Engineering	150,000					150,000				150,000
Subtotal Sewer Fund		390,000	-	-	-	-	390,000	-	-	-	390,000
GRAND TOTAL		17,718,310	1,010,880	10,471,630	400,000	2,900,000	390,000	-	2,515,800	30,000	17,718,310

City of Beacon City Council Agenda

07/05/2022

Title:

Public Hearing for a Draft Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs

ATTACHMENTS

[Draft Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs](#)

[Traffic and Safety Planning Committee Memorandum Regarding Recommended Code Amendments](#)

[Emergency Vehicle Turning Performance](#)

[Traffic and Planning Safety Committee - Photos in Support of Proposed Changes](#)

CITY COUNCIL
CITY OF BEACON

LOCAL LAW TO AMEND CHAPTER 211 OF THE CODE OF THE CITY
OF BEACON

A LOCAL LAW to amend Chapter 211 of the Code of the City of Beacon concerning stop signs, school zones, and prohibited parking signs.

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 Maple Street, Kent Street, and Bank Street 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>Bank Street</u>	<u>Northeast</u>	<u>Tompkins Avenue</u>
<u>Kent Street</u>	<u>Northwest</u>	<u>Cannon Street</u>
<u>Maple Street</u>	<u>Northwest</u>	<u>Cannon Street</u>

Section 2. Chapter 211, Article II, Section 6, Subsection B of the Code of the City of Beacon is hereby amended to extend existing school speed limit restrictions on Liberty Street and Leonard Street as follows:

Name of Street	Speed Limit (mph)	Location
<u>Liberty Street</u>	<u>15</u>	<u>From Masters Place to the last entrance of J.V. Forrestal School, both directions</u>
<u>Leonard Street</u>	<u>15</u>	<u>From Grove Street to Amity Street, both directions</u>

Section 3. Chapter 211, Article III, Section 14.1, Subsection B of the Code of the City of Beacon is hereby amended to limit parking on Cross Street and West Church Street as follows:

§ 211-14.1. Parking, stopping or standing at intersections.

...

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

Name of Street	Side	Location
<u>Cross Street</u>	<u>West</u>	<u>To a point 65 feet in both directions from the intersection of West Church Street</u>
<u>West Church Street</u>	<u>Both</u>	<u>To a point 50 feet from the intersection of Cross Street</u>

Section 4. Chapter 211, Article III, Section 15, Subsection B of the Code of the City of Beacon is hereby amended to further prohibit parking on East Main Street as follows:

§ 211-15. Parking, stopping and standing prohibited at all times.

...

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection A, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
<u>East Main Street</u>	<u>South</u>	<u>From William Street to Pocket Road</u>

Section 5. 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 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.

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 8. 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 New York

PARKING AND TRAFFIC SAFETY COMMITTEE

845-838-5010

MEMORANDUM

TO: Mayor Kyriacou and City Council

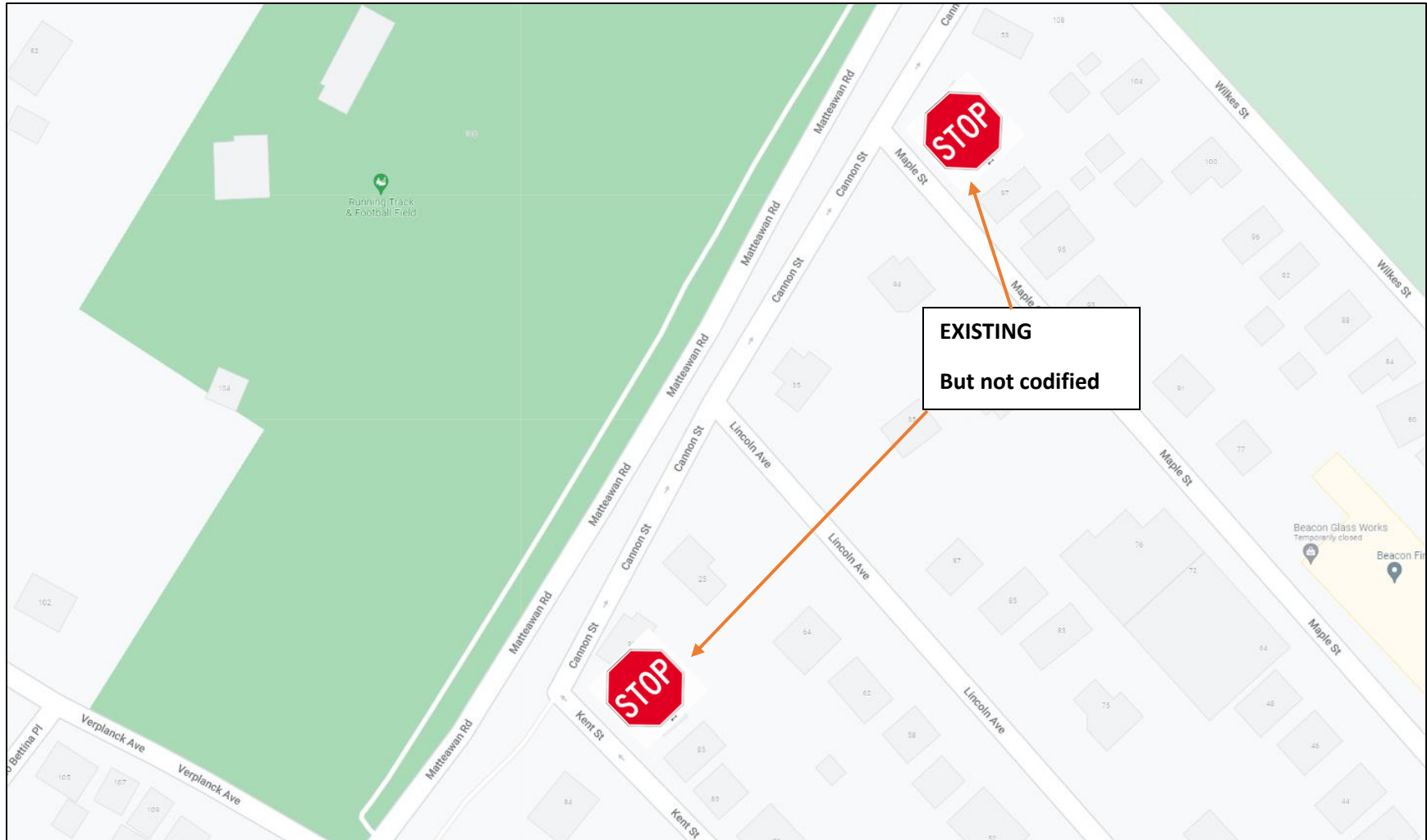
FROM: Benjamin Swanson, Traffic and Safety Planning Committee Secretary

RE: Proposed Changes to the City Code Chapter 211, Vehicles and Traffic June

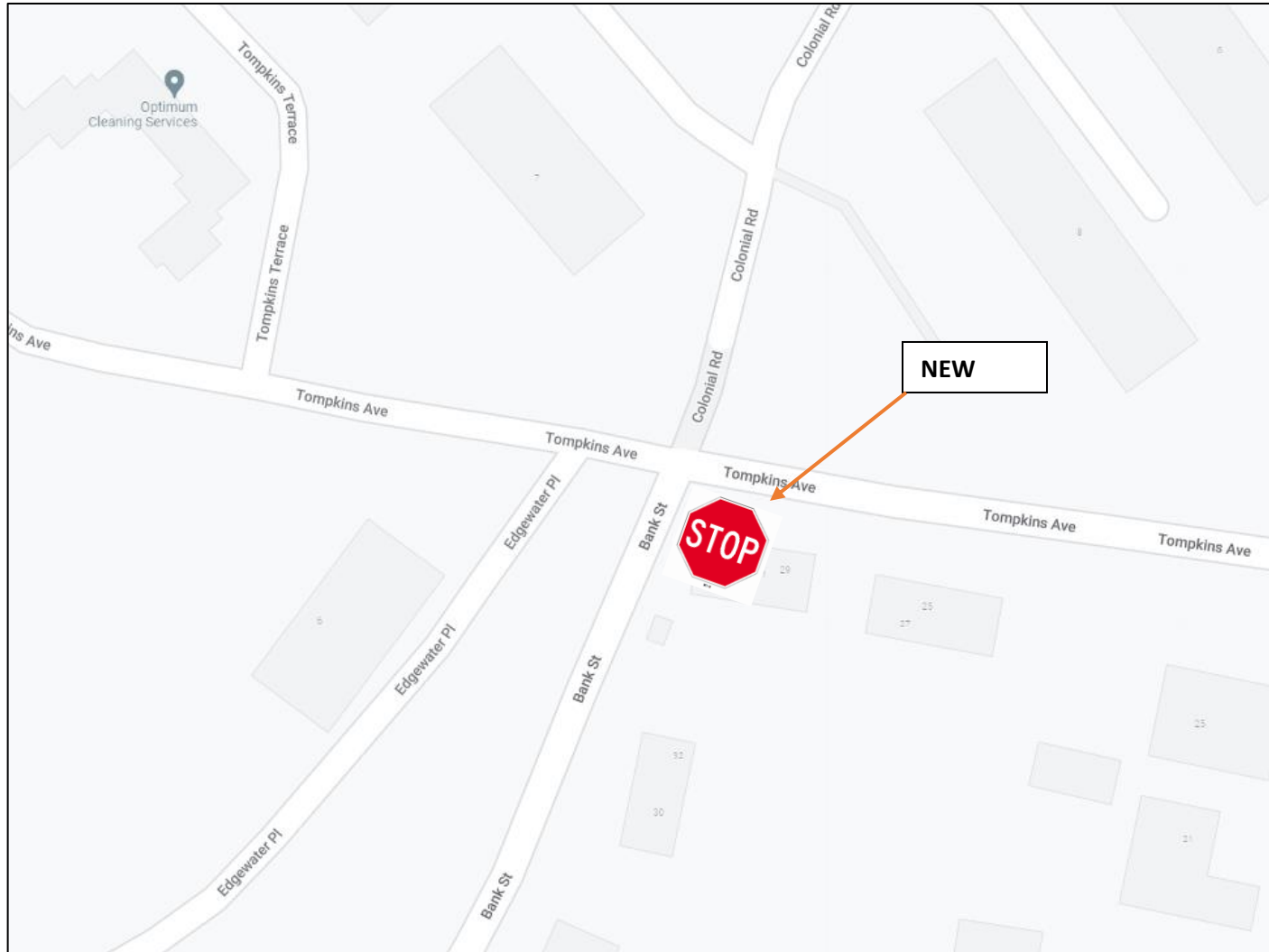
DATE: 13, 2022

The Parking and Traffic and Safety Committee reviewed a number of traffic and safety related issues and make the following recommendations to the City Council.

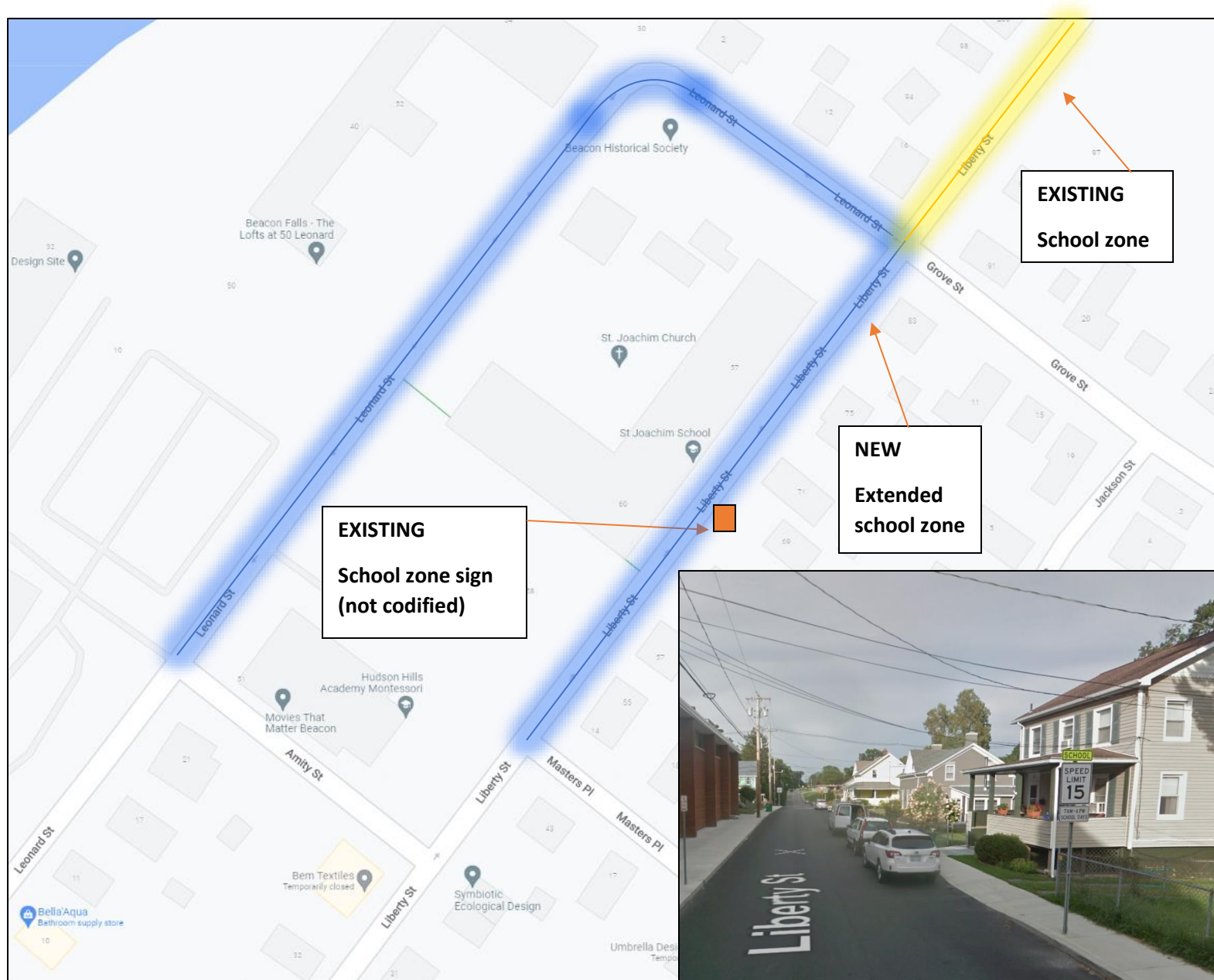
1. Codify existing stop signs at Kent Street and Maple Street at the intersections of each with Cannon Street.



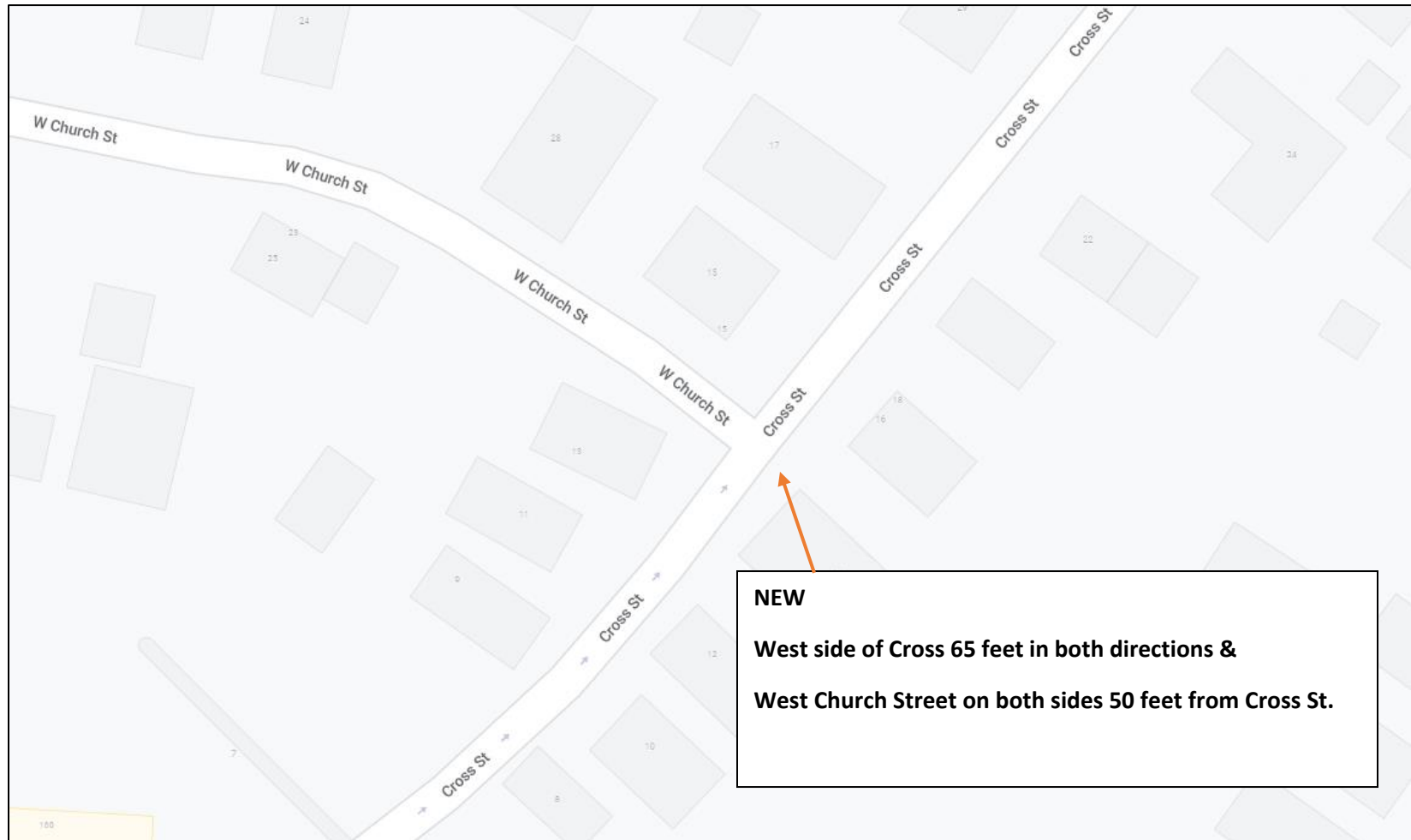
2. Install one stop signs along Bank Street at the intersection of Tompkins Avenue.



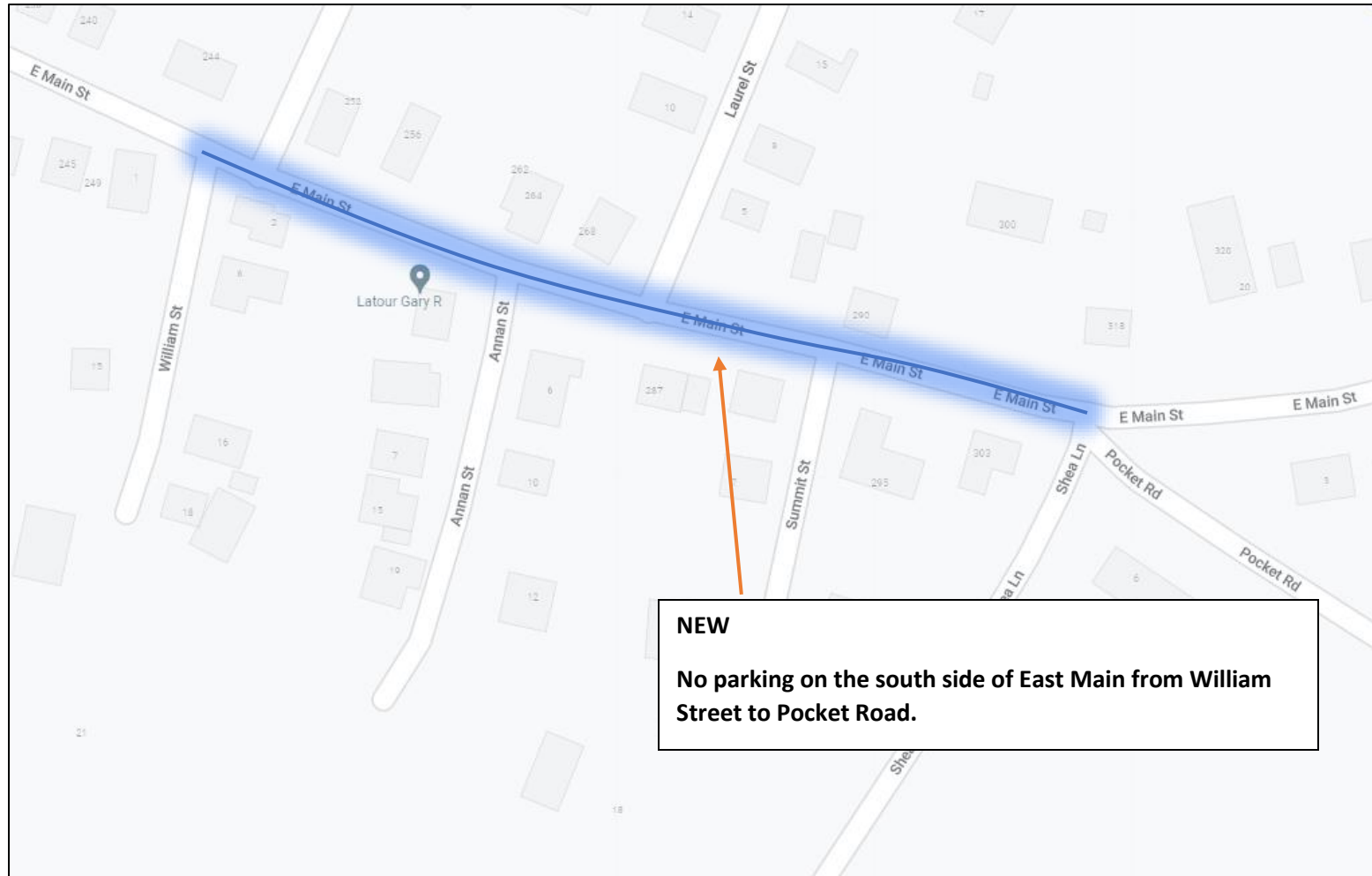
3. Extend existing school zone (7am – 6 pm school days 15 mph) from Amity to Grove and Masters to Grove.



4. Extend no parking from the West side of Cross Street to a point 65 feet in both directions from West Church Street.
Extend no parking on both sides of West Church Street to a point 50 feet form the intersection with Cross Street.



5. Extend no parking along the south side of East Main Street from the intersection of William Street to the intersection of Pocket Road.

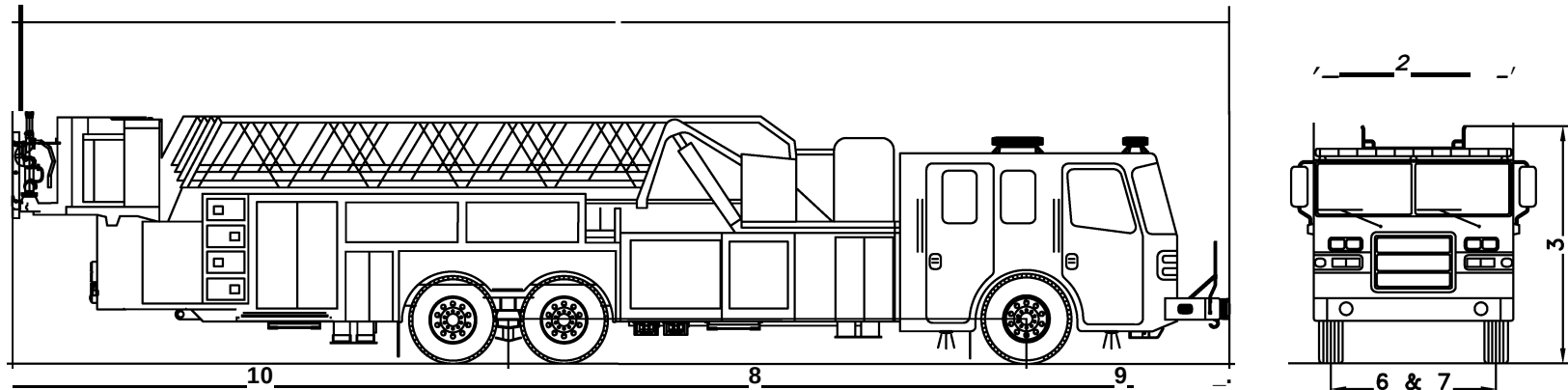


TRUCK SPECIFICATIONS FOR AUTOTURN ANALYSIS

NAME/NUMBER OF TRUCK Beacon Fire Dept. 33-45 CITY of Beacon
MAKE OF TRUCK Pierce 105' Ladder Truck MODEL OF TRUCK Velocity

NOTES: - - - - -

Our truck is a ladder truck not a platform as shown below



1. 40' 9" OVERALL TRUCK LENGTH
2. 100" OVERALL TRUCK BODY WIDTH
3. 11' 6" OVERALL TRUCK HEIGHT
4. 2 NUMBER OF REAR AXLES
5. 2 front 4 front dual 4 rear dual NUMBER OF TIRES PER REAR AXLE(S)
6. 101" FRONT AXLE TRACK WIDTH (DISTANCE BETWEEN CENTER OF OUTERMOST TIRE)
7. 101" REAR AXLE TRACK WIDTH (DISTANCE BETWEEN CENTER OF OUTERMOST TIRE)
8. 242 " TRUCK WHEEL BASE (CENTER OF FRONT AXLE GROUP TO CENTER OF REAR AXLE GROUP)
9. 93 " DISTANCE FROM CENTER OF FRONT AXLE GROUP TO FRONT BUMPER OR BASKET OF LADDER
10. 157" DISTANCE FROM CENTER OF REAR AXLE GROUP TO REAR BUMPER OR BASKET OF LADDER
11. 34' 10" CURB TO CURB TURNING RADIUS (PROVIDED WITHIN MANUFACTURER PAPERWORK)
12. 39' 2" WALL TO WALL TURNING RADIUS (PROVIDED WITHIN MANUFACTURER PAPERWORK)
13. 45% STEERING LOCK ANGLE (PROVIDED WITHIN MANUFACTURER PAPERWORK)
14. 4P1BCACF4GA015869 TRUCK VIN NUMBER
15. MULTIPLE PICTURES

Exhibit A



Exhibit B



Exhibit C



Exhibit D



Exhibit E



City of Beacon City Council Agenda
07/05/2022

Title:

Resolution No. 88 - Appointing Isabella Nocerino to the Position of Police Assistant

ATTACHMENTS

[Memorandum from the Chief of Police for the Appointment of Isabella Nocerino](#)

[Resolution Appointing Isabella Nocerino to the Position of Police Assistant](#)



CITY OF BEACON
POLICE DEPARTMENT

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



TO: Mayor Kyriacou and City Council

FROM: Chief of Police Sands Frost

RE: Proposed Appointment of Isabella Nocerino to the Position of
Police Assistant

DATE: June 27, 2022

The City of Beacon Police Department would like to hire Isabella Nocerino to fill the position of Police Assistant, also known as Police Dispatcher.

Isabella is a resident of the City of Beacon who attended Beacon schools from elementary through High School, where she graduated as a member of the National Honor Society and served as Class Treasurer. She currently attends Dutchess Community College, where she majors in Criminal Justice.

Isabella has attended the City of Beacon Police Department's Youth Police Academy for several years and has long been active with the Town of Fishkill Police Cadet program, where she has received numerous awards and attained a leadership position of Lieutenant.

Isabella is currently employed by the Town of East Fishkill Police Department as a part-time dispatcher, serving in a comparable role to the position of Police Assistant. She is currently number one on the City of Beacon Resident Preferred List for Police Officer, but is still ineligible for hire due to her age.

Throughout the background process, Isabella has come highly recommended by all who know her, including her police cadet advisors, our own Youth Academy officers, and the command staff at the Town of East Fishkill Police Department.

Based on my involvement the thorough hiring process for this position, I formally recommend and request that the City Council vote to approve the appointment of Isabella Nocerino to the position of Police Assistant.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 88 OF 2022

**RESOLUTION APPOINTING ISABELLA NOCERINO TO THE POSITION OF
POLICE ASSISTANT**

WHEREAS, there is currently a vacancy for the position of Police Assistant; and

WHEREAS, Isabella Nocerino meets the qualifications for the position of Police Assistant and is recommended for appointment to the position by the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Isabella Nocerino to the position of Police Assistant.

Resolution No. 88 of 2022			Date: July 5, 2022				
☐ 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
07/05/2022

Title:

Resolution No. 89 - Appointing Zachary Ross to the Position of Motor Equipment Operator

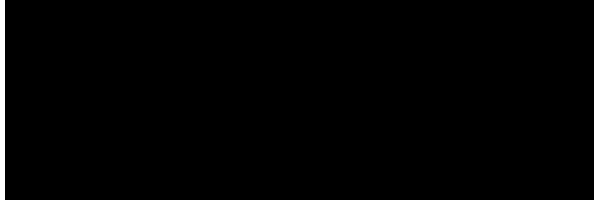
ATTACHMENTS

[Zachary Ross Resume](#)

[Superintendent of Streets Memorandum for the Appointment of Zachary Ross](#)

[Resolution Appointing Zachary Ross to the Position of Motor Equipment Operator](#)

Zachary Ross



Work Experience

Construction Worker

Dutchess county highway department - Poughkeepsie, NY

June 2005 to Present

I am currently a construction equipment operator. I drive 6 wheelers, 10 wheelers, Skid steers, loaders, mini excavators, Operate wood chippers, plow snow with 6 wheelers and 10 wheelers. Install under drainage, installing basins, installing road pipe etc

Education

High school

Beacon High School - Beacon, NY

Skills

- Excavator
- Snow Plowing
- Construction
- Heavy Equipment Operation
- Landscape Maintenance
- Forklift
- Backhoe Operation
- Cleaning
- Commercial Driving
- Maintenance
- Lawn Care
- Tanker Experience
- Tractor-Trailer

Certifications and Licenses

CDL Class B

May 2011 to Present

Memorandum
Highway Department



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

From: Michael Manzi

Re: MEO Hire

Date: June 24, 2022

At this time, I would like move forward with hiring Zachary Ross to the position of Motor Equipment Operator.

On May 24, 2022, interviews were conducted to fill the vacant Motor Equipment Operator position in the City of Beacon Highway Department. Interviews for this position were conducted by myself, along with Dave Way and Sara Morris. Based on the interviews, it was our determination to move forward with the hiring of Zachary Ross to fill the vacancy.

This position is budgeted and had been posted in all City Departments. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Manzi", with a large, stylized loop at the end.

Michael Manzi
City of Beacon
Superintendent of Streets



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 89 OF 2022

**RESOLUTION APPOINTING ZACHARY ROSS TO THE POSITION OF
MOTOR EQUIPMENT OPERATOR**

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

WHEREAS, Zachary Ross 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 Zachary Ross to the position of Motor Equipment Operator.

Resolution No. 89 of 2022			Date: July 5, 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
07/05/2022

Title:

Resolution No. 90 - Appointing Elise LaRocco to the Tree Advisory Committee

ATTACHMENTS

[Elise LaRocco Application and Resume](#)

[Resolution Appointing Elise LaRocco to the Tree Advisory Committee](#)

Committee Application



Submit Forms:
One Municipal Plaza, Suite One
Beacon, NY 12508

Phone: (845) 838-5010
FAX: (845) 838-5012
Email: cityofbeacon@cityofbeacon.org

Name	Elise LaRocco
Address	REDACTED
Phone Number	REDACTED
Alternate Phone	
Email Address	REDACTED
Committee You are Interested In	☐ Board of Assessment Review ☐ Board of Ethics ☐ Conservation Advisory Committee ☐ Emergency Management Committee ☐ Human Relations Commission ☐ Planning Board ☐ Recreation Committee ☐ Traffic Safety Committee ☐ Zoning Board of Appeals ☐ Any of the above ☒ Other Tree Committee (also interested in compost committee)
Available number of Hours per week (for Committee work)	3-10
Occupation	Writer
Employer	Self
Work Address	
Work Phone	

Education

- ☐ Some High School
☐ High School Diploma
☐ Some College
☐ Associates Degree
☐ Bachelor's Degree
☒ Master's Degree
☐ Doctorate Degree

Interest & Skills

Gardening, Conservation

**Areas of Expertise
(business & civic)**

Marketing

Reference

Reference Name

Address

Phone

Email Address

Relationship

Please include your resume along with this application.

I agree that by submitting this application, I am electronically signing the application. I solemnly declare that the information I have provided is true.

Applicant Signature: Elise LaRocco

Date: 5/17/22

Elise LaRocco

EDUCATION

- Master of Science in Journalism, *Medill School of Journalism, Northwestern University*, Evanston, IL.
- Bachelor of Arts, *Boston College*, Chestnut Hill, MA. Major: English. Graduated magna cum laude.
- Master Gardener Volunteer certification, *Cornell Cooperative Extension*, Putnam County, NY.

EXPERIENCE

Writing Tutor (2014-Present)

- Tutored high school students with college entrance essays. Also, assisted middle school children with writing at San Miguel Academy, a nontuition private school for low-income children in Newburgh, NY.

Floral Design (2021-2022)

- **Flowers By April.**
Assist florist with and create floral arrangements. Also, responsible for floral setup for weddings.

Environmental Education (2012-2020)

- *Beacon Institute (2018-2020)*
Supervised the transfer of the River of Words program to Beacon Institute from Hudson Highlands Land Trust. Coordinated the marketing, promotion and expansion to Beacon and Newburgh school districts. Also taught environmental writing classes to middle schoolers.
- *Hudson Highlands Land Trust (2014-2018)*
Program Coordinator for *River of Words (ROW)* environmental arts educational program. Responsible for marketing, grant writing, public relations, coordinating educational staff, writing press releases, brochures and monthly newsletter to area schools for. In one year increased the number of booked ROW workshops by 240%.

Horticulture (2008-2019)

- *Philipstown Garden Club*. Member. Involved with the elm and chestnut tree programs.

Nature Lectures (2010-2013)

- Created and presented *The Effect of Deer on the Ecosystem* to Philipstown Garden Club (public event), Garrison, NY, 2013; Teatown Wildflower Island, Ossining, NY, 2012; Master Gardener's Spring Garden (public event), Mahopac, NY, 2011; Rotary International, Martha's Vineyard, MA, 2011; and Master Gardener Volunteers, Carmel, NY, 2010
- Created and presented *Creatures That Try Gardeners' Souls* to Master Gardener's Spring Garden (public event), Mahopac, NY, 2012, and Rotary International, Martha's Vineyard, MA, 2012.

Fund Raising (2010-12)

- *Philipstown Garden Club*, Garrison, NY, a nonprofit. Annual Plant Sale Chairperson, 2010-2012. The Annual Plant Sale, PGC's only fundraiser, raised nearly \$10,000 in 2012, \$6000 in 2011, \$4,000 in 2010. Responsible for coordinating event, marketing, public relations and community outreach.
- *Haldane School Foundation*, Cold Spring, NY, a nonprofit fundraising organization. Member of the Board of Directors. 2009-2010. Raised nearly \$30,000 from two events. Created all marketing and public relations for these fundraisers.

Haldane School Garden (2011)

- Founding member of this school garden which required presenting the detailed plan to school principals, district superintendent and the Board of Education.

Children's Writing Classes (2012)

- Instructed children (grades 3-5) to develop concept, follow story lines and write adaption of *The Lion, The Witch and The Wardrobe*, and *The Nativity Story* for First Presbyterian Church of Philipstown's Easter and Christmas pageants. The children rewrote the Nativity Story to take place during the 1969 Woodstock era.

Grant Writing (1992-2010)

- *Haldane Central School District*, Cold Spring, NY. Awarded \$6,000 for the Haldane Sustainable Garden from the Hudson Highlands Land Trust and \$6,000 from the Haldane School Foundation, 2010. Received \$5,000 grant from Lowe's Inc. for playground equipment, 2007.
- *Philipstown Depot Theatre*, Garrison, NY, 2008. Doubled the theater's grant amount awarded from the Putnam Arts Alliance Council.
- *Haldane PTA*, Cold Spring, NY, 2005, 2006. Awarded a \$2,000 grant from Target, Inc. two consecutive years for Parents As Reading Partners program.
- *Alliance Theatre*, New Haven, CT, 1992. Quadrupled annual revenue through grant awards.

Advertising, Public Relations and Marketing (1983-1996)

Responsible for developing and supervising marketing, advertising and public relations programs. Duties included creating and implementing marketing, public relations and advertising plans; creating and supervising budgets; writing copy for brochures, newsletters, sales materials, point-of-purchase displays and ads; launching new products; organizing special events, media placement; pitching new business; and training junior account managers.

- *Writer/Editor*, Center for Strategic Communications and Telecommunications Cooperative Network, NY, NY 1995-1996.
- *Communication Specialist*, Visiting Nurse Association of South Central CT, Inc., New Haven, CT, 1993-1995. Tripled the press coverage in first year.
- *Senior Account Executive*, Griffin Thomas Marketing Communications, New Haven, CT, 1989-91.
- *Public Relations Account Manager*, Smith Bucklin & Associates, Chicago, IL, 1985-1988.
- *Marketing Communications Coordinator*, Cahners Publishing, Des Plaines, IL, 1983-1985.

Screenwriting/Play Writing (under Elise Formichella) (1990-Present)

- Sold full-length screenplay *Misconception* to Arpad Productions, NY, NY, 2007.
- Semifinalist, 1999 Austin Film Festival Screenplay Competition, for *Dancing Heart*.
- Quarterfinalist, 1998 Nicholl Fellowships in Screenwriting, the Academy Awards, for *Dancing Heart*.
- Winner, 1993 Connecticut Playwrights' Festival Award, for *Marketing for Free Elections*.
- Productions of *Love in the Bottom of the Ninth*: 13 St. Repertory Theatre, NY, NY, 1991; and Playwright's Center, Chicago, IL, 1990.

Adjunct Professor (1992-1993)

- *University of New Haven*, West Haven, CT, a private university (September–December 1992; January–May 1993). Responsible for instructing four sections per semester of English Composition 105. Also tutored students in the English Lab.
 - Nominated for *Outstanding Adjunct Professor*, 1993.
- *Gateway Community College*, New Haven, CT (January–May 1992). Instructed one section of remedial English.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 90 OF 2022

**RESOLUTION APPOINTING ELISE LAROCCO
TO THE TREE ADVISORY COMMITTEE**

BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Elise LaRocco to the Tree Advisory Committee for a term beginning on July 5, 2022 and ending on December 31, 2023.

Resolution No. 90 of 2022			Date: July 5, 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

07/05/2022

Title:

Resolution No. 91 - Authorizing the City Administrator to Execute an Extension of an Agreement with Royal Carting Service Co. for Waste Collection

ATTACHMENTS

Royal Carting Co. Agreement

Draft 2023 Extension Agreement with Royal Carting Services Co. for Waste Collection and Disposal

Resolution Authorizing the City Administrator to Execute an Extension of an Agreement with Royal Carting Service Co. for Waste Collection



**CITY OF BEACON
CITY COUNCIL**

Resolution No. 176 of 2019

**RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH
ROYAL CARTING FOR WASTE COLLECTION**

WHEREAS, the City wishes to employ Royal Carting Service Co. ("Royal Carting") to collect, remove and dispose of burnable and recyclable waste from designated privately-owned real property, municipal buildings and public spaces within the City of Beacon, and

WHEREAS, Royal Carting submitted a bid proposal to the City which the City Council has found to be advantageous with respect to the collection and removal of burnable and recyclable waste.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby authorizes the execution of the attached Waste Collection Agreement between the City of Beacon and Royal Carting for a term commencing January 1, 2020 and ending December 31, 2020, with the ability at the City's option, to extend for two (2) additional one (1) year terms.

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

Resolution No. <u>176</u> of 2019			Date: <u>December 16, 2019</u>				
☐ Amendments			☐ On roll call			☐ 2/3 Required.	
☐ Not on roll call.						☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson	x				
	x	Jodi McCredo	x				
		George Mansfield	x				
		Lee Kyriacou	x				
		John Rembert	x				
x		Amber Grant	x				
		Mayor Randy J. Casale	x				
		Motion Carried	x				

**Waste Collection Agreement
Between the City of Beacon and Royal Carting**

THIS AGREEMENT, made the 17th day of ~~Dec~~ 2019, by and between the City of Beacon (the "City"), a municipal corporation with offices located at One Municipal Plaza, Beacon, New York 12508, and Panichi Holding Corp. d/b/ a Royal Carting Service Co. ("Royal"), a corporation with offices located at 409 Route 82, Hopewell Junction, New York 12533.

W I T N E S S E T H:

WHEREAS, the City wishes to employ a contractor to collect, remove and dispose of burnable and recyclable waste from designated privately-owned real property, municipal buildings and public spaces within the City of Beacon, and

WHEREAS, Royal has submitted a bid proposal to the City which the City Council has found to be advantageous to the City with respect to the collection and removal of burnable and recyclable waste.

NOW THEREFORE, in consideration of these mutual promises and covenants, and other good and valuable consideration, the parties hereby agree as follows:

ARTICLE I

A. Burnable Waste Collection and Disposal

Royal shall furnish all the materials, equipment and labor required to on a weekly basis collect, remove and dispose of one (1) Royal-supplied ninety-five (95) gallon container with attached lid and wheels for mechanical pickup of burnable waste from approximately 4,300 tax parcels in the City of Beacon.

Property owners may put additional containers out for pick up by purchasing "Add-a-Can" tags at City offices and attaching same to each additional can or by enrolling in the annual Add-a-Can Program. The City will reimburse Royal for every "Add-a-Can" tag turned into the City in accordance with the "Service and Price Schedule", annexed hereto as Exhibit "A".

Work shall include collection from street/trash-receptacles (defined herein as publicly available trash receptacles maintained in a public right of way by the City of Beacon) five (5) times per week on Monday, Tuesday, Wednesday, Thursday, and Friday. The street trash

receptacles shall be combination trash/recycling containers with 18 gallon capacity each and a lockable door, except for up to twenty-two (22) new trash and/ or recycling receptacles (without regard to the condition of the 22 receptacles to be replaced and to be provided by Royal at no equipment cost or rental to the City), having a capacity and design that shall be agreed to by the City and Royal. The City shall provide a list of street trash-receptacles (Exhibit "B", annexed) which list shall be attached to and become a part of this Contract as well as designate up to 20 receptacles to be replaced. Royal shall repair, maintain and replace, at its sole cost and expense, all street trash-receptacles existing or installed during the term of this Contract, or any renewal or extension thereof, except that in the event of accidental damage or destruction by the City or an act of vandalism, the City shall submit an insurance claim to cover the cost of repair or replacement, if coverage is available. "Vandalism," for purposes of this Agreement, shall mean the defacement or destruction of any street-trash receptacle by a third party to this Agreement, but shall not include instances of defacement or destruction facilitated by Royal's failure to properly secure or maintain said receptacles. The City reserves the right, upon written notification to Royal, to add to or delete from the attached list of street trash-receptacles at any time during the term of the Contract, including any renewal or extension term.

Royal shall collect, remove and dispose of residential, commercial and municipal waste collected from the curb or designated area on a day or days of the week agreed to by the City. Any spillage into the road or sidewalks while carrying the containers to the truck or while emptying containers into the truck must be cleaned up by Royal before moving to the next collection pickup. A broom and shovel shall be carried on each truck to facilitate clean up. Lids must be replaced on containers after pickup. Royal must notify the City Administration via facsimile on a form provided by the City of all waste not collected and the reason collection was refused. The City reserves the right to change the collection schedule and specifications.

B. Recyclable Waste Collection

Royal shall provide one (1) 65 gallon recycling collection bin for approximately 4,300 tax parcels, and shall furnish all materials and perform all work to collect, remove and dispose of single stream recyclables from each tax parcel that meets the collection specifications once every week corresponding with the burnable waste collection schedule. Royal shall provide without cost to the City up to one hundred (100) 95 gallon recycling collection bins and thereafter, additional 95 gallon recycling collection bins at cost, upon written demand. A broom and shovel shall be carried on each truck to facilitate clean-up of spillage or breakage during recyclable waste collection. Royal shall provide an additional 65 gallon recycling collection bin at the rate of \$60.00 per bin.

C. Container Lease and Services

Royal shall provide all equipment and perform all work to provide waste and/ or recyclable collection services the Beacon City Hall, Transfer Station, Parks Department, Memorial Building, Memorial Park, Riverfront Park and Fire Station #2 or as more specifically described in the Service and Price Schedule, annexed. The burnable waste containers shall be serviced by the burnable waste collection truck. Containers shall be emptied in accordance with the requirements set forth in the Service and Price Schedule which includes, but is not limited to:

1. Beacon City Hall

Royal shall provide Beacon City Hall with containers for recyclables;

2. Waste Water Treatment Facility

Royal shall provide the Waste Water Treatment Facility with two (2) two-cubic-yard containers - one (1) for the septage receiving station and one (1) for grit removal. These containers shall be emptied daily; and

3. Transfer Station

Royal shall provide the Transfer Station with a service which includes the container hauling and disposal of materials in accordance with requirements more particularly described in the Service and Price Schedule. Containers shall be serviced on demand. The Transfer Station requires up to 12 containers (6 for commingles and 6 for newspapers).

ARTICLE II

A. Changes in Disposal Costs and Tonnage: Burnable Waste

1. Should Royal's cost of burnable waste disposal increase or decrease more than \$10.00 per ton during the term of this Contract, or any extension or renewal thereof, the City will increase or decrease its contract payments as follows:

Base Disposal Cost Per Ton:	Provided by Royal, subject to audit
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New Disposal Cost per Ton:	Provided to the City within three days of Royal's notification effective thirty days after change; also subject to audit.
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Monthly tonnage to be used only for calculation of payment change: 300 tons per month.

Calculation of payment change:

$[(\text{new per ton rate}) - (\text{base per ton rate})] * 300 = \text{increase/decrease in monthly payment}$

Example: Base rate = \$55.00 New Rate = \$65.00

$[(\$65.00 - \$55.00) * 300 = \$3,000 \text{ payment increase as a result of audited increase in Royal's cost of disposal.}$

2. Payment will be recalculated for each year beginning January 1, 2019, and January 1 of each renewal term based upon the average of the quarterly surveys of tonnage collected, but shall not be less than 300 tons per month effective as of July 1, 2018. Payment on the tonnage shall be reduced or increased as determined by the calculation of the results of quarterly surveys (to be conducted on a schedule the parties shall mutually establish) with such adjustment being made not later than the second monthly statement following the final survey for the relevant contract year. If the term of the Contract is extended for subsequent years, the tonnage will be adjusted based on the average tonnage collected in the preceding year, effective January 1st of the new term.

B. Recyclable Waste Collection

Recyclable volume of 350 tons (per annum) of commingled recyclables and 300 tons (per annum) of mixed paper waste is anticipated. If the volume increases, the City will not be responsible for any increase in collection and removal costs incurred by Royal. The City will pay the actual cost of disposal and shall collect 100% of the revenue, if any, derived for the sale of such recyclable materials. All credits to be paid to (and all costs to be borne by) the City shall be pursuant to a separate and direct account to be established with ReCommunity Recycling.

If there is a change in disposal costs by any other recyclable disposal facility, the City must be notified in writing within two (2) days of the date Royal is notified. Payment, if any, will be based on an audit of Royal's disposal costs.

C. Roll Off Container and Dumpster Lease and Service

Cost based on service and lease of equipment in accordance with the Service and Price Schedule, and includes:

1. Transfer Station

Royal shall provide the charge for the container, hauling and disposal at the prices per the Service and Price Schedule. Any adjustment to these costs will be provided to the City within three (3) days of Royal's notification effective thirty (30) days after an approved adjustment by the New York State Office of General Services. Bulk waste shall include metal, construction and demolition debris, furniture and junk.

Decreases/Increases in collection costs will be calculated as follows: X (disposal price/ton)

X annual disposal costs = adjusted annual cost to city. X = new disposal rate/ ton

2. Dumpster Lease

The dumpster lease for Beacon City Hall, Transfer Station, Parks Department, Memorial Park Riverfront Park* and Fire Station #2 shall be based on Service and Price Schedule. These rates will not increase during the life of the contract. These containers shall be serviced under the burnable waste and collection contract.

2.1 Riverfront Park

Collection services for the Riverfront Park shall be in accordance with the Service and Price Schedule, annexed.

3. Waste Water Treatment Facility

The Waste Water Treatment Facility requires two (2) two-cubic yard containers - one (1) for the septage receiving station and one (1) for grit removal.

ARTICLE III

Agreement Summary

The City shall pay Royal for the performance of solid waste management activities and for the provision of solid waste management equipment in accordance with the Service and Price Schedule.

ARTICLE IV

Term of Agreement

The work will be performed under this Contract shall begin as of January 1, 2019 and shall continue for a period of one (1) year terminating on December 31, 2020.

The City of Beacon reserves the right to renew this contract for two (2) additional one-year terms under the same terms and conditions as this contract.

Royal's Bid Proposal Form and accompanying documentation, dated April 30, 2018, are attached and incorporated into this Contract with the intent that they be binding on the parties in accordance with the terms set forth therein.

Tonnage adjustments will be made upon renewal and shall take effect as of January 1, 2020 of the renewal term.

ARTICLE V

A. Entire Agreement

The terms and conditions set out herein are the entire terms and conditions of this Contract and any prior or contemporaneous understandings or Contracts, oral or written, are merged herein. There are no representations or warranties, Contracts, or covenants other than those expressly set forth in this Contract. This Contract may be amended or modified and/ or any right or obligation arising under this Contract may be waived from time to time only by a written instrument executed by the City and Royal. The failure of either party at any time to enforce any of the provisions of this Contract shall not constitute a waiver of such provision.

B. Compliance with Law

The parties shall comply with Applicable Laws in performing their respective obligations hereunder.

C. Indemnification

Royal shall, during the performance of this Agreement, take all necessary precautions and place proper safeguards for the prevention of accidents and shall indemnify and save harmless, the City, its employees, officers and agents from any and all liability for damages,

costs, losses, penalties and expenses, including reasonable attorney's fees, resulting from any claim asserted by a third party for wrongful death, bodily injury and/ or property damage which are caused solely by willfulness, negligence or carelessness in the performance of the Agreement or in guarding and protecting the same or from any improper methods, materials implements or appliances used in its performance or construction, except to the extent such damages, costs, losses, penalties and expenses are the result of any passive or concurrent negligent act or omission by the City or any of its employees, officers or agents.

D. Governing Law and Venue

This Contract and performance under it shall be governed by and construed in accordance with the laws of the State of New York. All claims counterclaims, disputes and other matters in question between the City and Royal, not otherwise resolved, arising out of or relating to this Contract or its breach shall be decided in a court of competent jurisdiction. The City and Royal hereby agree that there shall be no requirement for arbitration of any controversies or disputes hereunder, all such matters to be resolved at law.

E. Severability

If this Contract contains any unlawful provision, the same shall be deemed of no effect and shall, upon the application of either party, be deemed stricken from this Contract without affecting the binding force of the remainder.

F. Assignment or Novation

Royal shall not assign or transfer, whether by an assignment or novation, any of its rights, duties, benefits, obligations, liabilities or responsibilities under this Contract without the written consent of the City; provided, however, that assignments to banks, trust companies, or other financial institutions may be made without the consent of the City. No assignment or novation of this Contract shall be valid unless the assignment or novation expressly provides that the assignment of any of Royal's rights or benefits under the Contract is subject to a prior lien for labor performed, services rendered and materials, tools and equipment supplied for the performance of the work under this contract in favor of all persons, firms or corporations rendering such labor or services or supplying such materials, tools or equipment.

G. Prevailing Wage Determination

Royal shall ensure that the wages to be paid to laborers, workmen or mechanics shall not be less than the prevailing rate of wages as defined in New York Labor Law §220.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed, and, these presents to be signed by their duly authorized officers the day and year first above written.

APPROVED AS TO FORM: CITY OF BEACON

By: Randy Casale
RANDY CASALE, Mayor

By: Anthony Ruggiero
ANTHONY RUGGIERO, City Administrator

By: Nicholas Ward-Willis
NICHOLAS M. WARD-WILLIS, City Attorney

APPROVED AS TO FORM: ROYAL CARTING SERVICE CO.

By: James P. Popovich
JAMES P. POPOVICH, Vice President

EXHIBIT "A"

SERVICE AND PRICE SCHEDULE

EXHIBIT "A"

SERVICE AND PRICE SCHEDULE

SERVICE SCHEDULE

In addition to the service requirements outlined in the Master Contract, the following requirements shall also apply:

Region 14, Lot 1, Item #1 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: $\pm 4,300$ parcels - 95 gallon automated refuse collection carts picked up curbside once per week

Region 14, Lot 5, Item #2 Single Stream Recycling: $\pm 4,300$ parcels - 65 gallon automated refuse collection carts picked up curbside once per week

Region 14, Lot 1, Item #3 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: ± 60 - 35 gallon litter baskets picked up curbside five times per week

Region 14, Lot 1, Item #4 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: additional 95 gallon automated refuse collection cart picked up curbside once per week

Region 14, Lot 1, Item #5 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yards - 3 cubic yard container (Fire Station–Main Street) picked up twice per week

Region 14, Lot 5, Item #6 Single Stream Recycling: 65 gallon automated refuse collection cart picked up twice per week (Fire Station–Main Street)

Region 14, Lot 1, Item #7 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yards - 3 cubic yard container (City Hall) picked up three times per week

Region 14, Lot 1, Item #8 Disposal of Municipal Solid Waste in Bins Dumpsters or Roll-off Containers: 2 to 10 cubic yards – 4 cubic yard container (soccer club) picked up once per week

Region 14, Lot 1, Item #9 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yards – 2 cubic yard container (Water Treatment Plant) picked up five times per week

Region 14, Lot 1, Item #10 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yards – 4 cubic yard container (Camp) picked up twice per week (seasonal: June – August)

Region 14, Lot 1, Item #11 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yard container – 6 cubic yard container (Fire Station/Legion–South Avenue) picked up once per week

Region 14, Lot 1, Item #12 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yard container – 6 cubic yard container (Transfer Station) picked up once per week

Region 14, Lot 1, Item #13 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 - 95 gallon automated refuse collection carts (City Hall) picked up once per week

Region 14, Lot 1, Item #13.1 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 6 cubic yard container (Memorial Park) picked up twice per week

Region 14, Lot 1, Item #13.2 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yards – 4 cubic yard container (Riverfront Park) picked up twice per week (seasonal: May – September)

Region 14, Lot 1, Item #13.3 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 2 to 10 cubic yards – 4 cubic yard container (Riverfront Park) picked up once per week (seasonal: October – April)

Region 14, Lot 5, Item #14 Single Stream Recycling: 8 cubic yard container (Transfer Station) picked up once per week

Region 14, Lot 3, Item #15 Disposable of Construction and Demolition (C&D) Materials: 20 cubic yard roll-off container (Transfer Station) on-call

Region 14, Lot 13, Item #16 Recycling of Scrap Metal: 20 cubic yard roll-off container (Transfer Station) on-call

Region 14, Lot 10, Item #17 Recycling of Corrugated Cardboard: 20 cubic yard roll-off container (Transfer Station) on-call

Region 14, Lot 6, Item #18 Recycling of Comingled Recyclables (E-Waste Only): 15 cubic yard roll-off container (Transfer Station) on-call

Region 14, Lot 1, Item #19 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 33 gallon container on-call

Region 14, Lot 1, Item #20 Disposable of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers: 4 cubic yard container (Camp) seasonal (September – May) on-call

PRICE SCHEDULE

Lot 1 – Disposal of Municipal Solid Waste in Bins, Dumpsters or Roll-off Containers

Item 1: Bins (1 CY or smaller)

The bidder shall provide the following pricing:

\$ 3.20 price per container per pickup

\$ 13,760 price per pickup for all containers (price per container per pickup x number of containers)

\$ 59,580.80 /month -- weekly curbside trash

Item 2: Bins (1 CY or smaller)

The bidder shall provide the following pricing:

\$ 1.03 price per container per pickup

\$ 4,429 price per pickup for all containers (price per container per pickup x number of containers)

\$ 19,177.57 /month -- weekly curbside recycling

Item 3: Bins (1 CY or smaller)

The bidder shall provide the following pricing:

\$ 1.00 price per container per pickup

\$ 60.00 price per pickup for all containers (price per container per pickup x number of containers)

\$ 1,299.00 /month -- weekly City trash/recycling receptacles

Item 4: Bins (1 CY or smaller)

The bidder shall provide the following pricing:

*\$ 4.33 price per container per pickup

\$ 18.75 /month

* Extra 65 gallon container: \$3.68/pickup \$15.95/month

Extra 35 gallon container: \$2.95/pickup \$12.75/month

Item 5: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 price per container per pickup

Item 7: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 price per container per pickup

Item 8: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 price per container per pickup

Item 9: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 price per container per pickup

Item 10: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 price per container per pickup

Item 11: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 _____ price per container per pickup

Item 12: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 _____ price per container per pickup

Item 13: Bins (1 CY or smaller)

The bidder shall provide the following pricing:

\$ 0 _____ price per container per pickup

\$ 0 _____ price per pickup for all containers (price per container per pickup x number of containers)

Item 13.1: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 _____ price per container per pickup

Item 13.2: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 _____ price per container per pickup

Item 13.3: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 0 _____ price per container per pickup

Item 19: Bins (1 CY or smaller)

The bidder shall provide the following pricing:

\$ 2.25 _____ price per container per pickup

\$ N/A _____ price per pickup for all containers (price per container per pickup x number of containers)

ADD-A-CAN

Item 20: Dumpsters (2 to 10 CY)

The bidder shall provide the following pricing:

\$ 25.00 _____ price per container per pickup

\$ 0 _____ Rental fee

Lot 3 – Disposal of Construction and Demolition (C&D) Materials

Item 15: Roll-off Containers (20 to 40 CY)

The bidder shall provide the following pricing:

\$ 0 _____ Rental Fee (per month)

\$ 78.00 _____ Tipping Fee (per ton)

\$ 175.00 _____ Haul Charge (per pickup)

Lots 5 – Single Stream Recycling

Item 6: Bins (1 CY or smaller)

The bidder shall provide the following pricing:

\$ 0 _____ price per container per pickup

\$ 0 price per pickup for all containers (price per container per pickup x number of containers)

Item 14: (2 to 10 CY) Dumpsters

The bidder shall provide the following pricing for the service

\$ 0 price per cubic yard of dumpster per pickup

\$ 0 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY)

\$ 0 Recyclable Processing Fee (per ton)

\$ 0 Recyclable Floor Price (per ton)

0 % Revenue Sharing Percentage

Lot 6 – Recycling of Comingled Recyclables (E-Waste Only)

Item 18: Roll-off Containers (15 CY)

The bidder shall provide the following pricing for the service

\$ 0 price per cubic yard of dumpster per pickup

\$ 117.00 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY) (Haulage)

\$ ** Recyclable Processing Fee (per ton)

\$ 0 Recyclable Floor Price (per ton)

0 % Revenue Sharing Percentage

Lot 10 – Recycling of Corrugated Cardboard

Item 17: Roll-off Containers (20 to 40 CY)

The bidder shall provide the following pricing for the service

\$ 0 price per cubic yard of dumpster per pickup

\$ 75.00 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY) (Haulage)

\$ 0 Recyclable Processing Fee (per ton)

\$ 0 Recyclable Floor Price (per ton)

0 % Revenue Sharing Percentage

Lot 13 – Recycling of Scrap Metal

Item 16: Roll-off Containers (20 to 40 CY)

The bidder shall provide the following pricing for the service

\$ 0 price per cubic yard of dumpster per pickup

\$ 50.00 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY) (Haulage)

\$ 0 Recyclable Processing Fee (per ton)

\$ 0 Recyclable Floor Price (per ton)

100 % Revenue Sharing Percentage

**** Residents direct pay processing fee per schedule**

TEAHAN & CONSTANTINO LLP

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Fax (845) 677-1054

EXHIBIT "C"

June 11, 2018

Randy Casale, Mayor of City of Beacon
1 Municipal Center
Beacon, New York 12508

Anthony Ruggiero, City Administrator
City of Beacon
1 Municipal Center
Beacon, New York 12508

**Re: December Trash and Recycling Weight Survey
2017 Rate Adjustment**

Gentlemen:

Survey Results:

Enclosed are summaries of the 2017 trash and recycling surveys for City of Beacon materials collected as follows:

2017 Summary Results:

<u>SURVEY FOR WEEK OF</u>	<u>TRASH (tons)</u>	<u>RECYCLABLES (tons)</u>
December 11, 2017	55.50	-----
December 4, 2017	-----	23.51

EXHIBIT B

Waste Collection Agreement
Between the City of Beacon and Royal Carting

SOUTH SIDE MAIN STREET

129 Main Street (*Bank Square Coffee House*)
149 Main Street (*Wood & Cotton*)
167 Main Street (*Play*)
Corner of Main Street and Cliff (*Bus Stop*)
201 Main Street (*Beacon Institute*)
213 Main Street (*BJ's Restaurant*)
223 Main Street (*County Building at corner*)
257 Main Street (*Barber Shop*)
285 Main Street (*Dry Cleaners*)
291 Main Street (*Old telephone building*)
303 Main Street (*Hair Dresser*)
307 Main Street (*Howland Library*)
319 Main Street (*formerly Weymes*)
335 Main Street (*Photography Shop*)
341 Main Street (*Pizza & Stuff*)
347 Main Street (*Main Street Cleaners*)
369 Main Street (*Post Office*)
381 Main Street (*Towne Crier Cafe*)
403 Main Street (*Pat Malouf*)
417 Main Street (*Memorial Building*)
445 Main Street (*Beacon Creamery*)
469 Main Street (*Seoul Kitchen*)
477 Main Street (*Howland Cultural Center*)
Main Street – (*bench across from South Street*)

NORTH SIDE MAIN STREET

144 Main Street (*Mountain Tops*)
172 Main Street (*Riverwinds*)
190 Main Street (*Sign of the Times*)
200 Main Street (*M & T Bank*)
200 Main Street (*by clock*)
240 Main Street (*Izamu*)
268 Main Street (*Key Food*)
276 Main Street (*Amarcord*)
294 Main Street (*Subway*)
300 Main Street (*Duso Travel*)
320 Main Street (*Rite Aid*)
338 Main Street (*near Antalek Insurance*)
348 Main Street (*Beacon Natural Market*)
364 Main Street (*Citizens Bank*)
378 Main Street (*Walden's Building*)
392 Main Street (*Kennedy Chicken*)
412 Main Street (*by tree planter*)
436 Main Street (*Ella's Bellas*)
466 Main Street (*Beacon Bagel*)
468 Main Street (*Echo*)
480 Main Street (*Utensil Store*)
498 Main Street (*corner of South Street*)
504 Main Street (*corner of South Street*)
530 Main Street (*Feng Shui*)

WOLCOTT AVENUE

Wolcott Avenue at Harborview Court
(*bus stop across from Hudson Avenue*)
North Avenue at Main (*Robert Pohill Park*)

EAST MAIN STREET

25 East Main Street (*L. Way Building*)
28 East Main Street (*side of Durkin's Deli*)
20 East Main Street (*McMillan Building*)

MUNICIPAL PARKING LOTS

Veteran's Place – 1 can
Tioronda Bridge Park at Wolcott Avenue – 1 can
206 Main (*near Pleasant Ridge Restaurant*) – 1 can

TEAHAN & CONSTANTINO LLP

September 18, 2017	72.53 ¹	-----
September 25, 2017	-----	19.37
June 12, 2017	71.08	-----
June 19, 2017	-----	21.63
April 3, 2017	66.89	-----
April 10, 2017	-----	21.26

Analysis - Trash:

As you know, the City was not increased in 2018, even though the holdover terms of its Agreement with Royal would have permitted such an increase. Given the City's current 2018 budget constraints, Royal proposes to use the 2014 base rate to compete its increase from July 1, 2018 through December 31, 2018. The 2018 base rate will be applied effective January 1, 2019 for rate adjustments (up or down) based on prior year surveys, it being understood that the 2019 rate will be based on 3 (not 4) quarterly surveys. The initial 2018 survey will be conducted during the week of June 10, 2018 for trash and the week of June 17, 2018 for recycling. The fall and winter surveys will be set at a later time.

Based on the forgoing and in accordance with Section II A.2. of the Waste Collection Agreement Between City of Beacon and Royal Carting (the "Agreement"), the 2018 Burnable Waste payment (provided for in Article III) should have been adjusted based on the 2017 survey results.

The annual estimated average trash disposal to be applied for 2017 is computed as follows:

$$(55.50 + 72.53 + 71.08 + 66.89) \div 4 \times 52 = 3,458 \text{ Tons}$$

¹Monday and Tuesday of this week was not surveyed due to City personnel shortage. The actual tonnage collected over the 3 day survey period was 43.52. Adjusting for a 5 day week resulted in estimated survey tonnage of 72.53 determined as follows: $43.52 \text{ tons} \div 3 \times 5 = 72.53$ tons.

Burnable Waste Collection and Disposal:

2014 Base Monthly Payment² \$57,863.21

Less: 2017 Weight Survey Result computed as follows:

2014 Agreement budget base of
300 tons per month X 12 = 3,600.00 Annual Tons³

Less 2017 average survey tonnage < 3,458>Tons

Difference 142 Tons

Times Disposal Rate (per ton) X 73.75

2016 Annual Survey Rate Reduction \$10,472.50

Divided by 12 to determine monthly
rate adjustment ÷ 12

Monthly Adjustment Amount 872.71 <872.71>

Tentative 2018 Adjusted Monthly Burnable Waste Fee⁴ \$56,990.50

Therefore, beginning July 1, 2018, through December 31, 2018 the adjusted monthly rate for curbside trash pick up will be 56,990.50⁵.

²Article III

³Article II 2

⁴ Effective July 1, 2018.

⁵ Per the bid, the recyclables collection fee remains unchanged for 2018.

TEAHAN & CONSTANTINO LLP

Please feel free to communicate with me if you have any questions or comments.

Very truly yours,

A handwritten signature in black ink, appearing to be 'JPC' or similar initials, written over a horizontal line.

James P. Constantino
General Counsel

JPC/cr
Enclosures

cc: Randy Casale, Mayor
Reuben Simmons, Jr., Highway Supt.
Nicholas M. Ward-Willis, Esq.
Emil Panichl, President
Betty Guarino, Accounts Supervisor

S:\constantino work files\Beacon 2009 Bid\Ltr to Ruggiero re December Trash & Rec Wt Survey and adjusted fee 5-24-18.wpd

Waste Collection Agreement Between the City of Beacon and Royal Carting

E-WASTE PRICE LIST

1	TV-bubble back	\$25
2	Computer monitors-bubble back	\$25
3	TV-flat screen	\$15
4	Computer monitors-flat screen/lap tops	\$15
5	Small scale servers/microwave	\$5
6	Personal Computers w/mouse & keyboard	\$3
7	Fax machines	\$2
8	Printers	\$2
9	Scanners	\$2
10	VCR/DVR/DVD players-Radios	\$2
11	Cable or satellite receivers	\$2
12	Electronic or video game consoles	\$2
13	Portable digital music players	\$1
14	Digital converter boxes	\$1
15	Cell phones	FREE
16	Mouse and/or Keyboard	FREE

TEAHAN & CONSTANTINO LLP

VINCENT L. TEAHAN
JAMES P. CONSTANTINO

EMIL D. CONSTANTINO*

RICHARD I. CANTOR
STEPHEN C.F. DIAMOND

ARTHUR L. GELLERT

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COUNSEL

*ALSO ADMITTED IN MASSACHUSETTS

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2780 SOUTH ROAD

P. O. BOX 1969

POUGHKEEPSIE, NEW YORK 12601-0969

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MILLBROOK OFFICE

41 FRONT STREET, SUITE A

P.O. BOX 1181

MILLBROOK, NEW YORK 12545

Tel (845) 677-2101

Fax (845) 677-1054

BY EMAIL ONLY (cwhite@cityofbeacon.org)

February 5, 2021

Christopher White, City Administrator

City of Beacon

1 Municipal Center

Beacon, New York 12508

Re: Extension of Waste Collection Agreement w/ Panichi Holding Corp. dba Royal Carting Service Co. is

Dear Mr. White:

This confirms my understanding that a resolution was adopted by the City of Beacon City Council during its regular December, 2020 meeting, authorizing the City Administrator to sign an affirming resolution and/or related correspondence memorializing that the above Agreement is extended for the period commencing January 1, 2021 through and including December 31, 2021.

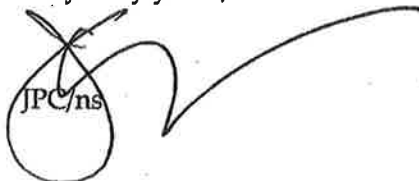
Except for the extension of the Agreement, it continues in full force and affect and is otherwise unmodified for the 2021 extension term.

Upon your and the City counsel's review and approval please be kind enough to sign this letter where indicated below and return to me at your earliest convenience.

You/or your counsel should feel free to communicate with me if there are any questions or comments.

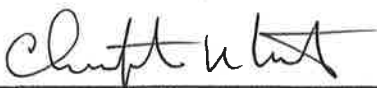
Thank you for your courtesy.

Very truly yours,


JPC/ns

READ, AGREED, AND APPROVED:

City of Beacon

By: 
Christopher White, City Administrator

Date: 2/5/2021

cc: Emil Panichi, President
Evelyn Panichi, COO
Anthony Constantino, CFO
Betty Guarino, Account Supervisor
Roy Guarino, Route Supervisor

TEAHAN & CONSTANTINO LLP

VINCENT L. TEAHAN
JAMES P. CONSTANTINO
EMIL D. CONSTANTINO*
RICHARD I. CANTOR
STEPHEN C.F. DIAMOND
ARTHUR L. GELLERT
ANN GIFFORD
COUNSEL

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BY EMAIL ONLY (cwhite@beaconny.gov)

December 13, 2021

Christopher White, City Administrator
City of Beacon
1 Municipal Center
Beacon, New York 12508

Re: Extension of Waste Collection Agreement w/ Panichi Holding Corp. dba Royal Carting Service Co.

Dear Mr. White:

This confirms my understanding that a resolution was adopted by the City of Beacon City Council during its regular December, 2021 meeting, authorizing the City Administrator to sign an affirming resolution and/or related correspondence memorializing that the above Agreement is extended for the period commencing January 1, 2022 through and including December 31, 2022.

Except for the extension, the Agreement continues in full force and effect and is otherwise unmodified for the 2022 extension term. Accordingly, we will advise you of the 2022 rate adjustment upon completion of 2021 weight surveys and a final determination of the disposal rate at the Dutchess County Resource Recovery waste-to-energy plant.

Upon your and the City counsel's review and approval please be kind enough to sign this letter where indicated below and return to me at your earliest convenience.

You or your counsel should feel free to communicate with me if there are any questions or comments.

Thank you for your courtesy.

Very truly yours,



JPC:ns

READ, AGREED, AND APPROVED:

City of Beacon

By: 

Christopher White, City Administrator

Date: 12/15/2021

Cc: Nicholas Ward Willis, Esq.
Emil Panichi, President
Evelyn Panichi, COO
Anthony Constantino, CFO
Betty Guarino, Account Supervisor
Roy Guarino, Route Supervisor



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 154 OF 2021

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SIGN AN EXTENSION
AGREEMENT WITH PANICHI HOLDING CORP. D/B/A ROYAL CARTING SERVICE CO.
FOR REFUSE COLLECTION SERVICES**

WHEREAS, the City currently has an agreement with Panichi Holding Corp. d/b/a Royal Carting Service Co. (“Royal Carting”) to collect, remove and dispose of burnable and recyclable waste from designated privately-owned real property, municipal buildings and public spaces within the City of Beacon; and

WHEREAS, the City and Royal Carting wish to extend this agreement an additional year.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the City Council authorizes the City Administrator to sign an Extension Agreement with Royal Carting for Refuse Collection Services for a term commencing January 1, 2022 and ending December 31, 2022.

Resolution No. 154 of 2021			Date: <u>December 6, 2021</u>					
☐ Amendments			☐ On roll call			☐ 2/3 Required		
☐ Not on roll call.						☐ 3/4 Required		
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent	Tabled
		Terry Nelson	x					
		Jodi McCredo	x					
x		George Mansfield	x					
		Amber Grant	x					
		Air Rhodes	x					
	x	Dan Aymar-Blair	x					
		Mayor Lee Kyriacou	x					
		Motion Carried	x					

2023 EXTENSION AGREEMENT

This 2023 Extension Agreement entered into this ____ day of _____, 2022, but effective January 1, 2023 between the CITY OF BEACON, County of Dutchess, State of New York, hereinafter referred to as the “City” and PANICHI HOLDING CORP. d/b/a ROYAL CARTING SERVICE CO., a domestic corporation, having its principal place of business at 409 Route 82, P. O. Box 1209, Hopewell Junction, New York, hereinafter referred to as the “Contractor”, and hereinafter the City and Contractor referred to collectively as the “Parties”.

WHEREAS, the City and the Contractor previously entered into a Waste Collection Agreement (the 2018 “Agreement”), whereby the Contractor provides certain rubbish and recyclable pickup, disposal and other services (the “Contracted Services”) for the City; and

WHEREAS, pursuant to Article IV of the 2018 Agreement and Resolution No. 176 of 2019, the City extended the 2018 Agreement for the Contractor to perform the Contracted Services for the City for a renewal term ending on December 31, 2020; and

WHEREAS, pursuant to ARTICLE IV of the 2018 Agreement and Resolution No. 183 of 2020, the City extended the 2018 Agreement for the Contractor to perform the Contracted Services for the City for a renewal term ending on December 31, 2021; and

WHEREAS, pursuant to Article IV of the 2018 Agreement and Resolution No. 154 of 2021, the City extended the 2018 Agreement for the Contractor to perform the Contracted Services for the City for a renewal term ending on December 31, 2022; and

WHEREAS, the City and the Contractor wish to further extend and modify the Agreement.

NOW, THEREFORE, in consideration of the promises and of the covenants, agreements, representations and warranties hereinafter set forth, the Parties do hereby agree as follows:

1. That the 2018 Agreement is hereby extended through and including December 31, 2023, hereinafter the “2023 Renewal Term”.

2. That the City shall pay the Contractor for the Contracted Services the rate(s) applicable for such services, disposal and other services as provided in and computed in accordance with the terms of the 2018 Agreement.

3. Except as provided for herein, all other terms and conditions of the 2018 Agreement for all Contracted Services presently performed and provided by the Contractor, shall apply and continue in full force and effect during the 2023 Renewal Term.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first above written.

CITY OF BEACON

By: _____

CHRISTOPHER WHITE, CITY ADMINISTRATOR

PANICHI HOLDING CORP. d/b/a
ROYAL CARTING SERVICE CO.

By: _____
EMIL PANICHI, PRESIDENT



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 91 OF 2022

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN
EXTENSION OF AN AGREEMENT WITH ROYAL CARTING SERVICE CO. FOR WASTE
COLLECTION**

WHEREAS, the City of Beacon desires waste collection services and to employ Royal Carting Service Co. (“Royal Carting”) to collect, remove, and dispose of waste and recyclable materials from designated privately-owned real property, municipal buildings, and public spaces within the City of Beacon (“the City”); and

WHEREAS, the City and Royal Carting previously entered into a Waste Collection Agreement, which was subsequently extended for a renewal term ending on December 31, 2022; and

WHEREAS, The City and Royal Carting wish to further extend the existing agreement.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Beacon City Council hereby authorizes the City Administrator to execute an extension with Royal Carting for Waste Collection, subject to approval by the City Attorney as to form and substance.

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

Resolution No. 91 of 2022			Date: July 5, 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

07/05/2022

Title:

Resolution No. 92 - Adopting a Proposed Local Law to Allow Members of the City Council of the City of Beacon to Participate in Meetings via Videoconference

ATTACHMENTS

[Proposed Local Law to Authorize Videoconference](#)

[Proposed Videoconferencing Policy](#)

[Virtual Meetings Permitted Under the New York State Open Meetings Law - Chart](#)

[Resolution Adopting a Local Law to Allow Members of the City Council of the City of Beacon to Participate in Meetings via Videoconference](#)

CITY COUNCIL
CITY OF BEACON

LOCAL LAW TO ALLOW MEMBERS OF THE CITY COUNCIL OF THE CITY OF
BEACON TO PARTICIPATE IN MEETINGS VIA VIDEOCONFERENCE

A LOCAL LAW to
allow members of City
Council of the City of
Beacon to participate in
meetings via
videoconference.

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

Section 1. Legislative Intent

It is the intent of this Local Law to give members of the City Council the authority to participate in meetings via videoconference in a manner consistent with the authority granted in Public Officers Law § 103-a.

Section 2. Authority

This Local Law is adopted pursuant to Public Officers Law § 103-a which expressly permits the City Council to adopt a local law to authorize the use of videoconferencing for itself. Members of the City Council may participate in meetings via videoconference from locations not accessible to the public so long as a quorum of the City Council participates from locations where the public may be physically present, and all conditions set forth in Public Officers Law § 103-a are met.

Section 3. Videoconferencing for Public Meetings

The City Council of the City of Beacon hereby authorizes members of the City Council to participate in meetings using videoconferencing technology in a manner consistent with Public Officers Law § 103-a.

Section 4. Virtual Meetings Permitted Under Public Officers Law, Article 7 For All
Public Bodies in the City of Beacon

The provisions of this Local Law and Public Officers Law § 103-a do not limit the existing authority set forth in the Public Officers Law which allows all public bodies to virtually connect multiple public locations from which members and the public may attend. Public bodies may continue to hold proper open meetings by videoconference from multiple physical

locations which are identified in the meeting notice, open to the public and connected virtually together by videoconference. The provisions of this Local Law expand further the authority of the City Council to allow its members to participate in a meeting using videoconferencing technology under limited circumstances when the member's location is not open to in-person public attendance.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this 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 6. Effective date.

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

VIDEOCONFERENCING POLICY
GOVERNING CITY COUNCIL MEMBER AND PUBLIC ATTENDANCE
UNDER SECTION 103-a OF THE OPEN MEETINGS LAW

A. Introduction

The City of Beacon recognizes the benefits of allowing members of the City Council to attend meetings using videoconferencing technology. On ____, 2022, the Council of the City of Beacon adopted a local law to authorize the use of videoconferencing for itself. This Videoconferencing Policy shall govern member and public attendance and participation when City Council members choose to attend public meetings via videoconferencing technology under Section 103-a of the Open Meetings Law.

This Videoconferencing Policy shall be posted on the City's website.

B. Virtual Meeting Attendance by Board Members

1. Members of a public body shall be physically present at all meetings of such public body unless such member is unable to be physically present at any such meeting location due to the following extraordinary circumstances:
 - a. Disability;
 - b. Illness;
 - c. Health Concerns;
 - d. Caregiving Responsibilities;
 - e. Business Trips; or
 - f. Other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.
2. The majority of the City Council must conduct the public meeting from a physical location or locations where the public can attend. A physical location is any location identified in the meeting notice that is open to in-person public attendance.
 - a. For example, no less than four members of the City Council must conduct the meeting in the same physical location or locations where the public can attend the meeting. If two City Council members are sick and two City Council members are on vacation, the public meeting must be cancelled because only three City Council members are available to meet in-person (or in any physical location open to the public). All four members cannot participate in the public

meeting using videoconference from a location that is not open to in-person public attendance.

- b. The City Council may conduct a meeting where three members attend the meeting from City Hall, two members attend using videoconference where their physical locations are open to the public and such locations have been identified in the meeting notice, and two members attend using videoconference where their location is not open to the public.
3. Board members wishing to attend a public meeting using videoconferencing technology from a location not open to the public, must advise the Mayor and the City Administrator as early as possible before the scheduled meeting that they are unable to be physically present at the meeting. The public notice for such meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available and identify the physical location or locations for the meeting where the public can attend.
 - a. If a City Council member plans to attend a meeting using videoconferencing technology from a location open to the public, such member must advise the Mayor and the City Administrator at least 72 hours before the meeting to ensure that the City has enough time to post the required public meeting notice. The public notice for such meeting shall inform the public that videoconferencing will be used and shall identify the location for the meeting, and state that the public has the right to attend the meeting at any of the locations.
4. Except in the case of executive sessions conducted pursuant to Public Officers Law § 105, the City Council shall ensure that all members can be heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. Any City Council member attending a public meeting via videoconferencing technology must have their video turned on for the duration of the meeting.
5. During the meeting the Mayor shall announce the name or names of those members participating remotely. This information shall be included in the minutes.
6. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.
7. If videoconferencing technology is used to conduct a meeting from locations not open to the public, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via

videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in-person participation or testimony.

8. If a vote takes place during the meeting, the remote attendee will be entitled to participate in the vote as usual. The remote attendee will be asked directly what their vote is. The Mayor shall conduct a roll call vote of those members attending remotely.
9. Meetings that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines.

C. Exemptions

1. The provisions of this Policy and Public Officers Law § 103-a do not limit the existing authority set forth in the Public Officers Law which allows all public bodies to virtually connect multiple public locations from which members and the public may attend. The City's public bodies may continue to hold proper open meetings by videoconference from multiple physical locations which are identified in the meeting notice, open to the public and connected virtually together by videoconference.
2. The in person participation requirements set forth in this Policy and Public Officers Law § 103-a(2)(c) shall not apply during a state disaster emergency declared by the Governor pursuant to Executive law § 28, or a local state of emergency proclaimed by the Mayor of the City of Beacon pursuant to Executive Law § 24, if the Governor or the Mayor determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

D. Virtual Meeting Etiquette for Board Members

1. Board members that attend a public meeting via videoconferencing must comply with the following rules:
 - a. Be on time.
 - b. Keep your camera on at all times.
 - c. Ensure your technology works correctly.
 - d. Wear appropriate clothing.

- e. Frame the camera correctly.
- f. Have the right light.
- g. Look into the camera.
- h. Pay attention.
- i. Mute yourself when not speaking.
- j. Ensure others are not in the room to cause distractions.
- k. Maintain appropriate backgrounds.
- l. Silence all background noises.
- m. Ensure your displayed participant name is correct.

E. Public Participation via Videoconferencing Technology

1. Questions will be answered in the order they are received. Participants attending a meeting via videoconferencing technology shall be called upon to speak following in-person speakers.
2. Participants must use the “Raise Hand” function to verbally ask a question. To raise one’s hand, click the “Participants” button in the bottom toolbar, then click the “Raise Hand” button at the bottom of the “Participants” dialogue box. Participants who have joined the meeting solely via phone can dial *9 to raise their hand.
3. Virtual meeting participants must wait until authorized to speak by the Mayor. Only virtual speakers with a digital hand raised shall be called upon to speak.
4. Participants shall not type any questions or comments in the chat box. Chats sent privately through a private chat box will show up on the administrator’s downloaded transcript.
5. Participants must mute themselves when not speaking to cut down on background noise.

Adopted on _____

**SUMMARY OF
VIRTUAL MEETINGS PERMITTED
UNDER THE NEW YORK STATE
OPEN MEETINGS LAW**

	Existing Authority under OML Section 104(4) to Use Videoconferencing for Attendance (Not Impacted by Section 103-a)	OML Section 103-a- Videoconferencing by Public Bodies (2022 Amendment)	Amendment to OML Allowing Virtual Meetings Under COVID State Disaster Emergency Set Forth in Executive Order 11
Who can conduct virtual meetings?	All public bodies	Only public bodies authorized by Local Law	All public bodies
Is in-person attendance required by the public?	Yes - required at all locations where a board member is participating from.	Partially – the majority of the board must be in the same physical location or locations. The public can be excluded from the remote locations of a minority of the board.	No
Can a public board member attend via audio?	No - videoconferencing only	No-videoconferencing only. Members of the public body participating virtually must be seen at all times.	Yes- board members can attend a meeting using only audio or video services.
Must the meeting be recorded?	No	Yes	Yes
Does a transcript of the meeting have to be made available to the public?	No	A transcript of the meeting must only be provided upon request.	Yes – meeting must be later transcribed.

If a board member attends a meeting virtually, does the public have to be permitted to attend virtually?	No (The public can attend all physical locations of the meeting included in the public notice. The public does not have to be provided a link to attend the meeting virtually.)	Yes	No
If a board member attends a meeting via videoconference must the location of the virtual board member be included in the meeting notice?	Yes - and public must be invited to attend said location.	No	No
Are extraordinary circumstances required to permit board members to attend a meeting virtually?	No	Yes – Reasons authorizing virtual attendance must be set forth in a written policy adopted by the legislative body	No
Is there a limit to how many members can attend virtually?	No limit	Yes - only a minority of the board may attend virtually from a location not open to the public.	No limit
Is a local law required to allow members of the public body to attend the meeting via videoconferencing?	No	Yes	No
Expiration	No Expiration - Public bodies can continue to utilize the existing provision of the OML (Section 104(4)) regardless of whether the governing body adopts a local law to utilize Section 103-a.	Expires and deemed repealed on July 1, 2024	Expires and deemed repealed upon the expiration or termination of the state disaster emergency declared pursuant to executive order 11 of 2021 or any extension or modification thereof. The state disaster emergency is currently set to expire on May 15, 2022.
Exceptions	No exceptions	1. Through June 8, 2022 , all public bodies can meet without permitting in	No exceptions

		public-in-person access to meetings, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed. 2. The in-person participation requirements of OML § 103-a do not apply during a state disaster emergency or a local state of emergency, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.	
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**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 92 OF 2022

**RESOLUTION ADOPTING A LOCAL LAW TO ALLOW MEMBERS OF THE CITY COUNCIL
OF THE CITY OF BEACON TO PARTICIPATE IN MEETINGS VIA VIDEOCONFERENCE**

BE IT RESOLVED, that the City of Beacon City Council hereby adopts a Local Law which allows members of the City Council of the City of Beacon to participate in meetings via videoconference.

BE IT FURTHER RESOLVED, that the City of Beacon City Council hereby adopts a videoconferencing policy which governs City Councilmember and public attendance under section 103-a of the open meetings law.

Resolution No. 92 of 2022			Date: July 5, 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
07/05/2022

Title:

Resolution No. 93 - Adopting the 2023-2027 Capital Program

ATTACHMENTS

[Draft 2023-2027 Capital Program](#)

[2023-2027 Capital Program Funding Sources](#)

[Resolution Adopting the 2023-2027 Capital Program](#)

CITY OF BEACON

CAPITAL PROGRAM 2023-2027

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
GENERAL FUND					
FIRE DEPARTMENT					
Firehouse renovation at Lewis Tompkins	10,471,630				
ROAD RECONSTRUCTION					
Fishkill & Teller Construction	1,990,800				
Milling & paving various roads	400,000	400,000	400,000	400,000	400,000
CITY BUILDINGS & LOTS					
Mill, Pave & Restripe Van Nydek Parking Lot		45,000			
Mill, Pave & Restripe City Hall Lots			70,000		
HIGHWAY DEPARTMENT					
3-ton Roller - John Deere	42,000				
Dump/Plow/Sander	320,000				
Backhoe - John Deere	150,000				
Asphalt Hot Box - Falcon	54,000				
Dump/Plow/Sander		365,000			
Salt Brine Maker - Advantage		80,000			
Front End Loader - John Deere			260,000		
Dump/Plow/Sander			340,000		
Backhoe - John Deere				180,000	
1-ton Dump with Plow				80,000	
1-ton Dump with Plow				80,000	
Skidsteer					90,000
Street Sweeper					300,000
Dump/Plow/Sander					375,000
Solar Panels on DPW Garage	400,000				

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
PARKS & RECREATION DEPARTMENT					
South Avenue Park Bathroom Engineering	30,000				
Memorial Park Hilltop Pavillion (increase in scope)		50,000			
Riverfront Park Court & Parking Reconstruction		1,500,000			
USC Pool Restoration - Fiberglass			200,000		
Memorial Park Walkway			500,000		
Riverfront Park & Memorial Park Splash Pads				200,000	
Riverfront Park & Memorial Park Playgrounds				400,000	
Recreation Center					5,000,000
POLICE DEPARTMENT					
Crime Scene Truck - F250	88,000				
Patrol Vehicle - Interceptor	69,285				
Street Camera - 223 Main	12,595				
Patrol Vehicle - Interceptor		76,214			
Patrol Vehicle - Interceptor		76,214			
Street Camera - Main St. - 9D		14,502			
Locker Room Improvement		127,360			
Patrol Vehicle - Interceptor			83,074		
Unmarked Vehicle - Mach E			75,324		
Street Camera - Main St. and Tioronda Ave.			19,646		
Street Camera - 285 Main				17,254	
Unmarked Vehicle - Mach E				81,350	
Unmarked Vehicle - Mach E				81,350	
Unmarked Vehicle - Mach E					87,045
Street Camera - Main St. at Mase Hook & Ladder					16,613
Patrol Vehicle - Interceptor					96,000
Subtotal General Fund	14,028,310	2,734,290	1,948,044	1,519,954	6,364,658

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
WATER FUND					
EQUIPMENT					
Jet Truck	300,000				
Vac Truck			540,000		
WATER SUPPLY					
Mt. Beacon Tank Engineering	100,000				
Mt. Beacon Tank Construction		1,300,000			
Melzingah Reservoir Rehabilitation Construction	2,900,000				
Well #1 Investigation		45,000			
WATER PLANT					
High Lift Pump # 4 Engineering		50,000			
High Lift Pump # 4 Construction			230,000		
Subtotal Water Fund	3,300,000	1,395,000	770,000	-	-
SEWER FUND					
SEWER PLANT					
Locker Room Renovation	240,000				
Dewatering System Building Upgrade Engineering	150,000				
Dewatering System Building Upgrade Construction		1,400,000	1,400,000		
Aeration Tanks Repair/Air System Upgrade Engineering		60,500			
Aeration Tanks Repair/Air System Upgrade Construction			1,297,725		
Subtotal Sewer Fund	390,000	1,460,500	2,697,725	-	-
GRAND TOTAL	17,718,310	5,589,790	5,415,769	1,519,954	6,364,658

CITY OF BEACON 2023 CAPITAL PROGRAM FINANCING											
	RED - General Fund			FUNDING SOURCES							
	BLUE - Water Fund	TOTAL	GENERAL	GENERAL	WATER	WATER	SEWER	SEWER	GRANT	REC	TOTAL
	GREEN- Sewer Fund	COST	FUND BALANCE	FUND DEBT	FUND BALANCE	FUND DEBT	FUND BALANCE	FUND DEBT	SOURCES	TRUST	COST
GENERAL FUND											
FIRE DEPARTMENT											
	Firehouse renovation at Lewis Tompkins	10,471,630		10,471,630							10,471,630
ROAD RECONSTRUCTION											
	Fishkill & Teller Construction	1,990,800							1,990,800		1,990,800
	Milling & paving various roads	400,000							400,000		400,000
HIGHWAY DEPARTMENT											
	3-ton Roller - John Deere	42,000	42,000								42,000
	Dump/Plow/Sander	320,000	320,000								320,000
	Backhoe - John Deere	150,000	150,000								150,000
	Asphalt Hot Box - Falcon	54,000	54,000								54,000
	Solar Panels on DPW Garage	400,000	275,000						125,000		400,000
PARKS & RECREATION DEPARTMENT											
	South Avenue Park Bathroom Engineering	30,000								30,000	30,000
POLICE DEPARTMENT											
	Crime Scene Truck - F250	88,000	88,000								88,000
	Patrol Vehicle - Interceptor	69,285	69,285								69,285
	Street Camera - 223 Main	12,595	12,595								12,595
Subtotal General Fund		14,028,310	1,010,880	10,471,630	-	-	-	-	2,515,800	30,000	4,317,174
WATER FUND											
	Jet Truck	300,000			300,000						300,000
	Mt. Beacon Tank Engineering	100,000			100,000						100,000
	Melzingah Reservoir Rehabilitation Construction	2,900,000				2,900,000					2,900,000
Subtotal Water Fund		3,300,000	-	-	400,000	2,900,000	-	-	-	-	3,300,000
SEWER FUND											
	Locker Room Renovation	240,000					240,000				240,000
	Dewatering System Building Upgrade Engineering	150,000					150,000				150,000
Subtotal Sewer Fund		390,000	-	-	-	-	390,000	-	-	-	390,000
GRAND TOTAL		17,718,310	1,010,880	10,471,630	400,000	2,900,000	390,000	-	2,515,800	30,000	17,718,310



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 93 OF 2022

RESOLUTION ADOPTING THE 2023-2027 CAPITAL PROGRAM

WHEREAS, the Charter for the City of Beacon requires the Mayor to submit to the City Council a five-year capital program by May 31 of each year and that the City Council to adopt a capital program via resolution on or before July 31 of each year.

BE IT RESOLVED, that the City of Beacon City Council hereby adopts the 2023-2027 Capital Program.

BE IT FURTHER RESOLVED, that the City of Beacon City Council hereby adopts the proposed 2023-2027 Capital Program Funding Sources.

Resolution No. 93 of 2022			Date: July 5, 2022				
☐ 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

07/05/2022

Title:

Resolution No. 94 - Adopting a Proposed Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs

ATTACHMENTS

[Proposed Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs](#)

[Resolution Adopting a Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs](#)

CITY COUNCIL
CITY OF BEACON

LOCAL LAW TO AMEND CHAPTER 211 OF THE CODE OF THE CITY
OF BEACON

A LOCAL LAW to amend Chapter 211 of the Code of the City of Beacon concerning stop signs, school zones, and prohibited parking signs.

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 Maple Street, Kent Street, and Bank Street 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>Bank Street</u>	<u>Northeast</u>	<u>Tompkins Avenue</u>
<u>Kent Street</u>	<u>Northwest</u>	<u>Cannon Street</u>
<u>Maple Street</u>	<u>Northwest</u>	<u>Cannon Street</u>

Section 2. Chapter 211, Article II, Section 6, Subsection B of the Code of the City of Beacon is hereby amended to extend existing school speed limit restrictions on Liberty Street and Leonard Street as follows:

Name of Street	Speed Limit (mph)	Location
<u>Liberty Street</u>	<u>15</u>	<u>From Masters Place to the last entrance of J.V. Forrestal School, both directions</u>
<u>Leonard Street</u>	<u>15</u>	<u>From Grove Street to Amity Street, both directions</u>

Section 3. Chapter 211, Article III, Section 14.1, Subsection B of the Code of the City of Beacon is hereby amended to limit parking on Cross Street and West Church Street as follows:

§ 211-14.1. Parking, stopping or standing at intersections.

...

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

Name of Street	Side	Location
<u>Cross Street</u>	<u>West</u>	<u>To a point 65 feet in both directions from the intersection of West Church Street</u>
<u>West Church Street</u>	<u>Both</u>	<u>To a point 50 feet from the intersection of Cross Street</u>

Section 4. Chapter 211, Article III, Section 15, Subsection B of the Code of the City of Beacon is hereby amended to further prohibit parking on East Main Street as follows:

§ 211-15. Parking, stopping and standing prohibited at all times.

...

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection A, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
<u>East Main Street</u>	<u>South</u>	<u>From William Street to Pocket Road</u>

Section 5. 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 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.

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 8. 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. 94 OF 2022

**RESOLUTION ADOPTING A LOCAL LAW TO AMEND CHAPTER 211 OF THE CODE OF
THE CITY OF BEACON CONCERNING STOP SIGNS, SCHOOL ZONES, AND PROHIBITED
PARKING SIGNS**

BE IT RESOLVED, that the City of Beacon City Council hereby adopts a Local Law to amend Chapter 211 of the Code of the City of Beacon concerning stop signs, school zones, and prohibited parking signs.

Resolution No. 94 of 2022			Date: July 5, 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

07/05/2022

Title:

Resolution No. 95 - Adopting a Proposed Local Law to Amend to Amend Chapter 219, Article IV, Article VII, Article VIII, and Article X of the Code of the City of Beacon, Concerning Water Services

ATTACHMENTS

Draft Local Law Amending Chapter 219, Article IV, Article VII, Article VIII, and Article X of the Code of the City of Beacon, Concerning Water Services

Resolution Adopting a Local Law to Amend to Amend Chapter 219, Article IV, Article VII, Article VIII, and Article X of the Code of the City of Beacon, Concerning Water Services

LOCAL LAW NO. ____ OF 2022

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO AMEND CHAPTER 219,
ARTICLE IV, ARTICLE VII, ARTICLE VIII AND ARTICLE X
OF THE CODE OF THE
CITY OF BEACON**

A LOCAL LAW to amend Chapter 219 Article IV, Article VII, Article VIII and Article X of Code of the City of Beacon, concerning water services.

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

Section 1. Findings and Purpose

The City of Beacon is in the process of replacing water meters in the City to ensure that the water use is accurately metered through the utilization of a new, upgraded Advanced Metering Network, which uses a Cloud-based system that communicates regularly and allows for instant readings, generates reports for stopped meters, backwards meters, high usage, no usage and leak detection, and provides customer portals to allow residents to track their water usage. The City will need to enter private property to replace the water meters with the new smart meters. In the event property owners fail to grant the City access to their properties to install the upgraded water meters, the City Council finds that it is necessary to impose a monetary assessment for any property whose owner has refused to allow the City access to install the new water meters. The purpose of this Local Law is to amend the provisions of Chapter 219 of the Code of the City of Beacon to strengthen the City's regulations and penalties concerning water meters and the maintenance, repair, replacement and upgrades thereto.

Section 2. Chapter 219, Article IV of the Code of the City of Beacon entitled "Meters" is hereby amended as follows.

Article IV Meters

§ 219-15 Supply and installation of meters.

A. The City will supply meters at the expense of the builder/owner of each property ~~according to the rate schedule~~ as set forth in the City of Beacon fee schedule. The City reserves the right to require that a separate meter be installed for each residential unit, including separate dwelling units in mobile home parks and multiple dwellings.

B. There will be an initial meter charge equal to the cost of the meter to the City. All meters shall remain the property of the City of Beacon.

~~B.C.~~ Where the City, its contractors, agents or employees require any water meter be

inspected, changed, modified, upgraded or otherwise altered and the City provides notice to the property owner that access is required to read, inspect, alter, modify, maintain, upgrade or replace the water meter, and the property owner fails to provide access within the timeframe set forth in the notice, a surcharge of \$250 shall be assessed on each and every water bill for any quarter in which access is not provided to the City. Within thirty (30) days after access has been provided and the City has completed its required work, upon written request from the property owner, the Director of Finance, in consultation with the City Administrator may waive or reduce the surcharge for good cause shown. The property owner shall remain subject to all other remedies and enforcement penalties provided under this chapter and other applicable laws.

~~C.D.~~ Any property owner or owners who has/have not allowed the installation of radio-read water meters as of the date of passage of this subsection shall be surcharged a penalty of 25% \$250 on each and every water bill until such time as the radio-read water meter has actually been installed. This penalty can be appealed for a due process hearing pursuant to Chapter 34.

~~D.E.~~ The property owner or consumer shall be responsible for the maintenance, repair and replacement of all water meters. The property owner or consumer shall notify the City within five business days of discovering any defect with or removal of the water meter that the owner knows of or should have known of. Failure to notify the City of an issue with the meter that the property owner or consumer is aware of or should have been aware of within five business days shall constitute a violation, punishable pursuant to § 219-40 of this chapter. The City reserves the right to inspect water meters.

~~E.F.~~ In any instance where a meter has been altered, tampered, or removed without authorization from the City, and such removal prevents the City from calculating water usage, the next water bill property owner shall be charged at twice the amount of the highest water bill issued within the last two years. Such amount shall be reflected on the water bill.

~~F.G.~~ In addition to any other fees, costs or penalties mentioned in this chapter, Any unauthorized bypass of a water meter or unauthorized modification to the service pipe, meter, or meter appurtenances that results in the water meter's failure to register water usage shall constitute a violation, punishable pursuant § 219-40.

§ 219-16 Pipes to be in proper condition prior to meter installation.

- A. In the event that the pipes of the property owner are not in proper condition for the installation, repair, or replacement of a meter, the property owner shall cause said pipes at the point at which said meter is to be installed or repaired to be put in proper condition prior to the installation, repair, or replacement of said meter at the owner's expense.
- B. If, due to acts, omissions or negligence on the part of the owner, its representatives, agents, contractors or employees, the meter becomes inoperable, the owner will be charged the value of the water lost by reason thereof, as estimated by the City, together with the cost of repair of said meter, and any additional sum set forth in this chapter, shall be paid prior to the installation of a new meter. ~~for the cost of the meter, unless it is determined that the meter is defective.~~

§ 219-17 Meters in building having unrelated occupancy.

Each building or parts thereof having unrelated occupancy or separate or distinct use shall, at the option of the owner, have a separate meter, but said meter shall be secured from the City and paid for by the owner, together with the cost of installation thereof. Said meter shall be installed under the direction and to the satisfaction of the City.

§ 219-18 Failure of meter to register.

- A. If a meter is out of order and fails to register due to no fault or intent of the owner or consumer, the property owner or consumer will be charged at the average consumption as shown by the meter when ~~in~~ the meter was last in working order. If, after 45 days of written notice from the City, the water meter remains out of order due to the property owner or consumer failing to provide access or cooperating with the City in performing the repair and the water meter continues to fail to register, the property owner or consumer will be surcharged a penalty of ~~25%~~ \$250 on each and every water bill until the meter is repaired and the property owner grants the City access to inspect the water meter or the City obtains a valid search warrant to be issued by a judge pursuant to § 219-35.
- B. If a property owner or consumer challenges the accuracy of the water meter, the property owner or consumer shall remove the water meter, have a temporary water meter installed at their expense and provide said water meter to the City. The City shall test the water meter to certify the accuracy of the water meter. If the water meter is found to be defective, the City shall pay the costs associated with certification. If the water meter is not defective, the property owner or consumer shall pay the costs associated with certification and ~~replacement~~ re-installation of the water meter. If a meter is defective and fails to register correctly, the consumer will be charged the average daily consumption as shown by the meter when the meter was last in working order.

§ 219-19 Tampering with meter and meter seal.

No seal placed by the Water Department for the protection of any meter, valve or other water connection shall be tampered with or defaced. Tampering with or breaking the seal of any meter, valve or other connection shall be a violation of this chapter subject to the penalties set forth in § 219-40. Tampering with any meter in any way so as to alter its reading and/or accuracy or the damaging of any meter seal may result in the Water Department estimating water bills for water services, and/or criminal prosecution of the customer. In addition, any person violating this section shall be required to reimburse the Water Department for any and all damages sustained to the meter or meter accessories or the valves and fitting connected thereto. If the seal is broken, the Water Department reserves the right to remove and test the meter at the customer's expense.

Section 3. Chapter 219, Article VII of the Code of the City of Beacon entitled “Discontinuance of Service” is hereby amended as follows:

Article VII Discontinuance of Service

~~§ 219-25 Notice of discontinuance.~~

- ~~A. Notice, in writing, delivered to the office of the City at least 10 days prior to the termination of service date, shall be required in all cases of application for discontinuance of water service; otherwise, the property owner or consumer shall be liable for the minimum charge for the following 1/2 year.~~

~~§ 219-26 Closed or vacant buildings.~~

~~In case a building is to be closed or become vacant, the meter in the notice thereof shall be given the City in order that the meter may be read and the curb box closed. The meter shall be removed and stored by the City. Where such notice is not given and pipes burst from freezing or other cause, or where the meter is damaged or destroyed by any act of commission or omission of the owner, the value of the water lost by reason thereof, as estimated by the City, together with the cost of repair of said meter and pipes, the deposit specified in § 219-15B and any additional sum set forth in the schedule of rates established pursuant to § 219-29, shall be paid prior to the installation of a new meter in said building.~~

§ 219-27 Discontinuance for noncompliance.

- A. The City may discontinue water service and shut off the supply from any premises of which the owner or occupant has failed to comply with the provisions of this chapter ~~relating to the character or construction and maintenance of pipes and connections and the use of water.~~ Such service will not be resumed until the cause for such discontinuance is removed and the expense of shutting off and the turning on of the water, if any, is paid to the City.
- B. The Water Department shall notify the owner or consumer, in writing, of the date said service will be terminated. Such notice may be served personally or by leaving the same at the premises supplied or by mail to such party at the last address known to the Water Department. In no event will termination take place within 15 days of notification.
- C. The termination notice shall advise the owner or consumer of the following:
- (1) The grounds for termination;
 - (2) What is required to avoid termination;
 - (3) The date of the pending service termination;
 - (4) The amount of the delinquency, including penalties that are or will be due on the termination date;
 - (5) The method by which payment will be accepted;

- (6) The date and time by which payment must be received; and
- (7) If a notice of violation was issued, the termination notice should make reference to that document, incorporate its allegations, and allege that the violation or conduct in question has continued beyond the curative period.

~~§ 219-28 Interference with curb box prohibited.~~

~~No person shall close or interfere with any curb box except under supervision by the City, nor shall it be turned on without the permission of the City.~~

Section 4. Chapter 219, Article VIII of the Code of the City of Beacon entitled “Schedule of Rates” is hereby amended as follows:

Article VIII Schedule of Rates

§ 219-29 Establishment of schedule.

- A. The ~~City Administrator~~Superintendent of Water, subject to the approval of the City Council, shall establish, and may amend from time to time by resolution, a schedule of rates, including the following rents and charges:
 - (1) The minimum water rents and schedule of water rents.
 - (2) Service charges, such as for discontinuance of service, restoration of service, special meter readings and meter test.
 - (3) Meter installation charge, in addition to the deposit specified in § 219-15B.
 - (4) A penalty of ~~\$25%~~250 on each and every water bill on property without radio-read water meters until such time as the radio-read water meters are actually installed pursuant to § 219-15C.
- B. The City Clerk shall assess any unpaid water billings, including interest and penalties, on the property owner's or consumer's upcoming tax bill as a lien against any City property owned by the property owner or consumer. The City Clerk shall then accept payment of unpaid water billings in quarterly increments.

Section 5. Chapter 219, Article X of the Code of the City of Beacon entitled “City Rights and Liabilities; Penalties” is hereby amended as follows:

Article X City Rights and Liabilities; Penalties

§ 219-35 Right of entry.

In order to determine compliance with these rules and regulations, the Superintendent of Water and/or the City Building Inspector, and/or any other official appointed by the City Council to enforce these rules and regulations (hereinafter “enforcement officer”) ~~The City or its authorized agents~~ shall have full power to enter the premises of any property at all reasonable hours to install a meter, read a meter and examine the fixtures, plumbing and manner of using water. If the occupant is not present or refuses to grant the City access to the water meter, the City shall assess a surcharge penalty to the property owner for the failure to provide access as set forth in § 219-15.C. ~~If the occupant is not present or refuses admission, the City of Beacon shall obtain a valid search warrant to be issued by a judge.~~

§ 219-36 Right to limit or shut off water.

The City reserves the right to limit the amount of water furnished to any property should circumstances seem to warrant such action pursuant to Chapter 24 Drought Emergency Plan, although no limit may be stated in the application or permit for use; or said City may entirely shut off the water supply used for any manufacturing purposes, or for furnishing power, or for lawn sprinkling, car washing, outside use or as otherwise adopted by regulation of the ~~Mayor and~~ City Council at any time, by giving reasonable notice of such intended action; or in the case of making or constructing new work or in making repairs or in any emergency, the right is reserved to shut off the water from any property without notice for as long a period as may be necessary.

§ 219-37 Liability for damage or loss.

The City shall not be liable for any damage or loss of any nature or kind to property or persons which may arise from or be caused by any change, diminution in or increase of the water pressure from any cause, except in cases of gross negligence by the City of Beacon which result in the lack of a reasonable standard of water pressure.

§ 219-38 General reservation of rights.

The right is reserved to amend this chapter and make contracts in all proper cases, or to turn off the water supply without notice in case of extensions, repairs or other necessity, without liability for damages for lack of water or for any damage which may result from the turning off of the water supply.

§ 219-39 Shut off of water for violations.

Whenever one or more of the provisions of this chapter is/are violated, the water supply may, in the discretion of the City, be shut off and the meter removed pursuant to § 219-27.

§ 219-40 Penalties for offenses.

Any person committing an offense against any provision of this chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$250 or by imprisonment for a term not exceeding 15 days, or both such fine and imprisonment. The continuation of an offense shall constitute, for each day the offense is continued, a separate and distinct violation.

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 upon filing with the Office of the Secretary of State.



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 95 OF 2022

**RESOLUTION ADOPTING A LOCAL LAW TO AMEND CHAPTER 219, ARTICLE IV,
ARTICLE VII, ARTICLE VIII, AND ARTICLE X OF THE CODE OF THE CITY OF BEACON,
CONCERNING WATER SERVICES**

BE IT RESOLVED, that the City of Beacon City Council hereby adopts a Local Law to Amend Chapter 219, Article IV, Article VII, Article VIII, and Article X of the Code of the City of Beacon, Concerning Water Services.

Resolution No. 95 of 2022			Date: July 5, 2022				
☐ 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
07/05/2022

Title:

Approval of Minutes - June 21, 2022

ATTACHMENTS

[June 21, 2022 Minutes](#)



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

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

**June 21, 2022
7:00 PM
City Council
Minutes**

Regular Meeting

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

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

Councilmembers Present

Mayor Lee Kyriacou

Councilmember 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 Gamils, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

[Notice of Fourth of July Community Event](#)

Public Comment

[Notice of Meeting Location - June 21, 2022](#)

Public Hearings

[Public Hearing for a Proposed Local Law to Allow Members of the City Council of the City of Beacon to Participate in Meetings via Videoconferencing](#)

Motion to close the public hearing by Councilmember Rhodes.

Second by Councilmember Longno.

Motion passes 7 – 0.

[Public Hearing for a Draft Local Law to Amend Chapter 219, Article IV, Article VII, Article VIII, and Article X of the Code of the City of Beacon, Concerning Water Services](#)

Motion to close the public hearing by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 – 0.

[Public Hearing for the Draft 2023-2027 Capital Program](#)

Motion to keep the public hearing open to reconvene on July 5, 2022 by Councilmember Wake.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

Reports: Mayor, City Council, and City Administrator

1. [Proclamation of June 19, 2022 as Juneteenth](#)

Local Laws and Resolutions

1. [Resolution No. 80 - Appointing Nicholas Anzovino to the Position of Police Officer](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Longno.

Motion passes 5 – 1 – 1. Councilmember Wake abstained. Councilmember McCray voted no.

2. [Resolution No. 81 - Appointing Jonathan Underwood to the Position of Police Officer](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 5 – 1 – 1. Councilmember Wake abstained. Councilmember McCray voted no.

3. [Resolution No. 82 - Awarding Community Investment Program Funding](#)

Motion to pass the resolution by Councilmember Wake.

Second by Councilmember McCray.

Motion passes 7 – 0.

4. [Resolution No. 83 - Authorizing the City Administrator to Execute an Agreement with Timothy Dexter for Consultant Services for the Tompkins Hose Fire Station Renovation Project](#)

Motion to table the resolution by Councilmember Aymar-Blair.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

5. [Resolution No. 84 - Authorizing the City Administrator to Execute an Agreement with WSP USA for Construction Inspection Services for the Mount Beacon and Pocket Dam Rehabilitation Project](#)

Motion to pass the resolution by Councilmember Wake.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

6. [Resolution No. 85 - Approving Amendments to the 2022 City of Beacon Operating Budget](#)

Motion to pass the resolution by Councilmember Longno.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

7. [Resolution No. 86 - Setting a Public Hearing for a Draft Local Law to Amend Chapter 211 of the Code of the City of Beacon Concerning Stop Signs, School Zones, and Prohibited Parking Signs](#)

Motion to pass the resolution by Councilmember Aymar-Blair.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

8. [Resolution No. 87 - Supporting the New York State Climate Action Committee and the Climate Action Committee's Draft Scoping Plan](#)

Motion to pass the resolution by Councilmember McCray.

Second by Councilmember Longno.

Motion passes 7 – 0.

Approval of Minutes

1. [Approval of Minutes - June 6, 2022](#)

Motion to approve the minutes by Councilmember Wake.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

2nd Opportunity for Public Comments

Executive Session

Motion to go into executive session and to adjourn therefrom with no further business by

Councilmember McCray.

Second by Councilmember Longno.

Motion passes 7 – 0.

[Executive Session](#)

Adjournment

City of Beacon City Council Agenda
07/05/2022

Title:

Executive Session

ATTACHMENTS