



CITY OF BEACON, NEW YORK
VIRTUAL MEETING

Mayor Lee Kyriacou
Councilmember Amber J. Grant, At Large
Councilmember George Mansfield, At Large
Councilmember Terry Nelson, Ward 1
Councilmember Air Rhodes, Ward 2
Councilmember Jodi M. McCredo, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**February 22, 2021
7:00 PM
City Council Agenda**

Roll Call

Workshop Items

1. Notice of Change in Public Meeting Location February 22, 2021
2. Proposed Special Use Permit at 416 - 420 Main Street
3. Flea Market License Agreement
4. Fire Department Lieutenant Promotions
5. 2020 Fire Department Service Certification
6. Main Street Access Advisory Committee Recommendations
7. Proposed Local Law to Create Chapter 223, Section 25.1 of the Code of the City of Beacon Regarding Viewsheds
8. Home Rule Legislation Regarding the Sale of Excess Sewage Capacity to Private Corporation Outside the City
9. Social Media and City Website Policy

Executive Session Items:

1. Personnel

City of Beacon City Council Agenda
02/22/2021

Title:

Notice of Change in Public Meeting Location February 22, 2021

ATTACHMENTS

[Notice of Change in Public Meeting Location February 22, 2021](#)



NOTICE OF CHANGE IN PUBLIC MEETING LOCATION

PLEASE TAKE NOTICE, that effective immediately and based upon notices and health advisories issued by Federal, State and Local officials related to the COVID-19 virus, the City Council will not hold in-person meetings. Until further notice, all future City Council meetings (including public hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law. Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the City Council members will be situated. The public, however, will be able to fully observe the videoconference meeting at

<https://us02web.zoom.us/j/83266710862?pwd=UWs5QlpTY0xPbVlmT0NDcHJCZGswZz09>

Webinar ID: 832 6671 0862 Passcode: 982454. To the extent internet access is not available, the public can attend via telephone by dialing + 1 929 205 6099 and entering Webinar ID: 832 6671 0862 Passcode: 982454. The City Council's agenda is available online in advance of meetings at <http://www.cityofbeacon.org/index.php/agendas-minutes/>.

PLEASE TAKE FURTHER NOTICE, that any Executive Session of the Council will be initiated with the Council first convening on the public videoconferencing site, and then adopting a motion to go into Executive Session.

PLEASE TAKE FURTHER NOTICE, that the City Council Workshop of Monday, February 22, 2021 at 7:00pm can be accessed live at <https://www.youtube.com/channel/UCvPpigGwZDeR7WYmw-SuDxg>

City of Beacon City Council Agenda
02/22/2021

Title:

Proposed Special Use Permit at 416 - 420 Main Street

ATTACHMENTS

[Resolution Granting a Special Use Permit for 416-420 Main Street](#)

[416-420 Main Street Special Use Permit Supplemental Submission](#)

**CITY OF BEACON
CITY COUNCIL**

Resolution No. _____ of 2021

RESOLUTION

**GRANTING A SPECIAL PERMIT FOR
416-420 MAIN STREET**

PARCEL ID NOS: 6054-29-056780 & 6054-29-056774

WHEREAS, 416 Main Street Beacon, LLC & 420 Main Street, LLC (the “Applicant”) submitted an application for a Special Permit to construct a fourth story on an 11,715 square foot mixed-use building fronting on Main Street, comprised of a 4,295 square foot ground-floor retail space, as well as 6,220 square feet of commercial office space on the second and third floors and 1,200 square feet of residential space containing one (1) apartment unit on the stepped back fourth floor (the “Proposed Action”) on property located at 416-420 Main Street, on parcels known and designated on the tax map as 6054-29-056780 and 6054-29-056774 (the “Property”); and

WHEREAS, the proposed 11,715 square foot mixed-use building is proposed for the area of the Property located in the Central Main Street (CMS) District and the Historic District and Landmark Overlay Zone (HDLO); and

WHEREAS, the Applicant submitted the Special Permit application in connection with its application to the Planning Board for Subdivision approval (to remove the existing lot line and merge the two lots), Site Plan approval, and Certificate of Appropriateness approval to construct the proposed 11,715 square foot mixed-use building, as well as a 1,440 square foot artist live-work space in the rear of the Property fronting on South Street and located in the Transition~~al~~ District and HDLO Zone; and

WHEREAS, any proposed fourth story on a CMS parcel in the HDLO Zone ~~shall~~ requires a ~~special-Special~~ Permit from the City Council pursuant to the City of Beacon Code § 223-41.18.E(7); and

WHEREAS, the Site Plan is shown on drawings, entitled “~~Special Use Permit Application Sheet 1 of 1- Site Plan- Green Space Diagram, Site Plan Application 416-420 Main Street,~~” prepared by Aryeh Siegel, Architect, dated September 9, 2020, and last revised ~~January 28, 2021~~ January 6, 2021; and

WHEREAS, the Proposed Action is an Unlisted Action, pursuant to the New York State Environmental Quality Review Act; and

WHEREAS, on August 11, 2020, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts associated with the Proposed Action and continued the hearing to September 9, 2020, and October 14, 2020, at which time the (SEQRA) public hearing was closed; and

WHEREAS, after taking a “hard look” at each of the relevant areas of environmental concern through review of the Environmental Assessment Form and all associated materials prepared in connection with the Proposed Action, the Planning Board adopted a Negative Declaration on October 14, 2020; and

WHEREAS, the Planning Board issued a report to the City Council dated October 15, 2020, in support of the Special Permit; and

WHEREAS, on December 21, 2020, the City Council opened a public hearing on the Special Permit application, at which time all interested persons were given the opportunity to be heard, and

WHEREAS, the City Council continued the public hearing to January 19, 2021, at which time the public hearing was closed; and

WHEREAS, due to public health and safety concerns related to the current COVID-19 pandemic, the December 21, 2020 and January 19, 2021 public hearings were held via videoconference in accordance with the requirements of the Governor’s Executive Orders which suspend the “in-person” requirements of the NYS Open Meetings Law and provide alternative means by which to conduct public hearings; and

WHEREAS, the Proposed Action originally included 1,046 square feet of central public green space pursuant to the Site Plan Drawings, dated June 24, 2020; in response to comments from the City Council, the Applicant has revised the Proposed Action to include a central public green space area of approximately 2, 880 square feet pursuant to the Site Plan Drawings, last revised January 28, 2021; and

WHEREAS, the City Council has reviewed the application for a Special Permit against the standards set forth in the City of Beacon Code §§ 223-18.B and 223-41.18.E(7) and the design standards set forth in the City of Beacon Code § 134-7, and finds that the proposal complies with these sections of the City of Beacon Code, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby makes the following findings pursuant to the City of Beacon Code §§ 223-18.B, 223-41.18.E(7) and 134-7:

- The location and size of the mixed-use building, the nature, hours and intensity of the retail, business office, and residential uses involved in or conducted in connection with the proposed building, the size of the site in relation to the structure and the location of the site with respect to streets giving access to it are such that it will not

conflict with the appropriate and orderly development of the site and the existing permitted uses on adjacent blocks.

- The location, nature, and height of the building and the nature and extent of the landscaping on the site are such that the use will not conflict with the existing permitted uses on adjacent blocks and will not hinder or discourage the appropriate development use of adjacent land and buildings. The height of the proposed building is approximately the same height as the neighboring building to the east.
- Operations in connection with the fourth story special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or any other characteristic than the operations connected to a three-story building, not requiring a special permit.
- The Applicant will provide two (2) or three (3) off-street parking spaces ~~required for the residential component of the Proposed Action~~. The Applicant will request a waiver from the Planning Board of the remaining off-street parking requirements ~~for commercial uses~~. Twenty (20) parking spaces are required for the proposed commercial uses. There are public parking lots and on-street parking available within 800 feet of the property. The project proposes the removal of a curb cut and reconfiguration of parking along Schenck Avenue that will add two (2) additional on-street public parking off-street parking spaces will be properly located along the east side of the roadway.
The proposed uses will not cause unreasonable traffic congestion or create a traffic hazard.
- The building will be accessible for emergency services and appropriately located for water, sewer, and other infrastructure requirements.
- The use complies with other applicable regulations in the City Code and will be compatible with the recommendations in the City's Comprehensive Plan. The CMS District is designed to increase the vitality, attractiveness, and marketability of Main Street. The proposed mixed-use building will create retail, business office, and residential opportunities.
- The Proposed Action has been designed to be consistent with the character of the surrounding neighborhood, including the Beacon Hotel and the properties located in the HDLO. The Proposed Action will not have an adverse impact on aesthetic resources. The new building will be compatible with the historic character of adjacent buildings.
- The proposed mixed-use building is designed to ensure there are no substantial detrimental effects from shadows, parking, or traffic.

- The Applicant is providing a central public green space of ~~4,234~~approximately 2,880 square feet on the Property. The central public green space is designed to serve residents of and visitors to the City of Beacon. The central public green space includes a lawn area planted with eco-grass, trash and recycling receptacles for public use, sculpture seating, trees, and two access points along Schenck Avenue. The central public green space may include art installations including sculptures.
- The office space on the second and third floors is needed in the City of Beacon and will provide a specific public benefit ~~requirement~~.

BE IT FURTHER RESOLVED, that the City Council urges the Planning Board to be mindful of the value of the layout of the buildings and the central public green space shown on the site plan drawings, entitled “Site Plan Application-416-420 Main Street,” prepared by Aryeh Siegel, Architect, dated April 28, 2020, and last revised ~~January 6, 2021~~; the layout allows the Applicant to provide additional central public green space, and minimizes the amount of impervious coverage on the site. Any change to the layout shall require City Council approval.

BE IT FURTHER RESOLVED, that the City Council hereby grants a Special Permit to 416 Main Street Beacon, LLC & 420 Main Street, LLC to construct a stepped back fourth story on an 11,715 square foot mixed-use building fronting on Main Street, on property located at 416-420 Main Street in the Central Main Street District and District District and Landmark Overlay Zone as set forth and detailed on drawings, entitled “Site Plan Application-416-420 Main Street,” prepared by Aryeh Siegel, Architect, dated April 28, 2020, and last revised January 6, 2021, upon the following conditions:

1. Prior to the issuance of a Building Permit, the Applicant shall obtain Final Site Plan Approval, Subdivision approval, and Certificate of Appropriateness approval from the City of Beacon Planning Board.
2. No permits shall be issued until the Applicant has paid to the City all applicable fees and professional review fees incurred in connection with the review of this Application.
3. A copy of this Resolution shall be attached to the Certificate of Occupancy.
4. As used herein, the term “Applicant” shall include its heirs, successors, and assigns.
5. In accordance with the City of Beacon Code § 223-18.F(1), this Special Permit Approval authorizes only the particular use specified in the permit and shall expire if:
 - a. A bona fide application for a Building Permit is not filed within one (1) year of the issuances of this Special Permit Approval; or

- b. If all required improvements are not made within two (2) years from the date of issuance of the Building Permit; or
 - c. If said use ceases for more than six (6) months for any reason.
6. ~~Any change to the layout or reduction in size of the public green space area, shall require approval from the City Council; if such approval is not obtained, the Special Permit shall be deemed void. The Planning Board may adopt design modifications to the central public green space area without triggering City Council review so long as such design modifications do not decrease the central public green space area by more than 10%. Any reduction in size of the central public green space area by more than 10% shall require approval from the City Council; if such approval is not obtained, the Special Permit shall be deemed void. The Applicant shall also obtain approval from the City Council if the Planning Board adopts any rule or condition effecting the public green space areas; if such approval is not obtained, the Special Permit shall be deemed void.~~
 7. Any change to the square footage or location of the fourth story shall require approval from the City Council; if such approval is not obtained, the Special Permit shall be deemed void.
 8. Any change to ~~the commercial office use or~~ the proposed building, ~~either at the time the application is reviewed by the Planning Board or at any time in the future by any entity or individual post approval, to which~~ reduces or eliminates ~~in anyway~~ the proposed commercial office ~~space-use~~ on the second and third floors shall require approval from the City Council; if such approval is not obtained, the Special Permit shall be deemed void.
 9. Any proposed revision to this Special Permit approval shall be submitted to the City Council. In its discretion, the City Council shall determine the appropriate procedures for consideration of the proposed revision, and whether such revision is material enough to require further environmental analysis, further project review and/or a public hearing, as it may deem appropriate.
 10. The central public green space consisting of approximately 2,880 square feet shall be primarily used ~~only~~ for public purposes. ~~No portion of the green space shall be used exclusively by the tenants.~~
 - ~~10.11. No portion of the central public green space shall be used exclusively by any building tenant.~~
 - ~~11.12. The Applicant shall install signs to indicate the location of the public park. The Planning Board shall review and consider what signs are necessary to ensure the public is aware of its ability to use the central public green space. The signs shall be installed on Main Street and Schenck Avenue. At least one sign shall be~~

~~installed on the proposed building facing Main Street.~~ The Planning Board shall approve the final location, size and design of the signs.

~~12. The City's use of the public space shall not be limited by any building tenant.~~

13. ~~The Applicant or The City in its tenants sole discretion shall determine the hours and use of the public park central public green space and may adopt any other regulations for the public green space it deems appropriate.~~

14. The Applicant shall be responsible for maintaining the public green space. Such space shall at all times be kept free and clear of garbage, litter, refuse, rubbish and debris. It shall be the Applicant's responsibility to keep the public green space in a well maintained and sanitary appearance and condition. The Applicant shall be responsible to remove any attractive nuisances from the public green space, including, but not limited to, abandoned, broken or neglected structures or equipment, and shall eliminate any unsightly condition resulting from overgrown grass or vegetation.

15. The Applicant shall defend, indemnify and save harmless the City of Beacon, its elected officials, officers, agents, attorneys and employees from and against any claim of loss, liability or damage by any person which the City may incur in connection with the public park space.

16. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.

17. The approvals granted by this resolution do not supersede the authority of any other entity.

18. The Building Inspector may revoke this Special Permit approval where it is found that the use of the premises does not conform to the limitations and conditions contained in the Special Permit approval.

BE IT FURTHER RESOLVED, the City Council shall require the Applicant to post a weatherproofed copy of the site plan and architectural renderings of the project on a sign to be maintained at the property from the time of commencement of construction until substantial completion of the structure.



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February 4, 2021

VIA E-MAIL

Hon. Mayor Lee Kyriacou
And Members of the City Council
City of Beacon
1 Municipal Plaza
Beacon, New York 12508

Re: Special Use Permit Application – Supplemental Submission – Green Space Plan
Office, Commercial, Residential & Green Space Mixed-Use Development
Premises: 416-420 Main Street, Beacon, New York
Tax Parcel IDs: (6054-29-056780 & 6054-29-056774)

Dear Mayor Kyriacou and Members of the City Council:

On behalf of 416 Main Street Beacon, LLC and 420 Main Street, LLC, D/B/A 420 Main St. Beacon, LLC (collectively, the “Applicant”), the owners of the above-referenced Premises, we respectfully submit this letter and the referenced Green Space Diagram in furtherance of the pending Application for a Special Use Permit (the “SUP Application”).

Since we last appeared before the City Council on January 25th, the Applicant worked with the City Planner, City Attorney and City Administrator (“City Staff”) to further clarify the updates to the site plan concerning the enlarged green space that is proposed on the Premises. The Applicant also discussed the details contained in the proposed draft Special Use Permit Resolution together with City Staff.

As is more fully detailed in the enclosed site plan entitled “Special Use Permit Application, Sheet 1 of 1 – Site Plan – Green Space Diagram”, prepared by Aryeh Siegel Architect, and last revised January 28, 2021 (the “Green Space Diagram”), for clarification and ease of the Council’s review the Original Site Plan (dated June 6, 2020 – the “Original Site Plan”) is shown as a head-to-head comparison with the Applicant’s Proposed Site Plan (last revised January 28, 2021 – the “Proposed Site Plan”). As is shown on the enclosed Green Space Diagram, the total contiguous green space area on the Proposed Site Plan is 4,270 sq. ft.,¹ which *more than doubles* the 1,818 sq. ft. of total contiguous green space area that was proposed in the Original Site Plan.

¹ Note: The total contiguous green space area is comprised of the total area of the private tenant green space combined with the total area of the central public green space.



February 4, 2021
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Additionally, the enclosed Green Space Diagram shows how the 2,315 sq. ft. proposed central public green space on the Proposed Site Plan also more than doubles the size of 1,046 sq. ft. central public green space that was proposed in the Original Site Plan. For the Council's consideration, the Proposed Site Plan shown on the Green Space Diagram is the same plan that was reviewed with the City Council at its January 25th meeting – only the Green Space Diagram specifically highlights the tenant green space areas and the central public green space area for ease of reference in association with the details in the Special Use Permit Resolution.²

It is respectfully submitted that the enlarged, more-inviting public green space further enhances the public benefits of the Project, which also include the two (2) upper floors of commercial office space right on Main Street.

CONCLUSION:

For all the reasons set forth herein, and as will be further discussed at the City Council's February 8th Work Session, the Applicant respectfully submits that the Project meets and or exceeds the applicable criteria for a Special Use Permit for the limited stepped back fourth floor.

We look forward to appearing at the City Council's, February 8th Work Session for our continued review of the SUP Application. In the meantime, should the City Council or City Staff have any questions or comments with regard to the foregoing, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Taylor M. Palmer', with a stylized flourish extending to the right.

Taylor M. Palmer

Enclosure

Cc: Nicholas M. Ward-Willis, Esq.; Chris White – City Administrator; John Clarke – City Planner

² Note: As will be discussed with the City Council at its February 8th Work Session, as part of the Applicant's discussions regarding the central public green space, the intent of the central public green space in part is to be an "art park". The Applicant has designed the green space to include art installations (ex: sculptures) on a rotating basis. Additionally, as we will also discuss with the City Council at its February 8th Work Session, the Applicant had a discussion with City Staff pertaining to request to remove a sign *requirement* for the central public green space, which signage will negatively impact the feel of the green space.

REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1	06/24/20	CITY COUNCIL PRESENTATION	AJS
2	06/30/20	REVISED PER PLANNING BOARD COMMENTS	AJS
3	07/28/20	REVISED PER PLANNING BOARD COMMENTS	AJS
4	08/25/20	REVISED PER PLANNING BOARD COMMENTS	AJS
5	09/09/20	SUPPLEMENTAL LANDSCAPE INFORMATION	AJS
6	09/28/20	REVISED PER PLANNING BOARD COMMENTS	AJS
7	01/06/21	REVISED PER CITY COUNCIL COMMENTS	AJS
8	01/28/21	REVISED PER CITY COUNCIL COMMENTS	AJS



Location Map
Scale: 1" = 400'



Original Site Plan from June 6, 2020
Scale: 1" = 20'

ORIGINAL SITE PLAN: 1,818 SF OF CONTIGUOUS GREEN SPACE	VS	PROPOSED SITE PLAN: 4,270 SF OF CONTIGUOUS GREEN SPACE
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Proposed Site Plan
Scale: 1" = 20'

Special Use Permit Application

Sheet 1 of 1 - Site Plan - Green Space Diagram

City of Beacon City Council Agenda
02/22/2021

Title:

Flea Market License Agreement

ATTACHMENTS

[License Agreement Flea Market](#)

LICENSE AGREEMENT

This LICENSE AGREEMENT (the “Agreement”), is made and entered into as of March __, 2021, between the City of Beacon, a municipal corporation, duly organized and existing under the laws of the State of New York, having its principal office at One Municipal Center, Beacon, New York 12508 (hereinafter “Licensor” or the “City”) and Things You Love Events, LLC, duly organized and existing under the laws of the State of New York, having its principal place of business at 35 North Elm Street, Beacon, New York 12508 (hereinafter “Licensee”).

RECITALS

A. The City is the owner of certain real property known as the Henry Street Parking Lot #1, located at the intersection of Henry Street and South Chestnut Street, Beacon, New York (the “Property”).

B. Licensee has requested a license to enter upon and use the Property for the purpose of operating a flea market on the Property on Sundays during the months April through November, from 6:00 a.m. to 4:00 p.m.

C. Licensor is willing to grant the requested permission subject to and upon the following terms and conditions:

AGREEMENT

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

(1) **GRANT**: Subject to the terms and conditions of this Agreement and upon representation from Licensor that it is the owner of the Property the Licensor hereby grants to Licensee a non-exclusive license (the “License”) to enter upon and use the Property solely for the purpose of the Permitted Use as defined in Paragraph Four (4) below.

(2) **TERM**: Subject to the terms of this Agreement, the term of the License shall commence upon the date of execution of this Agreement by the parties hereto and continue until November 30, 2022. The Property shall not be used by Licensee on the Spirit of Beacon day. The City further reserves the right, upon two (2) weeks prior notice, to make the Property unavailable for Licensee’s use in the event it is required for use by the City for a City event or a third-party event the City has authorized to use the Property. Either party, without cause, may terminate this Agreement on thirty (30) days written notice. This Agreement may be renewed for three (3) additional years, in one (1) year intervals, at Licensee’s request should the City Administrator, in its sole discretion, and after seeking input from appropriate departments heads, such as DPW and the Police, agree it is appropriate to extend this agreement and upon such additional terms as the City

Administrator deems necessary. In such case, no further resolution from the City Council is required.

(3) **FEE:** In exchange for and as consideration for this License, Licensee agrees to pay to Licenser the sum of Two Hundred and Twenty (\$220.00) Dollars for each day the flea market operates on the Property, beginning April 2, 2021, through the date of the expiration or termination of this Agreement. To the extent the flea market is unable to operate because of inclement weather or due to the actions of the City, or the Licensee advises the City in writing via e-mail to the City Administrator by 5:00 p.m. the Friday before the anticipated use, Licensee shall not be required to pay a fee for the week in question. The fee shall be payable monthly and payment shall be due on the fifteenth day of each month commencing on April 15, 2021.

(4) **PERMITTED USE:** The Agreement granted hereunder shall be solely for the Permitted Use described in sections 4(a) through 4(i) herein. Use of the Property by Licensee for anything other than the Permitted Use shall be deemed a breach of this License Agreement. The following is permitted under this Agreement:

- a. The Licensee shall operate a flea market on the Property;
- b. The layout for the operation of the flea market, including the location of entrances and exits and proposed locations for vendors, is set forth on Exhibit "A" attached hereto;
- c. A portable toilet that is fully accessible to persons with disabilities shall be installed on the Property by Licensee from the period April 1 through November 30, in the location set forth on Exhibit "A", and Licensee shall be responsible for installing and maintaining the portable toilet;
- d. Permanent Highway Department signs are located at each entrance to the Henry Street Lot stating the lot is closed for a Sunday flea market from April through November, from 6:00 a.m. – 4:00 p.m. Any vehicles not to do with the flea market that remain in the lot at 6:00 a.m. on Sunday are subject to removal. City of Beacon Police Dept will attempt to locate the owner, or the vehicle will be towed. Licensee is solely responsible for any updates, replacement, or repair to said signs;
- e. During the period the flea market is in operation, the entrance into the Property from South Chestnut Street and the southeast exit from the Property onto Henry Street will remain open. The southwest exit onto Henry Street may be closed during the operation of the flea market;
- f. The Licensee shall maintain four to six trash barrels distributed throughout the Property during the operation of the flea market. All trash barrels shall be maintained by Licensee and emptied and

removed each Sunday at the time the flea market operations conclude;

- g. The Licensee shall offer at least one stall to the City of Beacon School District during any week the flea market is in operation, at no charge;
- h. No food or beverage vendors will be allowed to operate on the Property;
- i. The installation, at Licensor's discretion, during flea market operating hours, at Licensee's cost, of the following sandwich board signs (to be provided by Licensee) within the public right of way in the following locations: (i) One sign on Main Street and South Chestnut Street, (ii) One sign on Main Street at the Mobil Gas Station, and (iii) One sign on Teller Avenue and Henry Street.

(5) **MAINTENANCE:** The Licensee shall be responsible for maintaining the Property at all times the Property is being used for the Permitted Use. Licensee shall ensure that the Property is clean, that all garbage is disposed of properly and that all vendor's equipment and barriers are removed by 5:00 p.m. each Sunday following the operation of the flea market.

(6) **SUPERVISION:** Licensee shall be responsible for and take all precautions for the protection of all persons and of real and personal property using the Property for the Permitted Use.

(7) **HOURS OF OPERATION:** The Permitted Use shall be allowed from April 1 through November 30, on Sundays during the hours 6:00 a.m. to 5:00 p.m., weather permitting. Vendors may arrive at the Property at 6:00 a.m. on the day the flea market is to operate. The Property shall be closed to vehicle parking beginning at 6:00 a.m. Sunday before the flea market is to operate. Vendors shall not create levels of noise that disturb neighboring residences prior to the opening of the flea market.

(8) **NON-ASSIGNABILITY:** It is expressly understood between the Parties herein that this License does not run with the Property, is not coupled with any other interest, is not assignable, and may be terminated by Licensor at any time for a breach of this Agreement, or without cause on thirty (30) day notice as set forth in Paragraph Two (2) above. This Agreement shall not be Recorded.

(9) **INSURANCE:** Throughout the term of this Agreement, Licensee shall obtain and maintain, at Licensee's sole cost and expense, and keep in force for the benefit of Licensee, with Licensor named as an additional insured, insurance policies providing the following coverage:

A comprehensive policy of general public liability insurance, protecting and indemnifying Licensor and Licensee against any and all liabilities and claims for damages to persons or

property occasioned on or about any part of the Property, and all other areas adjacent to the Property, with such policy to be in the minimum amount of One Million Dollars (\$1,000,000.00) combined single limit per occurrence with an aggregate of Two Million Dollars (\$2,000,000.00), for personal injury and property damage;

All insurance policies required to be procured and maintained hereunder shall (i) be issued by financially responsible insurance companies acceptable to Licensor; (ii) be written as primary policy coverage and not contributing with or in excess of any coverage which Licensor may carry; (iii) insure and name Licensor as an additional insured; and (iv) contain an express waiver of any right of subrogation by the insurance company against Licensor and/or its agents and employees. Neither the issuance of any insurance policy required hereunder, nor the minimum limits specified herein with respect to any insurance coverage, shall be deemed to limit or restrict in any way the liability of Licensee (or its invitees arising under or out of this Agreement). On or before the execution of this Agreement by the parties herein, Licensee shall deliver to Licensor certificates of insurance evidencing all of the coverages required hereunder. Each insurance policy (and any renewal or extension thereof) required to be carried hereunder shall provide that, unless Licensor shall first have been given thirty (30) days prior written notice, (i) such insurance policy shall not be canceled and shall continue in full force and effect; (ii) the insurance carrier shall not, for any reason whatsoever, fail to renew such insurance policy; and (iii) no material changes may be made in such insurance policy (which changes shall also require Licensor's prior written approval).

Licensee shall not do or permit to be done any act or thing upon the Property that will invalidate or be in conflict with any insurance policies covering the same. Licensee shall promptly comply with all insurance underwriters, rules, orders, regulations, or requirements relating to such insurance policies, and shall not do or permit anything to be done in or about the Property which shall increase the rate of insurance on the Property.

(10) **INDEMNIFICATION:** Licensee shall defend, indemnify, protect, and hold harmless Licensor and its respective elected officials, officers, employees, agents, contractors, subcontractors or legal representatives, (the "Licensor Parties") from and against any and all claims, actions, suits, damages, liabilities, costs, and expenses, including, without limitation, reasonable attorneys' fees and disbursements, that: (i) arise from or are in any way connected with the License granted hereunder for the Property or any portion thereof or any of Licensee's activities on the Property, unless caused by the acts or omissions of Licensor; (ii) arise from or are in any way connected with any act or omission of Licensee or Licensee's invitees; (iii) result from any default of this Agreement or any provision hereof by Licensee; (iv) result from the presence of Licensee's or the Licensee's invitees' property or equipment on the Property; or (v) result from injury to any person or property or loss of life sustained in or about the Property caused by or arising out of Licensee or Licensee's acts or omissions, all regardless of whether such claims are asserted or incurred before, during, or after the term of this Agreement. Licensee's obligations under this paragraph shall survive the revocation or termination of this Agreement.

(11) **WAIVER OF RESPONSIBILITY:** Neither Licensor nor the Licensee Parties shall be liable for, and Licensee waives, all claims for loss or damage, economic or otherwise, to persons or property sustained by Licensee or any person claiming by, through or under Licensee resulting from any accident or occurrence in, on or about the Property, or any part of the Property, including, without limitation, claims for loss, theft or damage, resulting from any cause whatsoever, except for willful misconduct by Licensor. To the maximum extent permitted by law, Licensee shall use and occupy the Property and such other portions of the Property as Licensee is herein given the right to use, at Licensee's own risk.

(12) **VACATION OF PREMISES:** Upon termination of this Agreement, Licensee shall promptly (i) refrain from accessing and/or using the Property, and (ii) return the Property to its original condition prior to the Permitted Use. Licensee shall repair any damage to the Property caused by Licensee's use thereof.

(13) **GOVERNING LAW:** This Agreement shall be governed and construed in accordance with the laws of the state in which the Property is located and shall not be modified, altered, or amended except in writing as agreed to by the parties hereto.

(14) **NOTICES:** All notices or other communications provided for under this Agreement shall be in writing, signed by the party giving the same, and shall be deemed properly given and received (i) when actually delivered and received, if personally delivered; or (ii) three (3) business days after being mailed, if sent by certified mail, postage prepaid, return receipt requested; or (iii) one (1) business day after being sent by overnight delivery service, all to the following addresses:

If to Licensor:	City of Beacon One Municipal Plaza Beacon, New York 12508 Attention: City Administrator
With a Copy to:	Keane & Beane, P.C. 445 Hamilton Avenue, 15 th Floor White Plains, New York 10601 Attention: Nicholas Ward-Willis, Esq.
If to Licensee:	Things You Love Events, LLC 35 North Elm Street Beacon, New York 12508 Attention: Emma Dewing

Each party shall have the right to designate other or additional addresses or addressees for the delivery of notices, by giving notice of the same in the manner as previously set forth herein.

(15) **COUNTERPARTS:** This Agreement may be executed in multiple counterparts, each of which shall be an original, but all of which shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement as of the date first written above.

THINGS YOU LOVE EVENTS, LLC

By: Emma Dewing

Title: _____

CITY OF BEACON

By: Christopher White

Title: City Administrator

STATE OF NEW YORK)
) SS.:
COUNTY OF DUTCHESS)

On the __ day of _____ in the year 2021 before me, the undersigned, personally appeared Emma Dewing, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

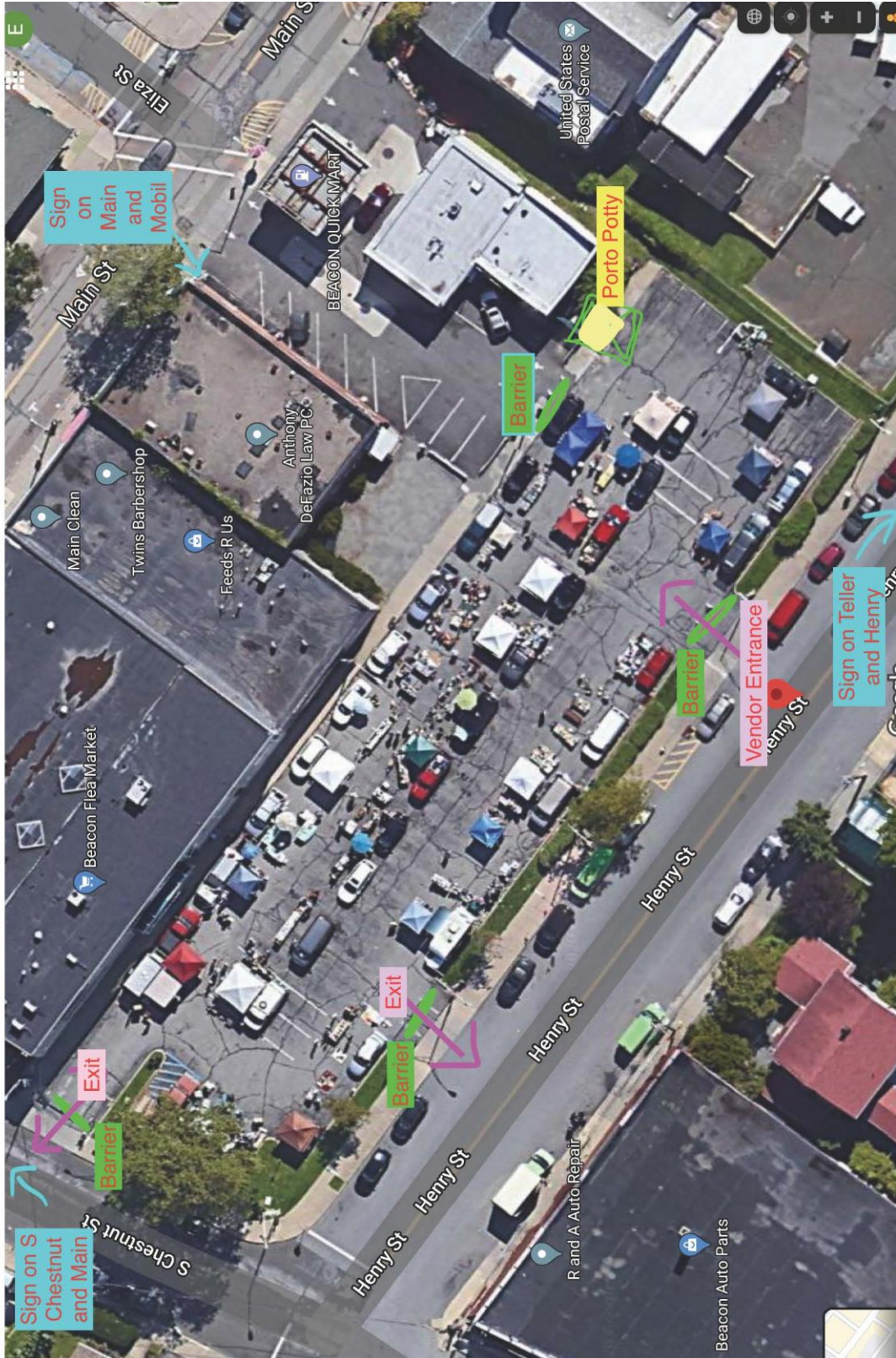
Signature and Office of individual
taking acknowledgement

STATE OF NEW YORK)
) SS.:
COUNTY OF DUTCHESS)

On the __ day of _____ in the year 2021 before me, the undersigned, personally appeared Christopher White, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Signature and Office of individual
taking acknowledgement

EXHIBIT A: Property Map



City of Beacon City Council Agenda
02/22/2021

Title:

Fire Department Lieutenant Promotions

ATTACHMENTS

[Memorandum from the Fire Chief Regarding Lieutenant Promotions](#)



MEMORANDUM

To: Mayor Kyriacou, Administrator White, and the City Council
From: Gary Van Voorhis, Fire Chief
Date: February 22, 2021
Subject: City of Beacon Fire Department Provisional Lieutenant Positions

The City has approved two provisional positions for Fire Lieutenants. An interview committee was made up of the Fire Chief, the City Administrator, and the Human Resource Director. Interviews were conducted during the week of February 8, 2021 with five applicants from the City of Beacon Fire Department. The selection for the two position were determined by their resumes, qualifications, experience, leadership skills, and the interview process. The committee agreed on the provisional promotions to fire lieutenant of firefighter Eric Schmidt and firefighter Mike Merritt.

Eric Schmidt

- Started his fire service career as a Beacon Volunteer firefighter
- 25-year career veteran of the Beacon Fire Department
- Past Beacon Fire Department career staff training coordinator
- New York State Fire Instructor II
- New State Fire Officer I
- Multiple New State and National Fire Certifications
- Associates of Applied Science in Electrical Engineering Technology
- Associates of Occupational Studies in Fire Protection Technology

Mike Merritt

- Started his fire service career as a Beacon Volunteer firefighter
- 27-year career veteran of the Beacon Fire Department
- Past Beacon Fire Department career staff training coordinator
- New York State Fire Instructor I
- New State Fire Officer II
- Associates in Business Administration
- Bachelor of Science Fire and Safety Engineering

City of Beacon City Council Agenda
02/22/2021

Title:

2020 Fire Department Service Certification

ATTACHMENTS

2020 Fire Department Service Certification Form

2020 Sponsor Authorization Form (City Council)

2020 Sponsor Authorization Form (Mayor)

2020 Fire Department Posting Certification Form

2020 FIRE DEPARTMENT SERVICE CERTIFICATION FORM

SERVICE AWARD PROGRAM

City of Beacon
City of Beacon Fire Department

Article 11-A of the New York State General Municipal Law requires that a list of volunteers indicating those who earned a year of Service Credit during 2020 be certified under oath and submitted to the Program Sponsor for approval by March 31, 2021. To comply with Article 11-A, please have the person responsible for preparing the 2020 Firefighter Records listing sign this form and have a notary witness the signature. The 2020 Data Request Package should then be presented to the City Council prior to March 31, 2021.

CERTIFICATION

As required by Article 11-A, I certify under oath the attached is a list that includes all volunteers of the Fire Department and indicates the points earned by each volunteer in accordance with the Service Award Program Point System, which will be used to determine who will earn Service Credit for the 2020 calendar year.

Garry Van Voorhis Fire Chief 1-19-21
Signature Title Date

NOTARY CERTIFICATE

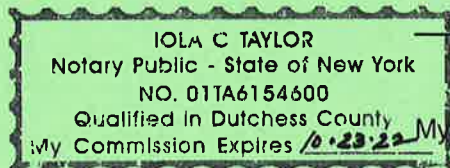
State of New York

County of Dutchess

Sworn to (or affirmed) and subscribed before me this 19th day of January, 2021,

by Garry Van Voorhis.

Yale C. Taylor
Signature of Notary Public



Printed Name of Notary Public, Notary Public

My Commission expires: _____

2020 SPONSOR AUTHORIZATION FORM

SERVICE AWARD PROGRAM

City of Beacon

City of Beacon Fire Department

This form is to be signed by the Mayor of the City of Beacon after the 2020 Firefighter Records listing has been posted for at least 30 days, as certified by the completion of the 2020 Fire Department Posting Certification Form. Please sign and return the entire 2020 Data Request Package to:

Penflex, Inc.
50 Century Hill Drive, Suite 3
Latham, NY 12110

AUTHORIZATION

I hereby authorize Penflex, Inc. to use the data submitted herein about active volunteer firefighter Service Award Program 2020 records. I understand this data will be used to determine the funding requirements of the Service Award Program, the eligibility of participants to be paid Service Award Program benefits and the amount of benefits to be paid to such persons. I understand that if any of the 2020 administrative services provided by Penflex, Inc. must be redone due to errors in the data submitted herein, there may be an additional charge payable by the Program Sponsor. I further understand that Penflex, Inc. will not be liable for any errors in the calculation of the amounts due or payable from the Service Award Program Trust Fund which are the direct result of an error(s) in the data submitted herein.

Signature
Mayor
City of Beacon

Date

2020 SPONSOR AUTHORIZATION FORM

SERVICE AWARD PROGRAM

City of Beacon

City of Beacon Fire Department

This form is to be signed by the Mayor of the City of Beacon after the 2020 Firefighter Records listing has been posted for at least 30 days, as certified by the completion of the 2020 Fire Department Posting Certification Form. Please sign and return the entire 2020 Data Request Package to:

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Signature
Mayor
City of Beacon

Date

2020 FIRE DEPARTMENT POSTING CERTIFICATION FORM

SERVICE AWARD PROGRAM

City of Beacon
City of Beacon Fire Department

NOTICE TO VOLUNTEERS

You have 30 days from the date on which the approved listing was posted (noted below) to review your points and service information. In the event that the information on the listing does not match your records, first notify the person noted below. If your appeal is not satisfactorily resolved, you must send a written appeal to the Sponsoring Board.

General Municipal Law requires the 2020 Firefighter Records listing be posted at the fire station(s) for at least 30 days, after the listing has been approved by the City Council. Additionally, the Law states that during this 30-day posting period, a firefighter who is listed as having earned less than 50 points may file written appeal with the City Council. Practically, this appeal should first be made to the Fire Department. If the appeal is not satisfactorily resolved, the formal appeal should be submitted to the City Council for investigation.

This section must be completed by the person responsible for compiling the points:

GARY VAN VOORHIS

Name

FIRE CHIEF

Title

G.VANVOORHIS@BEAUFIREDEPT.ORG

E-mail address

845-765-0899

Phone number

Date the approved listing was posted: 1-19-21

Date the approved listing was removed: 2-18-21

POSTING CERTIFICATION

When the 30-day posting period is complete, please enter the date on which the listing was removed (above) and sign (below). Please forward the entire 2020 Data Request Package to the City Council for final approval.

I hereby certify that the approved listing was posted for no less than 30 days.

☒ No changes were made to the listing.

☐ Changes have been made to the listing and an explanation is attached.

Gary Van Voorhis

Signature

2-18-21

Date

<u>YEAREND 2020</u> <u>FIRE</u>		FIRE CALLS			MEETINGS			MISC ACTIVITY		OFFICER COMMITTEE CHAIR/MEM POINTS	TRAINING	DRILLS	MANDATORY HAZMAT BBP SH-RTK	LOSAP AWARD POINT SYSTEM
		TOTAL FIRE MADE	TOTAL FIRE CALLS	% CALLS MADE	TOTAL CREDIT POINTS	TOTAL MADE	TOTAL CREDIT POINTS	TOTAL MADE	TOTAL CREDIT POINTS		TOTAL CREDIT POINTS	TOTAL CREDIT POINTS		
CARROZZELLI	GEORGE	2	542	0%	0	1	1	0	0	0	0	0	INCOMPLETE	0
DAVIS	JAKE	0	542	0%	0	0	0	0	0	0	0	0	INCOMPLETE	0
DAVIS	TERRY	0	542	0%	0	0	0	0	0	0	0	0	INCOMPLETE	0
DUBETSKY	MATT	85	542	16%	25	6	6	0	0	20	7	0	COMPLETE	58
ETTINGER	JULIANN	9	542	2%	0	2	2	0	0	0	7	2	COMPLETE	11
FRAIOLI	ANTHONY	4	542	1%	0	1	1	0	0	0	0	0	INCOMPLETE	0
GALLO	GREGORY	98	542	18%	25	12	12	1	1	0	7	5	COMPLETE	50
GRAVIGLIA	FRED	55	542	10%	25	9	9	2	2	0	2	5	INCOMPLETE	43
KELLIHER	PATRICK	140	542	26%	25	11	11	2	2	25	25	0	COMPLETE	88
KOLAKOSKI	RICH	88	542	16%	25	19	19	2	2	20	7	0	COMPLETE	73
LAHEY	DENNIS JR	46	542	8%	25	0	0	3	3	15	1	2	INCOMPLETE	46
MCVICKER	FRED	101	542	19%	25	23	20	3	3	20	7	0	COMPLETE	75
MEEKER	ROBERT	98	542	18%	25	23	20	2	2	20	11	0	COMPLETE	78
MERRITT	MIKE JR	0	542	0%	0	0	0	0	0	0	0	0	INCOMPLETE	0
MURIQI	VALMIR	178	542	33%	25	6	6	3	3	0	3	1	INCOMPLETE	38
NAUGHTON	MATT	87	542	16%	25	8	8	1	1	20	16	0	COMPLETE	70
PICCONE	TONY	78	542	14%	25	21	20	1	1	25	7	0	COMPLETE	78
SELA	JUNAS	0	542	0%	0	0	0	0	0	0	0	0	INCOMPLETE	0
SIMMONDS	ROBERT SR	164	542	30%	25	23	20	1	1	20	7	0	COMPLETE	73
TORTORA	BRIAN	69	542	13%	25	5	5	0	0	0	5	15	COMPLETE	50
TRAVIS	BRANDON	69	542	13%	25	10	10	3	3	0	5	7	COMPLETE	50
WAY	LAWRENCE	70	542	13%	25	23	20	1	1	15	0	7	COMPLETE	68

11-Jan-20

THIS REPORT WILL BE POSTED FOR 30 DAYS.

GRIEVANCE PROCEDURE:

ISSUES WITH TRAINING / DRILLS - CONTACT GARY VAN VOORHIS

ALL OTHER ISSUES - CONTACT PAT KELLIHER AT (845) 797-2255 OR TONY PICCONE AT (845) 549-9603

City of Beacon City Council Agenda
02/22/2021

Title:

Main Street Access Advisory Committee Recommendations

ATTACHMENTS

[Main Street Access Advisory Committee Presentation](#)

[Main Street Access Advisory Committee Omnibus Memorandum to the City](#)

[Parking Signs](#)

[Parking Signs Grouped](#)

Main Street Access Committee Phase 1 Recommendations



Shorter-Term Recommendations

- Stripe side street spaces on adjacent two blocks;
- Place stop signs at all side street intersections;
- Repaint faded crosswalks and Van Nydeck lot;
- Add public parking signs on Main St. and at lots;
- Avoid developing any new public surface lots;
- Restripe Eliza St. public lot with 9-foot spaces;
- Stripe diagonal spaces on west end of Henry St.;
- Stripe 22 new spaces on east side of Fishkill Ave.;
- Reconfigure Beacon Center lot to add 37 spaces.

--- Study Area (within Two Blocks of Main Stree 33
 ## Public Parking Lots with Number of Spaces



**Wayfinding Signs
at Intersections
Along Main Street**



**Informational Signs
Located at Entrances
to Public Parking Lots**

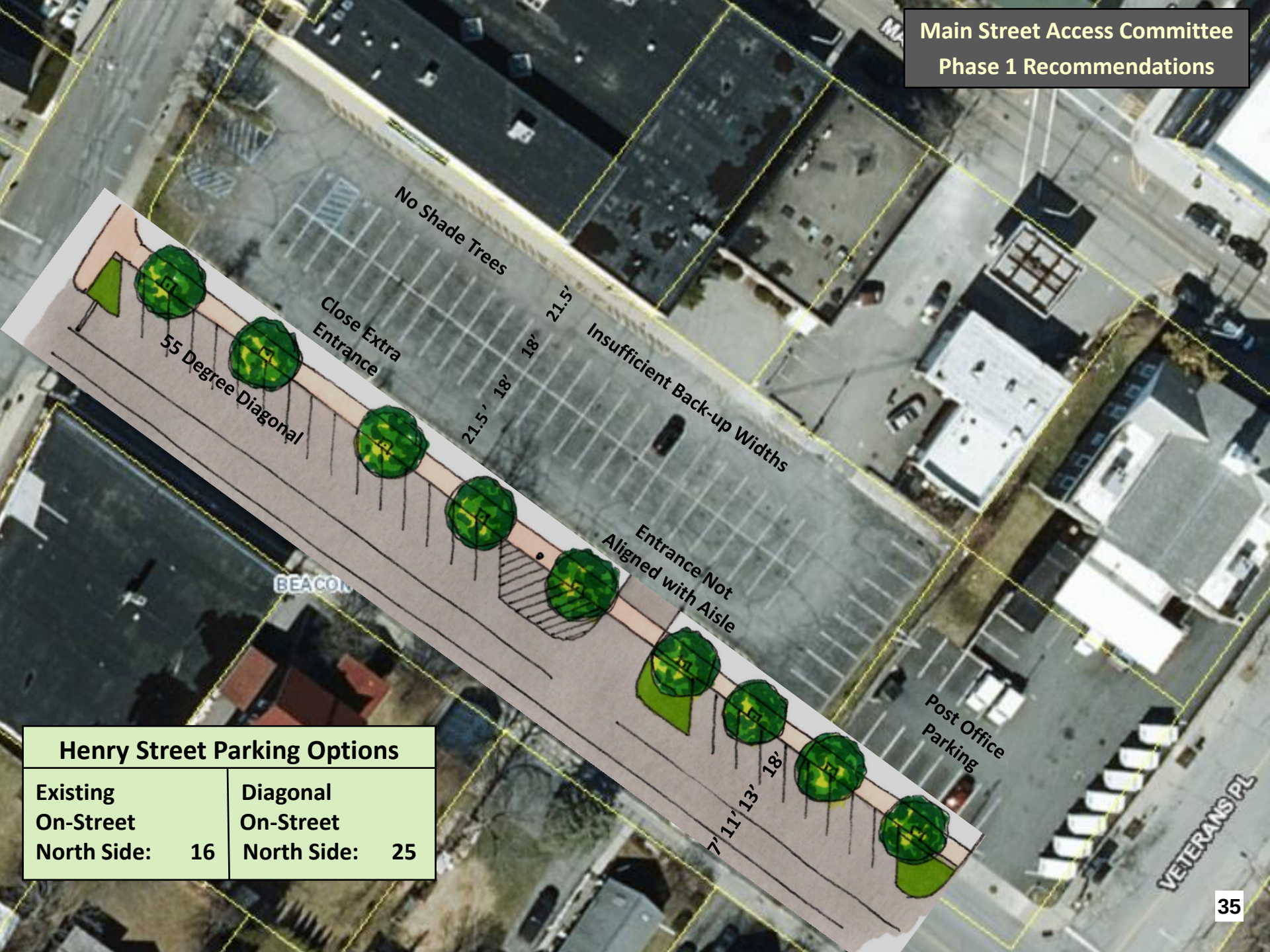


**Sample Text
Lot Specific TBD by
City/Hwy. Dept.**



Name All Public Lots, Generally by Intersecting Street with Main Street

lot names*



Henry Street Parking Options

Existing On-Street North Side:	Diagonal On-Street North Side:
16	25



Henry Street Parking Options

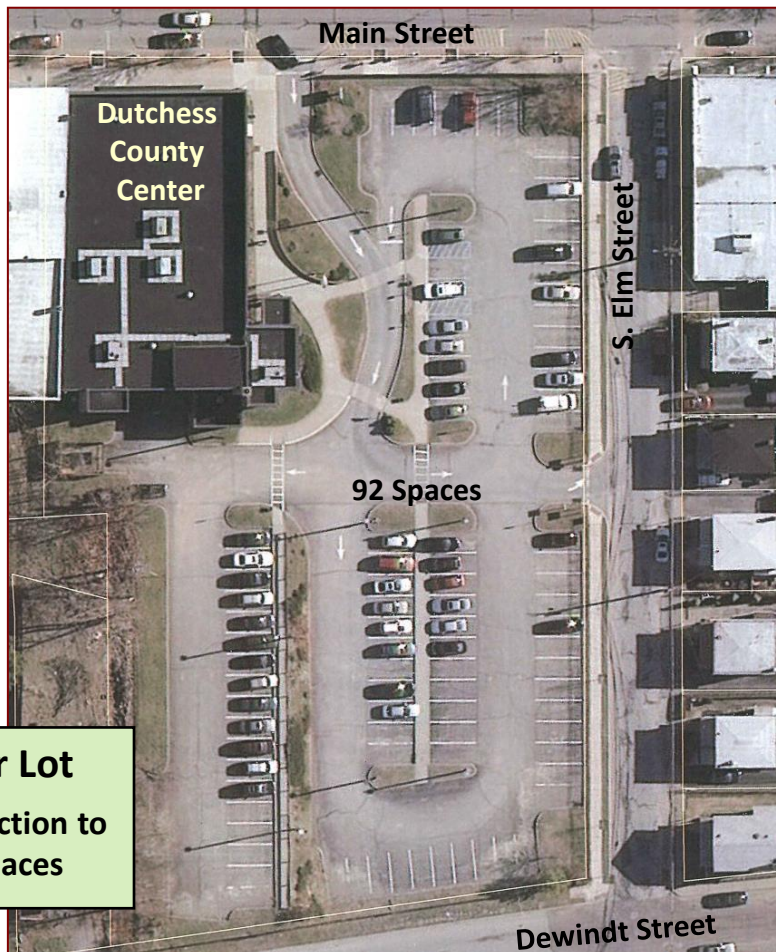
Existing On-Street	Diagonal On-Street	
North Side:	16	25
Existing Lot	<u>62</u>	Proposed Lot <u>65</u>
Total Spaces	78	Total Spaces 90

**Main Street Access Committee
Phase 1 Recommendations**

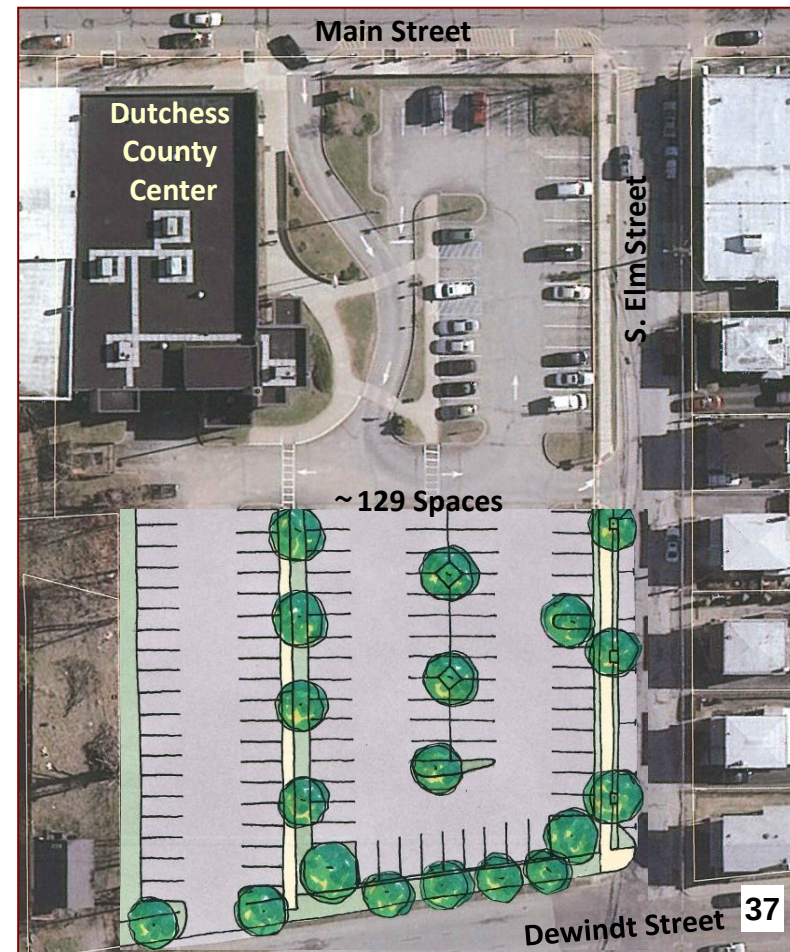
Fishkill Avenue – Move Center Line to West

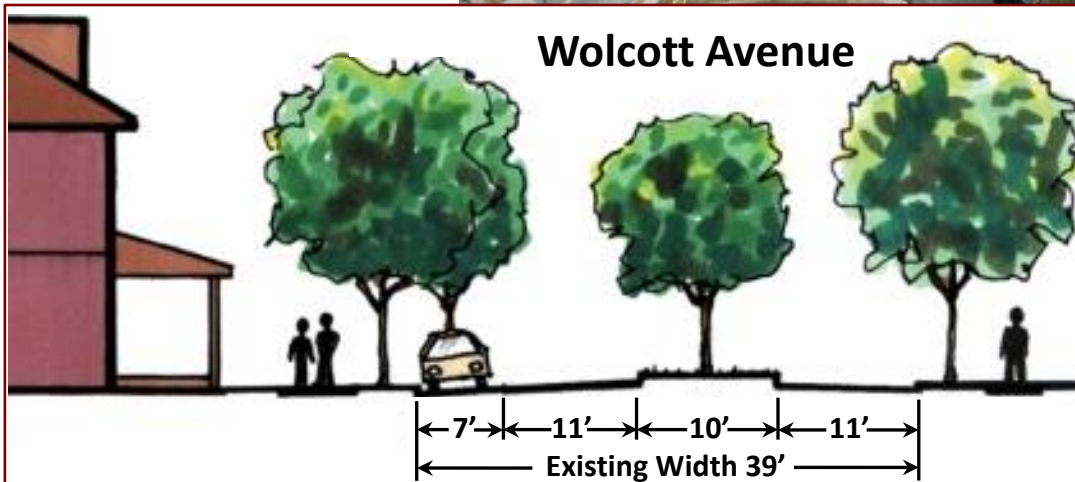
Main Street

**Fishkill Avenue East Side Parking
Adds Up To 22 New Parking Spaces**



**Beacon Center Lot
Redesign Rear Section to
Add About 37 Spaces**

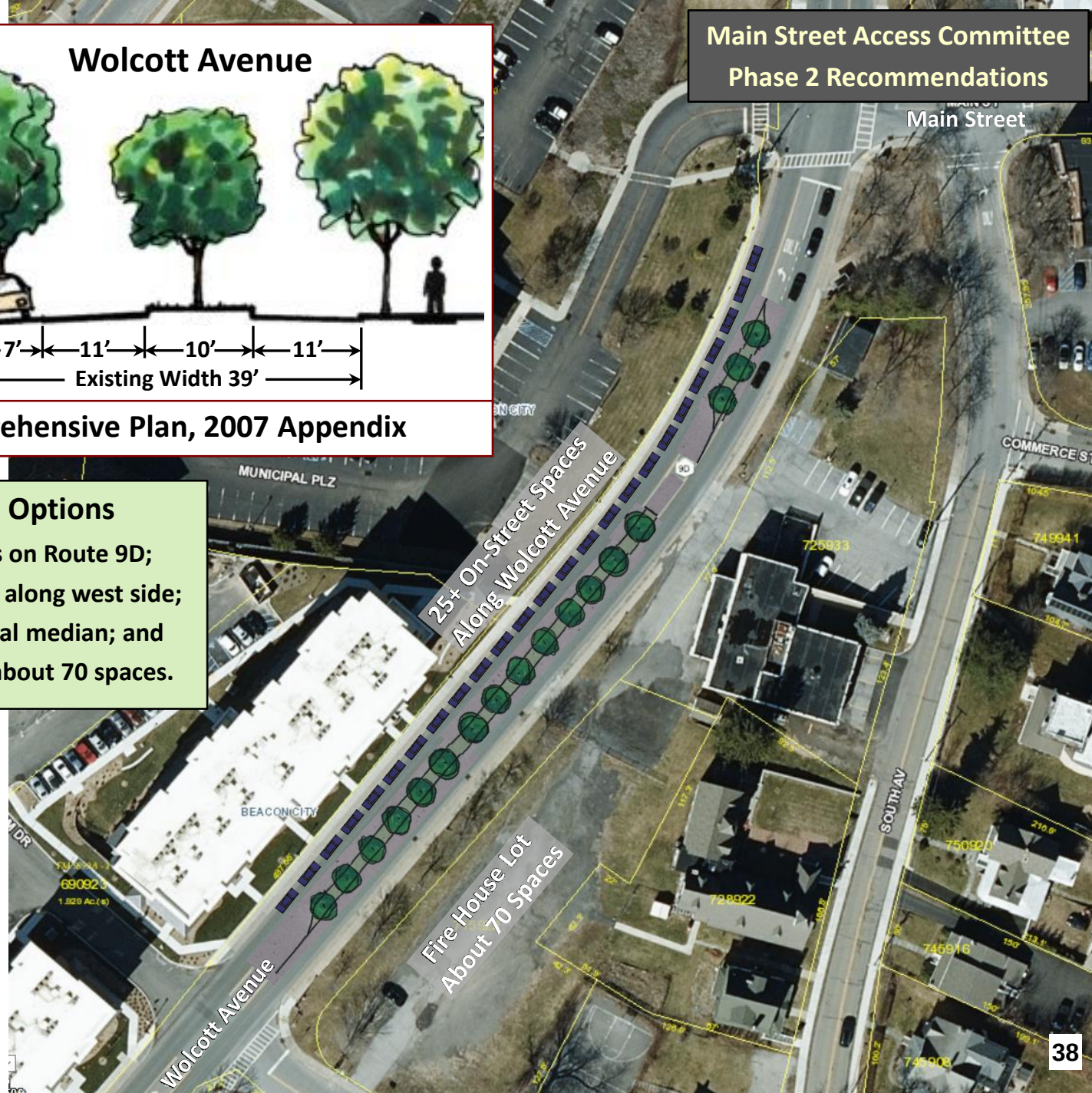




From Beacon Comprehensive Plan, 2007 Appendix

Wolcott Avenue Parking Options

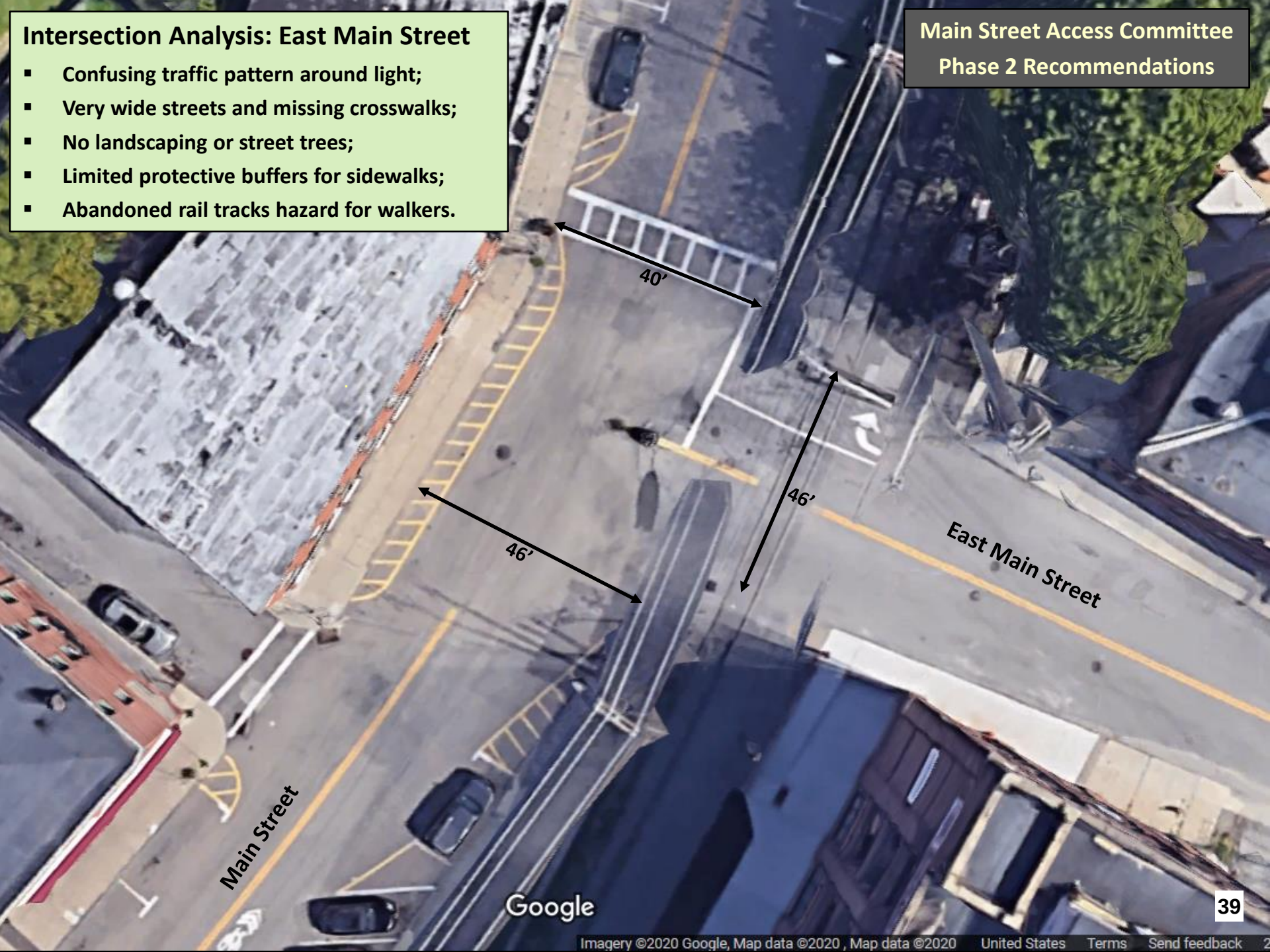
- Narrow overly wide lanes on Route 9D;
- Add 25+ on-street spaces along west side;
- Plant street trees in central median; and
- Stripe Fire House lot for about 70 spaces.



Intersection Analysis: East Main Street

- Confusing traffic pattern around light;
- Very wide streets and missing crosswalks;
- No landscaping or street trees;
- Limited protective buffers for sidewalks;
- Abandoned rail tracks hazard for walkers.

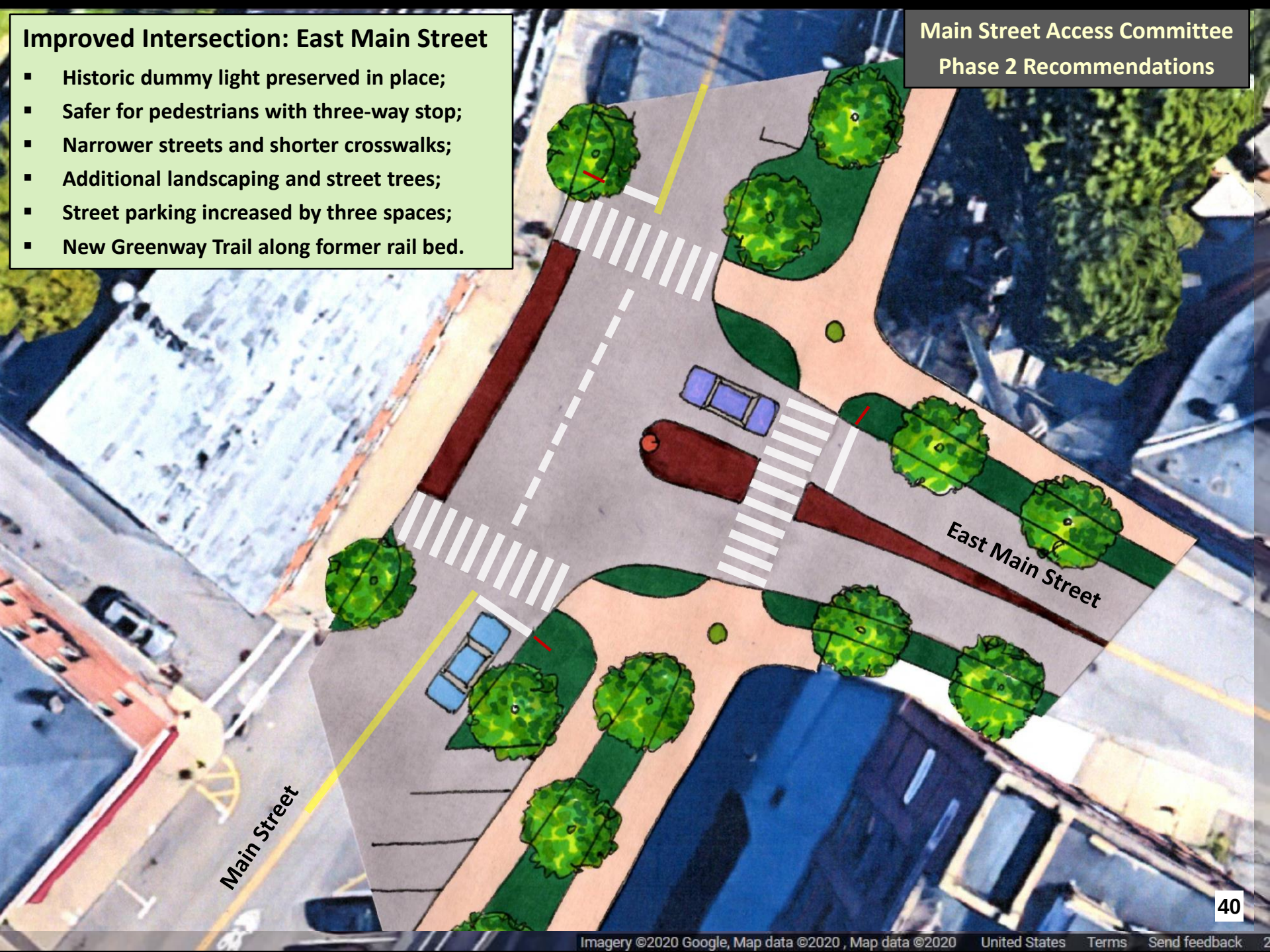
Main Street Access Committee Phase 2 Recommendations



Improved Intersection: East Main Street

- Historic dummy light preserved in place;
- Safer for pedestrians with three-way stop;
- Narrower streets and shorter crosswalks;
- Additional landscaping and street trees;
- Street parking increased by three spaces;
- New Greenway Trail along former rail bed.

Main Street Access Committee Phase 2 Recommendations



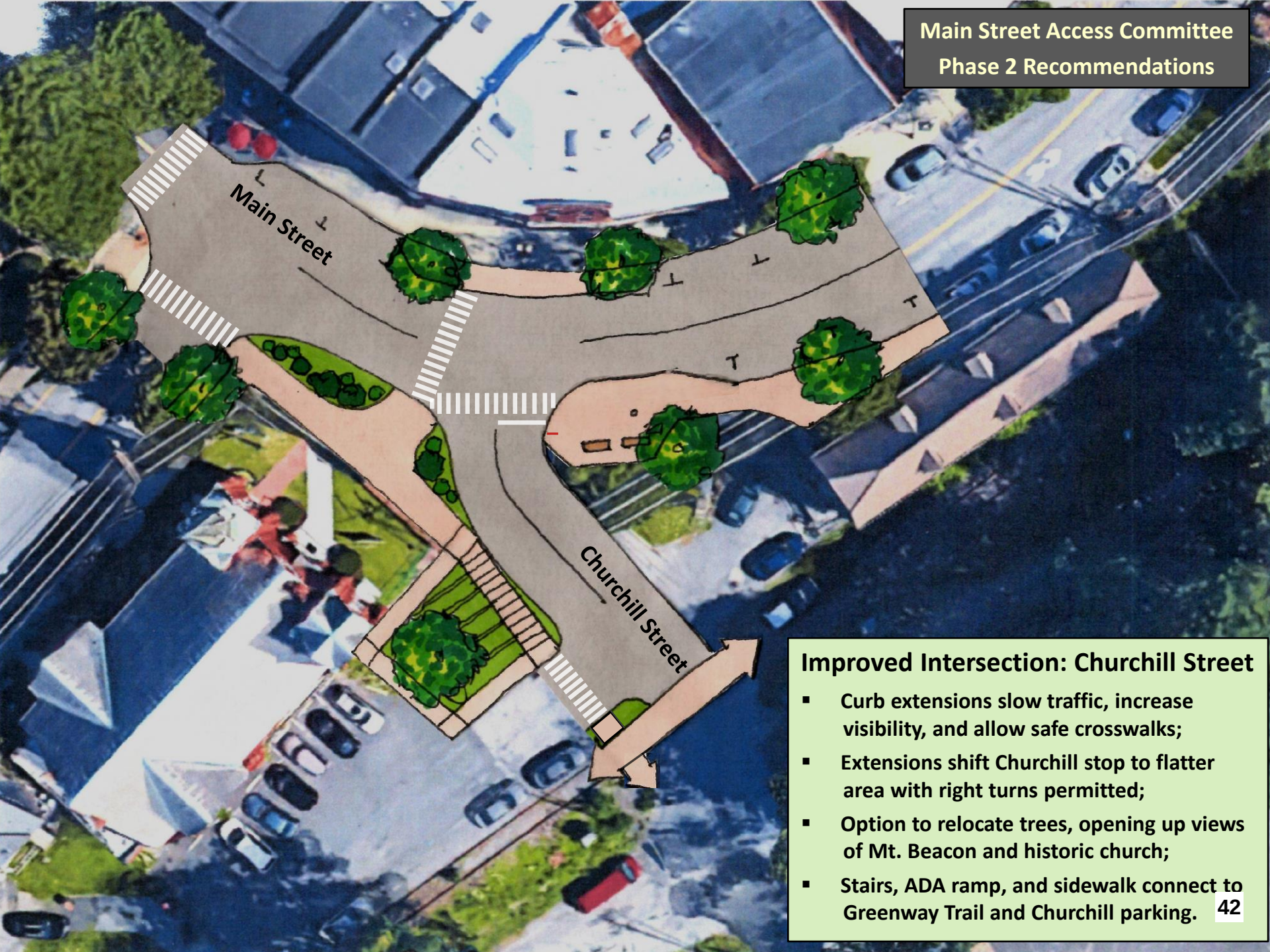
**Main Street Access Committee
Phase 2 Recommendations**



2020

Intersection Analysis: Churchill Street

- Curving street with on-street parking limits sight distance for safe crosswalks;
- Churchill Street is steep at the crosswalk stopping point and right turns prohibited;
- Tree locations block important views of Mt. Beacon and landmark church;
- No ADA-compliant sidewalk to Greenw. Trail and Churchill Street public parking.



Improved Intersection: Churchill Street

- Curb extensions slow traffic, increase visibility, and allow safe crosswalks;
- Extensions shift Churchill stop to flatter area with right turns permitted;
- Option to relocate trees, opening up views of Mt. Beacon and historic church;
- Stairs, ADA ramp, and sidewalk connect to Greenway Trail and Churchill parking.

Main Street Access Committee Phase 2 Recommendations



Potential Bike Routes or Bicycle Boulevards

**Main Street Access Committee
Phase 2 Recommendations**



Temporary street closure to through car traffic to test bicycle boulevard



Permanent diversion of through traffic, while allowing free flow for bicycles

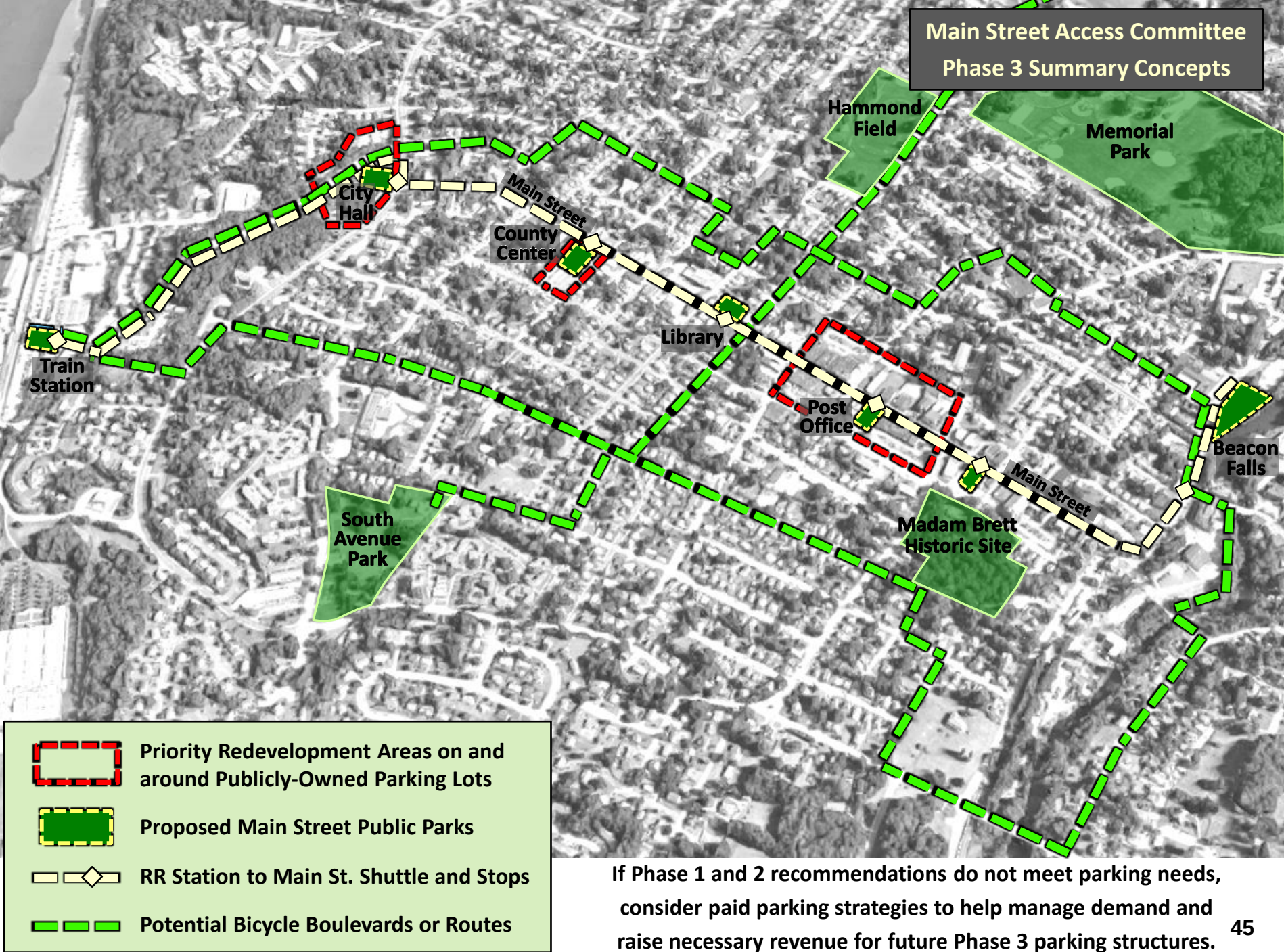


Landscaped intersection circle slows down vehicle speeds, but allows through traffic



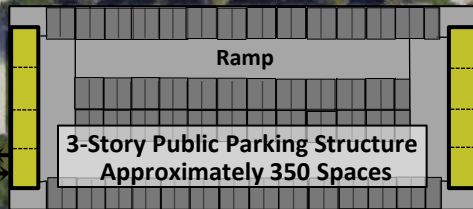
Landscaped islands divert through car traffic along bicycle boulevard

Main Street Access Committee Phase 3 Summary Concepts



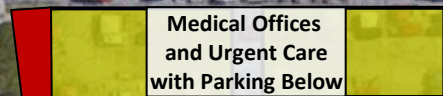
If Phase 1 and 2 recommendations do not meet parking needs, consider paid parking strategies to help manage demand and raise necessary revenue for future Phase 3 parking structures.

**Main Street Access Committee
Phase 3 Recommendations**



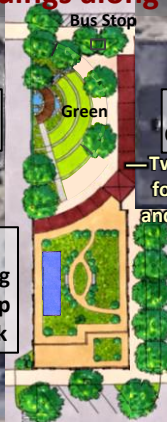
1st Floor Retail
8 Apartments
Solar Canopies
on Top Level

Potential New Mixed-Use Buildings along Main Street

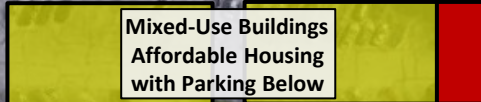


Historic
Post Office

Mixed-Use
Infill Building
with Rooftop
Garden Park



Towne
Crier Cafe
—Two-level Arcade
for Market Stalls
and Outdoor Dining



Upper Main Street
Historic District

Historic Madam
Brett Homestead

Henry Street

Potential Parking Structure

Three Existing Public Parking Lots
Reimagined around Central Park
and Bus Stop at Veterans Place

**Main Street Access Committee
Phase 3 Recommendations**

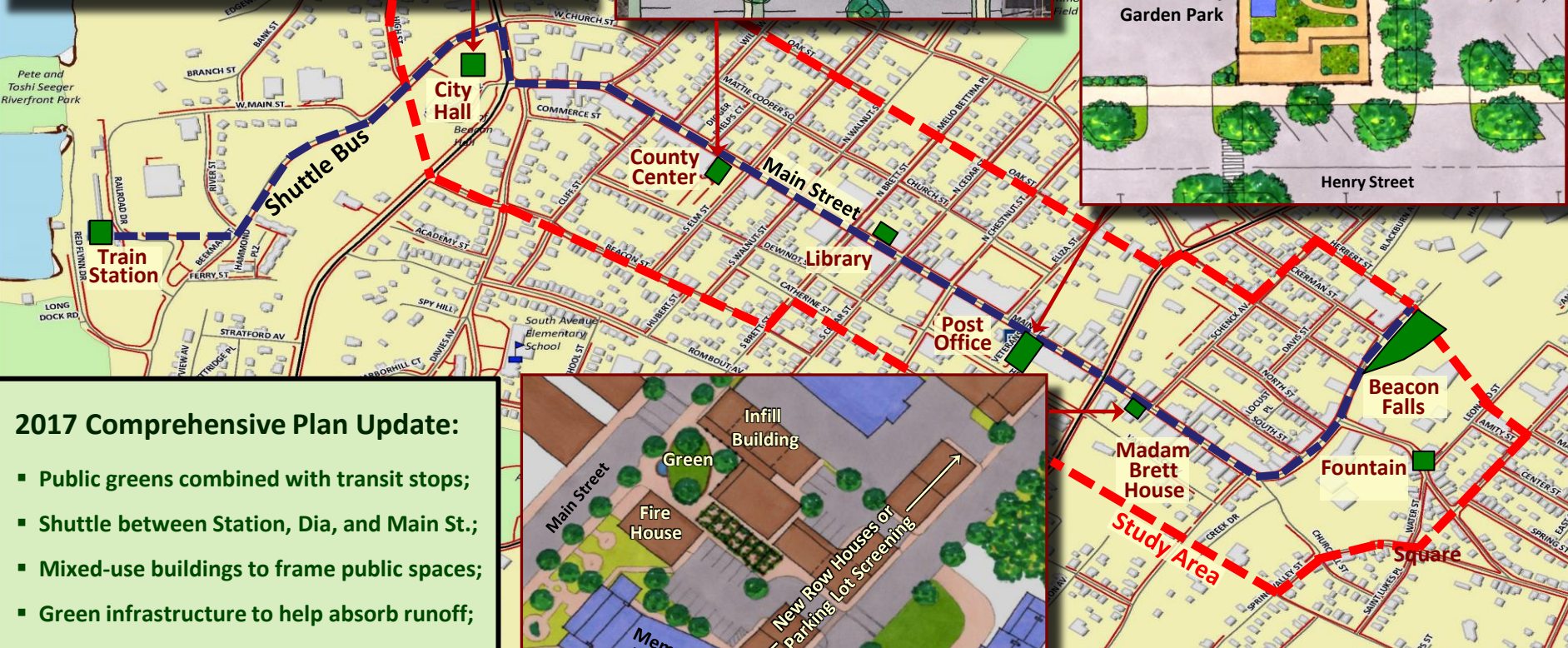
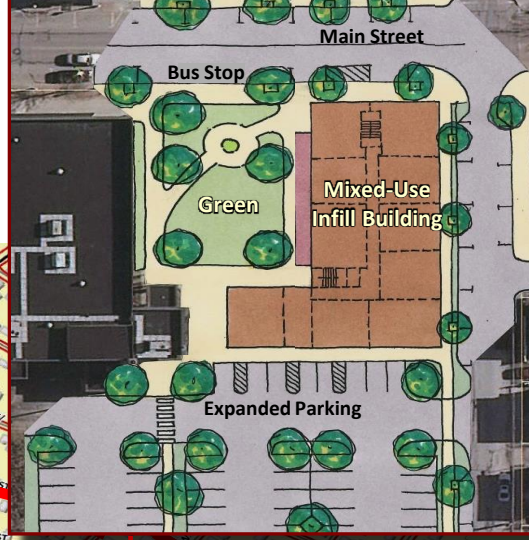


Existing 92-Space Lot

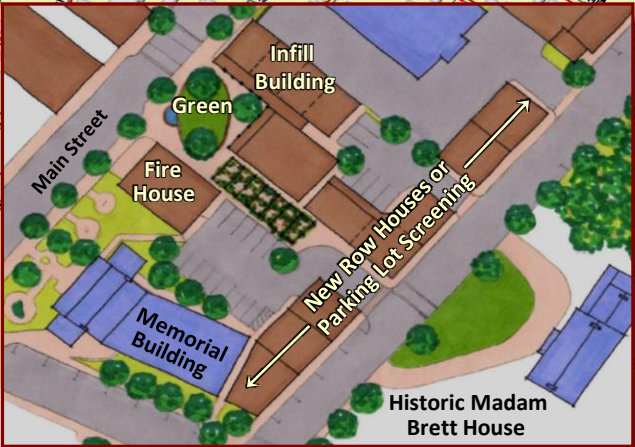
Potential Parking Structure

**Beacon Center Parking Lot
Reimagined with Public Park, Bus
Stop, and Corner Building**





- 2017 Comprehensive Plan Update:**
- Public greens combined with transit stops;
 - Shuttle between Station, Dia, and Main St.;
 - Mixed-use buildings to frame public spaces;
 - Green infrastructure to help absorb runoff;
 - Shared construction and maintenance costs;
 - Wayfinding signs and information kiosks.





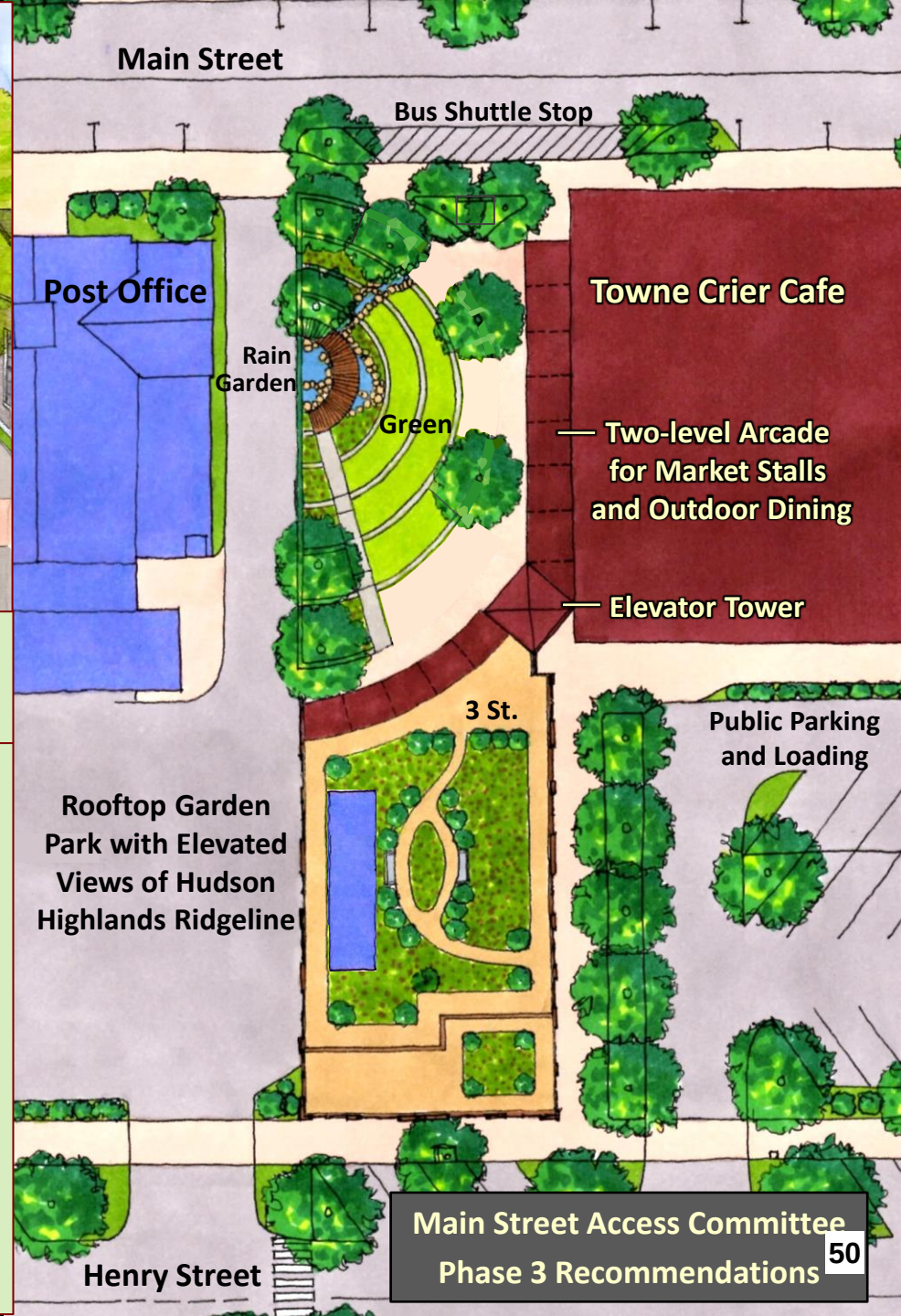
Potential Main Street Park Overlooking Fishkill Creek and Beacon Falls





City Street Transformed into a Rain Garden Amphitheater with Arcade and Rooftop Park

- Main Street central green space with historic FDR-era Post Office as an attractive backdrop.
- Rain garden green with stone terraces and wetland pond to absorb surrounding rainwater.
- New tree planters for greenery, shade, and to soak up stormwater from streets and lots.
- Rear building to frame and activate front park space, block views of parking lots, and help pay for park construction and maintenance.
- Transit stop with shelter and visitor information regarding bus connections and local attractions.



**CITY OF BEACON – MAIN STREET ACCESS COMMITTEE
MEMORANDUM TO THE CITY**

Date: January 15, 2021

To: The City of Beacon:
Lee Kyriacou, Mayor

cc: John Clarke, Planner, City of Beacon
Collin Milone, Assistant to the Mayor, City of Beacon
Chris White, City Administrator, City of Beacon

From: Main Street Access Committee:
Stowe Boyd and Sara Pasti, Co-Chairs

Attached please find five memoranda that contain recommendations from the Main Street Access Committee between July 2020 and January 2021. In addition, we have attached an Addendum to the December 14th memorandum regarding parking that specifically addresses parking on Tioranda Avenue. The Addendum is submitted here for the first time, as is the memorandum related to municipal parking lot signage.

The memoranda address the following topics:

- July 14, 2020: Quick Fixes to improve traffic and parking along and adjacent to Main Street
- September 21, 2020: Recommendations to improve intersections at the East End of Main Street at Churchill and East Main Streets
- November 13, 2020: Recommendation regarding “bicycle boulevards” in Beacon
- December 14, 2020: Recommendation regarding parking in the Main Street Access Area
- January 15, 2021: Addendum to the December 14th memo regarding parking
- January 15, 2021: Recommendations related to municipal parking lot signage

We look forward to meeting with you to review these memoranda and discuss additional issues to be addressed in the future regarding Main Street transportation and parking improvements.

CITY OF BEACON – MAIN STREET ACCESS COMMITTEE MEMORANDUM TO THE CITY

Date: July 14, 2020

To: The City of Beacon:
Lee Kyriacou, Mayor
Anthony Ruggiero, City Administrator
Members of the Beacon City Council

cc: John Clarke, Planner, City of Beacon
Collin Milone, Assistant to the Mayor, City of Beacon

From: Main Street Access Committee:
Stowe Boyd and Sara Pasti, Co-Chairs

On February 24, 2020, Mayor Lee Kyriacou sent a memorandum to the Main Street Access Committee (MSAC) charging the Committee with helping the City tackle and plan for issues involved in getting to and from Main Street. Among the tasks the MSAC was given was to create an action plan for sustainable Main Street parking, traffic, public transit, pedestrian, and non-vehicular use.

The Committee has been meeting bi-weekly, as has its three Subcommittees: Parking & Traffic, Pedestrian & Bicycle/Alternate Transportation, and Main Street Improvement. At its last meeting held on Monday, June 24th, the MSAC approved the following “quick fixes” that we believe will address some of the more serious parking and safety issues that currently exist in Beacon’s Main Street area.

Quick Fixes

The MSAC recommends to the City Council the following improvements that can be made quickly and without huge expense. These improvements are:

- Repainting of all faded and missing crosswalk lines at all intersections, and without waiting for the future construction of new “bump-outs”, especially in light of current higher-than-usual pedestrian traffic during the COVID crisis.
- Placement of stop signs at all intersections within two blocks of Main Street, and where side streets feed into Main Street, to slow traffic for purposes of pedestrian and other safety.
- Installation of fluorescent yellow double-sided crosswalk signs on both sides of the street at the Main and Tioronda crosswalk near the Howland Center and other locations where there is significant pedestrian activity, including Main and East Main and Main and Willow Streets.

- Repainting of parking space lines that outline parking spaces in the Van Nydeck parking lot and in the lot located on Main, between Digger Phelps across from the DMV lot (Pleasant Ridge lot).
- Creation of informational signage for all municipal parking lots.
- Striping of new, angled parking spaces on Henry Street (between South Chestnut and Veterans Place) and DeWindt Street (near Cliff) where it is possible to accommodate two through lanes, diagonal parking on one side, and parallel parking on the other. Re-center and repaint yellow center line on Henry Street when new angled parking spaces have been created.
- Striping of parking spaces on the first two blocks of side streets that feed into Main Street (first determining whether streets are wide enough to accommodate parking on one or both sides and whether handicapped and/or loading zones should be created in the first spaces on side streets that intersect Main Street).
- Where there is sufficient room, move center line on Fishkill Avenue where it approaches Main Street to create new parking spaces on the east side of the street, per John Clarke's proposed design.
- During the short-term when people are biking and walking more than usual on Main Street, install electronic signs near "Welcome to Beacon" signs on Routes 52 and 9D to remind people to drive carefully in this bicycle and pedestrian friendly city. (In the long term, consider installing standard signage at these locations.)

In addition, while not among the "quick fixes," the MSAC would like to advocate for the City's consideration of two improvements to the East End intersections of Churchill and Main and East Main and Main that were proposed to the Committee by John Clarke. The entire MSAC believes that these two intersections have become increasingly dangerous to pedestrians and warrant the City's prompt attention.

The MSAC would also like to recommend to the City that it schedule crosswalk repainting of pavement markings, including center lines, stop lines, crosswalks, and parking spaces, in the spring rather than the fall each year so that striping is in good condition in the summer, when Beacon has the most visitors.

Last, these are that first recommendations coming from the MSAC, but we expect there will be more to come. Our Subcommittees are now hard at work on both short- and longer-term tasks related to signage, bicycle access to Main Street, loading zones, pocket parks and green spaces, as well as other improvements. We will forward additional recommendations from time to time once they have been approved by the MSAC.

**CITY OF BEACON – MAIN STREET ACCESS COMMITTEE
MEMORANDUM TO THE CITY**

Date: September 21, 2020

To: The City of Beacon:
Lee Kyriacou, Mayor
Anthony Ruggiero, City Administrator
Members of the Beacon City Council

cc: John Clarke, Planner, City of Beacon
Collin Milone, Assistant to the Mayor, City of Beacon

From: Main Street Access Committee:
Stowe Boyd and Sara Pasti, Co-Chairs

As a follow-up to our recommendations for “quick fixes” that were submitted to the City Council on July 14, 2020, the Main Street Access Committee submits the attached drawings of proposed intersection improvements to address some of the serious parking and safety issues that exist along Beacon’s Main Street.

As indicated in our first memorandum, the MSAC strongly advocates for the City’s consideration of improvements to the East End intersections of Churchill and Main and East Main and Main. The MSAC believes these two intersections have become increasingly dangerous to pedestrians and warrant the City’s prompt attention.

After considerable discussion about the location of crosswalks and landscaping and changes made by John Clarke to his original drawings based on this discussion, we are pleased to submit the attached two drawings for the City Council's consideration, with the following Addendum pertaining to the City Council Workshop's viewsheds discussion on September 14, 2020:

The attached drawings for the intersection of Main and Churchill show the absence of the street trees in front of the church that John Clarke discussed in the viewshed presentation at the City Council Workshop of September 14, 2020. However, this viewshed and tree removal has also been much discussed within the committee. After a site visit meeting on August 24, 2020 to this and other locations along the east end of Main Street, the committee had conflicting opinions on whether the removal of the trees may be in the best interest of the streetscape, so we do not recommend that action at this time.

As this viewshed discussion is just getting underway at the City Council, it should be more fully stated that several committee members are in favor of keeping the trees for the pedestrian experience, and as a streetscape that is often photographed and presented on social media as a

beauty spot in Beacon. Therefore, we believe tree removal at this location merits fuller discussion by the City Council, the Tree Advisory Committee, and possibly a public hearing. All other changes at this intersection are fully supported by this committee.

Thank you in advance for your consideration of this proposal regarding the intersections at the East End of Main Street. Please let us know if you have any questions.

**CITY OF BEACON – MAIN STREET ACCESS COMMITTEE
MEMORANDUM TO THE CITY**

Date: November 13, 2020

To: The City of Beacon:
Lee Kyriacou, Mayor
Anthony Ruggiero, City Administrator
Members of the Beacon City Council

cc: John Clarke, Planner, City of Beacon
Collin Milone, Assistant to the Mayor, City of Beacon

From: Main Street Access Committee:
Stowe Boyd and Sara Pasti, Co-Chairs

Re: Bicycle Access To and Around Main Street Beacon

This memo is the third in a series of recommendations submitted to the City Council. It follows an initial recommendation for “quick fixes” submitted in July and a second recommendation for improvements to be made to the East End intersections of Main and Churchill and Main and East Main that were submitted to the City Council in September.

The attached drawing developed for our Committee by John Clarke represents the result of our discussions relative to “bicycle boulevards” that provide what we believe to be the safest possible routes for bicycle access to and around Main Street. We have focused our discussions on bicycle access to Main Street to and from the train station, across Main Street going north and south, and access to the East End of Main Street.

We make this recommendation with the understanding that this is not a depiction of what the bicycle boulevards in Beacon ‘should be,’ but with the hope that this drawing will serve as a useful starting point for future discussions involving the City’s Traffic & Safety Committee, the City Council, and other citizen committees that are exploring green initiatives for Beacon. We also hope that the attached drawing can also be a useful beginning for a professional consultant or consultant team hired by the City to develop a final plan for safe bicycle travel in and around Beacon.

Thank you in advance for your consideration of this recommendation. Please let us know if you have any questions.

Memo | Main Street Access Area Parking

Date: December 14, 2020
To: Mayor Lee Kyriacou and Members of the City Council
Cc: John Clarke
From: Sara Pasti and Stowe Boyd, co-chairs, Main Street Access Committee

In recent months, the Main Street Access Committee has approached a number of major issues. Parking in the Main Street Access Area (the two blocks on either side of Main Street) has been perhaps the most central of our concerns, one that is almost inextricable from related topics, like pedestrian and bicycle access and safety, green spaces, transit options, and the general improvement of Main Street.

This memo is an attempt to distill the emerging thinking from the group regarding parking in the Main Street Access Area (MSAA).

Our starting point is the understanding that increased parking in the MSAA is a public good, but one that has to be balanced with other public interests. As a result, we start out with the recommendation that Beacon should not add additional parking lots of the sort behind the Rite Aid on Church St, along Henry, or at the County Building. If anything, we believe that these parcels should be repurposed, replacing lifeless asphalt lots with active commercial and other revenue-producing uses, while still providing more overall parking spaces than they now do.

For several reasons, it may be best to approach the various suggestions in a step-by-step timeline. The operating premise is that the city would move from one phase to the other only when parking becomes problematic under the current approach.

Phase 1

We have already recommended a number of ways to create additional parking at low cost in discussions with the City's traffic working group. Ideas include:

- Moving to diagonal parking on Henry Street behind the Health Center. Also, as part of that suggestion, closing one of the Henry lot entrances on Henry Street, and moving the second. This will lead to 12 more spaces, and better access for large vehicles like fire trucks (see attached sketch).
- Providing new on-street spaces along the east side of Fishkill Ave. between Main and Verplanck, to add approximately 22 spaces.
- Reconfiguring the County Center lot to increase the parking count by about 35 spaces.
- Restriping the Church Street lot with all 9-foot stalls to gain 7 spaces.
- Striping parallel parking spaces on a number of streets in the MSAA on the first block from Main: north side of Herbert (would also slow dangerous traffic), Ackerman, North and South Cedar, Willow, Schenck, and Tioronda¹.

¹Each of these has particular issues based on the lay of the land and how the streets are used. Tioronda is a heavily trafficked street, for example, and so when the width of the street drops below a critical width, parking is only suitable on one side, which should be the side with sidewalks (the western side). Aside from the first block from Main, the other side should become no parking. This may actually decrease parking, but the situation on Tioronda is problematic, if not dangerous.

We originally recommended a larger expanse of striping on side streets but pared back the recommendations in the interests of getting the most critical striping done. (Note also that these recommendations also were accompanied by suggestions for additional stop signs, and an assessment of existing loading zones and where additional loading zones might be located. That is out of scope in this memo.)

Regarding parking on Main Street itself, we have looked over the plans for the bump outs along Main and determined that it might be best to see what the situation is after that construction has happened, and where crosswalks and fire hydrants are located post construction. We have recommended better parking lot signage and are in discussions with the City's DPW on that topic.

Phase 2

Main Street is one of Beacon's greatest assets. As a result, the parking on Main Street is of great value and in high demand. And it is a resource that can't be increased.

If the near-term actions to create additional parking become inadequate, the next phase may be to institute paid parking on and near Main Street. Paid parking is a proven method to manage parking demand and make parking more efficient, without adding any heat-inducing asphalt lots to the Main Street corridor at a time when global warming is an increasing environmental crisis, especially in cities.

We have noted that visitors to Beacon do not underwrite the costs of maintaining Beacon's roads, traffic lights, street lights, traffic markings, or related costs, except through the highly indirect mechanism of sales taxes paid to Main Street businesses. The costs are borne by Beacon residents and businesses.

In the case of moving to paid parking, we suggest considering a hybrid model of paid parking. In such a model, visitors would pay an hourly fee for parking, and this could be variable, so that weekend parking could be more expensive. Residents would pay a reduced fee, such as a free first hour, and a lower fee than visitors thereafter.

We are aware that modern solutions exist so that we would not have to have meters at every parking space, and that payments can be made by credit and debit cards, or through smartphones. We defer the details to some dedicated group to research. However, we believe that the fees could underwrite not only the expenses of the parking system but could generate considerable revenue for the city. There would be additional costs, too, such as policing to catch those not paying the fees, but that could be accounted for when the fees are set.

Parking fees on Main Street, if instituted, would lead to more people parking farther from Main St, and opting to walk a block or two. Many people do that already, since Main St parking is often completely swamped. The difference will be that the City will make revenue from that demand, and that parking on Main St will turn over at a higher rate, which makes for a more productive pattern of use.

Another potential source of parking revenue would be the establishment of in lieu parking fees for new development. Instead of giving away parking variances and waivers, a per-space in lieu fee billed on a quarterly or annual basis would generate funds for future parking improvements.

We understand that these proposals would have to be discussed with the community, and the perspectives of residents and business owners would have to be balanced. But managing the access to this resource is a critical issue and will only become more problematic as Beacon's population and popularity continue to rise.

Phase 3

Prior to the pandemic, Beacon had started to experience a parking crunch. More developments have gone up -- or are in process -- on Main Street that for lot size reasons cannot provide on-site parking. Independent of new development, additional residents and visitors want to park near Main St.

If the Phase 2 paid parking model becomes ineffective for the Main St area, the city could undertake the development of new parking structures (see attached renderings). This would certainly have to involve community discussion and would have to be underwritten by new sources of revenue, such as parking fees, municipal bonds, and grants.

Church St Parking Structure

A multistory garage could be constructed at the parking lot; on Church between Eliza and Chestnut. This would provide up to 350 parking spaces in a three-story structure, which is an increase of 258 spaces from the existing lot.

That number of spaces could make it possible to reduce or eliminate other parking lots in the area. It is part of a multistep plan to subsequently be able to convert the parking lots on Henry into commercial or mixed-use buildings (with under-building parking) that the city could lease for additional revenue. Note that this would be subsequent to the building of a new parking structure.

County Building Parking Structure

The second possible parking structure would be a one- or two-story deck built behind the County Building on Main St. This would support an additional 100-200 parking spaces, and still allow room for a commercial or mixed-use building on the corner of South Elm and Main with a central pocket park, as recommended in the 2017 Comprehensive Plan Update.

This would be a considerable undertaking and involve a great deal of coordination of resources. But in the long run, considering the likelihood of continued population growth and the trend toward additional tourism in the City, some actions of this sort may become necessary.

Conclusions

Main Street Access Area parking is a major issue in Beacon. We have penciled out a step-by-step approach the City can take to balance the needs of residents, business owners, and visitors and to keep pace with growing demand for parking. We hope to discuss these proposals with you as soon as it is convenient.

Addendum to Memo | Main Street Access Area Parking – Tioronda Avenue Parking and Parking Space Fees Paid by Developers

Date: January 15, 2020
To: Mayor Lee Kyriacou and Members of the City Council
Cc: John Clarke
From: Stowe Boyd, Chair, Main Street Access Committee

Tioronda Avenue Parking

As a follow-up to discussions regarding parking on Tioronda Avenue, the Main Street Access Committee we offer the following observations:

1. Need 'No Parking to Corner' before the cutouts near Main, where it gets too tight to have parking on either side.
2. Tioronda is 31.5 feet wide at Vine and at the Laurel Mountain Florist shop.
3. Tioronda narrows to 27.5 feet at 29 Tioronda
4. Tioronda widens to 33 feet at Vine.
5. Heading west past Vine Tioronda drops to 22 feet at 67 Tioronda (not shown on the map). We should have 'No Parking' signs west of Vine.
6. We should have a Public Parking sign at the Van Nydeck intersection directing motorists to the Van Nydeck lot.

We believe Tioronda is too narrow to have two-way traffic and parking on both sides west of Van Nydeck, even though that will eliminate some parking spots. The road is not used as a typical residential street. It is more of a thoroughfare. Currently, of course, we have people parking on both sides.

Developer Parking Lot Fees

At the MSAC meeting held on December 2, the Committee discussed the payments made by developers to offset the number of required off-street parking spaces that are not available on site. Currently developers are required to pay an up-front, per space fee to the City, which can pose a deterrent to development. The Committee recommends that this up-front fee be changed to a regular, ongoing monthly fee paid on a per space basis, and that this money be placed in a parking benefit fund to be used for parking improvements and/or the future construction of a parking structure.

Memo | Main Street Parking Lots Signage

From: Sara Pasti and Stowe Boyd, co-chairs Main Street Access Committee

Date: 2021-01-20

Background

The Main Street Access Committee (MSAC) proposed that the city adopt a standard set of signs related to public parking.

Two Kinds of Signs

There are two sorts of signs associated with parking lots.

1. There are informational signs in the parking lots, explaining the regulations for use of the parking lots.
2. There are wayfinding signs, intended to direct drivers to public parking lots at their entrance, and for those lots that are situated away from Main Street an additional sign to indicate where to turn to get to the parking lot.

We recommend the city consider Highway Gothic, a font especially designed for visibility and currently used across the country. As shown here, we recommend wayfinding signs use mixed-case lettering, with a dark blue background and white lettering.



We will have to get signs with arrows in both directions, so that, for example, a wayfinding sign on the corner of Churchill and Main St pointing to the lot near the Hudson Valley Brewery would have arrows pointing down the hill from both sides. The dimensions of the signs we leave to the discretion of the Highway Department to bring into alignment with existing city and state regulations that may exist.

In addition, we suggest that the city add an Antigraffiti Overlamine coating over any new signage for easy removal of graffiti from paint, markers and stickers, etc.

The informational signs should be standardized as well, including days and hours of use and any restrictions. Suggestions for such language is included with this memo.

The Lots and Signs

Beacon has twelve downtown parking lots. There are photos of many of the existing signs in the appendix.

Our basic recommendations are to (1) place wayfinding signs to indicate lots off of Main Street, (2) update entrance signs, and (3) update informational signs. The informational signs may be adequate as is.

- Beacon Center Lot -- Actually managed by the County, and most of the parking is limited to after 6pm or before 9am. We assume the City needs to coordinate with the County to make any changes, but we recommend better wayfinding signs for the lot, at the least. A possible back entry/exit on Dewindt might be helpful, as would widening the entry/exit on South Elm.
- Beacon Falls Lot -- This lot needs wayfinding and informational signs. If the lot is to remain unpaved, we could add curb stops to indicate parking spaces.
- Mase Firehouse -- This lot requires wayfinding and information signs.
- Churchill Lot -- a wayfinding sign on the corner of Churchill and Main St pointing to the lot at the bottom of the hill. Would benefit from a wayfinding public parking sign on East Main entrance.
- Cliff Lot -- Currently a wayfinding sign on the opposite side of Main, and an entrance sign on the Cliff side of Main. Need to be updated to new format.
- Cross St -- We propose a wayfinding sign on the corner of Cross and Main, and entry and information signs.
- Chestnut and Teller Lots -- Needs wayfinding signs on Chestnut and Main intersection, and Henry and Teller intersection. Information signs should match other lots.
- Municipal Plaza -- This lot is currently not in use for public parking. But we believe there should be weekend and evening parking here, with corresponding wayfinding and informational signs. There also seems to be space for more parking along Beekman.
- Elm (Sunoco) Lot -- Update entrance sign.
- Van Nydeck Lot -- Place a wayfinding sign at the intersection of Tioronda and Van Nydeck, pointing up the hill to the lot. Replace existing 'municipal parking' signs with entrance signs.
- Verplanck Lot -- Needs an entrance sign on Main. Existing informational sign could include mention of the Residents Only parking area behind the building next to the lot.

Other Considerations

It might be sensible to adopt the same style of signage as other signs are placed, like the loading zones recommendations we've made, parking signs, and even the replacement of intersection signs.





* this is sample verbage - lot specific TBD by COB and the Highway Dept.

City of Beacon City Council Agenda
02/22/2021

Title:

Proposed Local Law to Create Chapter 223, Section 25.1 of the Code of the City of Beacon Regarding Viewsheds

ATTACHMENTS

Memorandum from the City Attorney's Office Regarding the Proposed Viewshed Protection Local Law

Proposed Viewshed Protection Local Law

MEMORANDUM

TO: Mayor Kyriacou and Members of the City Council
of the City of Beacon

FROM: Keane & Beane, P.C.

RE: Scenic Viewshed Protection Local Law

DATE: February 17, 2021

The proposed Local Law concerning Scenic Viewshed Protection in the City of Beacon includes specific site development plan regulations for proposed projects affecting a designated scenic view location or designated scenic viewshed. Where site development plan approval is required, the Planning Board shall consider the consistency of the proposed development, alteration, modification or improvement with the provisions of Section 223-25.1. The proposed Local Law requires that a site plan application for a proposed project that may affect a designated scenic view location or designated scenic viewshed include a visual assessment of the proposed project as part of the application package. Before granting or denying any site development plan, the Planning Board must consider the standards set forth in Section 223-25.1.G(3) to minimize or mitigate any impact to a designated viewshed or scenic view location.

At the February 9, 2020 Planning Board meeting, the Planning Board recommended that the City Council consider whether subdivision, special use permit and variance applications affecting a designated scenic viewshed or designated view location should trigger viewshed review under Section 223-25.1.G. A copy of the Planning Board's memorandum to the City Council is attached hereto.

This memorandum outlines questions, comments, and revisions to the proposed Local Law the City Council should consider to address the Planning Board's comments.

1. Should special use permit, subdivision, and variance applications affecting a designated scenic viewshed or designated view location trigger viewshed review under Section 223-25.1.G of the proposed Local Law?
 - a) Special Use Permit: ☐ Include in Local Law ☐ Do not include in Local Law
 - All special use permits, even those approved by the City Council, require site development plan review by the Planning Board.
Therefore, under the present draft of the proposed Local Law, all

special use permit applications will be subject to the Planning Board's review of the standards set forth in Section 223-25.1.G(3).

b) Subdivision: ☐ Include in Local Law ☐ Do not include in Local Law

- Not all subdivision applications require site development plan review. For example, under the present draft of the proposed Local Law a two lot residential subdivision that does not involve a site plan application would not be subject to the Planning Board's review of the standards set forth in Section 223-25.1.G(3).

c) Variance: ☐ Include in Local Law ☐ Do not include in Local Law

- Under the present draft proposed Local Law, applications for a variance that do not trigger site plan review will not be subject to the Planning Board's review of the standards set forth in Section 223-25.1.G(3). For example, variance applications for the following are not subject to site plan review: any variance request concerning a single-family home, construction of a retaining wall, and installation of a swimming pool.

2. Under the present draft of the proposed Local Law only the Planning Board is responsible for conducting a viewshed impact review and applying the standards set forth in Section 223-25.1 in connection with site development plan review. However, if the City Council decides to expand the proposed Local Law to include special use permits, subdivision and variance applications, a question arises as to which City agency(s) should be required to consider a projects impact on designated viewsheds.

Some projects require site development plan approval from the Planning Board, special use permit from the City Council and variance approval from the ZBA. If each agency separately reviews the same application and applies the standards set forth in Section 223-25.1.G(3), an applicant may face inconsistent review and may be asked to modify a project in a way that another board disagrees with. Other applications may, for example only require variance approval from the ZBA. If the City Council, decides to expand the scope of the local law to include variance applications, it is important to select one agency to conduct a viewshed impact review for applications that may affect a designated scenic viewshed or scenic view location. We recommend the Planning Board be solely responsible to conduct a viewshed impact review as the Planning Board reviews the most land use applications and has the most experience applying specific standards to various land use applications, i.e. Certificate of Appropriateness review.

What City agency should conduct the viewshed impact review and consider the standards set forth in Section 223-25.1.G(3)?

a) City Council ☐ Yes ☐ No

- b) Planning Board ☐ Yes ☐ No
 - c) Zoning Board of Appeals ☐ Yes ☐ No
3. Under the proposed Local Law, the standards set forth in Section 223-25.1.G(3) could be used to reduce density. For example, if there is only one buildable location on a site and a three-story building at that location would block a viewshed, but a two-story building would not- the Planning Board may prohibit the applicant from constructing the second story. However, the proposed Local law does give the Planning Board flexibility to modify the City's zoning regulations to expand the footprint of the building to make up the lost density. The City Council should consider whether it wishes to clarify the law to make it clear that the Planning Board cannot decrease building density through the application of the proposed Local Law, building density may only be reduced as part of site development plan review.
- a) ☐ Yes- The proposed local law should include language to protect building density.
 - b) ☐ No- The proposed local law should not include language concerning building density.
4. Proposed Revisions to Text (proposed revisions are marked as track changes in the attached draft Local Law.)
- a) Section 223-25.1.C was amended to add subsection (4) to address clarify that it a proposed project may not be denied, and density may not be reduced based on the provisions of the proposed Local Law.
 - o "It is the intent of this section to protect viewsheds while allowing property to be developed in accordance with the City Zoning Code and New York State law. The Planning Board has the flexibility to modify the City's zoning regulations with respect to site layout and lot design, including minimum lot area, width, depth, and frontage, minimum front, side, and rear yards, and other similar requirements in the § 223-17, Schedule of Dimensional Regulations, as permitted in this section, to preserve designated viewsheds and permit proposed projects that otherwise meet the requirements of the City Code. It is the intent of the City of Beacon that a project may be denied or density reduced based on restrictions set forth in the City Zoning Code, but a project shall not be denied and density shall not be reduced based solely on the provisions of this Section."

- b) Section 223-25.1.G(3) was amended to make it clear the Planning Board cannot deny an application based on its potential impact to a designated scenic viewshed or view location. The City Council may consider requiring a super majority vote for the Planning Board to deny a site plan application based in part on its impacts to a designated scenic viewshed or view location.
 - Before granting or denying any site development plan, the Planning Board shall consider the following standards, which in and of themselves, shall not be the basis for sole denial, when reviewing a site development plan application that may affect a designated scenic viewshed or scenic view location:
- c) Section 223-25.1.G(3)(b) was revised to make it clear that this subsection applies to the placement of a single building or multiple buildings.
 - “If there is no reasonable alternative on the site to placing a permitted building(s) near designated views, such building(s) shall be located to maintain a substantial viewshed corridor between buildings, thereby framing the view rather than obstructing it.”
- d) Section 223-25.1.G(3)(c) was revised to make it clear that the word obstructions only pertains to roof-top obstructions.
 - “To protect designated scenic viewsheds over buildings, rooftop mechanical equipment and other potential roof-top obstructions shall be avoided, or at least minimized and screened, and any visible flat roof surfaces shall be integrated into views with green roof plantings or other architectural measures.”



Memorandum

Planning Board

TO: Mayor Lee Kyriacou and City Council Members

FROM: Planning Board Chairman Gunn and Planning Board Members

RE: City Council Request to Create Chapter 223, Section 25.1 concerning Viewshed Protection

DATE: February 11, 2021

At the February 9, 2021 Planning Board meeting, members reviewed and discussed the proposed local law referred from the City Council which would create Chapter 223, Section 25.1 of the City Code concerning viewshed protection. A comprehensive review of the proposed law took place with the City Planner John Clarke and Attorney Jennifer Gray with particular attention to areas of the law that pertain to the Planning Board's role. Generally, the Planning Board is in agreement with the local law which is comprehensive and structured in a way that makes sense. However, considerable discussion took place regarding whether the law should apply to Subdivision, Special Use Permit, and Variance approvals as well as site development plans. The current draft is limited only to applications for site development plans and members are concerned that omitting Subdivision, Special Use Permit and Variance applications from the scope of the viewshed protections may result in too many exceptions to the rule. The Planning Board recommends that the City Council consider whether those additional types of land use applications should be included in the scope of the proposed local law.

Should you have any questions or require additional information, please feel free to contact me.

DRAFT LOCAL LAW NO. ____ OF 2021

**CITY COUNCIL
CITY OF BEACON**

**PROPOSED LOCAL LAW TO CREATE
CHAPTER 223, SECTION 25.1 OF THE CODE OF THE CITY OF
BEACON**

A LOCAL LAW to
create Chapter 223,
Section 25.1 of the
Code of the City of
Beacon concerning
Scenic Viewshed
Protection.

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

Section 1. Chapter 223, Section 25.1 of the Code of the City of Beacon is hereby created as follows:

§ 223-25.1 Scenic Viewshed Protection.

- A. Statutory authority. Pursuant to the General Municipal Law § 96-a of the State of New York and the General City Law of the State of New York, the Beacon City Council hereby enacts a Scenic Viewshed Protection Law.
- B. Legislative findings and purpose. The City of Beacon finds that certain public view locations and viewsheds, as herein defined, have a special scenic, historic, or aesthetic value and any future obstruction of such viewsheds would constitute an irreplaceable loss to the people of the City. It is hereby declared as a matter of public policy that the protection, enhancement, perpetuation, and scenic use of designated view locations is a public necessity and is required in the interest of health, safety and general welfare. The purpose of this section is to:
 - (1) Safeguard the City's scenic and aesthetic resources, as embodied in designated viewpoints and viewsheds.
 - (2) Preserve property values in such scenic resource areas.
 - (3) Foster civic pride in the beauty of the City.

- (4) Implement the objectives and policies of the City's Comprehensive Plan, Local Waterfront Revitalization Program, and Natural Resources Inventory.

C. Legislative Intent

- (1) It the intent of the City of Beacon to protect and preserve the scenic resources of the City, to ensure that the benefits provided by the scenic resource will not be lost for present and future generations, and to protect the broader public interest.
- (2) This section is enacted with the intent of providing an equitable balance between the rights of individual property owners to the use of their property and the rights of present and future generations to enjoy scenic viewsheds. Therefore, this section recognizes the rights of property owners that may be affected by a designated scenic resource to use their property for reasonable purposes consistent with these and other regulations and controls, provided that such use does not result in a significant loss or impairment to public scenic viewsheds.
- ~~(3)~~ It is not the intent of this section to protect views from private properties or to affect property development constructed prior to the designation of a specific scenic viewshed or scenic view location. However, it is the intent of the City of Beacon that the provisions of this section shall apply to any enlargement, alteration, improvement, or modification of any existing building or structure that affects a designated scenic viewshed.
- ~~(3)(4)~~ It is the intent of this section to protect viewsheds while allowing property to be developed in accordance with the City Zoning Code and New York State law. The Planning Board has the flexibility to modify the City's zoning regulations with respect to site layout and lot design, including minimum lot area, width, depth, and frontage, minimum front, side, and rear yards, and other similar requirements in the § 223-17, Schedule of Dimensional Regulations, as permitted in this section, to preserve designated viewsheds and permit proposed projects that otherwise meet the requirements of the City Code. It is the intent of the City of Beacon that a project may be denied or density reduced based on restrictions set forth in the City Zoning Code, but a project shall not be denied and density shall not be reduced based solely on the provisions of this Section.

- D. Definitions. Unless specifically defined below, words or phrases in this section shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this section its most reasonable application.

SCENIC VIEW LOCATION

A designated position from a public street, public sidewalk, public property, or publicly accessible easement at standing height in a designated direction that overlooks a scenic viewshed.

SCENIC VIEWSHED

A designated area which exhibits outstanding or unique arrangements of natural or built features, including water or water-related features, streetscape, landforms or vegetative patterns, or other historic or environmental features that provide inspiration, hold interest and command the attention of the viewing public. A scenic viewshed is visible from a scenic view location.

- E. Designation process. From time to time the City Council may, ~~on its own motion,~~ identify and designate certain areas within the City of Beacon as a scenic view location and a scenic viewshed:
 - (1) The City Council shall identify a scenic view location and scenic viewshed for possible designation. The City Council shall prepare and make public a justification assessment which shall include maps, photographs, and a written description to describe the potential scenic view location and scenic viewshed under consideration.
 - (2) The City Council shall request comments regarding the potential scenic view location and scenic viewshed from the Planning Board and Conservation Advisory Committee. The City Council may also request comments from other officials and committees as the Council deems appropriate. All comments shall be provided to the City within 30 days of the City's initial request.
 - (3) After the City Council has identified a specific scenic view location and scenic viewshed for protection, it shall hold a public hearing on the designation of each identified scenic view location at which time the general public, interested parties, and property owners in the area shall have the opportunity to be heard regarding the proposed scenic view location and scenic viewshed designation.
 - (4) Notice of the public hearing on the designation of the scenic view location and scenic viewshed shall be provided as follows:
 - (a) The City shall submit a notice of public hearing to the official City newspaper and one additional local newspaper for publication at least 10 days before such hearing. The notice shall be published at the expense and direction of the City. The notice shall contain the time, date and place of the public hearing, and shall identify the view location and viewshed to be designated.
 - (b) Notice of the public hearing shall be sent by the City, by certified mail (return receipts not required) at least 10 days before such hearing to all property owners within a distance of 250 feet of any boundary of the proposed scenic view location. The notice shall contain the time, date and place of the public hearing, and shall identify the view location and viewshed to be designated.

- (5) After conducting a public hearing on the intent to designate a scenic view location the City Council shall approve or disapprove the designation according to its regular voting procedures and include any designated view location on the City of Beacon Zoning Map.
- (6) The designation of a scenic view location or scenic viewshed may be amended or rescinded by the City Council, after a public hearing.

F. Criteria for designation.

- (1) Prior to designating a scenic view location or scenic viewshed, the City Council must find the scenic view location or scenic viewshed possesses one or more of the following characteristics:
 - (a) The view represents a key view location for which public sensitivity to an alteration of the view will be the highest, such as at gateway entrances to the City, public parks, and major intersections.
 - (b) The view is illustrative of a natural landscape feature, water body, or geologic feature important to the natural character of the City. The City's Natural Resources Inventory identified three primary scenic viewsheds worthy of protection, including views of the Hudson River, Fishkill Creek, Fishkill Ridge and Mt. Beacon.
 - (c) The view encompasses a significant historic location which is important to the cultural history of the City. Designated view locations may include historic structures, but views of historic buildings shall be protected by the provisions in Chapter 134, Historic Preservation.
- (2) Scenic viewsheds shall possess a unique overall quality of scenic beauty.
- (3) If multiple nearby locations have similar views, the best view locations shall be designated.
- (4) Designation shall consider foreground elements and the longer-distance viewshed, as well as whether the view will be available in both summer and winter.
- (5) Only legally accessible public property, including existing roads, parks, or other legally accessible public property, may be designated as a protected scenic view location.

G. Site development plan regulations for proposed projects affecting a designated scenic view location or designated scenic viewshed.

- (1) Where site development plan approval is required by the Planning Board pursuant to § 223-25, the Planning Board shall consider the consistency of the proposed

development, alteration, modification or improvement with the provisions of this section.

- (2) An application for site development plan approval for a proposed development, alteration, modification or improvement that may affect a designated scenic view location or designated scenic viewshed shall include a visual assessment of the proposed action as part of the application packet. The visual assessment shall include the following:
 - (a) An aerial photograph showing the subject property, adjoining parcels, and the designated view location and direction.
 - (b) Perspective drawings, plans and section diagrams, photographs, or photo-simulations of proposed improvements in relation to the designated view location and viewshed.
 - (c) A written description of the proposed development, the predicted impacts on the designated view location and viewshed, and suggested mitigation measures to avoid any potential impacts.
 - (d) The reviewing authority may request additional information as part of the review process.
- (3) Before granting or denying any site development plan, the Planning Board shall consider the following standards, which in and of themselves, shall not be the sole basis for denial, when reviewing a site development plan application that may affect a designated scenic viewshed or scenic view location:
 - (a) The proposed activity, including any new structure, parking lot, overhead wires, antenna, light fixture, fencing, mechanical equipment, or other new site feature, shall be located or clustered on the parcel so as to avoid affecting the designated viewshed or cause the least possible obstruction of the view.
 - (b) If there is no reasonable alternative on the site to placing a permitted building(s) near designated views, such building(s) shall be located to maintain a substantial viewshed corridor between buildings, thereby framing the view rather than obstructing it.
 - (c) To protect designated scenic viewsheds over buildings, rooftop mechanical equipment and other potential roof-top obstructions shall be avoided, or at least minimized and screened, and any visible flat roof surfaces shall be integrated into views with green roof plantings or other architectural measures.

- (d) Disturbance to existing vegetation that contributes to the scenic viewshed shall only be permitted to the extent that it is absolutely necessary for the development or improvement. Existing overgrown vegetation that is blocking scenic views may be selectively cut down or trimmed back.
 - (e) New landscaping, including trees, shrubs, and hedges, shall be planted so as to avoid obstruction of designated public viewsheds and maintained over time as a condition of any approval.
 - (f) Development that may affect the designated viewshed shall be integrated with existing vegetation and kept screened behind and below the natural tree line, whenever possible.
 - (g) Designated viewsheds may be additionally protected by providing enhanced scenic view locations as part of a development plan, such as the incorporation of a publicly accessible viewpoint, greenspace, promenade, or Greenway Trail into the proposal.
- (4) The Planning Board may request alternative design options that would avoid or minimize negative impacts to the designated viewshed.
- (5) In order to achieve the purposes of this section, the Planning Board may modify the zoning regulations with respect to site layout and lot design, including minimum lot area, width, depth, and frontage, minimum front, side, and rear yards, and other similar requirements in the § 223-17, Schedule of Dimensional Regulations, provided that:
- (a) The permitted number of dwellings or overall square feet of development in no case exceeds the number that could be permitted if the land was developed in conformance with the normally applicable requirements of the zoning district.
 - (b) The maximum permitted building height requirements shall be the same as those normally applicable to other dwellings in the zoning district.

Section 2. Ratification, Readoption and Confirmation

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

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and

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

Section 4. Severability

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

Section 5. Effective Date

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

City of Beacon City Council Agenda
02/22/2021

Title:

Home Rule Legislation Regarding the Sale of Excess Sewage Capacity to Private Corporation Outside the City

ATTACHMENTS

Memorandum in Support of Legislation Regarding the Sale of Excess Sewer Capacity Outside of City Limits

Resolution Approving Home Rule Request Legislation Amending General City Law 57 Regarding the Sale of Excess Sewage Capacity to Private Corporation Outside the City

Act in Assembly Allowing the City of Beacon to Sell its Excess Sewage Capacity to Private Corporations and Individuals Outside of the City Limits

Home Rule Form

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER:

SPONSOR: Jacobson

TITLE OF BILL:

An act to amend the general city law, in relation to allowing the City of Beacon to sell its excess sewage capacity to private corporations and individuals outside of the city limits

PURPOSE OR GENERAL IDEA OF BILL:

This bill will allow the City of Beacon to sell its excess sewage capacity to private corporations and individuals outside of the city limits

SUMMARY OF PROVISIONS:

Section 1: Amends subdivision 1 of section 57 of the general city law to remove the city of Beacon so that this article will apply

Section 2: Amends subdivision 2 of section 57 of the general city law to exclude the city of Beacon from Article 4 of general city law with the exception of section 56-A

JUSTIFICATION:

In 1993, general city law was amended to free the City of Beacon from the requirement of maintaining a Plumbing Board. However, an unintended consequence of the amendment precluded the Beacon's ability to sell its excess sewage capacity to private corporations and individuals outside of the city limits.

Beacon seeks to recover its authority to sell its excess sewage capacity to private corporations and individuals outside of the city limits as a source of revenue.

PRIOR LEGISLATIVE HISTORY:

None.

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:

No cost to the State and the City of Beacon will gain revenues

EFFECTIVE DATE:

This act shall take effect immediately.

CITY OF BEACON CITY COUNCIL

RESOLUTION NO. ____ OF 2021

**RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE TO
APPROVE SENATE BILL S. ____ AND ASSEMBLY BILL A.5399 WHICH AMENDS
GENERAL CITY LAW SECTION 57 AS APPLIED TO THE CITY OF BEACON TO
ALLOW THE CITY OF BEACON TO SELL ITS EXCESS SEWAGE CAPACITY TO
PRIVATE CORPORATIONS AND INDIVIDUALS OUTSIDE OF THE CITY LIMITS**

Council Member _____ moved, seconded by Council Member _____, to
adopt the following Resolution:

WHEREAS, the City Council of the City of Beacon adopted a Resolution on October 5,
2020, requesting the New York State Legislature to introduce legislation amending General City
Law §57 to exempt its application to Section 56A of the General City Law as applied to the City
of Beacon to permit the City of Beacon to sell its excess sewage capacity to private corporations
and individuals outside of the City boundaries; and

WHEREAS, the New York State Legislature has drafted Senate Bill S.____, entitled
AN ACT to amend the general city law, _____; and Assembly Bill A.5399 entitled AN
ACT to amend the general city law, in relation to allowing the City of Beacon to sell its excess
sewage capacity to private corporations and individuals outside of the city limits; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Beacon
hereby respectfully requests the New York State Legislature to adopt a Home Rule Request
authorizing the City of Beacon to sell its excess sewage capacity to private corporations and
individuals outside of the City limits; and

BE IT FURTHER RESOLVED, that the enabling legislation be in the form and content
as shown in the attached Senate Bill S.____ and Assembly Bill A.5399; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to
forward the appropriate number of copies of this Resolution and the Home Rule Request form
with appropriate transmittal letters to each house in the New York State Legislature.

VOTE: AYES _____ NAYS _____

STATE OF NEW YORK

5399

2021-2022 Regular Sessions

IN ASSEMBLY

February 16, 2021

Introduced by M. of A. JACOBSON -- read once and referred to the Committee on Cities

AN ACT to amend the general city law, in relation to allowing the city of Beacon to sell its excess sewage capacity to private corporations and individuals outside of the city limits

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

- 1 Section 1. Section 57 of the general city law, as amended by chapter
2 1046 of the laws of 1981, subdivision 1 as amended by chapter 222 of the
3 laws of 2020 and subdivision 2 as amended by chapter 419 of the laws of
4 2019, is amended to read as follows:
5 § 57. Article limited. 1. This article shall not apply to any of the
6 following cities: New York, Binghamton, Schenectady, Elmira, [Beacon,]
7 Hornell, Olean, Poughkeepsie and Cortland.
8 2. This article, with the exception of section fifty-six-a thereof,
9 shall not apply to the city of Glens Falls [and], the city of Middletown
10 and the city of Beacon.
11 § 2. This act shall take effect immediately.

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

LBD08241-01-1



PRINTED ON RECYCLED PAPER

IMPORTANT: READ INSTRUCTIONS ON REVERSE SIDE
HOME RULE REQUEST
(Request by a Local Government for Enactment of a Special Law)

To the Legislature:

Pursuant to Article IX of the Constitution, the City of
(county, city, town or village)
Beacon requests the enactment of ~~Senate~~ bill (no. **A5399**),
(name) Assembly
(strike out one),
entitled "

An act to amend the general city law, in relation to allowing the City of Beacon to sell its excess sewage capacity to private corporations and individuals outside of the city limits.

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows: (Check appropriate box)

- ☒ The local government does not have the power to enact such legislation by local law.
☐ Other facts, as set forth in the following "Explanation" establish such necessity.

EXPLANATION

(If space below is not sufficient, use separate sheet and attach here)

Such request is made by: (Check appropriate box)

- ☐ The chief executive officer of such local government, concurred in by a majority of the total membership of the local legislative body. (See paragraph A below)
☒ The local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request. (See paragraph B below)

READ BEFORE SIGNING

- A. If the request is made by the chief executive officer and concurred in by a majority of the total membership of the local legislative body, *both* the chief executive officer *and* the clerk of the local legislative body must sign below. In such case use the word "majority" below even though the vote may have been greater.
B. If the request is made by the local legislative body, at least two-thirds of the total membership thereof having voted in favor of such request, *only* the clerk of the local legislative body must sign below. In such case use the words "two-thirds" below.

CHIEF EXECUTIVE OFFICER'S SIGNATURE

(Signed).....
(chief executive officer)

.....
(Print or type name below signature)

Date: 20

.....
(Title of chief executive officer)

CLERK'S CERTIFICATION

I, **Iola Taylor** do hereby certify that I am Clerk of the City
(print or type name) (local legislative body)
Council of the City
(name) (county, city, town or village)
of **Beacon** and that on the day of
(name)
20____, such legislative body, at least ~~majority~~ **two-thirds** of the total membership having voted in favor thereof,
(strike out one)
approved the foregoing request.

(SEAL OF LOCAL
GOVERNMENT)

(Signed).....

Iola Taylor
(clerk)

.....
(Print or type name below signature)

Date: 20

INSTRUCTIONS

Copies required:

Two signed copies of this form, specifying the final bill number and title must be filed with *each* House of the Legislature.

Examples:

- (a) If the bill has been introduced in only *one* House of the Legislature, four copies of the request form must be filed, i.e., two with the Senate and two with the Assembly.
- (b) If the identical bill has been introduced in *both* Houses, eight copies of the request form must be filed, i.e., two with the Senate and two with the Assembly for the Senate bill and the same for the Assembly bill.

Date of request:

The signing of a home rule request or the adoption of a resolution by the local legislative body approving such request cannot precede the date on which the bill is actually introduced in the Legislature. In the case of prefiled bills, the actual date of introduction is the first day of the legislative session. The request may be signed or the resolution adopted the same day as the date of introduction.

Amended bills:

Each time the bill is amended a new request must be filed (with the appropriate number of copies) and the new request must correctly identify the bill number as last amended. The signing of the request, and the date of the supporting resolution, cannot precede the date of the amendment.

Transmittal:

The signed forms should be sent as follows:

To the Senate:

Home Rule Counsel
Senate Post Office
208 Legislative Office Building
Albany, N. Y. 12247

To the Assembly:

Home Rule Counsel
Assembly Post Office
210 Legislative Office Building
Albany, N. Y. 12248

Definition of terms:

Chief executive officer:

In the case of a county, the elective or appointive chief executive officer, if there be one, or otherwise the chairman of the board of supervisors; in the case of a city or village, the mayor (not manager); and in the case of a town, the supervisor. (Municipal Home Rule Law §40)

Local legislative body.

The board of supervisors, board of aldermen, common council, council, commission, town board, board of trustees or other elective governing board or body vested by state statute, charter or other law with jurisdiction to initiate and adopt local laws or ordinances. (Municipal Home Rule Law §2)

Local government.

A county, city, town or village (Const. Art. IX, §3; Municipal Home Rule Law §2)

Special law

A state statute which in terms and in effect applies to one or more, but not all, counties (other than those wholly included within a city) cities, towns or villages. (Const. Art. IX §3; Municipal Home Rule Law §2)

Total membership.

The total voting power of a legislative body. (Municipal Home Rule Law, § 20, 40)

City of Beacon City Council Agenda
02/22/2021

Title:

Social Media and City Website Policy

ATTACHMENTS

[Draft Social Media and City Website Policy](#)

Social Media & City Website Policy

The City of Beacon (the “City”) maintains a website and social media accounts for the purposes of disseminating information and communicating with members of the public. The City’s website will remain the City’s primary and predominant internet presence.

Social media is the collective of online communications channels dedicated to community-based input, interaction, content-sharing and collaboration. Websites and applications dedicated to, including but not limited to, forums, microblogging, social networking, social bookmarking, social curation, and wikis are among the different types of social media. Examples of social media sites include but are not limited to: Facebook, Twitter, Wikipedia, YouTube, Instagram, LinkedIn, blogs, and many others. Questions on whether a site is considered a social media site should be addressed with the City Administrator.

This policy gives direction to the Mayor, the City Administrator, City employees, approved board/committee members and volunteers, and elected officials that utilize the City’s website and social media, and/or engage in social networking for City purposes. The City has an overriding interest and expectation in deciding what is published on behalf of the City through its website and social media and in establishing guidelines for the use of the City’s website and social media by City employees and officials. Any approved City boards/committees may submit a request for publication on a City approved website and/or social media platform to the Office of the City Administrator or their designee for review and posting if approved.

With the exception of users specifically tasked to update City-sponsored websites and social media sites, accessing or posting to social media sites with the City’s technology or during working hours, other than scheduled rest periods, is prohibited.

Only authorized users may post to the City’s website and/or social media. No new City websites or social media accounts shall be opened in the name of the City of Beacon or its official and/or ad hoc boards and committees, except by the City Administrator or their designee. Previously created social media accounts opened in the name of the City of Beacon or its departments may be merged or deactivated by the City Administrator in order to improve communications with the public and/or centralize dissemination of information.

Unacceptable use of the City’s website and/or social media includes, but is not limited to:

1. Posting information that is defamatory to the City, its employees, or members of the public.
2. Posting pornographic content.
3. Posting content that is hateful, harassing, threatening, racially insensitive and/or discriminatory.
4. Posting information that promotes or endorses subversive acts to local, state, and federal laws or violent behavior.

5. Posting chain letters, solicitations, commercial postings, or advertisements not related to City purposes or activities.
6. Posting personal views that may be construed as representing those of the City.
7. Disseminating of data that violates HIPAA or PCI compliancy. This data includes, but is not limited to, Social Security numbers, Credit Card information, and/or health information.
8. Disseminating confidential or proprietary information pertaining to matters of the City that is not otherwise deemed accessible to the general public under the Freedom of Information Law (Public Officers Law Article 6, §§84-90).
9. Knowingly making false or misleading statements about the City, or its employees, services, or elected officials.
10. Posting, uploading, or sharing images that have been taken while performing duties as an agent of the City, or while wearing City uniforms. The only exception to this rule is when it is directly pertinent to City business and such posting, uploading, or sharing of images is authorized in advance by the appropriate Department Head.

An employee's usage of the City's website and/or social media must comply with all City Policies.

Anyone with information as to the violation of this Policy is to report said information to the Director of Human Resources.

Any employee who violates this Policy may be subject to disciplinary action, up to, and including, termination of employment.

Any questions regarding the posting of content to the City's website or social media sites should be addressed with the City Administrator.

I hereby acknowledge receipt of the Social Media & City Website Policy

Name in Signature

Print Name

cc: Human Resources Department

City of Beacon City Council Agenda
02/22/2021

Title:

Personnel

ATTACHMENTS