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

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

June 27, 2022
7:00 PM
City Council Agenda

Roll Call

Notice of Meeting Location - June 27, 2022

Workshop Agenda Items

1. Water Meter Upgrades - Presentation by Core & Main
2. Accessory Dwelling Units Local Law
3. Beacon Lofts Vacant Parcel Proposal
4. Self-Storage Parking Requirements
5. Appointment of Isabella Nocerino to the Position of Police Assistant
6. Appointment of Zachary Ross to the Position of Motor Equipment Operator
7. Appointment of Elise LaRocco to the Tree Advisory Committee
8. Proposed Local Law to Allow Members of the City Council of the City of Beacon to Participate in Meetings via Videoconferencing
9. 2023-2027 Draft Capital Program
10. Council Rules of Procedure - Written Comments
11. Extension of an Agreement with Royal Carting Services Co. for Waste Collection and Disposal

Executive Session

Executive Session

City of Beacon City Council Agenda
06/27/2022

Title:

Notice of Meeting Location - June 27, 2022

ATTACHMENTS

Notice of Meeting Location - June 27, 2022

NOTICE OF PUBLIC MEETING LOCATION

PLEASE TAKE NOTICE that the City of Beacon City Council will be holding the City Council Workshop of June 27, 2022 in the Courtroom at 1 Municipal Plaza, Beacon, NY 12508. The meeting will simultaneously be streamed via Zoom. The public can attend in the Courtroom, or access the meeting via Zoom at https://us02web.zoom.us/j/86919893837?pwd=VmFpRVlFT1ZhSkcyRG1Obm1oYll3QT09

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

PLEASE TAKE FURTHER NOTICE, that the City Council Workshop of June 27, 2022 at 7:00 pm can be accessed live at https://www.youtube.com/channel/UCvPpigGwZDeR7WYmw-SuDxg

City of Beacon City Council Agenda
06/27/2022

Title:

Water Meter Upgrades - Presentation by Core & Main

ATTACHMENTS

Presentation by Core & Main Regarding Water Meter Upgrades

City of Beacon Meter Project

Agenda

- Why We Meter
- Currently Being Used
- What's Next
- How We Get It Done
- Why Upgrade

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Why Meter

- Accurately Capture Consumption and hold property owners accountable for what they use
- Cost associated with providing clean safe water
- Often the only source of revenue other than taxes for town
- Reduce Non-Revenue Water

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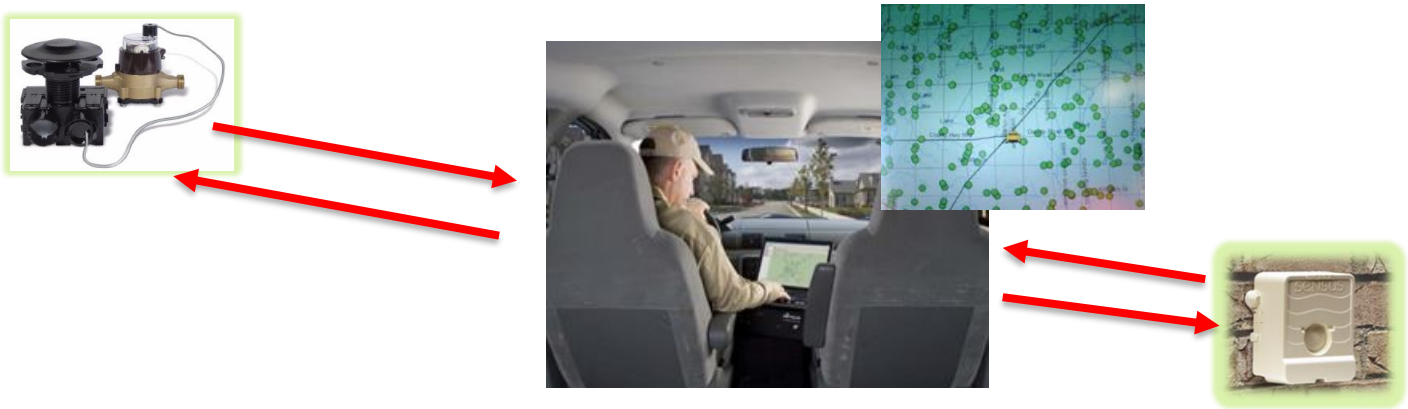
Current Process

AMR – Automated Meter Reading (Drive-By)

- Radio located inside building, the side of building or within a pit which is connected to meter. Transceiver inside vehicle connected to laptop and removable antenna located on top of vehicle. Ability to retrieve meter reading wirelessly by driving by. Readings are then saved and loaded into billing software.
- Pros: Accurate, GPS mapping & safer than WB/TR, faster & more efficient than WB/TR
- Cons: Reactive, time consuming compared to AMI, costly, dangers of the road



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Next Step

AMI - Advanced Metering Infrastructure (Fixed Base)

FlexNet (Sensus)

- Radios connected to the meter and transmit readings to an antenna. Data is accessed from computer, tablet or phone from any location with internet access.

Pros: Fast, easy to use, more information, better customer service, improved utilization of staff, and improved working conditions.

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What's Needed?

- ~300 Static Meters
- ~4500 Radios
- Acoustic Leak Devices

  - More Accurate
  - Smart Meter Technology
  - 20 Year Warranty

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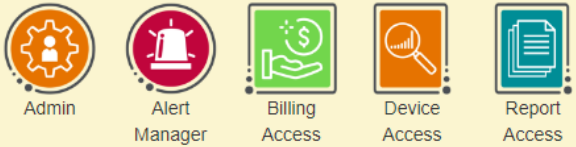
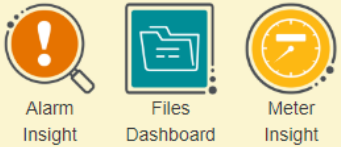
Access



Insight



Stay Connected

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Dashboard

Updated at 9:05 AM EDT 5,451 Devices

Add Widget Create New Filter

7d All Alarms

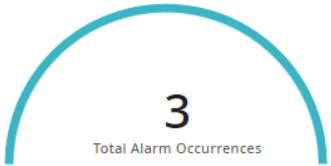
838	8
Distinct Devices	Distinct Alarms

Top Alarms

Meter Communication Failed	897
High Flow	694
Continuous Flow	265

Last 7 days View Details

24h Empty Pipe



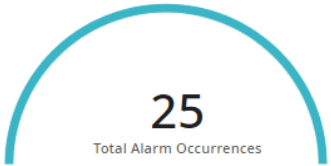
3	1
Distinct Devices	Distinct Alarms

Top Alarms

Empty Pipe	3

Last 24 hours View Details

24h Continuous Flow



24	1
Distinct Devices	Distinct Alarms

Top Alarms

Continuous Flow	25

Last 24 hours View Details

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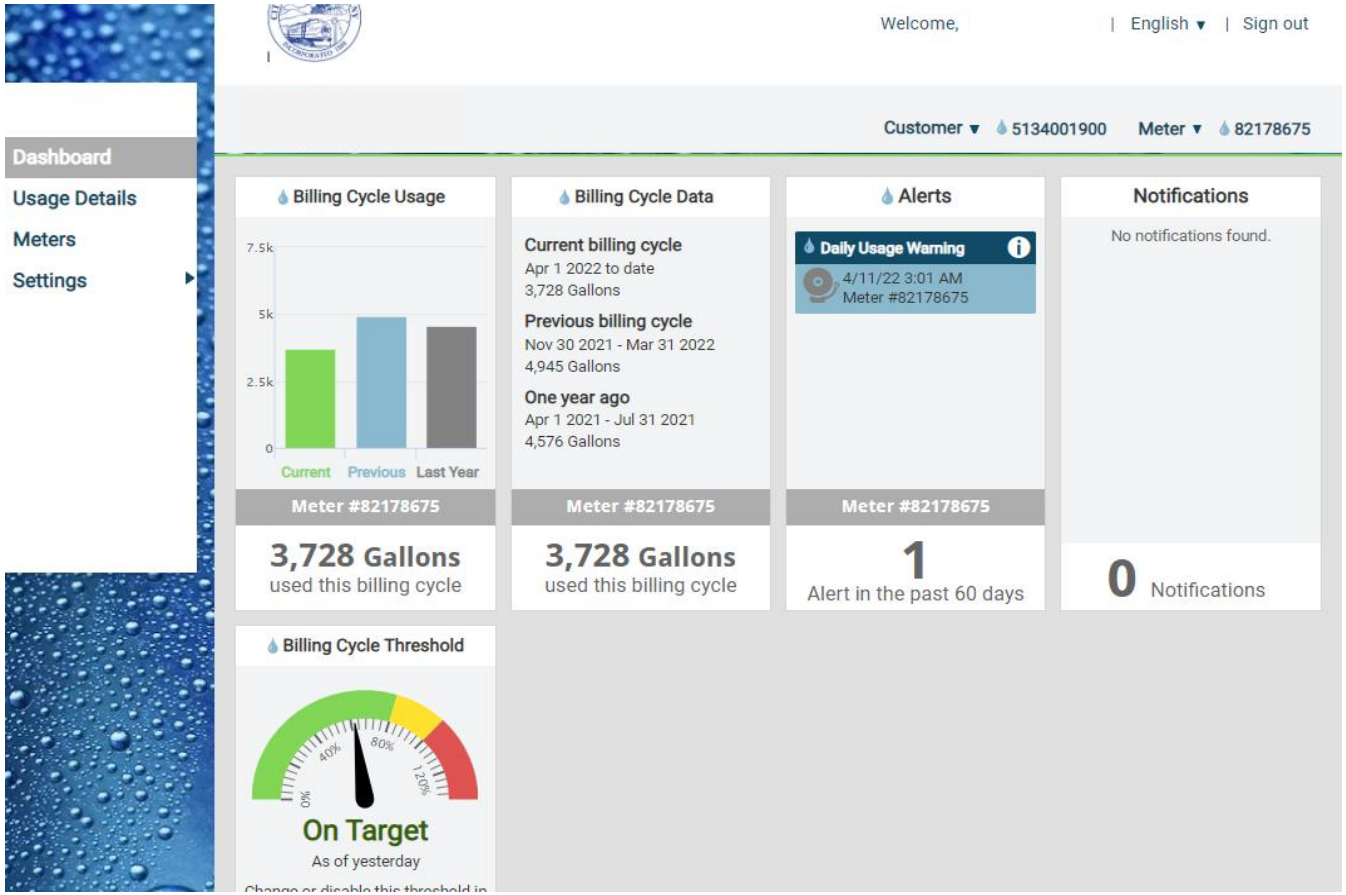

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Turnkey Solution

- Material supply & System installation
- Complete Project Management
- Real time project tracking
- Liaisons between billing provider and Sensus Professional Services

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Summary

- Better utilization and increased efficiency of staff
- Reduced cost to maintain and monitor infrastructure
- Increased customer service
- Improved safety and well being of your staff
- Reduced Non-revenue water
- Accurately bill water and sewer
- Improve cashflow

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Q& A

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City of Beacon City Council Agenda
06/27/2022

Title:

Accessory Dwelling Units Local Law

ATTACHMENTS

City Planner Presentation on Accessory Dwelling Units

City Planner Memorandum on Accessory Dwelling Units

Keane & Beane P.C. Memorandum on New York State Accessory Housing Funding

Proposed Local Law to Amend Chapter 223, Section 24.1 and Section 14 and Chapter 223 Attachment 1, Attachment 2, and Attachment 3 of the Code of the City of Beacon Concerning Accessory Apartments

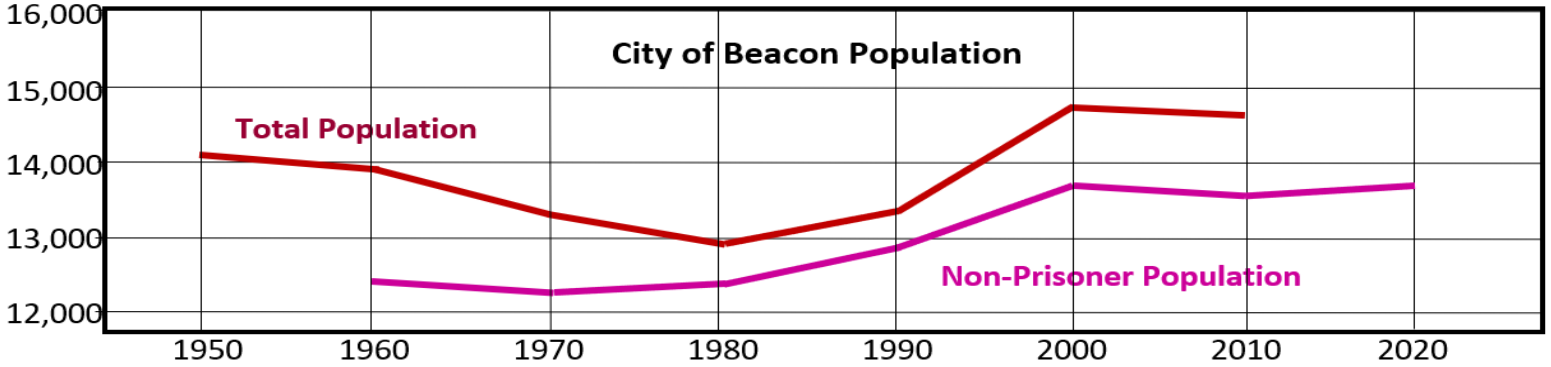
Proposed Amendments to the Schedule of Dimensional Regulations for Accessory Apartments

Proposed Amendments to the Schedule of Use Regulations - Accessory Apartments

Proposed Amendments to the Schedule of Regulations for Accessory Buildings on Residential Lots

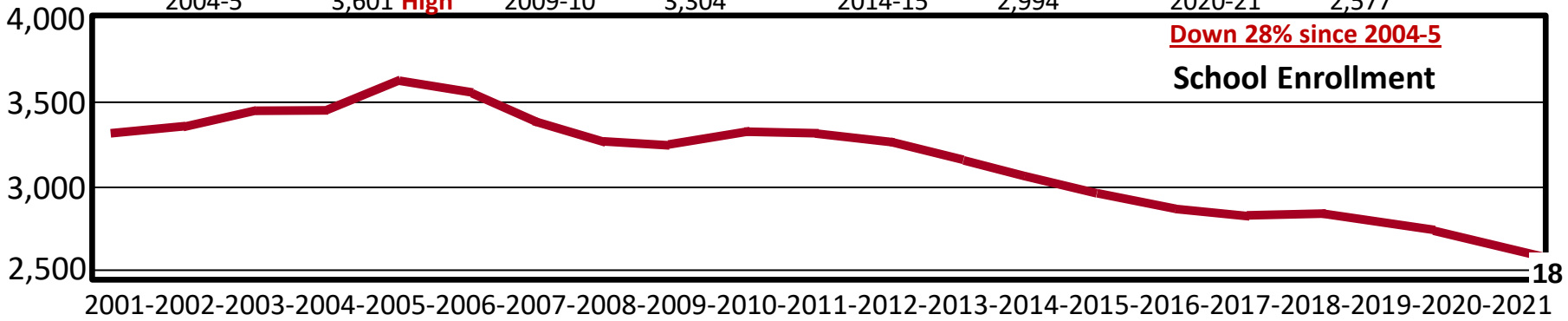
U.S. Census:	Total Population	Institutional Population	Non-Prison Population	Population Per Household
1950	14,012			
1960	13,922	1,583	12,339	
1970	13,255	1,116	12,139	3.09
1980	12,937	762	12,367	2.76
1990	13,243	495	12,940	2.68
2000	14,810	1,442	13,720	2.61
2010	14,599	1,125 (Prison Pop: 966)	13,633	2.47
2020 Preliminary			**13,723**	**2.28**

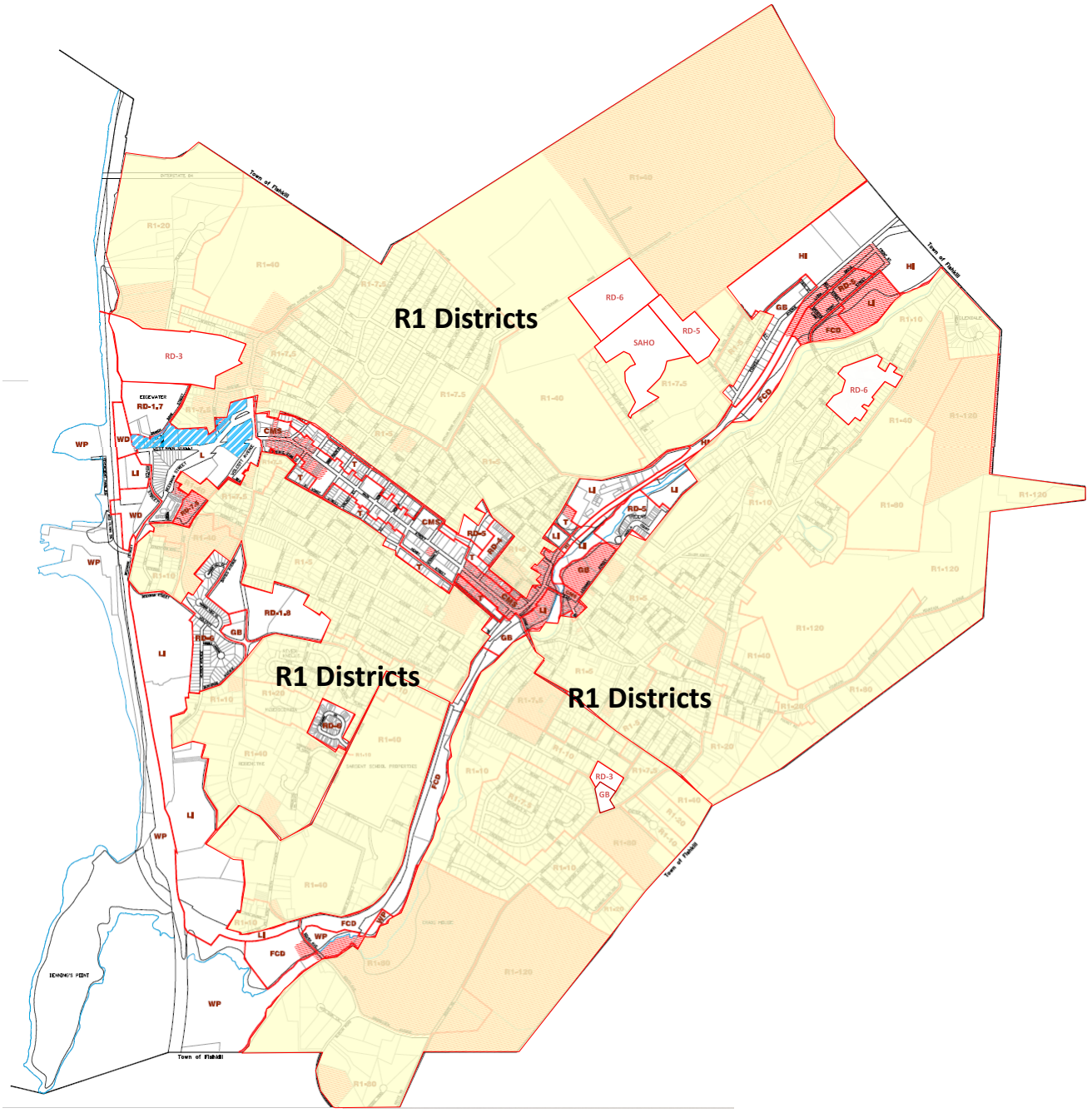
Steady Since 2000 **Down 12.6% Since 2000**



Beacon School District Enrollment **Source: NYS Education Department**

2000-1	3,312	2005-6	3,532	2010-11	3,292	2015-16	2,866
2001-2	3,385	2006-7	3,376	2011-12	3,241	2016-17	2,812
2002-3	3,486	2007-8	3,254	2012-13	3,143	2017-18	2,841
2003-4	3,476	2008-9	3,228	2013-14	3,060	2019-20	2,723
2004-5	3,601 **High**	2009-10	3,304	2014-15	2,994	2020-21	2,577





City of Beacon Zoning Map

LEGEND

- Historic District and Landmark Overlay Zone
- Parking Overlay District
- Senior Affordable Housing Overlay District
- Zoning District Boundary
- Flood Prone Area Boundary

INDUSTRIAL DISTRICTS

LI	Light Industrial
HI	Heavy Industrial

WATERFRONT DISTRICTS

WP	Waterfront Park
WD	Waterfront Development
FCD	Fishkill Creek Development

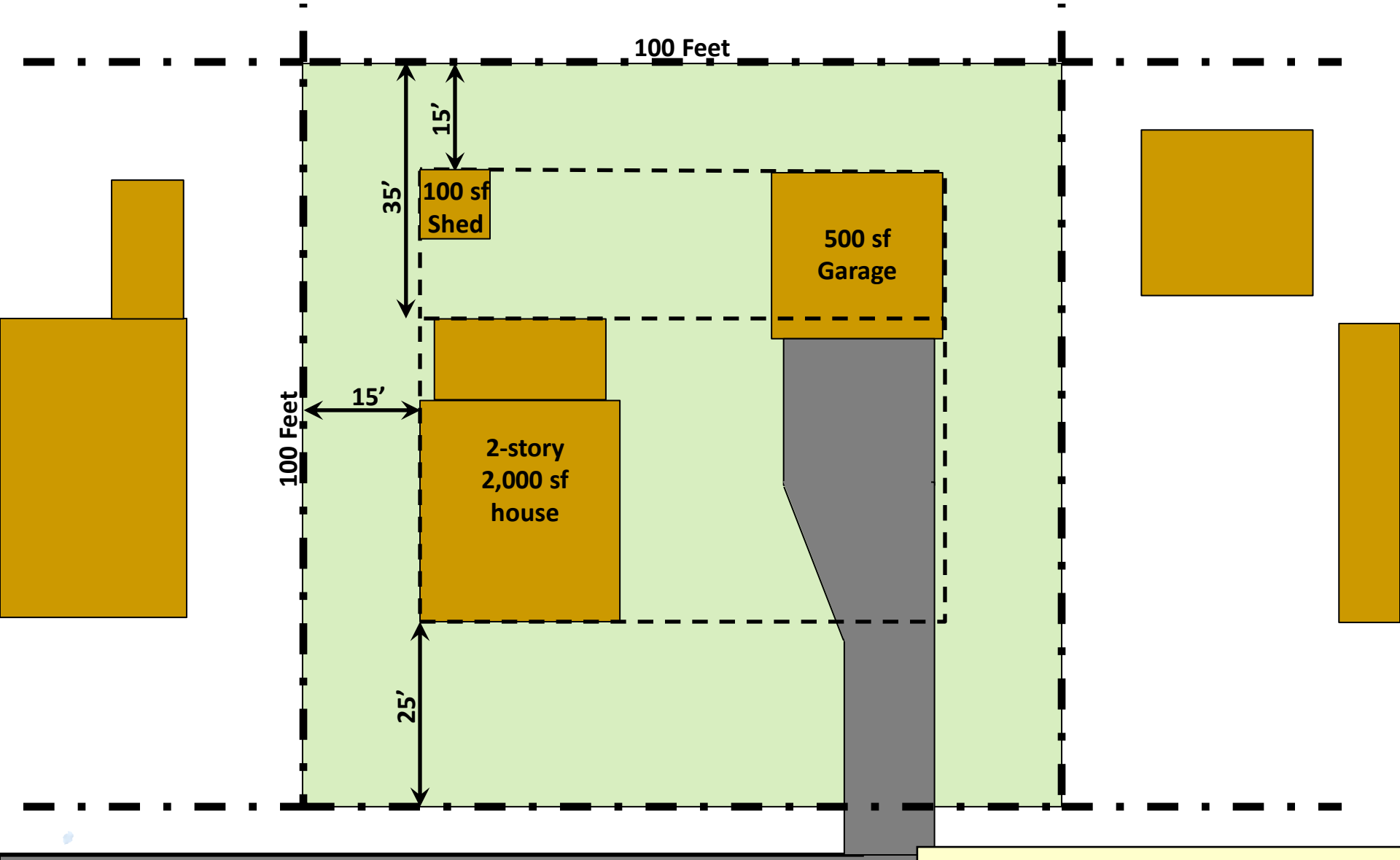
COMMERCIAL DISTRICTS

GB	General Business
T	Transitional
CMS	Central Main Street
L	Linkage

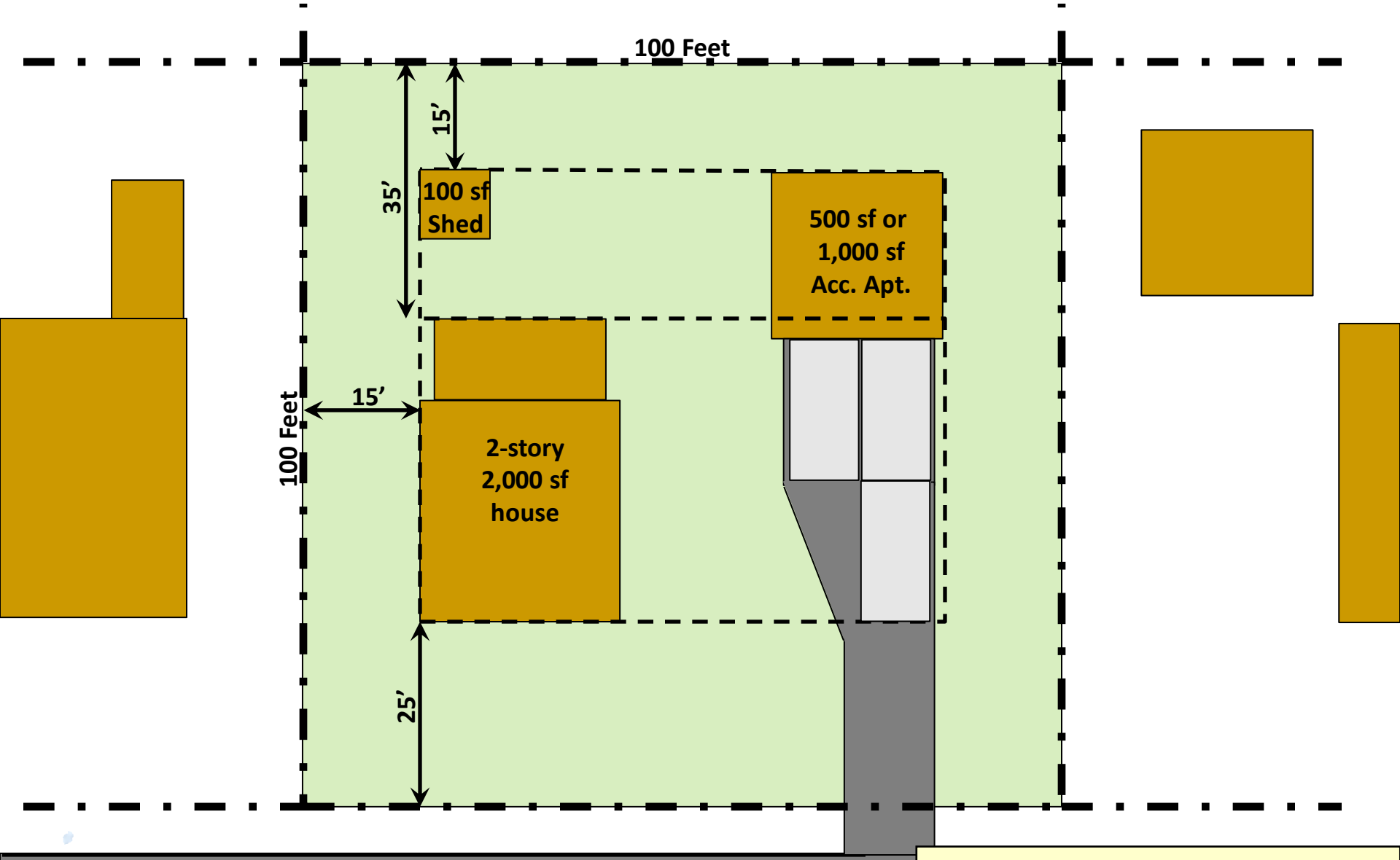
L District – additional commercial and industrial uses permitted.

RESIDENTIAL DISTRICTS

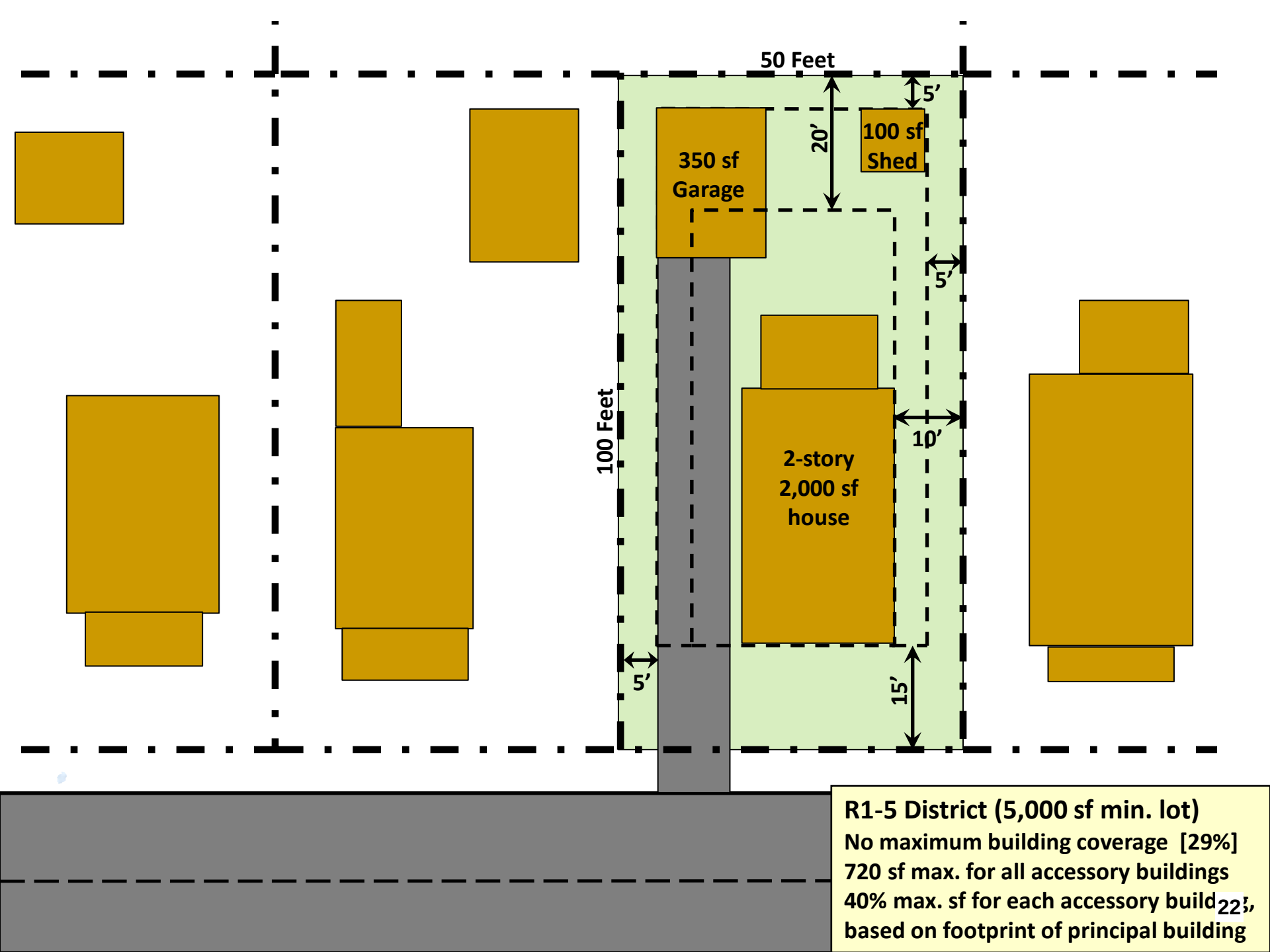
R1–120	One Family 120,000 sq.ft./dwelling
R1–80	One Family 80,000 sq.ft./dwelling
R1–40	One Family 40,000 sq.ft./dwelling
R1–20	One Family 20,000 sq.ft./dwelling
R1–10	One Family 10,000 sq.ft./dwelling
R1–7.5	One Family 7,500 sq.ft./dwelling
R1–5	One Family 5,000 sq.ft./dwelling
RD–7.5	Designed Residence 7,500 sq.ft./dwelling
RD–6	Designed Residence 6,000 sq.ft./dwelling
RD–5	Designed Residence 5,000 sq.ft./dwelling
RD–4	Designed Residence 4,000 sq.ft./dwelling
RD–3	Designed Residence 3,000 sq.ft./dwelling
RD–1.8	Designed Re 1,800 sq.ft./dwelling e
RD–1.7	Designed Re 1,700 sq.ft./dwelling e



R1-10 District (10,000 sf min. lot)
25% maximum building coverage [16%]
960 sf max. for all accessory buildings
40% max. sf for each accessory build, based on footprint of principal building



R1-10 District (10,000 sf min. lot)
25% maximum building coverage [16%]
960 sf max. for all accessory buildings
40% max. sf for each accessory buildings, based on footprint of principal building

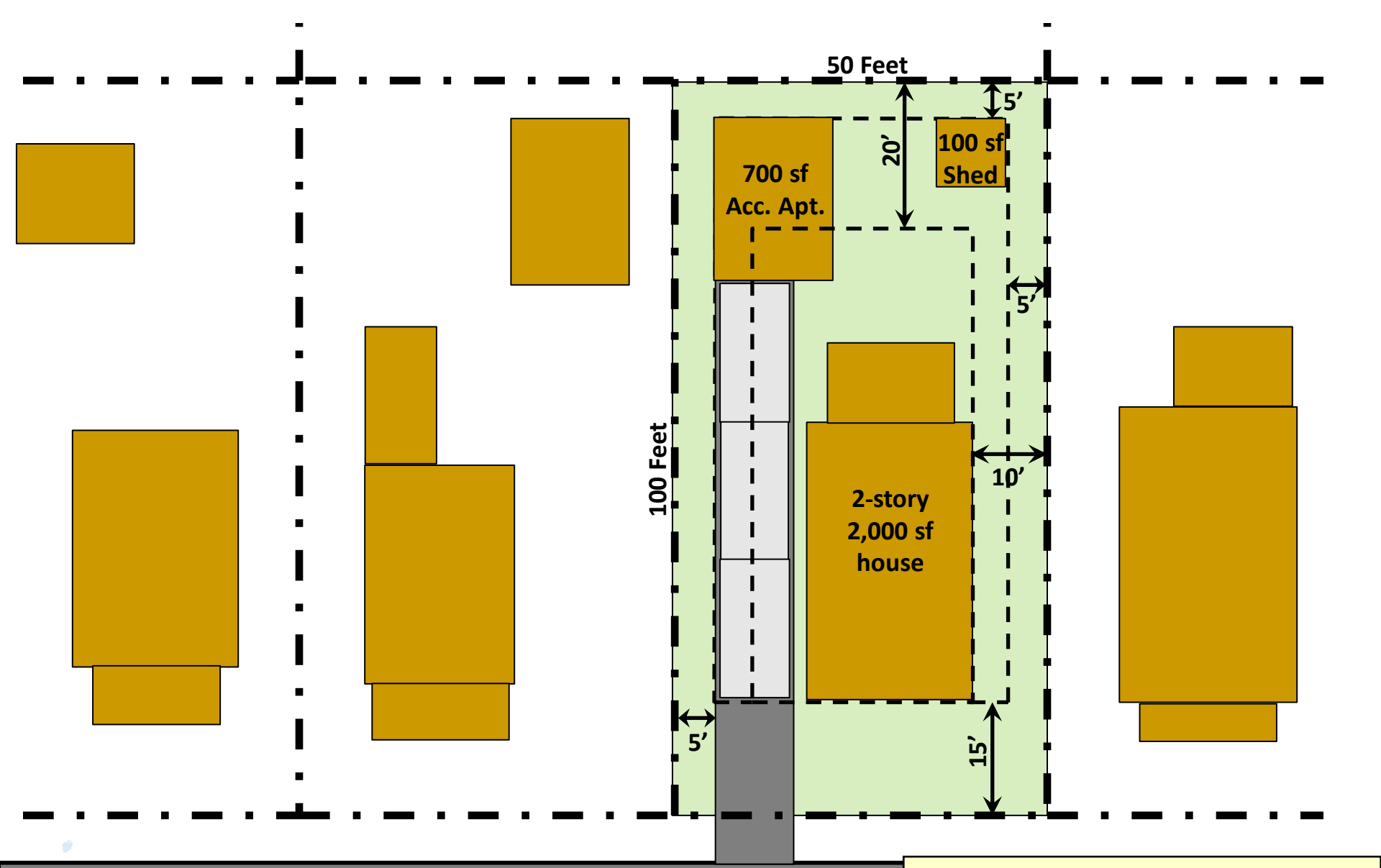


R1-5 District (5,000 sf min. lot)

No maximum building coverage [29%]

720 sf max. for all accessory buildings

40% max. sf for each accessory building, based on footprint of principal building



R1-5 District (5,000 sf min. lot)

No maximum building coverage [29%]

720 sf max. for all accessory buildings

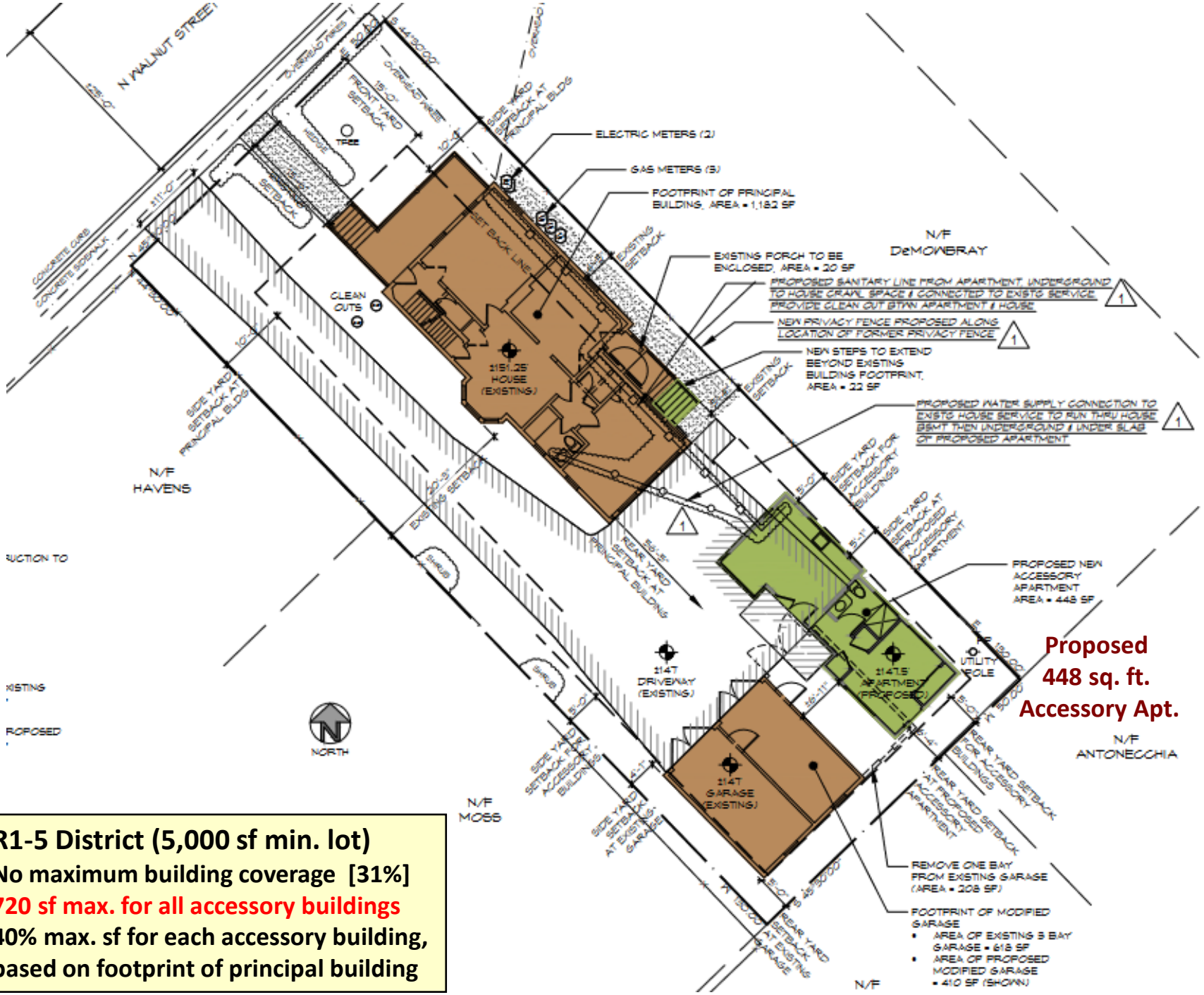
40% max. sf for each accessory build[illegible], based on footprint of principal building

Accessory Dwelling Units over the Last Six Years:

1. 27 Fowler Street	Replace existing garage	7 months	Special Permit from City Council 2 parking variances
2. 1182 North Ave.	In new house	8 months	Special Permit City Council
3. 3 Water Street	Addition to house	10 months	Rezoning into residential district Special permit from City Council
4. 179 Union Street	Basement conversion	3 Months	Special Permit by Planning Board
5. 10 Herbert Street	Replaced garage Attached by breezeway	6 months	Special Permit by Planning Board 1 variance rear yard
6. 1 Wilson Street	In existing outbuilding	2 months	Special Permit by Planning Board
7. 17 Laurel Street	Addition over garage	3 months	Special Permit by Planning Board 1 variance side yard
8. 1080 Wolcott Ave.	Conversion of barn	8 months	Special Permit from Planning Board 1 variance rear yard
9. 18 N. Walnut Street	New Building	3 months	Special Permit from Planning Board 1 variance for total sf of accessory buildings

Conclusions:

- Not many applications over last six years, but increased to four in 2021
- Most involved conversion or addition to an existing building
- Switching Special Permit approval to Planning Board substantially cut review time
- Over half needed variances for parking, setbacks, or square footage



Proposed 448 sq. ft. Accessory Apt.

R1-5 District (5,000 sf min. lot)
No maximum building coverage [31%]
720 sf max. for all accessory buildings
40% max. sf for each accessory building, based on footprint of principal building

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale or storage business		X	X	X	P	X	X	X	X	X	P	P
Workshop		X	X	SP	P	P	P	X	X	P	P	P
Industrial or manufacturing use		X	X	X	X	X	SP	X	X	P	P	P
Other												
Wireless communication facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Small cell wireless facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Farm		P	X	X	X	X	X	X	X	X	X	X
Horticultural nursery		P	P	X	P	X	X	X	X	X	P	X
Historic District Overlay Use	Subject to § 223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)												
Accessory apartment	Subject to § 223-24.1	~~SP~~ P	~~SP~~ P	~~SP~~ P	X	X	X	X	X	X	X	X
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	X	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
Garden, roof garden, or greenhouse		P	P	P	P	P	P	P	P	P	P	P
Solar collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see -->					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations
[Added 6-15-2020 by L.L. No. 7-2020[1]]

Zoning District	Minimum Lot Size Area[b] (see also § 223-121)				Minimum Yards[a]			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear[d,e] (feet)			Multifamily	All Other				
R1-120	120,000	120,000	250	350	~~75~~ 70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	~~50~~ 45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	~~40~~ 35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	~~30~~ 25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	~~25~~ 20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	~~20~~ 15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50	100	~~15~~ 10	10	20	—	2.5 / 35	N.A.	40%	1	—	R1-5	
RD-7.5[d,e]	2 acres	7,500	200	200	20 to 35	25	50	30	3 / 35	15%	20%	12	—	RD-7.5[d,e]	
RD-6[d,e]	2 acres	6,000	200	200	50	25	50	30	2.5 / 35	15%	20%	16	—	RD-6[d,e]	
RD-5[d,e]	2 acres	5,000	50	100	30	10	25	30	3 / 35	20%	30%	16	—	RD-5[d,e]	
RD-4[d,e]	5,000	4,000	200	200	40	20	40	30	2.5 / 35	20%	25%	20	—	RD-4[d,e]	
RD-3[d,e]	5,000	3,000	50	100	30	20	25	30	3.5 / 45	20%	40%	24	—	RD-3[d,e]	
RD-1.8[d,e]	5,000	1,800	50	100	30	20	25	30	10[b] / 100	25%	40%	—[c]	—	RD-1.8[d,e]	
RD-1.7[d,e]	5,000	1,700	50	100	30	20	25	30	4.5[f] / 55[f]	25%	40%	36[g]	—	RD-1.7[d,e]	
T	5,000	i	50	100	10	10	20	—	2.5 / 35	—	40%	—	—	T	
GB	—	1,500	—	100	15	20	25	—	— / 35	—	—	—	—	GB	
CMS	—	—	—	75	0 to 10	0	20	—	3 / 38	—	—	—	10%	CMS	Art. IVD
L	—	—	—	75	0 to 20	0 to 30	25	—	4 / 48	—	—	—	15%	L	Art. IVE
FCD	2 acres	3,960	—	—	—	—	—	—	3 / 40	35%		—	30%	FCD	Art. IVC
WP	1 acre	—	—	—	10	—	—	—	2.5 / 35	20%		—	—	WP	Art. IVA
WD	5 acres	—	—	—	—	—	—	—	See Art. IVA	—		—	15%	WD	Art. IVA
LI	—	1,500	60	100	20	20	25	—	— / 35	70%		—	20%	LI	
HI	—	—	60	100	30	20	25	—	— / 40	70%		—	20%	HI	

NOTES:

[a] A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.

[b] But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.

[c] But not more than 24 dwelling units in any building 3 1/2 stories or less in height.

[d] For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.

[e] In any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space.

[f] A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories.

[g] And each building shall not exceed 150 feet in length.

[h] For all development proposals involving a total lot area of more than three acres within an R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63.

[i] One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

[1] Editor's Note: This local law also repealed former 223 Attachment 1, § 223-17C, Schedule of Regulations for Residential Districts, as amended.

223 Attachment 3

City of Beacon
§ 223-17E, Schedule of Regulations for Accessory Buildings on Residential Lots

Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	~~Maximum Cumulative Square Footage for All Accessory Buildings~~	Maximum Square Footage Permitted For Each Accessory Building (Based on ~~footprint~~ the total square footage of the principal building)	Maximum Number of Sheds Permitted
R1-120 1-Family Residence District	Not permitted in front yard	50	50	~~2,775~~	~~40%~~ 50%	2
R1-80 1-Family Residence District	Not permitted in front yard	30	30	~~2,125~~	~~40%~~ 50%	2
R1-40 1-Family Residence District	Not permitted in front yard	25	25	~~1,625~~	~~40%~~ 50%	2
R1-20 1-Family Residence District	Not permitted in front yard	20	20	~~1,250~~	~~40%~~ 50%	2
R1-10 1-Family Residence District	Not permitted in front yard	15	15	~~960~~	~~40%~~ 50%	2
R1-7.5 1-Family Residence District	Not permitted in front yard	5	5	~~720~~	~~40%~~ 50%	1
R1-5 1-Family Residence District	Not permitted in front yard	5	5	~~720~~	~~40%~~ 50%	1

John Clarke Planning and Design jclarkeplandesign@gmail.com
845.797.4152

To: Mayor Kyriacou and the Beacon City Council
From: John Clarke, City Planner
Date: June 24, 2022
Re: Accessory Dwelling Units (ADUs)

After the June 13, 2022 Council Workshop discussion on draft revisions to the Accessory Apartments Section 223-24.1, the City Administrator requested a summary memo on accessory dwelling units as an affordable housing option in the City. Accessory apartments tend to be more affordable than typical rental developments because they require no extra land costs, no large parking lots, no elevators or stair bulkheads, have shorter construction periods with lower carrying costs, and involve no large developer profit margins. They are smaller in scale, incremental in nature, and often intended for family members or friends who need housing support at lower cost or no cost.

The largest studies of states and cities that have adopted more progressive and streamlined ADU laws have shown that a substantial percentage of the units built had below-market rents. A 2021 study of California ADUs by the UC Berkeley Center for Community Innovation found that a large portion of units are available to those making less than 80% of the area median income, ranging from only 12 % in LA County to 29% in Alameda County, 38% in San Mateo County, 50% in Santa Clara County, and 67% in Marin County. A 2017 study of updated ADU policies in Seattle, Portland, and Vancouver BC reported that, overall, 58% of the surveyed rents were below the market rates, with only about 40% of these occupied by family or friends.

It is important to note that ADUs are the only affordable housing option available for the R1 single-family districts, which contain the overwhelming majority of the land in Beacon. Historically across the U. S., single-family zoning has been used to exclude lower-income tenants from middle- and upper-income neighborhoods. The proposed NY State ADU legislation has been endorsed by a long list of fair housing advocacy groups and related organizations, including AARP New York, Fair Housing Justice Center, NYS Habitat for Humanity, Housing Rights Initiative, NY Housing Conference, Regional Plan Association, and Westchester Residential Opportunities. The main proponent of the adopted Connecticut ADU law was Desegregate CT, a coalition of 80+ organizations.

Beacon's accessory apartment standards were initially adopted in 1989 and need updating. Many communities in the area allow ADUs, but most were similarly adopted decades ago and do not represent the best model for today's changing demographics, aging population, smaller households, and high demand for affordable housing options. A good starting point for discussion is the Westchester County Department of Planning's Model ADU Ordinance, which includes the following primary recommendations:

- An attached or detached ADU may be added to a house on any residentially zoned lot;
- The parcel shall be occupied by the owner, either in the ADU or principal dwelling unit;
- An ADU may be up to 800 square feet or the size of the primary dwelling, whichever is less;
- The maximum height is 20-25 feet or the height of the primary dwelling, whichever is less;
- No additional ADU parking is required, but the required primary dwelling parking must remain;
- An ADU that complies with the standards will be approved by the Building Inspector;
- ADU application fees shall be no more than 30% of single-family dwelling application fees.

The City of Kingston offers a useful and current comparison. The existing very restrictive standards only allow ADUs in dwellings over 2,000 square feet and built before 1982. They are limited to 300 to 600 square feet in size, but no more than 25% of the principal dwelling. ADUs require additional parking, at least 3 total off-street spaces or likely 4 based on the number of total combined bedrooms, and need a Special Permit from the Planning Board. The recently drafted Zoning Code rewrite, now open for public comments, would permit ADUs as-of-right in a

much broader area of the City and allow ADUs with single-family, duplex, or rowhouse building types. The maximum size for an attached ADU is 1,000 square feet or 50% of the primary structure, whichever is less, and the maximum size of a detached ADU is 1,000 square feet. No additional ADU parking would be required. Approval is proposed to be by administrative review, not though the Planning Board.

Not all communities allow ADUs, including the cities of Poughkeepsie, Hudson, Peekskill, Middletown, and White Plains, as well as the villages of Cold Spring, New Paltz, Nyack, Tarrytown, Mt. Kisco, and Catskill.

The Council also asked for examples of ADU standards from other communities. The following table compares the primary standards for ADUs in area municipalities, mostly in Dutchess County:

Municipality	Min. - Max. ADU Size	Max. % Main House	Required Parking	Approval Process	Other Regulations
Town/Fishkill	350 sf - 1,000 sf	50%	2 spaces	Building Inspector	Separate ADU entrance required
Town/Wappinger	300 sf – 1,000 sf	35%	2 spaces	Zoning Administrator	Only family member or 55+ tenants Min. 80,000 sf lot. 1-year insp/renewal
Village/ Wappingers Falls	750 sf – 1,000 sf		1 space	Special Permit Planning Board	At least 1 family member in both units
Town/Newburgh	450 sf – 700 sf		1 space	Special Permit ZBA	Principal house must be 5 years old
Town/East Fishkill			1 space	Building Inspector	If in principal house, must be 5 years old If in acc. bldg., must be built before 1985
Town/ Poughkeepsie	400 sf	35%	2 spaces	Special Permit ZBA	No more than 1 bedroom in ADU Inspection every 2 years
Town/LaGrange	400 sf	35%	2 spaces	Special Permit Planning Board	No more than 1 bedroom in ADU
Town/ Hyde Park	400 sf	35%	2 spaces	Special Permit Planning Board	No more than 2 bedrooms in ADU ADU shall count for density calculations
Village/Pawling	450 sf – 500 sf		1 space	Special Permit Planning Board	Main house min 1,200 sf. 2-year renewal No more than 1 ADU Bedroom/2 persons
Village/Rhinebeck	400 sf – 750 sf	25%	1 space	Special Permit Planning Board	Owner must live on lot 6 months/year
Village/Red Hook	400 sf – 600 sf	35%	1 space	Special Permit Planning Board	No more than 1 ADU bedroom/2 persons Detached ADU needs min. of 1.5 acres
Town/Pine Plains	250 sf – 1,250 sf	75%	1 space	Special Permit Planning Board	

Please let me know if you have any questions or need additional information.

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MEMORANDUM

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

FROM: **Keane & Beane, P.C.**

RE: **Funding for Accessory Dwelling Units**

DATE: **June 23, 2022**

At the June 13, 2022 City Council workshop meeting, the City Council asked our office to provide information on the status of state funding available for accessory dwelling units.

As the City Council is aware, Governor Hochul removed the proposed Accessory Dwelling Unit (ADU) legislation from the state's proposed fiscal year 2023 budget after municipal leaders voiced strong opposition to the initiative. The bill, which was originally introduced by State Senator Peter Harckham, would have required municipalities to allow residential property owners to have an accessory apartment on their properties subject to certain conditions.

Although the ADU legislation was removed from the 2023 state budget, the budget was adopted with a $25 billion, five-year comprehensive housing plan to focus on economic recovery, social justice, climate action and improved digital connectivity. The new multi-year investment includes funding for programs in affordable housing, supportive housing and related services. The plan specifically sets aside $85 million for the creation or rehabilitation of ADUs, including basement apartments, garage units, attics and backyard cottages. This program will be supported by a new $4.5 billion capital allocation. The goal of this program is to encourage the creation of alternative housing options, bring existing accessory dwelling units into code compliance across the state, and improve safety for these alternative housing options. This is the link to the Governor's Press Release: https://www.governor.ny.gov/news/governor-hochul-announces-launch-comprehensive-25-billion-housing-plan-historic-fy-2023-budget

Specific details regarding eligibility for the funds, whether they are a loan or grant and other parameters have not yet been announced. We expect the NYS Homes and Community Renewal (HCR) Agency to issue regulations and guidelines to implement the ADU Program.

LOCAL LAW NO. ____ OF 2021

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND CHAPTER 223, SECTION 24.1 AND SECTION 14, AND CHAPTER 223 ATTACHMENT 2:2 OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend Chapter 223, Section 24.1 and Section 14, and Chapter 223 Attachment 1, Attachment 2 and Attachment 3 of the Code of the City of Beacon concerning accessory apartments.

DRAFT

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

Section 1. Chapter 223, Section 24.1 of the Code of the City of Beacon entitled "Accessory Apartments" is hereby amended as follows:

§ 223-24.1 Accessory Apartments.

A. Purpose and intent. It is the purpose and intent of allowing accessory apartments on all existing single-family properties in all residence districts and the Transitional District ~~in all residence districts~~ to provide the opportunity and encouragement for the development of small, rental housing units designed to meet the special housing needs of single persons, couples, other small households, the young, the elderly, persons of low and moderate income and relatives of families presently living in Beacon. It is the further purpose and intent of this provision to allow the more efficient use of the City's existing stock of dwellings and accessory buildings, to provide economic support for present resident families of limited income and to otherwise help to protect and preserve property values.

B. Owner occupancy required. The owner of the single-family lot upon which an accessory apartment is located shall occupy at least one of the dwelling units on said lot.

C. Location on the lot. An accessory apartment may be located either in or attached to a detached single-family dwelling or in an accessory building on such a single-family lot.

D. Apartment size. The floor area of an accessory apartment shall not exceed 50% of the

total floor area of the single-family dwelling in which it is located. In no case shall the total square footage of the accessory apartment exceed a maximum of 1,000 square feet or be less than a minimum of 200 square feet. Notwithstanding the foregoing, ~~The minimum floor area for an accessory apartment within a detached single-family dwelling shall be 400 square feet. The maximum floor area shall be 650 square feet, but in no case shall the floor area of the apartment exceed 30% of the total floor area of the dwelling building in which it is located. For an accessory apartment located in an accessory building, the minimum floor area shall be 300 square feet, and the maximum shall be 600 square feet, except that~~ the Planning Board may permit a ~~smaller or~~ larger accessory apartment where appropriate in an existing accessory building constructed prior to August 1, 1989. There shall be no more than one accessory apartment permitted per single-family lot. ~~There shall be no more than one accessory apartment permitted per single-family lot. However, in the case of a lot which contains an existing accessory building or buildings that comply with the minimum required setbacks required for a principal building in the zoning district in which the lot is located and that were constructed prior to August 1, 1989, one accessory apartment shall be permitted in each such accessory building in addition to the one permitted in the detached single-family dwelling; the area of such lot shall be at least 100% larger than the minimum lot area required in the district in which the lot is located for each accessory apartment in excess of the first one.~~

E. Exterior appearance. If an accessory apartment is located in a detached single-family dwelling, the entry to such unit and its design shall be such that, to the degree reasonably feasible, the exterior appearance of the building will remain that of a single-family residence.

F. Off-street parking. A minimum of one off-street parking space shall be provided for each accessory apartment in addition to the off-street parking required for other uses existing on the lot. The Planning Board may, in its discretion, waive all parking requirements when deemed appropriate.

G. The accessory apartment shall not be used for short term rentals as defined in § 223-26.5.

H. An existing structure that does not conform to the yard requirements of Chapter 223 may be converted into an accessory apartment without a variance from the Zoning Board of Appeals if the proposed use will not enlarge or increase the dimensional nonconformity.

DRAFT

~~G. Renewal inspections. Each accessory apartment shall be inspected by the Building Department every two years in order to determine whether the apartment remains in compliance with this section. Upon a satisfactory inspection report, the accessory apartment owner shall be reissued a certificate of occupancy. In the event that the inspection indicates that the apartment is no longer in compliance, the certificate of occupancy shall be revoked until the violations are cured.~~

I. The Building Inspector shall have approval authority for accessory apartments entirely contained within an existing single-family dwelling and meeting all the provisions of this section. All other proposed accessory apartments, including any accessory apartments requiring exterior additions, conversions of existing accessory buildings, or new accessory buildings, shall require site plan approval from the Planning Board.

Section 2. Chapter 223, Section 14 of the Code of the City of Beacon entitled "Accessory buildings on residential lots" is hereby amended to add a new subsection (4) as follows:

§ 223-14 Landscaping, lighting, and miscellaneous regulations.

…

E. Accessory buildings on residential lots.

…

(4) This subsection shall not apply to accessory apartments.

Section 3. Chapter 223 Attachment 1 of the Code of the City of Beacon, entitled "§ 223-17. Schedule of Dimensional Regulations" shall be amended to (1) add a 40% maximum percent building coverage limit for the R1-5 and T Zoning Districts and (2) reduce the required front yard setbacks in all R1 residential districts by five (5) feet.

SEE ATTACHED CHART

Section 4. Chapter 223 Attachment 2 of the Code of the City of Beacon, entitled "§ 223-17, City of Beacon Schedule of Use Regulations" shall be amended to permit accessory apartment as-of-right in all Residential Districts and the Transitional District in the City of Beacon, subject to site plan review by the City Planning Board.

SEE ATTACHED CHART

DRAFT

Section 5. Chapter 223 Attachment 3 of the Code of the City of Beacon, entitled "§ 223-17E, Schedule of Regulations for Accessory Buildings on Residential Lots" shall be amended to (1) eliminate the maximum cumulative square foot requirement for accessory buildings for all R1 Zoning Districts, (2) increase the maximum square footage permitted for each accessory building construction in connection with a single-family dwelling to be based on the total square footage of the principal building rather than the footprint of the principal building, and (3) increase the maximum square footage permitted for each accessory building constructed in connection with a single-family home from 40% to 50%.

SEE ATTACHED CHART

Section 6. Ratification, Readoption and Confirmation

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

Section 7. 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 8. 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 9. Effective Date

DRAFT

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

DRAFT

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations
[Added 6-15-2020 by L.L. No. 7-2020[1]]

Zoning District	Minimum Lot Size Area[h] (see also § 223-121)				Minimum Yards[a]			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear[d,e] (feet)			Multifamily	All Other				
R1-120	120,000	120,000	250	350	~~75~~ 70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	~~50~~ 45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	~~40~~ 35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	~~30~~ 25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	~~25~~ 20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	~~20~~ 15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50	100	~~15~~ 10	10	20	—	2.5 / 35	N.A.	40%	1	—	R1-5	
RD-7.5[d,e]	2 acres	7,500	200	200	20 to 35	25	50	30	3 / 35	15%	20%	12	—	RD-7.5[d,e]	
RD-6[d,e]	2 acres	6,000	200	200	50	25	50	30	2.5 / 35	15%	20%	16	—	RD-6[d,e]	
RD-5[d,e]	5,000	5,000	50	100	30	10	25	30	3 / 35	20%	30%	16	—	RD-5[d,e]	
RD-4[d,e]	5,000	4,000	200	200	40	20	40	30	2.5 / 35	20%	25%	20	—	RD-4[d,e]	
RD-3[d,e]	5,000	3,000	50	100	30	20	25	30	3.5 / 45	20%	40%	24	—	RD-3[d,e]	
RD-1.8[d,e]	5,000	1,800	50	100	30	20	25	30	10[b] / 100	25%	40%	—[c]	—	RD-1.8[d,e]	
RD-1.7[d,e]	5,000	1,700	50	100	30	20	25	30	4.5[f] / 55[f]	25%	40%	36[g]	—	RD-1.7[d,e]	
T	5,000	i	50	100	10	10	20	—	2.5 / 35	—	40%	—	—	T	
GB	—	1,500	—	100	15	20	25	—	— / 35	—	—	—	—	GB	
CMS	—	—	—	75	0 to 10	0	20	—	3 /| 38	—	—	—	10%	CMS	Art. IVD
L	—	—	—	75	0 to 20	0 to 30	25	—	4 / 48	—	—	—	15%	L	Art. IVE
FCD	2 acres	3,960	—	—	—	—	—	—	3 / 40	35%		—	30%	FCD	Art. IVC
WP	1 acre	—	—	—	10	—	—	—	2.5 / 35	20%		—	—	WP	Art. IVA
WD	5 acres	—	—	—	—	—	—	—	See Art. IVA	—		—	15%	WD	Art. IVA
LI	—	1,500	60	100	20	20	25	—	— / 35	70%		—	20%	LI	
HI	—	—	60	100	30	20	25	—	— / 40	70%		—	20%	HI	

NOTES:

[a] A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.

[b] But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.

[c] But not more than 24 dwelling units in any building 3 1/2 stories or less in height.

[d] For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.

[e] In any RD District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space.

[f] A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories.

[g] And each building shall not exceed 150 feet in length.

[h] For all development proposals involving a total lot area of more than three acres within an R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63.

[i] One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

[1] Editor's Note: This local law also repealed former 223 Attachment 1, § 223-17C, Schedule of Regulations for Residential Districts, as amended.

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations
[Added 6-15-2020 by L.L. No. 7-2020[1]; amended 2-16-2021 by L.L. No. 02-2021]

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Residential												
One-family detached dwelling		P	P	P	X	X	X	X	X	X	X	X
One-family attached/semidetached	Including townhouses	X	P	P	X	X	P	X	X	P	X	X
Two-family dwelling		X	P	P	X	X	X	X	X	X	X	X
Multifamily dwelling		X	SP*	P	P	P	P	P	X	P	X	X
Artist live/work space	Subject to § 223-14.2	X	X	P	P	P	P	P	X	P	P	X
Retail/Office/Service												
Retail, personal service, or bank		X	X	X	P	P	P	P	X	X	P	X
Office		X	X	P	P	P	P	P	X	P	P	X
Artist studio, art gallery/exhibit space		X	X	P	P	P	P	X	X	P	P	X
Funeral home		X	X	X	P	X	X	X	X	X	P	X
Commercial recreation, indoor		X	X	X	P	P	X	X	X	X	P	P
Auction gallery		X	X	X	P	X	X	X	X	X	P	P
Adult use	Subject to § 223-20.1	X	X	X	X	X	X	X	X	X	SP	X
Food/Lodging												
Restaurant or coffee house		X	X	X	P	P	P	P	SP*	P	X	X
Bar/brew pub/microbrewery/microdistillery		X	X	X	P	P	P	P	X	P	P	P
Food preparation business		X	X	X	P	SP	SP	X	X	X	P	P
Short-term rental	Subject to § 223-26.5	P	P	P	P	P	P	P	P	P	P	P
Bed-and-breakfast	Subject to § 223-24.4	SP	SP	SP	P	X	P	X	SP*	P	P	X
Inn		X	X	X	P	P	P	P	SP*	P	P	X
Hotel	Subject to § 223-14.1	X	X	X	P	P	P	P	X	X	P	X
Social/Community												
Spa/fitness center/exercise studio		X	X	SP	P	P	P	P	X	P	P	X
Day-care center		X	X	P	P	X	P	P	X	P	SP	X
Park, preserve, community garden		P	P	P	P	P	P	P	P	P	P	X
Theater, concert or conference space		X	X	X	P	P	P	P	X	P	P	X
Museum		SP*	SP*	SP*	P	P	P	P	X	P	P	SP
Place of worship/religious facility		P	P	P	P	X	X	X	X	X	P	X
Social club	Subject to § 223-24.2	SP	SP	SP	SP	P	X	X	X	X	SP	X
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see -->					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

[1] Editor's Note: This local law also repealed former 223 Attachment 2, § 223-17D, Schedule of Regulations for Nonresidential Districts, as amended.

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale or storage business		X	X	X	P	X	X	X	X	X	P	P
Workshop		X	X	SP	P	P	P	X	X	P	P	P
Industrial or manufacturing use		X	X	X	X	X	SP	X	X	P	P	P
Other												
Wireless communication facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Small cell wireless facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Farm		P	X	X	X	X	X	X	X	X	X	X
Horticultural nursery		P	P	X	P	X	X	X	X	X	P	X
Historic District Overlay Use	Subject to § 223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)												
Accessory apartment	Subject to § 223-24.1	~~SP~~ P	~~SP~~ P	~~SP~~ P	X	X	X	X	X	X	X	X
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	X	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
Garden, roof garden, or greenhouse		P	P	P	P	P	P	P	P	P	P	P
Solar collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see -->					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

223 Attachment 3

City of Beacon
§ 223-17E, Schedule of Regulations for Accessory Buildings on Residential Lots

Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	~~Maximum Cumulative Square Footage for All Accessory Buildings~~	Maximum Square Footage Permitted For Each Accessory Building (Based on ~~footprint~~ the total square footage of the principal building)	Maximum Number of Sheds Permitted
R1-120 1-Family Residence District	Not permitted in front yard	50	50	~~2,775~~	~~40%~~ 50%	2
R1-80 1-Family Residence District	Not permitted in front yard	30	30	~~2,125~~	~~40%~~ 50%	2
R1-40 1-Family Residence District	Not permitted in front yard	25	25	~~1,625~~	~~40%~~ 50%	2
R1-20 1-Family Residence District	Not permitted in front yard	20	20	~~1,250~~	~~40%~~ 50%	2
R1-10 1-Family Residence District	Not permitted in front yard	15	15	~~960~~	~~40%~~ 50%	2
R1-7.5 1-Family Residence District	Not permitted in front yard	5	5	~~720~~	~~40%~~ 50%	1
R1-5 1-Family Residence District	Not permitted in front yard	5	5	~~720~~	~~40%~~ 50%	1

Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Cumulative Square Footage for All Accessory Buildings	Maximum Square Footage Permitted For Each Accessory Building (Based on footprint[a] of principal building)[b]	Maximum Number of Sheds Permitted
~~R1-5 1-Family Residence District~~	~~Not permitted in front yard~~	~~5~~	~~5~~	~~720~~	~~40%~~	~~1~~
RD-6 Designed Residence District	Not permitted in front yard	50	50	2,775	40%	2
RD-5 Designed Residence District	Not permitted in front yard	30	30	2,125	40%	2
RD-4 Designed Residence District	Not permitted in front yard	25	25	1,625	40%	2
RD-3 Designed Residence District	Not permitted in front yard	20	20	1,250	40%	2
RD-1.8 Designed Residence District	Not permitted in front yard	15	15	960	40%	2
RD-1.7 Designed Residence District	Not permitted in front yard	5	5	720	40%	1
R1-5 Designed Residence District	Not permitted in front yard	5	5	720	40%	1

NOTES:

The following districts were not included in the Planning Board's recommendation: RMF-1.5 (Multifamily Residence District), SAHO (Senior Affordable Housing Overlay District.

[a] Footprint includes attached garages but excludes open porches/decks.

[b.] The maximum square footage of each accessory building for any single-family dwelling located in the RD Zoning District shall be 50% based on the total square footage of the principal building.

Title:

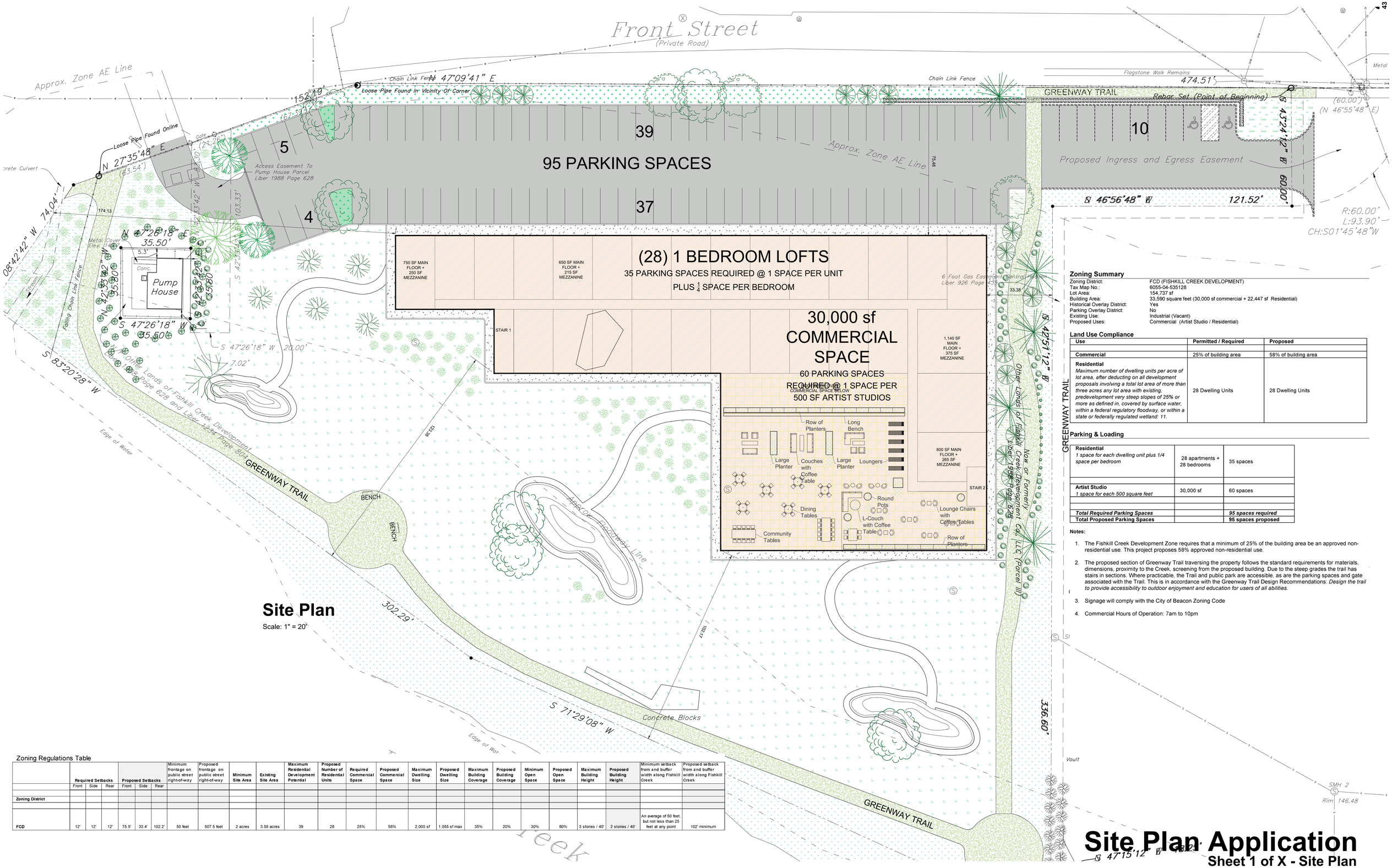
Beacon Lofts Vacant Parcel Proposal

ATTACHMENTS

Beacon Lofts - Site Plan

Beacon Lofts - Existing Conditions Survey

Beacon Lofts - Building Plans



Site Plan

Scale: 1" = 20'

Zoning Regulations Table

	Required Setbacks			Proposed Setbacks			Minimum frontage on public street right-of-way	Proposed frontage on public street right-of-way	Minimum Site Area	Existing Site Area	Maximum Residential Development Potential	Proposed Number of Residential Units	Required Commercial Space	Proposed Commercial Space	Maximum Dwelling Size	Proposed Dwelling Size	Maximum Building Coverage	Proposed Building Coverage	Minimum Open Space	Proposed Open Space	Maximum Building Height	Proposed Building Height	Minimum setback from and buffer width along Fishkill Creek	Proposed setback from and buffer width along Fishkill Creek
	Front	Side	Rear	Front	Side	Rear																		
Zoning District																								
FCD	12'	12'	12'	75.5'	33.4'	102.2'	50 feet	507.5 feet	2 acres	3.55 acres	39	28	25%	58%	2,000 sf	1,055 sf max	35%	20%	30%	80%	3 stories / 40'	2 stories / 40'	An average of 50 feet, but not less than 25 feet at any point	102' minimum

Zoning Summary

Zoning District:	FCD (FISHKILL CREEK DEVELOPMENT)
Tax Map No.:	6055-04-535128
Lot Area:	154,737 sf
Building Area:	33,590 square feet (30,000 sf commercial + 22,447 sf Residential)
Historical Overlay District:	Yes
Parking Overlay District:	No
Existing Use:	Industrial (Vacant)
Proposed Uses:	Commercial (Artist Studio / Residential)

Land Use Compliance

Use	Permitted / Required	Proposed
Commercial	25% of building area	58% of building area
Residential *Maximum number of dwelling units per acre of lot area, after deducting on all development proposals involving a total lot area of more than three acres any lot area with existing, predevelopment very steep slopes of 25% or more as defined in, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland: 11.*	28 Dwelling Units	28 Dwelling Units

Parking & Loading

Residential *1 space for each dwelling unit plus 1/4 space per bedroom*	28 apartments + 28 bedrooms	35 spaces
Artist Studio *1 space for each 500 square feet*	30,000 sf	60 spaces
Total Required Parking Spaces		***95 spaces required***
Total Proposed Parking Spaces		**95 spaces proposed**

Notes:

1. The Fishkill Creek Development Zone requires that a minimum of 25% of the building area be an approved non-residential use. This project proposes 58% approved non-residential use.
2. The proposed section of Greenway Trail traversing the property follows the standard requirements for materials, dimensions, proximity to the Creek, screening from the proposed building. Due to the steep grades the trail has stairs in sections. Where practicable, the Trail and public park are accessible, as are the parking spaces and gate associated with the Trail. This is in accordance with the Greenway Trail Design Recommendations: *Design the trail to provide accessibility to outdoor enjoyment and education for users of all abilities.*
3. Signage will comply with the City of Beacon Zoning Code
4. Commercial Hours of Operation: 7am to 10pm

Site Plan Application

Sheet 1 of X - Site Plan

Owner:
Fishkill Creek Development Corp.
16 Squadron Boulevard
New City NY 10956

Architect:
Aryeh Siegel, Architect
84 Mason Circle
Beacon, New York 12508

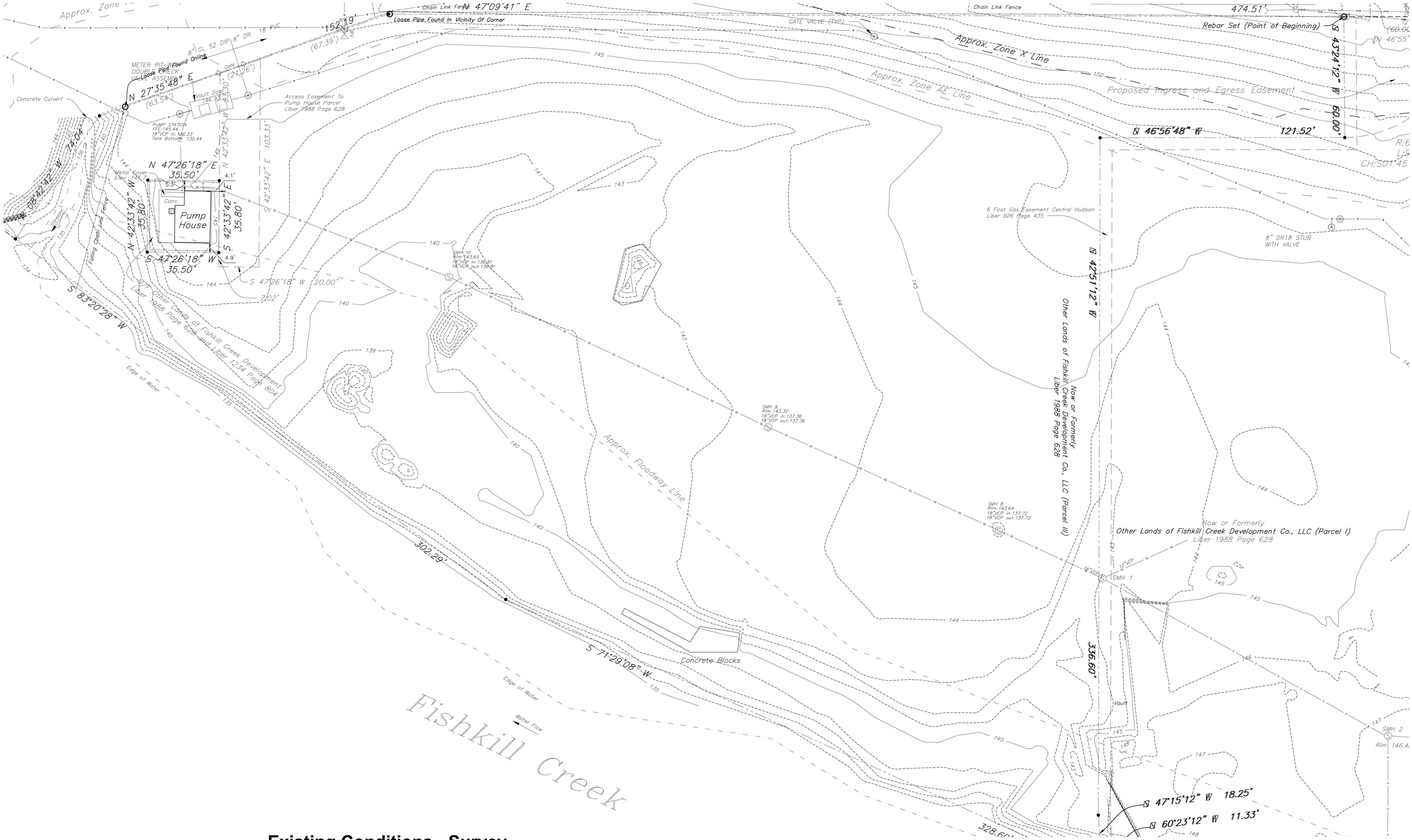
Site / Civil Engineer:
Hudson Land Design
174 Main Street
Beacon, New York 12508

Surveyor:
TEC Surveying
831 Route 52, Suite 2C
Fishkill, New York 12524

Landscape Design:
Landscape Restorations
7 Creek Drive
Beacon, New York 12508

Beacon HIP Lofts and Studios

Beacon, New York
Scale: 1" = 20'
May 21, 2022



Existing Conditions - Survey

Scale: 1" = 20'

Site Plan Application

Sheet 2 of X - Existing Conditions - Survey

Owner:
Fishkill Creek Development Corp.
16 Squadron Boulevard
New City NY 10956

Architect:
Aryeh Siegel, Architect
84 Mason Circle
Beacon, New York 12508

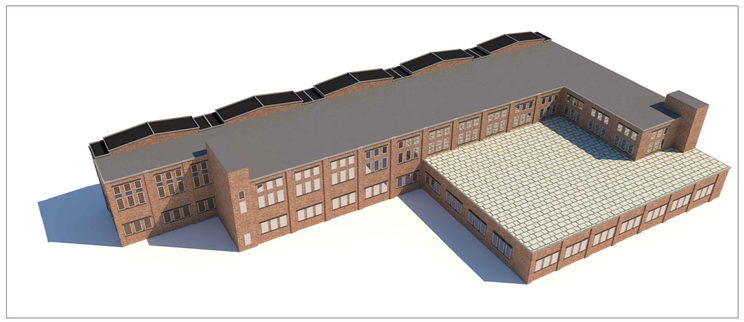
Site / Civil Engineer:
Hudson Land Design
174 Main Street
Beacon, New York 12508

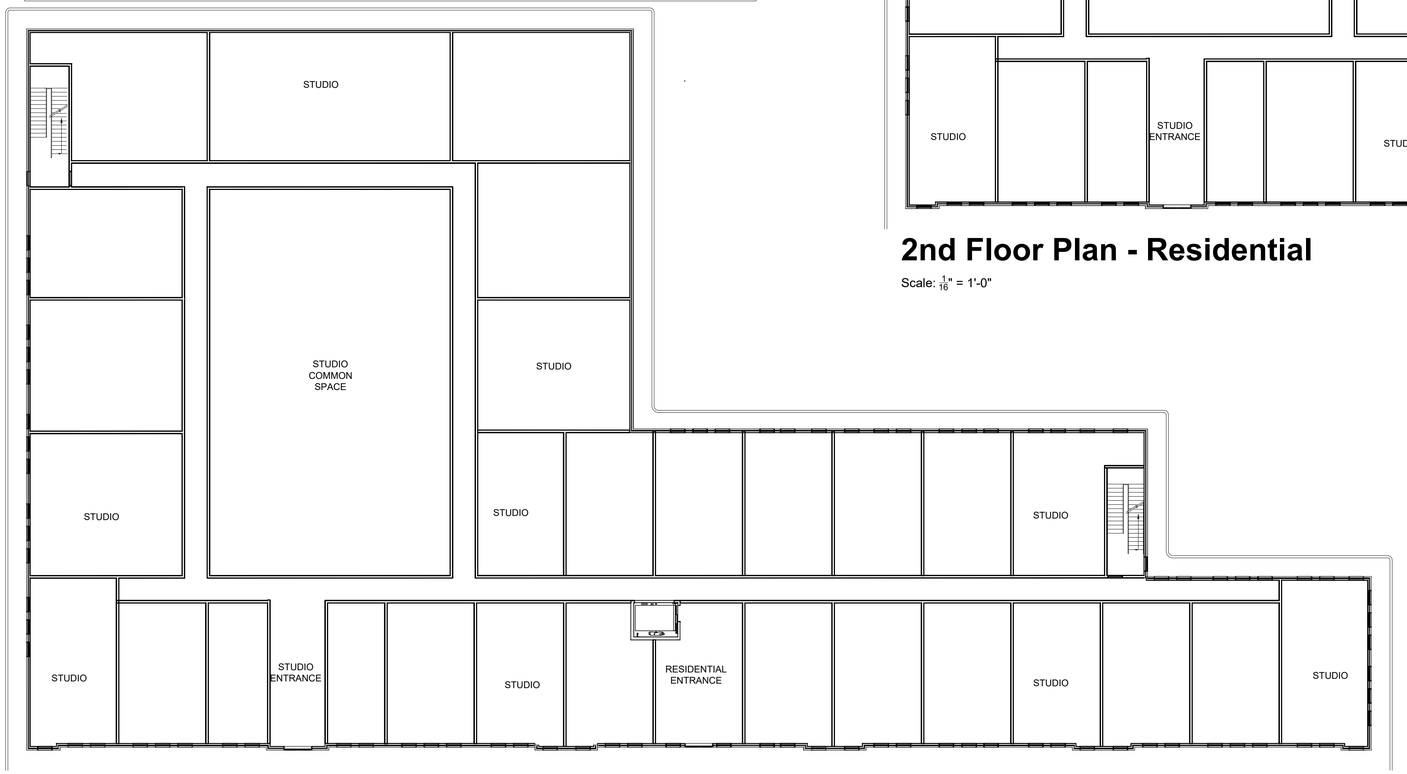
Surveyor:
TEC Surveying
831 Route 52, Suite 2C
Fishkill, New York 12524

Landscape Design:
Landscape Restorations
7 Creek Drive
Beacon, New York 12508

Beacon HIP Lofts and Studios

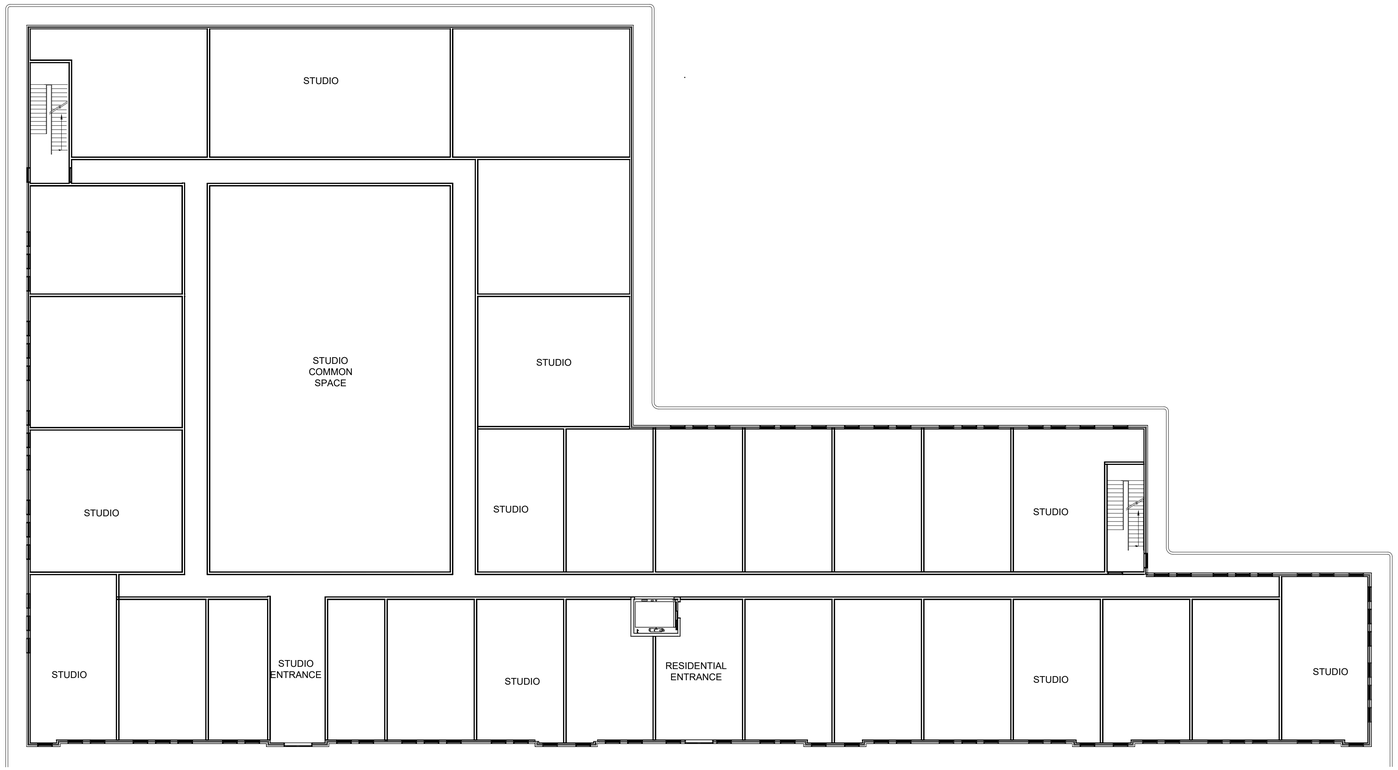
Beacon, New York
Scale: 1" = 20'
May 21, 2022





1st Floor Plan - Commercial

Scale: $\frac{1}{16}$" = 1'-0"



2nd Floor Plan - Residential

Scale: $\frac{1}{16}$" = 1'-0"

Site Plan Application

Sheet 2 of X - Existing Conditions - Survey

Owner:
Fishkill Creek Development Corp.
16 Squadron Boulevard
New City NY 10956

Architect:
Aryeh Siegel, Architect
84 Mason Circle
Beacon, New York 12508

Site / Civil Engineer:
Hudson Land Design
174 Main Street
Beacon, New York 12508

Surveyor:
TEC Surveying
831 Route 52, Suite 2C
Fishkill, New York 12524

Landscape Design:
Landscape Restorations
7 Creek Drive
Beacon, New York 12508

Beacon HIP Lofts and Studios
Beacon, New York
Scale: 1" = 20'
May 21, 2022

Title:

Self-Storage Parking Requirements

ATTACHMENTS

Proposed City Code Modifications

Colliers Engineering & Design CT, P.C. Letter Regarding Off-Street Parking Requirements for Self-Storage Facilities

that the property owner(s) will be responsible for the construction of such waived spaces, or any portion thereof, within six months of the date such spaces may be deemed necessary by the City Council or Planning Board. **[Amended 7-6-2004 by L.L. No. 13-2004; 2-19-2013 by L.L. No. 3-2013; 6-15-2020 by L.L. No. 7-2020]**

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

Use	Minimum Off-Street Parking
1- and 2-family dwelling	2 spaces for each dwelling unit
Multifamily dwelling and/or apartment or artist live/work space **[Amended 8-6-2001 by L.L. No. 12-2001]**	1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live/work space containing retail area
Professional home office or home occupation permitted in a residential district **[Amended 6-15-2020 by L.L. No. 7-2020]**	2 spaces in addition to spaces required for the residential use, except that there shall be 4 spaces for each medical or dental practitioner in addition to spaces required for the residential use
Bed-and-breakfast establishment **[Amended 3-18-2002 by L.L. No. 9-2002; 6-15-2020 by L.L. No. 7-2020]**	1 space for each guest sleeping room, plus 2 spaces for the dwelling unit, plus 1 space for each nonresident employee
Hotel or inn **[Amended 6-15-2020 by L.L. No. 7-2020]**	Subject to § 223-14.1C
Place of worship, theater, auditorium, athletic field or other place of assembly	1 space for each 4 seats or pew spaces or, in places or, in places without seats, 1 space for each 100 square feet of floor space used for public assembly
Nursery school or day-care center **[Added 3-18-2002 by L.L. No. 10-2002]**	1 per employee plus 1 per classroom
Primary or secondary school **[Added 3-18-2002 by L.L. No. 10-2002]**	1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater
Dance, art, tutorial, martial arts or similar instructional school **[Added 11-4-2002 by L.L. No. 29-2002]**	1 space for each 150 square feet of gross floor space
Hospital, nursing home, convalescent home or home for the aged	1 space for each 3 resident persons, plus space for each employee, including medical, nursing and service staff employed at the same time when the building is operating at full capacity

Use	Minimum Off-Street Parking
Golf and country club	1 space for each 2 memberships
Bowling alley or other place of indoor commercial recreation or public amusement **[Amended 7-6-2004 by L.L. No. 13-2004; 6-15-2020 by L.L. No. 7-2020]**	5 spaces for each bowling lane; all others, 1 space for each 4 persons of maximum occupancy or 1 space for each 200 square feet of gross floor area, whichever is greater
Retail or service business, including auction gallery **[Amended 2-18-1992; 6-21-1999 by L.L. No. 14-1999]**	1 space for each 200 square feet of gross floor area, excluding utility areas
Restaurant or coffee house **[Amended 7-6-2004 by L.L. No. 13-2004; 5-2-2005 by L.L. No. 2-2005]**	1 space for each 3 patron seats or 1 space for each 150 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Office for business or pro-fessional use (other than accessory to residential use) **[Amended 6-21-1999 by L.L. No. 14-1999]**	1 space for each 200 square feet of gross floor area, excluding utility areas
Banking office **[Amended 6-21-1999 by L.L. No. 14-1999]**	1 space for each 200 square feet of gross floor area, excluding utility areas
Funeral home or undertaking establishment **[Amended 6-15-2020 by L.L. No. 7-2020]**	10 spaces per establishment, plus 1 space per employee
Motor vehicle sales and service	1 space per employee, plus 1 space per 150 square feet of gross floor space
Animal care facility **[Amended 6-15-2020 by L.L. No. 7-2020]**	1 space per employee, plus 1 space per 300 square feet of gross floor space
Car washing establishment	Subject to § 223-21F
Research or development laboratory	1 space per employee, but not less than 1 space per 600 square feet of gross floor space
Manufacturing or industrial use	1 space per 2 employees but not less than 1 space per 400 square feet of gross floor space
Wholesale, ~~storage~~, utility or other similar commercial use	1 space per employee but not less than 1 space per 1,000 square feet of gross floor space
Senior housing **[Added 3-22-1982; amended 6-15-2020 by L.L. No. 7-2020]**	2 spaces for each 3 dwelling units

Remove "Storage"

Add New Use "Self-Storage"

Minimum Off-Street Parking Requirement:
1 Space per 10,000 Square Feet
Plus 1 Space Per Employee

:6

Use	Minimum Off-Street Parking
Museums located within walking distance (3,000 feet) of entrance to train station **[Added 2-7-2000 by L.L. No. 5-2000; amended 5-2-2005 by L.L. No. 2-2005; 6-15-2020 by L.L. No. 7-2020]**	1 parking space per 3,000 feet of gross floor space
Artist studio **[Added 6-16-2003 by L.L. No. 6-2003]**	1 space for each 500 square feet of gross floor space
Art gallery/exhibit space **[Added 5-2-2005 by L.L. No. 2-2005]**	1 space for each 250 square feet of gross floor area
Bar or brew pub **[Added 5-2-2005 by L.L. No. 2-2005]**	1 space for each 3 patron seats or 1 space for each 50 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Microbrewery or microdistillery **[Added 5-2-2005 by L.L. No. 2-2005; amended 5-19-2014 by L.L. No. 8-2014]**	1 space for each employee on the largest shift, plus 1 space for each 3 patron sitting or standing spaces in any tasting room or other visitor facility open to the general public
Museum **[Added 5-2-2005 by L.L. No. 2-2005]**	1 space for each 300 square feet of gross floor area
Other uses not listed **Amended 5-2-2005 by L.L. No. 2-2005]**	Off-street parking requirements for types of uses which do not fall within the categories listed above shall be determined by the Planning Board upon consideration of relevant factors entering into the parking needs of each such use

(1) Notwithstanding § 223-26F above, with respect to lots which, on the effective date of this section, are located wholly or partially within 2,500 feet of the train station platform, the City Council shall have the authority to limit the amount of parking to be provided for multifamily and nonresidential development projects on said lots having a parking requirement in accordance with § 223-26F of 25 spaces or more, in the interest of appropriately and reasonably minimizing the environmental impact of the project's vehicular traffic accessing the train station. In such cases, the City Council shall ensure that convenient pedestrian access is provided by the project, or is otherwise available between the project and the train station. Where a substantial change in elevation exists between the project and the train station, the City Council may require the project to provide, if deemed feasible by the Council, an elevator, escalator, stairs and/or other similar pedestrian conveyance or access for such purpose. **[Added 6-7-2010 by L.L. No. 8-2010]**

400 Columbus Avenue
Suite 180E
Valhalla New York 10595
Main: 877 627 3772
colliersengineering.com

Colliers
Engineering
& Design

Via E-Mail
May 5, 2022

Mr. Jack Wertz
Beacon Lofts & Storage LLC
16 Squadron Boulevard, Suite 106
New City, NY 10956

City of Beacon Self-Storage Facility Parking Requirements
Colliers Engineering & Design Project No. 21005078A

Dear Mr. Wertz,

Colliers Engineering & Design has conducted a review of the parking requirements Self-Storage facilities within the City of Beacon, Dutchess County, New York. The following identifies the tasks undertaken as part of our review of the potential parking needs of such a facility based on a review of the City of Beacon Code requirements, comparisons to industry standards and other local zoning codes for similar type uses, as well as comparison to data collected for a nearby existing self-storage facility.

It is noted that typical sizes of indoor climate controlled self-storage facilities range between 50-100,000 sq. ft. For the purposes of comparison, a theoretical self-storage facility size of 75,000 sq. ft. is utilized here-in.

The purpose of the analysis contained herein is to assess the possibility of a reduced parking demand ratio for self-storage facilities within the City of Beacon.

City of Beacon Code Parking Requirements

The City of Beacon Code §223-26 – Off-Street Parking, Loading and Vehicular Access provides a Schedule of Off-Street Parking Requirements for standard code permitted use within the City. A Self-Storage facility is listed under "Wholesale, Storage, Utility or Other Similar Commercial Use" which requires 1 space per employee but not less than 1 space per 1,000 square feet of gross floor space. Based on this requirement a 75,000 sq. ft. self-storage facility would require 75 parking spaces. This number or parking spaces, as required by the City Code, would likely be onerous for a self-storage facility, infeasible to construct and generally considered excessive for a self-storage type use. It should be noted that this high parking ratio requirement is likely due to the fact that storage facilities are grouped by the City Code with other uses (i.e. wholesale, utility, etc.) which are considered similar but are typically more parking intensive in their application compared to a pure self-storage use.

Colliers Engineering & Design

Comparison to Industry Standard Data

Various publications provide parking data for Self-Storage facilities which can be used to identify the anticipated parking demand for these facilities. The Institute of Transportation Engineers (ITE) publication ***Parking Generation Manual***, 5th Edition dated 2019 provides the most relevant data under ITE Land Use Category 151 -Mini-Warehouse. The relevant pages from the ITE Manual are attached for reference. As noted in the land use description Mini-Warehouses are typically referred to as "Self-Storage" facilities. The ITE data is based on studies of more than 10 self-storage facilities.

The ITE data for Mini-Warehouse indicates an average parking demand rate of 0.10 spaces/1,000 sq. ft. Based on this information the Project would require 8 total parking spaces.

Comparison to Other Local Zoning Code Requirements

Other local Zoning Code Requirements were also referenced for comparison to the City of Beacon's parking requirements for similar type facilities. Reference was made to the City of Yonkers, City of White Plains, Town of Greenburgh and City of Albany Zoning Codes among others. The relevant sections of each of these Zoning Codes are attached for refence and the below table summarizes the various code requirements for these municipalities.

Local Zoning Code Requirement Comparison

Municipality	Land Use	Code Parking Requirement	Required Spaces if Applied to Theoretical Project
City of Yonkers Westchester County, NY	Self-Storage Warehouses	1 Space for the Office +1 Space per 7,500 sq. ft. Gross Floor Area	11 Spaces
City of White Plains Westchester County, NY	Mini-Storage Facility	1 Space per Employee +5 Spaces for Patrons	7 Spaces (assumes 2 employees at any time)
Town of Greenburgh Westchester County, NY	Self-Storage	10 Spaces or 1 Space for Each 5,000 sq. ft. of Gross Floor Area	15 Spaces
City of Albany Albany County, NY	Self-Storage Facility	1 Space per 5,500 sq. ft. Gross Floor Area	14 Spaces

Source: City of Yonkers, Westchester County, NY - Zoning Ordinance of the City of Yonkers, New York of 2000; City of White Plains Westchester County, NY - Zoning Ordinance of the City of White Plains Adopted June 1, 1981 with Amendments through May 3, 2021; Town of Greenburgh, Westchester County, NY - 1980 Town of Greenburgh Zoning Ordinance; City of Albany, Albany County, NY - City of Albany Unified Sustainable Development Ordinance June 1, 2017.

Colliers Engineering & Design

Comparison to Other Existing Self Storage Facilities

In order to further support a reduced parking demand requirement for self-storage facilities, data was collected for two existing similar self-storage facilities. This included data collected for the existing Beacon Lofts & Storage facility, which is an approximately 25,000 sq. ft. climate controlled indoor self-storage facility. In addition, observations of the existing Life Storage facility located at 35 Merritt Boulevard in the Village of Fishkill were also conducted. That facility is an approximately 60,304 sq. ft. climate controlled indoor self-storage facility. The following provides a further description of the data collection and observed parking demands for each facility.

Beacon Lofts & Storage, City of Beacon

Entry data was obtained by the Beacon Lofts & Storage self-storage facility for the period between January 1, 2022 through April 20, 2022. This data identified customers entering the facility along with date and time of entry. This information has been summarized in Table No. 1 in the attached Appendices. This table identifies the peak days of usage during the study period. As identified in the table the facility experienced a peak of 6 total visitors on Saturday January 8, 2022, with other months experiencing peak days of 5 total visitors.

The peak days of each month were then further summarized by entry time for each visitor as summarized in Table No. 2. While the data provided does not indicate exit times for each visitor, it was assumed that a typical length of stay for each visitor was one-hour. Based on this a number of parked vehicles was determined as indicated in the table. The peak number of parked visitors' vehicles was found to be three (3) vehicles.

Based on the size of the existing Beacon Lofts & Storage Facility, the peak occupancy of 3 parked vehicles equates to a parking demand ration of 0.12 spaces per 1,000 sq. ft. It should be noted that this does not include employee parking for which 1 additional space per employee at the facility at any one time should be provided.

Life Storage, Village of Fishkill

The existing Life Storage facility located at 35 Merritt Boulevard in the Village of Fishkill consists of 60,304 sq. ft. of Gross Floor Area including an approximately 15,000 sq. ft. of basement area with access to two (2) loading docks. The facility is provided 12 parking spaces, which equates to a parking supply ratio of 0.20 spaces per 1,000 sq. ft. (or 1 space per 5,000 sq. ft.).

Parking observations of the Life Storage facility were conducted by representatives of Colliers Engineer & Design on Tuesday September 14, 2021 and Saturday September 18, 2021, between 12PM and 6PM each day, in order to document actual parking occupancy on a typical Weekday and a typical Saturday. The below table provides a summary of the observed parking occupancies by hour for the existing Life Storage facility.

Colliers Engineering & Design

Observed Existing Parking Occupancy – Life Storage, Merritt Boulevard, Fishkill

Time	Weekday Parking Occupancy	Saturday Parking Occupancy
12:00 PM - 1:00 PM	1	3
1:00 PM - 2:00 PM	2	6
2:00 PM - 3:00 PM	4	3
3:00 PM - 4:00 PM	3	1
4:00 PM - 5:00 PM	2	1
5:00 PM - 6:00 PM	2	1

As indicated in the above table, the maximum observed parking occupancy for the existing Life Storage facility was found to be 6 parking spaces occurring on Saturday. This parking occupancy equates to a ratio of approximately 0.10 spaces per 1,000 sq. ft. (or 1 space per 10,000 sq. ft.) for this facility, which is consistent with the anticipated parking demand based on the ITE data discussed above and also generally consistent with the other municipal zoning codes referenced previously.

Conclusions and Recommendations

Based on our review of the parking requirements for self-storage facilities, we would recommend that the City of Beacon consider a revision to the City Code to add an additional land use category to the Schedule of Off-Street Parking Requirements specifically for self-storage facilities. Based on our review of the ITE parking data, the other local zoning code requirements and observations of the existing Beacon Lofts & Storage and the Life Storage facility in the Village of Fishkill, it is suggested that a parking supply ratio of one (1) space per 10,000 sq. ft. plus 1 space per employee at the facility at any one time would be appropriate for this land use category. It is the opinion of Colliers Engineer & Design that this level of parking will accommodate the parking needs of any potential self-storage facility that may be developed in the City in the future.

Sincerely,

Colliers Engineering & Design CT, P.C.
(DBA Maser Consulting Engineering & Land Surveying)

Richard D'Andrea, P.E., PTOE
Assistant Department Manager

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Colliers
Engineering
& Design

Appendix

Institute of Transportation Engineers Data

Land Use: 151 Mini-Warehouse

Description

A mini-warehouse is a building in which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as "self-storage" facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday (nine study sites) and a Saturday (one study site) in a general urban/suburban setting.

	Percent of Peak Parking Demand	
Hour Beginning	Weekday	Saturday
12:00–4:00 a.m.	0	–
5:00 a.m.	0	–
6:00 a.m.	0	–
7:00 a.m.	0	–
8:00 a.m.	14	–
9:00 a.m.	71	–
10:00 a.m.	50	–
11:00 a.m.	79	–
12:00 p.m.	57	–
1:00 p.m.	64	91
2:00 p.m.	64	27
3:00 p.m.	79	55
4:00 p.m.	71	100
5:00 p.m.	100	91
6:00 p.m.	14	27
7:00 p.m.	0	0
8:00 p.m.	0	–
9:00 p.m.	0	–
10:00 p.m.	0	–
11:00 p.m.	0	–

Additional Data

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in British Columbia (CAN), California, Massachusetts, Minnesota, and Texas.

Source Numbers

37, 314, 415, 556, 562

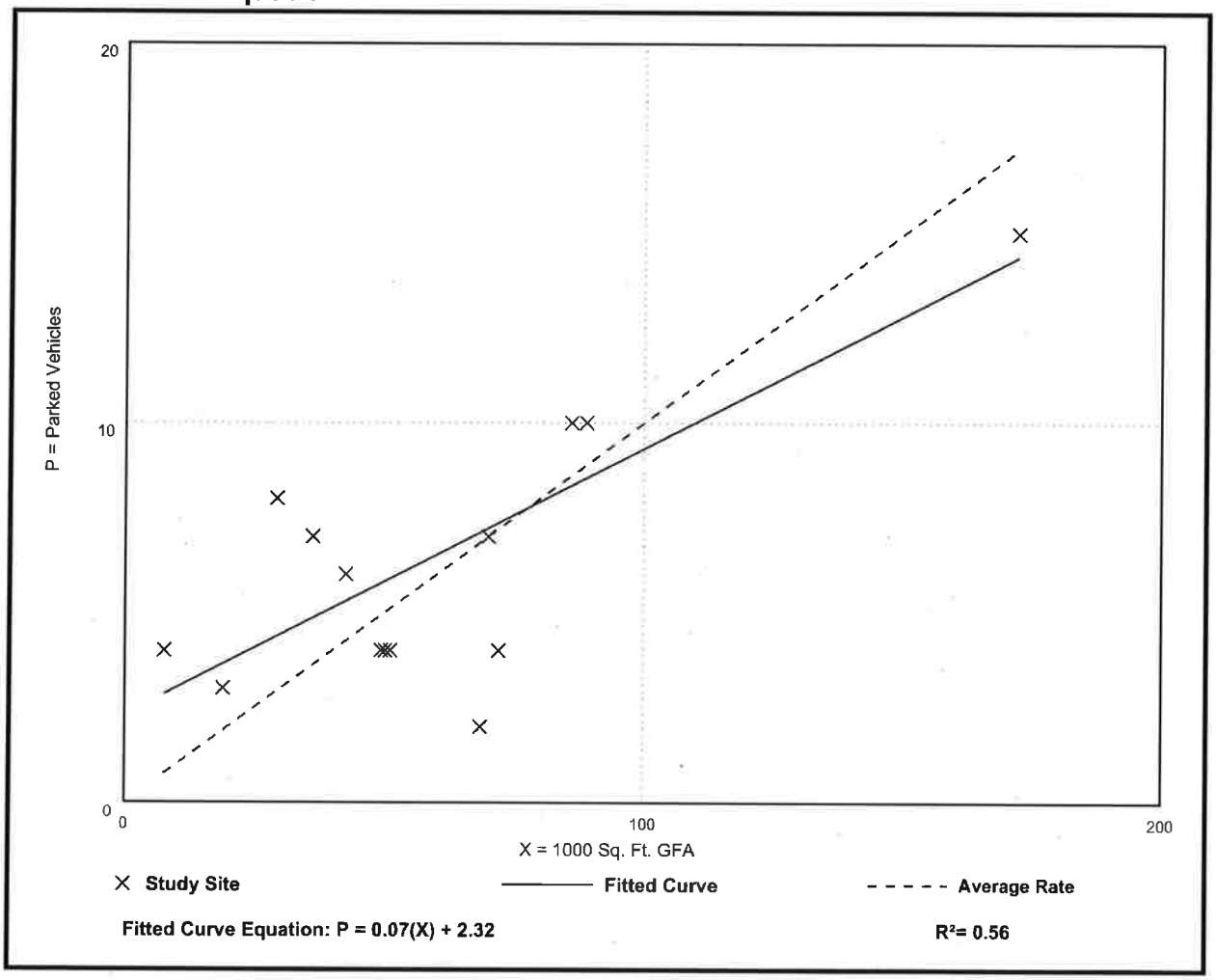
Mini-Warehouse
(151)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 4:00 - 6:00 p.m.
Number of Studies: 14
Avg. 1000 Sq. Ft. GFA: 60

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.10	0.03 - 0.53	0.08 / 0.25	***	0.07 (70%)

Data Plot and Equation



Mini-Warehouse
(151)

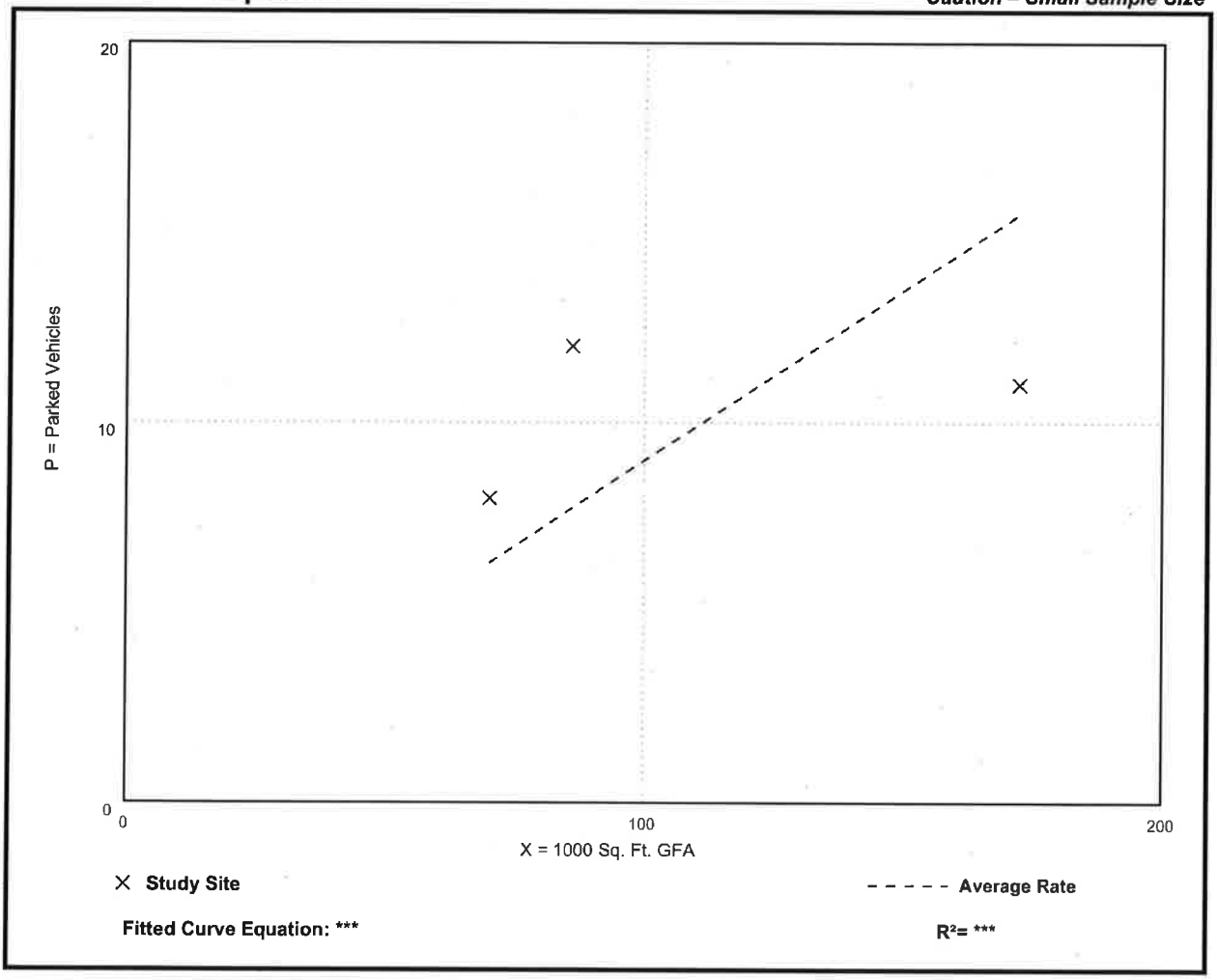
Peak Period Parking Demand vs: 1000 Sq. Ft. GFA
On a: Saturday
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 1:00 - 5:00 p.m.
Number of Studies: 3
Avg. 1000 Sq. Ft. GFA: 109

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.09	0.06 - 0.14	0.08 / 0.14	***	0.04 (44%)

Data Plot and Equation

Caution – Small Sample Size



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Appendix

Zoning Ordinance of the City of Yonkers, New York of 2000

43 Attachment 4

City of Yonkers

Table 43-4
Schedule of Parking Requirements
[Amended 12-8-2009 by G.O. No. 8-2009; 10-11-2011 by G.O. No. 3-2011; 6-28-2016 by G.O. No. 13-2016; 6-12-2018 by G.O. No. 8-2018; 12-10-2019 by Ord. No. 12-2019]

Use	Minimum Number of Spaces
Residential Uses	
Apartments	1 per dwelling unit plus 0.33 per bedroom
Community residential facilities	0.33 per bed
Nursing homes	0.33 per bed
Residential health-care facilities	0.33 per dwelling unit
Row houses (attached single-family houses)	2 per dwelling unit
Senior citizens' apartment	0.5 per dwelling unit
Single-family detached dwellings	2 per dwelling unit
Townhouses	1 per dwelling unit plus 0.33 per bedroom
Two-family or three-family dwellings	2 per dwelling unit
Public and Institutional Uses	
Cemeteries and mausoleums	1 per 4 seats in the chapel but not less than 20 spaces
Children's day camps	1 per employee plus 1 per camp vehicle parked on premises plus 5 visitor spaces
Colleges and universities	Parking calculated separately for each use
Convents, monasteries and seminaries	1 per 300 square feet of gross floor area
Governmental motor vehicle yards	1 per 750 square feet of gross floor area
Government uses (non-City of Yonkers)	1 per 300 square feet of gross floor area for offices and 1 space per 500 square feet of gross floor area for all other spaces
Hospitals	0.4 per employee plus 0.33 per bed plus 0.2 per outpatient treatment capacity plus 0.25 per staff physician
Medical establishments	1 per 300 square feet of gross floor area

Use	Minimum Number of Spaces
Municipal uses (City of Yonkers)	1 per 300 square feet of gross floor area
Offices of philanthropic institutions	1 per 300 square feet of gross floor area
Parish houses	2 per house
Philanthropic institutions providing social services	1 per 250 square feet of gross floor area
Places of worship	1 per 4 seats or 1 per 100 square feet of floor space used for public assembly, whichever is greater
Private clubs and community centers	1 per 4 seats or 1 per 100 square feet of floor space used for public assembly, whichever is greater
Private marinas and seaplane landing docks	1 per 3 boat or plane berths plus 1 per 1000 square feet of dry storage area
Private not-for-profit recreational uses[1] and clubs	
Athletic fields	20 per athletic field or diamond
Auditoriums	1 per 4 seats
Basketball courts	5 per court or 1 per 4 spectator seats, whichever is greater
Golf courses/clubs	4 per golf hole plus 1 per 200 square feet of gross floor area of accessory buildings
Hiking, picnicking, camping, nature preserves	2 per acre of lot area but not less than 15 spaces
Recreation centers	1 per 350 square feet of gross floor area
Stadiums	1 per 4 spectator seats
Swimming pools/clubs (including community swimming pools)	1 per 100 square feet of surface water area plus 1 space per 50 square feet of accessory buildings
Tennis/racquetball courts/clubs	2 per court plus 1 space per 100 square feet of gross floor area of accessory space
Religious retreats	1 per employee plus 1 per vehicle parked on premises plus 1 per 4 visitors
Schools	
Elementary and kindergarten 1 per classroom plus 1 for each 50 students of enrollment capacity	
Junior high	1.5 per classroom plus 1 for each 50 students of enrollment capacity

Use	Minimum Number of Spaces
High schools 2.0 per classroom plus 1 for each 20 students of enrollment capacity	
Utility substations	1 for 400 square feet of gross floor area devoted to office use and 1 per 750 square feet of gross floor area for other uses, but not less than 1 space
Business, Commercial and Office Uses	
Audio, radio, video and television stations and studios	1 per 400 square feet of gross floor area
Banks and financial uses	1 per 300 square feet of gross floor area
Banquet and catering facilities	1 per 3 seats or 1 per 75 square feet of gross floor area, whichever is greater
Building supply stores	1 per 300 square feet of gross floor area
Cabarets and nightclubs	1 per 3 seats or 1 per 75 square feet of gross floor area, whichever is greater
Commercial recreation uses, indoor and outdoor[2]	
Batting cages	2 per cage
Bingo parlors	1 per 3 seats or 1 per 50 square feet of public assembly area
Bowling alleys	3 per lane
Escape game rooms	1 per 3 persons of capacity of the facility including party rooms or lounge area
Golf driving ranges	1.25 per practice tee
Miniature golf courses	2 per golf hole
Pool or billiard halls	2 per table
Rifle or pistol ranges (indoor only)	1 per target
Skating or roller rinks	1 per 200 square feet of rink area
Water sports facility(water skiing, sailing, canoeing)	0.25 per boat berth plus 10 per dock or launch area
Commercial schools	1 per 100 square feet of gross floor area
Convenience stores	1 per 175 square feet of gross floor area
Day-care centers	1 per staff member plus 1 per vehicle parked on the premises plus 1 per 20 registrants
Drive-through banks	1 per 350 square feet of gross floor area

Use	Minimum Number of Spaces
Drive-through restaurants	1 per 2.5 seats or 1 per 85 square feet of gross floor area, whichever is greater
Dry-cleaning establishments	1 per 250 square feet of gross floor area
Eating and drinking	1 per 150 square feet of gross establishments floor area
Fast-food restaurants	1 per 2 seats or 1 per 75 square feet of gross floor area, whichever is greater
Food and beverage stores	1 per 200 square feet of gross floor area
Funeral parlors or mortuaries	1 per 100 square feet of gross floor area or 1 per 5 seats in the chapel area, whichever is greater
Garden centers	1 per 400 square feet of gross floor area plus 1 per 1,000 square feet of gross floor area of outdoor storage/sales area
Health clubs and gymnasiums	1 per 200 square feet of gross floor area
Hotels	0.75 per room plus parking calculated separately for other accessory uses
Indoor markets	2 per booth plus 1 per 300 square feet of gross floor area
Live-work buildings	1.33 per live-work unit
Medical establishments	1 per 200 square feet of gross floor are
Offices	1 per 300 square feet of gross floor area
Pawnshops, and check-cashing stores	1 per 250 square feet of gross floor area
Personal service	1 per 200 square feet of gross establishments floor area
Planned shopping centers	1 per 200 square feet of gross floor area
Restaurants	1 per 3 seats or 1 per 100 square feet of gross floor area, whichever is greater
Retail establishments	1 per 200 square feet of gross floor area, except furniture stores 1 per 500 square feet of gross floor area
Retail craft uses	1 per 300 square feet of gross floor area
Self-storage warehouses	1 parking space for the office, plus 1 parking space per 7,500 square feet of gross floor area
Sexually oriented businesses	1 per 3 seats or 1 per 200 square feet of gross floor area whichever is greater

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Appendix

Zoning Ordinance of the City of White Plains Adopted June 1, 1981

ZONING ORDINANCE

of

ADOPTED JUNE 1, 1981

WITH AMENDMENTS THROUGH MAY 3, 2021

MAYOR
Thomas M. Roach

COMMON COUNCIL
Hon. Justin Brasch
Hon. Nadine Hunt-Robinson
Hon. John Kirkpatrick
Hon. John M. Martin
Hon. Victoria Presser
Hon. Jennifer Puja

SECTION 8 - OFF-“STREET” PARKING AND LOADING

8.1 Purposes

All "structures" and "uses" shall be provided with a sufficient amount of off-"street" "parking" and "loading spaces" for employees, residents, visitors, clients, patrons and other "persons" at such "structures" or "uses," but not less than the minimum requirements of this Ordinance. No certificate of "use" and occupancy shall be issued for any "structure" or "use," whether for a new "structure" or a change of "use" of an existing "structure," until such off-"street" "parking" and "loading spaces" have been established in accordance with the requirements of this Ordinance.

8.2 Limitations on Reserved Spaces

8.2.1 No more than 2/3 of the "parking spaces" provided to meet the minimum requirements of this Ordinance may be reserved for specific individuals.

8.2.2 "Parking spaces" may be shared or jointly utilized by residential tenants and non-residents provided that the standards of Section 7.5 and the conditions of Section 8.5.3 are met at all times.

8.2.3 Neither of these limitations applies to "parking spaces" provided in excess of the minimum requirements of this Ordinance.

8.3 Schedule of Parking and Loading Requirements

The following schedule presents the minimum "parking space" and "loading space" requirements of this Ordinance. Where a "lot" contains more than one "use," the minimum requirements must be satisfied for each and every such "use." For "uses" that do not fall within the categories listed or "uses" for which no minimum number of "parking spaces" is provided, the deputy commissioner of parking responsible for transportation engineering shall, in his review pursuant to Section 8.7.8, recommend to the approving agency the minimum "parking space" and "loading space" requirements, based on the specific nature of the facility and on accepted engineering practice.

"USES"	MINIMUM NUMBER OF "PARKING SPACES"		MINIMUM NUMBER OF "LOADING SPACES"
	PER 1,000 sq. ft. (prorated so that the requirement shall be the next highest integer)	**OTHER**	
RESIDENTIAL			
"One family dwelling"	--	2 per such "use"	--
"Two family dwelling"	--	2 per "dwelling unit"	--
"Multi-family dwelling"	--	1 per "dwelling unit" plus ½ per bedroom	--
		1 per "dwelling unit" plus 1/3 per bedroom if in RM-1, RM-1.5 or O-R, BR-1 or BR-2, or PCD.	
		· 1 per "dwelling unit" plus ½ per bedroom if in the RM-1.5T and the property is on a State or County road. · 1 per "dwelling unit" plus 1/3 per bedroom if the property is not on a State or County road.	
		1 per "dwelling unit" plus 1/4 per bedroom if in RM-0.7, RM-0.4, RM-0.35, B-1, B-3,CB-1, CB-2, CB-3, CB-4, or LI-M2,except in the Central Parking Area and over three "stories"	
		1 per "dwelling unit" if in CPA and over 3 “stories"	
		In the R2-2.5, off-street “parking spaces” shall be determined by the approval agency subject to a recommendation by the deputy commissioner of parking responsible for transportation engineering, but in no case shall less than one space per dwelling unit be provided.	
		0.4 per "dwelling unit" for Senior Citizen Assisted Housing or “assisted living facility”	
		1 per “dwelling unit” in UR-4	
“Roomers”	--	1 per “roomer”*(See Section 8.4)	--
Accessory servants quarters	--	1 per such “use”	--
“Planned Senior Residential Development”	--	· 1.25 per independent senior living unit · 0.4 per “dwelling unit” for “assisted living facility” · 0.33 per bed for “domiciliary care facilities” · 5 per 1,000 sq. ft. GFA for all complementary medical facilities · 2.5 spaces per 1,000 sq. ft. GFA for special medical or rehabilitation facilities	for every 100,000 sq. ft. of medical office use and “assisted living facility” or “domiciliary care facility” “use”: 1

"USES"	MINIMUM NUMBER OF "PARKING SPACES"		MINIMUM NUMBER OF "LOADING SPACES"
	PER 1,000 sq. ft. (prorated so that the requirement shall be the next highest integer)	**OTHER**	
"Planned Residential Development"		· 0.4 per unit for "Assisted Living Facility". · 1 per unit plus 1/3 per bedroom for multi-family residential units. · 1.1 space per "Independent Living Facility" unit. · 2 spaces per "dwelling unit" for "one- and two-family dwellings" · For other uses, in an amount to be determined by the Common Council.	Up to 100,000 sq. ft. of "Assisted Living Facility" or "Independent Living Facility" "use": 1. And one loading space for each additional 250,000 square feet. If the "site plan" includes an "Assisted Living Facility" and an "Independent Living Facility" under common management, the required number of loading spaces shall be one less than the number otherwise required based on the combined "gross floor area" of the two "uses."
RECREATION			
Customary indoor or outdoor athletic facilities such as playfields and stadia as accessory to a private school, "university," "college" or seminary	--	0.1 per seat	--
Commercial indoor "recreational facilities" and "health clubs"	CPA: 3 Other: 5	--	Up to 10,000 sq. ft.: 1 For each additional 100,000 sq. ft.: 1 additional
Tennis courts	--	3.2 per court (2 per court CPA)	--
Squash, handball, racquet- ball and similar courts	--	1.6 per court (1 per court CPA)	--
Bowling alleys	--	4 per alley (3 per alley CPA)	--
Theatres	B-6 District only: 3.0	0.33 per seat (0.22 per seat CPA)	--
Skating rinks, ballrooms	10	--	--
"Membership clubs"	Meeting or banquet rooms: 10 Offices: 3 Bars: 13.3	--	1
"Golf and country clubs"	See Section 6.5.4		
SEMI-PUBLIC			
Hospitals or sanitaria	--	1.25 per bed plus 1 per 400 sq.ft. GFA of any out-patient clinic. See also Sec. 6.7.5	1 per 100,000 sq.ft. GFA
Churches or other places of worship, including Sunday schools or other similar religious schools and/or other "uses" accessory to churches or other places of worship not otherwise listed	10	--	--
Parish houses or rectories	–	2 per such "use"	--

"USES"	MINIMUM NUMBER OF "PARKING SPACES"		MINIMUM NUMBER OF "LOADING SPACES"
	PER 1,000 sq. ft. (prorated so that the requirement shall be the next highest integer)	OTHER	
Convents	--	0.1 per bed	--
COMMUNITY FACILITIES			
"Uses" of other governments	See Section 5.6		
"Private secondary or elementary schools"	See Section 6.5.4		
"Nursery schools" or day care centers"	1.0	--	--
"Nursery schools" or "day care centers" in conjunction with a permitted church, other place of worship, "membership club," or "public school" or "private secondary or elementary school"	1.0	--	--

Independent, unaffiliated "nursery schools" or "day care centers" located within a permitted church, other place of worship, "membership club," or “public school” or “private secondary or elementary school”	1.0	--	--
"Universities," seminaries or "colleges"	S e e S e c t i o n 6.7.6		
"Domiciliary care facilities," "community residences" or "rooming houses"	--	0.33 per bed	--
"Transitional housing for homeless families"	S e e S e c t i o n 6.7.25		
Libraries, museums or art galleries not operated for profit	CPA: 2.2 Other: 3.3	--	--
OFFICE			
Business or professional office, except physicians and dentists	CPA: 2.0 Other: 3.0	--	Up to 75,000 sq.ft.: 1 75,000-150,000 sq.ft.: 2 150,000-250,000 sq.ft.: 3 250,000-350,000 sq.ft.: 4 Over 350,000 sq. ft.: 4 plus additional as determined by the approving agency
Offices for group education, training or counseling in "buildings" containing no residential "uses"	CPA: 2.0 for administrative floor space plus 0.22 per seat for general assembly/ classroom area Other: 3.0 for administrative floor space plus 0.33 per seat for general assembly/classroom area		Up to 75,000 sq.ft.: 1 75,000-150,000 sq.ft.: 2 150,000-250,000 sq.ft.: 3 250,000-350,000 sq.ft.: 4 Over 350,000 sq. ft.: 4 plus additional as determined by the approving agency
Office space for physicians or dentists	CPA: 3.3,but in no case less than 5 "spaces” Other: 5.0 but in no case less than 5 “spaces”	--	Up to 10,000 sq.ft.: None 10,000-100,000 sq.ft.: 1 For each additional 100,000 sq.ft. or fraction: 1 additional
Office in residence of a "professional person"	--	4 per physician or dentist; 2 per other "professional person"	--
Business, administrative or headquarters offices for "philanthropic institutions"	CPA 2.0 Other 3.0	--	--
Accessory Food Laboratory	CPA 1.7 Other 2.5		

BUSINESS			
Stores for sales at retail or performance of customary personal services or services clearly incident to retail sales, including "cafes" and "real estate offices," but not including sales of automobile parts and accessories involving installation at the point of sale	CPA: 3.3	--	Up to 8,000 sq.ft.: 1 (CPA: none)
			8,000 - 16,000 sq.ft.: 1
	B-6 District only: 3.0 with no further adjustment for joint use pursuant to Section 8.5.3		16,000 - 50,000 sq.ft.: 1 additional
			Each additional 50,000 sq.ft.: 1 additional
	For uses outside of the CPA, having a gross floor area of at least 150,000 sq.ft. within a single "development site": 4.0		--
	Other: 5.7		In the B-6 District only: for "uses" exceeding 250,000 sq.ft.: 5 plus additional as required by the approving agency
"Craft Food Market Hall "	3.3 based upon retail floor space only		8,000-50,000 sq. ft.: 1 For each additional 50,000 sq. ft.: 1 additional
"Retail laundries" or "retail dry cleaners"	CPA: 3.3 Other: 5.7	--	--
Banks	--	CPA: 3 per pedestrian teller station or 3.3. per 1,000 sq.ft. GFA, whichever is greater	--
		All other: 5 per pedestrian teller station or 5.7 per 1,000 sq.ft. GFA, whichever is greater	
"Consumer financial services establishments"	CPA: 3.3 B-6: 3.0	--	--
Libraries, museums or art galleries	CPA: 2.2 Other: 3.3	--	--
"Auction houses"	10.0	--	2
"Hotels" and "Extended Stay Hotels"	See Section 6.7.7		
Newsstands	--	--	--
Radio stations	2.5	--	--
"Customary home occupations"	--	--	--
"Restaurants," "cafeterias" "cabarets" or "bars"	B-6 District only: 3.0 CPA: 3.3	Outside CPA: 1 per 3 seats or 13.3 per 1,000 sq.ft. GFA, whichever is greater	B-6 District only: as required by approving agency
Outdoor dining	See Section 6.7.8.4		
"Fast food eating establishments"	CPA: 10 Other: 20	--	1
"Nursery Business"		8 spaces per acre	1 per 2 acres
Mortuaries or funeral homes	--	20 per 1,000 sq.ft. of floor space in assembly rooms plus 1 per commercial vehicle kept on the "lot"	--

Veterinary hospitals, including boarding or care of small animals	5.0	--	--
AUTOMOTIVE			
Motor vehicle sales or rental, including accessory "repair shops," "service stations" or outdoor storage of motor vehicles	--	Sales: 12 per such "use" plus 2 per 1,000 sq.ft. GFA Rental: 3 per such "use"	--
Motor vehicle "service stations" or motor vehicle "repair shops"	--	1 per 1,000 sq.ft. of "lot area"	--
Auto laundries	2.0	--	--
INDUSTRIAL			
Manufacturing, fabrication, finishing or assembling of products	2.5	plus 1 per commercial vehicle kept on "lot"	Up to 1,500 sq.ft.: None 1,500-11,500 sq.ft.: 1 For each additional 10,000 sq.ft.: 1 add-tonal
Research, experimental, medical or testing laboratories	2.5 (1.7 CPA)	plus 1 per commercial vehicle kept on "lot"	Up to 1,500 sq.ft.: None 1,500-11,500 sq.ft.: 1 For each additional 10,000 sq.ft.: 1 add-tonal
Printing plants	2.5 (1.7 CPA)	plus 1 per commercial vehicle kept on "lot"	Up to 1,500 sq.ft.: None 1,500-11,500 sq.ft.: 1 For each additional 10,000 sq.ft.: 1 add-tonal
Wholesale businesses, storage or warehousing	1.3	plus 1 per commercial vehicle kept on "lot"	Up to 1,500 sq.ft.: None 1,500-11,500 sq.ft.: 1 For each additional 10,000 sq.ft.: 1 additional
“Mini-storage facility”	--	1 per employee plus 5 for patrons, but in no case less than 1 per every 200 storage units	As required by the approving agency
Outdoor storage of building or other materials	0.8	plus 1 per commercial vehicle kept on "lot"	--
Outdoor storage of commercial or industrial vehicles or construction equipment	--	--	--
Laundry and dry cleaning plants	3.0	plus 1 per commercial vehicle kept on "lot"	Up to 1,500 sq.ft.: 1 For each additional 10,0000 sq.ft.: 1 addi-tional
“Public utility buildings or structures”	See Section 6.5.4		
Automobile wrecking, storage or treatment of junk, iron, bottles, scrap paper or similar materials	--	0.25 per 1,000 sq.ft. of "lot area"	Up to 1,500 sq.ft.: 1 For each additional 10,000 sq.ft.: 1 add-tonal

* NOTES:

No off-"street" parking will be required for an adult "family"-type home which meets the following requirements:

(a) the adult "family"-type home shall be licensed by the N.S. Dept. of Social Services pursuant to 18 NYCRR Part 485;

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Appendix

1980 Town of Greenburgh Zoning Ordinance

§ 285-38. Off-street parking, loading and landscaping requirements. [Amended 4-13-1983; 12-12-1984; 7-8-1987 by L.L. No. 3-1987; 10-25-1989 by L.L. No. 2-1989; 10-14-1992 by L.L. No. 6-1992; 11-9-1994 by L.L. No. 9-1994; 8-13-1996 by L.L. No. 7-1996; 4-29-1997 by L.L. No. 6-1997]

A. Required for all new buildings and uses. Subject to the exceptions hereinafter set forth, for every building hereafter constructed, erected or altered and for each use hereafter established, there shall be provided on the same premises suitably graded and paved off-street parking areas and off-street loading areas. Each such off-street parking area shall contain the required number of parking spaces set forth in Subsection E of this section and shall have appurtenant thereto and giving access thereto adequate passageways, driveways and turning areas. Each such off-street loading area shall contain the required number of loading berths set forth in Subsection G of this section. **[Amended 7-24-2019 by L.L. No. 3-2019]**

B. Parking required for one-family dwellings. A parking unit required for a one-family dwelling may be provided in a private garage, in a carport or in a driveway not less than eight feet nor more than 30 feet in width, or combination thereof, but may not be provided within one foot of a public right-of-way. Said parking units shall not be located nearer to any side or rear lot line than minimum distance from off-street parking areas to side or rear lot lines established for the district therein.

C. Parking units required for all other uses.

(1) Unless otherwise prohibited, a parking unit required for any building or use, other than for a one-family dwelling, may be fully enclosed in a garage with a door or located in a parking structure and fully roofed over, provided that it is adequately lighted at night. Said parking may be located in a side or rear yard, subject to the minimum distances as specified in the given district. Except where specifically permitted, no parking units shall be located within the required front yard of any multifamily dwelling, but passageways, driveways and turning areas giving access thereto may be permitted in such front yard. All garages and parking structures are subject to the applicable requirements for accessory or principal buildings, as the case may be.

(2) Parking units required for multifamily dwellings, nonresidential uses or for uses accessory thereto shall be paved and clearly marked, indicating individual parking spaces, aisles, maneuvering areas, entrances and exits. Parking units shall be located so as to provide convenient access between the subject use and parking facility. All markings shall be of high-contrast white paint, except that markings between areas of two-way traffic shall be of high-contrast yellow paint.

(3) Where a parking area required for a building or use, other than for a one-family dwelling, is generally adjacent to a residential district or to a street line, there shall be provided for along the lot line of the lot on which such parking area is situated and adjacent to such residence district or street line a landscaped separator strip of at least 10 feet in width, containing a shrubbery screen at least five feet wide, of which at least 1/2 shall be of suitable evergreens. Such

shrubbery screen shall cover not less than 25% of a vertical plane four feet in height along the edge of such parking area. The area between such shrubbery screen and the adjoining properties or street line shall be planted with a good grade of grass seed or suitable ground cover. Such grass area and shrubbery screen shall be suitably maintained, shall be kept free of rubbish at all times and shall be separated from the parking area by a curb not less than six inches in height or by a bumper guard approved as to type and construction by the Building Inspector.

D. Other parking requirements.

(1) Size of parking spaces. Each parking space shall be at least nine feet wide and 20 feet long, and at least 10 feet wide and 20 feet long if bordered by walls or columns on any two or more sides. Where parking spaces are defined by curbs providing space for overhang of vehicles, such spaces may be reduced in depth to 18 feet, provided that vehicles will not overhang sidewalks or other pedestrian areas. No enclosed parking unit for any building or use, other than parking units in one- or two-car garages, shall be located within 10 feet of any pedestrian entrance to a building. A clear pedestrian accessway to all circulation aisles of an enclosed parking area shall be provided.

(2) Aisles. Backup and maneuvering aisles between rows of parking spaces shall be at least 22 feet wide. The minimum aisle space may be reduced for angle parking, but in no case shall the aisle space be less than 16 feet.

(3) Access. Unobstructed access to all parking areas shall be provided to and from a street. Unless otherwise required by an approving board, such access shall consist of at least one twelve-foot-wide lane for parking areas with less than 30 spaces and at least two ten-foot-wide lanes for parking areas with 30 spaces or more. No entrance or exit for any off-street parking area with a capacity of more than four spaces shall be located within 50 feet of any street intersection nor exceed a grade in excess of 6% within 25 feet of any street line or 10% of any other point, unless otherwise permitted by an approving board.

(4) Grading, drainage, surfacing and marking.

(a) All parking areas shall be properly drained, and all such areas, except for parking spaces accessory to a one- or two-family dwelling, shall be provided with a paved surface which shall be properly maintained throughout the duration of the use. The maximum slope of a parking area shall not exceed 5%.

(b) Where the topography of a site is such that a potential safety hazard for parked vehicles exists, the Planning Board may require barriers or other safety devices to be incorporated into the design of the parking lot.

(c) In multifamily residential developments and in nonresidential developments, suitable markings to indicate individual parking spaces, maneuvering areas, entrances and exits shall be provided.

(5) Parcels with two or more uses. When any lot contains two or more uses having different parking requirements, the parking requirements for each use shall apply to the full extent. Where it can be conclusively demonstrated to the satisfaction of the Planning Board that any or all of the following site characteristics occur, the Planning Board, upon recommendation by the Building Inspector. may reduce the total parking requirement to an amount which, in its judgment, will prevent frequent parking on the street by persons working on or visiting the premises and will not generate additional traffic that overburden the parking capacity: **[Amended 7-24-2019 by L.L. No. 3-2019]**

(a) One or more such uses will be generating a demand for parking spaces primarily during periods when the other use or uses are not in operation or are not likely to generate a substantial demand for parking;

(b) Sufficient land area exists for land-banked off-street parking spaces, subject to site plan or amended site plan approval and related approvals, if deemed necessary, from the appropriate approving agency; and

(c) The applicant presents documentation demonstrating an underutilization of existing offstreet parking spaces.

(6) Location and ownership.

(a) Required accessory parking spaces, open or enclosed, shall be provided upon the same lot as the use to which they are accessory unless specifically permitted by special permit, in which case said parking area shall be within 250 feet of the subject lot.

(b) In all such cases, the parking spaces shall conform to all the regulations of the district in which the parking spaces are located, and in no event shall such parking spaces be located in any residence district unless either the use to which the spaces are accessory is permitted in such residence districts or approval is granted by an approving board. Such spaces shall be subject to an easement or restrictive covenant in form and substance satisfactory to the Town Attorney and approved by the approving board, which instrument shall be recorded in the Westchester County Clerk's Office, Division of Land Records, and shall bind the owner of the parking spaces and her/his heirs, successors and assigns to maintain the required number of spaces either throughout the existence of the use to which they are accessory or until such spaces are provided elsewhere in a location and a manner acceptable to the approving board. **[Amended 7-24-2019 by L.L. No. 3-2019]**

(7) Connection between abutting parking lots. Where appropriate, an approving board may require paved connections between abutting parking lots in different ownerships so as to facilitate the flow of traffic.

(8) Enclosed facilities. Required parking areas constructed within or under any portion of a main building shall have an access driveway that does not at any

point have a grade in excess of 10%.

(9) Parking lot islands and landscaping. Unless specifically waived by an approving board, outdoor parking spaces shall be divided into subareas with raised and curbed landscaped islands separating each subarea so designed as to assure a smooth flow of traffic. Said islands shall be a minimum width of 10 feet and shall be suitably landscaped with trees, grass or other ground cover deemed appropriate by an approving board. In addition and unless specifically waived by an approving board, not more than 15 spaces in a single line shall be permitted without such a suitable landscaped curbed island.

(10) Compact car parking spaces. In an OB District, where at least 50 off-street parking spaces are provided pursuant to the requirements of Subsection E of this section, up to 25% of the parking spaces may be designated and reserved for compact cars. Each compact car space shall be at least eight feet wide and 15 feet long, except that each compact car space shall be at least 17 feet long where no overhang is provided. The backup aisle between rows of compact car spaces shall be at least 20 feet wide. Compact car parking spaces shall be arranged in groups of at least five spaces and shall be identified by appropriate signage.

E. Parking ratios shall be as follows:

Use	**Minimum Parking (spaces)**
Residential and related uses	
One- or two-family residence	2 per dwelling unit
Multifamily dwelling, except M-174 District and assisted senior citizen housing	1 for each studio or efficiency apartment; 1.5 for each 1-bedroom apartment; 2 for each 2-bedroom or larger apartment; plus an additional 0% of the total required spaces for visitor parking
M-174 multifamily dwelling	1 for each studio or efficiency apartment; 1.25 for each 1-bedroom apartment; 1.5 for each 2-bedroom apartment; 2 for each 3-bedroom apartment or larger; of which 10% shall be deemed and set aside for visitor parking
Publicly assisted senior citizen housing	1 for each 2 dwelling units
Churches and places of worship	1 for each 4 seats
Elementary or junior high school	1.25 for each staff member

Use	Minimum Parking (spaces)
High school	1 for each staff member, plus 1 for each 5 seats in the largest assembly hall
College or university	1 for each 200 square feet of gross floor area
Day-care center, nursery school **[Amended 10-8-1997 by L.L. No. 10-1997]**	1 for each staff member, plus 1 for each facility vehicle, plus 1 for each 5 facility children or clients
Museum, art gallery, library or cultural center	1 for each 300 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Golf, swimming or country club	1 for each 3 members
Membership club, lodge	1 for each 5 members or 1 for each 4 seats in major assembly hall or meeting area, or for each 200 square feet of gross floor area, whichever is greater, plus an additional 5 for buildings of 5,000 square feet or less
Community center	1 for each 300 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Cemetery	1 for each 300 square feet of gross floor area in an office, plus 1 for each 100 square feet of gross floor area in a chapel
Hospital	1 for each 500 square feet of gross floor area
Rest home, nursing home, residential health-care facility	1 for each 600 square feet of gross floor area
Continuing Care Retirement Communities **[Added 12-21-1999 by L.L. No. 7-2015]**	0.75 per Independent Living Unit, plus 0.5 per Assisted Living Unit, plus 1 for each 600 square feet of gross floor area in an accessory skilled nursing facility
Kennel, animal hospital	1.25 per employee or 1 for each 200 square feet of gross floor area, whichever is greater, plus an additional 5 for buildings of 5,000 square feet or less

Use	Minimum Parking (spaces)
Agency group home	1 for each full-time staff member, plus 1 for each 3 residences
Roomers and boarders	1 for each guest sleeping room, plus 2 for the dwelling unit
Commercial and office uses	
Professional office in a residence	3 per office or 2 for each professional maintaining office hours for consultation, whichever is greater, in addition to that required for the residential use
Home occupation	2 in addition to that which is required for the residential use
Office building other than medical or dental offices	1 for each 300 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Medical or dental clinics **[Amended 8-17-2005 by L.L. No. 3-2005]**	1 for each 200 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Agency for scientific research or technical development	1 for each 400 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Theater	1 for each 3 seats or 1 for each 75 square feet of gross floor area, whichever is greater, plus an additional 5 for buildings of 5,000 square feet or less
Telephone exchange	1 for each 1,000 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Conference center	1 for each 4 seats in major assembly hall or meeting area, plus 1 for each 4 seats in classroom facilities
Bank, post office	10, or 1 for each 100 square feet of gross floor area, or 3 for each teller, whichever is greater, plus an additional 5 for buildings of 5,000 square feet or less

Use	Minimum Parking (spaces)
Hotel, motel or automobile court, except as specified for high-rise hotels in § 285-25A(4) of this chapter	1.25 per rental unit
Retail sales, personal service establishment, and massage establishment **[Amended 11-9-2015 by L.L. No. 14-2015]**	1 for each 200 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Commercial garage	1 for each 100 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Restaurant	1 per 3 seats, or 1 for each 75 square feet of gross floor area, whichever is greater, plus an additional 5 for buildings of 5,000 square feet or less
Quick-service or fast-food establishment, ice cream stand	1 for each 35 square feet of gross floor area
Drinking establishment, cabaret	1 for each 1.5 persons permitted under maximum occupancy, or 1 for each 60 square feet of gross floor area, whichever is greater, plus an additional 5 for buildings of 5,000 square feet or less
Bowling alley	5 per lane
Indoor tennis facility	5 per court
Health club and spa, fully enclosed commercial recreational facility, indoor skating rink	1 for each 200 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Public and quasi-public uses	1 for each 200 square feet of gross floor area, plus an additional 5 for buildings of 5,000 square feet or less
Dry cleaning or hand laundry	1 for each 100 square feet of gross floor area
Nursery, sale of agricultural products	1 for each 200 square feet of gross floor area
Funeral home	1 for each 3 seats provided therein or 1 for each 60 square feet of space available for public use, whichever is greater

Use	Minimum Parking (spaces)
Self-storage **[Added 10-25-2017 by L.L. No. 5-2017]**	10, or 1 for each 5,000 square feet of gross floor area, whichever is greater
Microdistilleries/Microwineries **[Added 5-23-2018 by L.L. No. 6-2018]**	1 for each 75 square feet of gross floor area dedicated for public use. For areas not dedicated for public use, minimum parking requirements shall be consistent with the light manufacturing wholesale, storage and warehousing, or office standards established in § 285-38.
Industrial and heavy commercial uses	
Light manufacturing uses	1 for each 500 square feet of gross floor area
Wholesale, storage and warehousing	1 for each 1,000 square feet of gross floor area
Printing plant	1 for each 300 square feet of gross floor area
Car wash	10 for each washing bay
Motor vehicle sales	10, or 1 for each 200 square feet of sales area, whichever is greater
Gasoline service station **[Amended 11-12-1997 by L.L. No. 11-1997]**	1 for each 100 square feet of gross floor area used for automotive related uses with a minimum of 5 plus 1 for each 200 square feet for convenience store use, with a minimum of 6 spaces. Notwithstanding any other code provision, space used for fueling positions may be used in calculating parking requirements or convenience store use
Outdoor industrial use (coal, coke, fuel oil, junk-yard, etc.)	10, or 1 for each 5,000 square feet of gross floor area, whichever is greater
Training facilities for professional athletic organizations **[Added 10-2-2001 by L.L. No. 13-2001]**	1 for each 1,000 square feet of gross floor area

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Appendix

City of Albany Unified Sustainable Development Ordinance June 1, 2017

§ 375-405. Parking and loading.

(1) Applicability.

(a) No development plan shall be approved and no permit shall be issued for the erection or occupancy of a building or structure unless the use conforms to the parking requirements of this § 375-405.

(b) Generally. Unless otherwise stated in this USDO, the requirements in this § 375-405 shall apply to all uses in all zoning districts in the following situations:

(i) New construction. When a new primary building is constructed, the requirements of this § 375-405 shall apply to the entire structure.

(ii) Building expansion. When the gross floor area of an existing primary structure on a site not otherwise exempt from these regulations is expanded by more than 25% of the existing floor area, the requirements of this section shall apply to the expansion area (not the entire building). Smaller expansions do not require additional expanded parking areas.

(iii) Change of use.

A. When a change of a permitted use or approved conditional use results in an increase in required off-street parking of more than 50% above that required for the prior use, the requirements of this section shall apply to the increase in required parking (not to any shortage of required parking related to the previous use). Other changes of use do not require expanded parking areas.

B. The provisions of Subsection (1)(b)(iii)A above do not apply to any change in use in a multitenant commercial, mixed-use, or industrial building larger than 50,000 square feet in gross floor area unless the Chief Planning Official determines that the change of use is likely to create a significant increase in on-street parking in any surrounding residential neighborhood.

(c) Exemptions.

(i) No off-street parking is required for lots containing less than 5,000 square feet of gross site area.

(ii) No off-street parking is required within the Mixed-Use Downtown (MU-DT) District.

(iii) If compliance with the form-based zoning standards in § 375-204(7), (8), (9) or (10) or in § 375-402 would make it impossible to accommodate the minimum required number of off-street parking spaces on the site, then the Chief Planning Official may adjust the minimum number of required off-street parking spaces as necessary to comply with the intent of the form-based zoning standards. The number of off-street parking spaces

may be reduced by the Planning Board through development plan review.

(iv) If on-site parking spaces are provided in an exempt area, the provisions of this § 375-405 addressing required layout, design, and quality of parking areas, and the provisions of this USDO addressing maintenance of parking areas, will apply to the parking provided.

(d) Existing parking.

(i) An existing use as of June 1, 2017, which does not meet the minimum standards provided in this section, shall be deemed a preexisting use not subject to the provisions of this section.

(ii) Off-street parking or loading spaces provided prior to June 1, 2017, shall not be permanently reduced in any way that would bring the property or use out of conformance with this section or would increase the degree of any existing nonconformity with the provisions of this section.

(e) Parking for unlisted uses.

(i) For any use not specifically listed in Table 375.405.1, the parking provisions for a similar use, as determined by the Chief Planning Official, shall apply. The Chief Planning Official's decision shall be based on the location of the site, existing traffic congestion and parking levels, and the anticipated timing and volume of parking demand for the use.

(ii) For a new use where the Chief Planning Official determines that a similar parking rate is not stated in this USDO, the Chief Planning Official may establish a minimum parking requirement based on a parking study or parking reference guide in general use, or after consultation with other City officials regarding potential parking needs, or a combination of those methods.

(f) Accessible parking. Within the requirements of Tables 375.405.1 and 375.405.2 (not in addition to those requirements), accessible parking shall be provided for all multifamily and nonresidential uses as required by the International Building Code, the Americans with Disabilities Act (ADA) Accessibility Guidelines for Buildings and Facilities, and New York State statues, as amended.

(2) Required off-street parking.

(a) Minimum required parking. In all zoning districts, off-street parking shall be provided in accordance with Table 375.405.1, Minimum Required Off-Street Parking, as adjusted by other provisions of this USDO.

Table 375.405.1 Minimum Required Off-Street Parking GFA = Gross Floor Area; NLA = Net Leasable Area; Square Feet = Square Feet		
Land Use Category	**Minimum Off-Street Parking Spaces Required**	**Minimum Bicycle Parking Required**
Household Living		
Dwelling, single-family detached	1 per unit	Not required
Dwelling, two-family detached		
Dwelling, townhouse	0	
Dwelling, multifamily	1 per unit	2 spaces or 10% of required vehicle spaces, whichever is greater. Minimum 60% enclosed
Dwelling, live-work	1 per unit	Not required
Group Living		
Assisted living facility or nursing home	Structure originally designed for household living use: household living parking requirement Other structure: 1 per 600 square feet GFA	3 spaces
Community residential facility		
Group living, other		
Dormitory	0.5 per unit	20% of required vehicle spaces; Minimum 60% enclosed
Rooming house	1 space plus 0.25 per guest bedroom	3 spaces or 10% of required vehicle spaces, whichever is greater; Minimum 30% enclosed
CIVIC AND INSTITUTIONAL USES		
Cemetery	None	Not required
Club	1 per 300 square feet GFA	3 spaces or 10% of required vehicle spaces, whichever is greater; Minimum 30% enclosed
Community center	1 per 300 square feet GFA	
Cultural facility	1 per 500 square feet GFA	
Day-care center	1 per 300 square feet GFA	Not required

Table 375.405.1 Minimum Required Off-Street Parking GFA = Gross Floor Area; NLA = Net Leasable Area; Square Feet = Square Feet		
Land Use Category	**Minimum Off-Street Parking Spaces Required**	**Minimum Bicycle Parking Required**
Higher education institution	1 per 400 square feet GFA	20% of required vehicle spaces; Minimum 30% enclosed
Hospital	1 per 3 inpatient beds at design capacity	5% of required vehicle spaces; Minimum 30% enclosed
Police or fire station	1 per 400 square feet GFA	Not required
Religious institution	1 per 300 square feet GFA	10% of required vehicle spaces, whichever is greater; Minimum 30% enclosed
School	1 per 750 square feet GFA	20% of required vehicle spaces
Stadium or arena	1 per 4 persons of maximum occupancy	10% of required vehicle spaces, whichever is greater
Natural area or preserve	None	Not required
Park or playground		
Public utility or services, major		
Public utility or services, minor		
Towers		
COMMERCIAL USES		
Agriculture and Animal-Related		
Agriculture, urban	None	None
Plant nursery	1 per 1,000 square feet NLA	3 spaces or 10% of required vehicle spaces, whichever is greater
Veterinarian or kennel	1 per 400 square feet NLA	3 spaces

Table 375.405.1 Minimum Required Off-Street Parking GFA = Gross Floor Area; NLA = Net Leasable Area; Square Feet = Square Feet		
Land Use Category	**Minimum Off-Street Parking Spaces Required**	**Minimum Bicycle Parking Required**
Food and Beverage Services		
Bar or tavern	1 per 150 square feet NLA (excluding outdoor dining areas)	3 spaces or 10% of required vehicle spaces, whichever is greater
Restaurant		
Guest Accommodations		
Bed-and-breakfast	0.75 per guest room	3 spaces or 10% of required vehicle spaces; Minimum 60% enclosure requirement for hotel
Hotel		
Office and Services		
Funeral home or crematorium	1 per 100 square feet of main assembly room	Not required
Office	1 per 400 square feet NLA	10% of required vehicle spaces; minimum 60% enclosed
Personal or business service		
Trade school	1 per 400 square feet NLA	
Recreation and Entertainment		
Adult entertainment	1 per 300 square feet NLA	3 spaces or 10% of required vehicle spaces, whichever is greater
Indoor recreation or entertainment		
Outdoor recreation or entertainment	1 per 300 square feet GFA plus 1 per 10,000 square feet of outdoor activity area	3 spaces or 10% of required vehicle spaces, whichever is greater
Retail		
General retail	1 per 400 square feet NLA	3 spaces or 10% of required vehicle spaces, whichever is greater
Specialty retail		
Adult retail	1 per 300 square feet NLA	
Controlled substance dispensary		
Convenience retail		
Pawn shop		
Supermarket		

Table 375.405.1 Minimum Required Off-Street Parking GFA = Gross Floor Area; NLA = Net Leasable Area; Square Feet = Square Feet		
Land Use Category	**Minimum Off-Street Parking Spaces Required**	**Minimum Bicycle Parking Required**
Vehicles and Equipment		
Automobile wash	1 per 500 square feet NLA	Not required
Dispatch service or freight truck terminal		
Heavy vehicle and equipment sales, rental, and servicing		
Light vehicle sales, rental, and servicing		
Parking lot	None	
Parking structure	None	
Transit facility	Not required	
Vehicle fueling station	1 per 200 square feet NLA	3 spaces
INDUSTRIAL USES		
Commercial Services		
Heavy commercial services	1 per 1,000 square feet GFA	Not required
Storage and wholesale distribution		
Self-storage facility	1 per 5,500 square feet GFA	3 spaces
Manufacturing, Production, and Extraction		
Artisan manufacturing	1 per 500 square feet GFA	3 spaces or 10% of required vehicle spaces, whichever is greater
Heavy manufacturing	1 per 1,000 square feet GFA	Not required
Light manufacturing		
Marijuana manufacturing facility		
Waste and Salvage		
Waste/recycling processing facility	1 per 1,000 square feet indoor GFA	Not required
Recycling dropoff center	1	

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Appendix

Existing Beacon Lofts & Storage Summary Tables

Table No. 1
Existing Beacon Lofts & Storage Facility Daily Visitor Summary

January		February		March		April	
Day	Total Visitors	Day	Total Visitors	Day	Total Visitors	Day	Total Visitors
Saturday, January 01, 2022	-	Tuesday, February 01, 2022	1	Tuesday, March 01, 2022	3	Friday, April 01, 2022	1
Sunday, January 02, 2022	1	Wednesday, February 02, 2022	2	Wednesday, March 02, 2022	1	Saturday, April 02, 2022	2
Monday, January 03, 2022	1	Thursday, February 03, 2022	-	Thursday, March 03, 2022	1	Sunday, April 03, 2022	-
Tuesday, January 04, 2022	-	Friday, February 04, 2022	1	Friday, March 04, 2022	1	Monday, April 04, 2022	3
Wednesday, January 05, 2022	2	Saturday, February 05, 2022	1	Saturday, March 05, 2022	4	Tuesday, April 05, 2022	-
Thursday, January 06, 2022	3	Sunday, February 06, 2022	-	Sunday, March 06, 2022	2	Wednesday, April 06, 2022	1
Friday, January 07, 2022	1	Monday, February 07, 2022	2	Monday, March 07, 2022	3	Thursday, April 07, 2022	1
Saturday, January 08, 2022	6	Tuesday, February 08, 2022	3	Tuesday, March 08, 2022	1	Friday, April 08, 2022	1
Sunday, January 09, 2022	1	Wednesday, February 09, 2022	5	Wednesday, March 09, 2022	-	Saturday, April 09, 2022	5
Monday, January 10, 2022	2	Thursday, February 10, 2022	2	Thursday, March 10, 2022	1	Sunday, April 10, 2022	-
Tuesday, January 11, 2022	1	Friday, February 11, 2022	1	Friday, March 11, 2022	-	Monday, April 11, 2022	3
Wednesday, January 12, 2022	2	Saturday, February 12, 2022	5	Saturday, March 12, 2022	-	Tuesday, April 12, 2022	3
Thursday, January 13, 2022	1	Sunday, February 13, 2022	-	Sunday, March 13, 2022	3	Wednesday, April 13, 2022	1
Friday, January 14, 2022	1	Monday, February 14, 2022	1	Monday, March 14, 2022	-	Thursday, April 14, 2022	2
Saturday, January 15, 2022	4	Tuesday, February 15, 2022	1	Tuesday, March 15, 2022	5	Friday, April 15, 2022	1
Sunday, January 16, 2022	-	Wednesday, February 16, 2022	4	Wednesday, March 16, 2022	1	Saturday, April 16, 2022	1
Monday, January 17, 2022	1	Thursday, February 17, 2022	1	Thursday, March 17, 2022	-	Sunday, April 17, 2022	-
Tuesday, January 18, 2022	3	Friday, February 18, 2022	-	Friday, March 18, 2022	-	Monday, April 18, 2022	-
Wednesday, January 19, 2022	4	Saturday, February 19, 2022	2	Saturday, March 19, 2022	3	Tuesday, April 19, 2022	2
Thursday, January 20, 2022	-	Sunday, February 20, 2022	3	Sunday, March 20, 2022	1	Wednesday, April 20, 2022	2
Friday, January 21, 2022	-	Monday, February 21, 2022	2	Monday, March 21, 2022	1	Thursday, April 21, 2022	N/A
Saturday, January 22, 2022	-	Tuesday, February 22, 2022	4	Tuesday, March 22, 2022	-	Friday, April 22, 2022	N/A
Sunday, January 23, 2022	-	Wednesday, February 23, 2022	2	Wednesday, March 23, 2022	1	Saturday, April 23, 2022	N/A
Monday, January 24, 2022	-	Thursday, February 24, 2022	3	Thursday, March 24, 2022	-	Sunday, April 24, 2022	N/A
Tuesday, January 25, 2022	-	Friday, February 25, 2022	1	Friday, March 25, 2022	2	Monday, April 25, 2022	N/A
Wednesday, January 26, 2022	3	Saturday, February 26, 2022	4	Saturday, March 26, 2022	3	Tuesday, April 26, 2022	N/A
Thursday, January 27, 2022	2	Sunday, February 27, 2022	-	Sunday, March 27, 2022	1	Wednesday, April 27, 2022	N/A
Friday, January 28, 2022	2	Monday, February 28, 2022	-	Monday, March 28, 2022	2	Thursday, April 28, 2022	N/A
Saturday, January 29, 2022	-			Tuesday, March 29, 2022	-	Friday, April 29, 2022	N/A
Sunday, January 30, 2022	-			Wednesday, March 30, 2022	4	Saturday, April 30, 2022	N/A
Monday, January 31, 2022	-			Thursday, March 31, 2022	2		

Table No. 2
Peak Day Entry Summary

Entry Time	Visitor	Parked Vehicles
Saturday, January 08, 2022		
1/8/22 8:10:23 AM EST	Visitor 1	1
1/8/22 9:50:53 AM EST	Visitor 2	1
1/8/22 10:30:31 AM EST	Visitor 3	2
1/8/22 11:13:38 AM EST	Visitor 2	2
1/8/22 1:15:09 PM EST	Visitor 4	1
1/8/22 3:53:14 PM EST	Visitor 5	1
1/8/22 4:00:18 PM EST	Visitor 6	2
Wednesday, February 09, 2022		
2/9/22 2:44:14 PM EST	Visitor 1	1
2/9/22 3:10:25 PM EST	Visitor 2	2
2/9/22 3:17:49 PM EST	Visitor 3	3
2/9/22 4:07:43 PM EST	Visitor 2	3
2/9/22 4:21:29 PM EST	Visitor 4	2
2/9/22 5:27:39 PM EST	Visitor 5	1
Saturday, February 12, 2022		
2/12/22 9:05:49 AM EST	Visitor 1	1
2/12/22 12:17:14 PM EST	Visitor 2	1
2/12/22 12:29:54 PM EST	Visitor 3	2
2/12/22 1:03:01 PM EST	Visitor 4	3
2/12/22 2:20:42 PM EST	Visitor 5	1
2/12/22 3:31:53 PM EST	Visitor 2	1
Tuesday, March 15, 2022		
3/15/22 10:19:24 AM EDT	Visitor 1	1
3/15/22 10:46:59 AM EDT	Visitor 1	1
3/15/22 11:38:06 AM EDT	Visitor 2	2
3/15/22 12:26:18 PM EDT	Visitor 3	2
3/15/22 6:12:25 PM EDT	Visitor 4	1
3/15/22 7:09:06 PM EDT	Visitor 5	2
Saturday, April 09, 2022		
4/9/22 10:44:14 AM EDT	Visitor 1	1
4/9/22 12:04:07 PM EDT	Visitor 1	1
4/9/22 1:49:38 PM EDT	Visitor 2	1
4/9/22 2:51:55 PM EDT	Visitor 3	1
4/9/22 3:01:49 PM EDT	Visitor 3	1
4/9/22 4:47:47 PM EDT	Visitor 4	1
4/9/22 5:12:23 PM EDT	Visitor 5	2
4/9/22 5:50:46 PM EDT	Visitor 5	1

City of Beacon City Council Agenda
06/27/2022

Title:

Appointment of Isabella Nocerino to the Position of Police Assistant

ATTACHMENTS

Memorandum from the Chief of Police for the Appointment of Isabella Nocerino

CHIEF OF POLICE
SANDS FROST

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

TO: Mayor Kyriacou and City Council

FROM: Chief of Police Sands Frost

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

DATE: June 27, 2022

The City of Beacon Police Department would like to hire Isabella Nocerino to fill the position of Police Assistant.

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

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

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

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

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

City of Beacon City Council Agenda
06/27/2022

Title:

Appointment of Zachary Ross to the Position of Motor Equipment Operator

ATTACHMENTS

Zachary Ross Resume

Superintendent of Streets Memorandum for the Appointment of Zachary Ross

Zachary Ross

[redacted]

Work Experience

Construction Worker

Dutchess county highway department - Poughkeepsie, NY
June 2005 to Present

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

Education

High school

Beacon High School - Beacon, NY

Skills

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

Certifications and Licenses

CDL Class B

May 2011 to Present

Memorandum

Highway Department

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

From: Michael Manzi

Re: MEO Hire

Date: June 24, 2022

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

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

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

Sincerely,

Michael Manzi
City of Beacon
Superintendent of Streets

City of Beacon City Council Agenda
06/27/2022

Title:

Appointment of Elise LaRocco to the Tree Advisory Committee

ATTACHMENTS

Elise LaRocco Application and Resume

Committee Application

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

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

Name	Elise LaRocco
Address	[redacted]
Phone Number	[redacted]
Alternate Phone	
Email Address	[redacted]

Committee You are Interested In

- ☐ Board of Assessment Review
- ☐ Board of Ethics
- ☐ Conservation Advisory Committee
- ☐ Emergency Management Committee
- ☐ Human Relations Commission
- ☐ Planning Board
- ☐ Recreation Committee
- ☐ Traffic Safety Committee
- ☐ Zoning Board of Appeals
- ☐ Any of the above
- ☑ Other: Tree Committee (also interested in compost committee)

Available number of Hours per week (for Committee work)	3-10
Occupation	Writer
Employer	Self
Work Address	
Work Phone	

Education

- [ ] Some High School
- [ ] High School Diploma
- [ ] Some College
- [ ] Associates Degree
- [ ] Bachelor's Degree
- [x] Master's Degree
- [ ] Doctorate Degree

Interest & Skills: Gardening, Conservation

Areas of Expertise (business & civic): Marketing

Reference

Reference Name

Address

Phone

Email Address

Relationship

[redacted]

Please include your resume along with this application.

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

Applicant Signature: Elise LaRocco Date: 5/17/22

Elise LaRocco

[redacted]

EDUCATION

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

EXPERIENCE

Writing Tutor (2014-Present)

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

Floral Design (2021-2022)

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

Environmental Education (2012-2020)

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

Horticulture (2008-2019)

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

Nature Lectures (2010–2013)

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

Fund Raising (2010-12)

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

Haldane School Garden (2011)

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

Children's Writing Classes (2012)

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

Grant Writing (1992-2010)

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

Advertising, Public Relations and Marketing (1983-1996)

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

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

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

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

Adjunct Professor (1992-1993)

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

Title:

Proposed Local Law to Allow Members of the City Council of the City of Beacon to Participate in Meetings via Videoconferencing

ATTACHMENTS

Proposed Local Law to Authorize Videoconferencing

Proposed Videoconferencing Policy

Virtual Meetings Permitted Under the New York State Open Meetings Law - Chart

CITY COUNCIL
CITY OF BEACON

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

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

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

Section 1. Legislative Intent

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

Section 2. Authority

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

Section 3. Videoconferencing for Public Meetings

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

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

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

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

Section 5. Severability.

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

Section 6. Effective date.

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

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

A. Introduction

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

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

B. Virtual Meeting Attendance by Board Members

1. Members of a public body shall be physically present at all meetings of such public body unless such member is unable to be physically present at any such meeting location due to the following extraordinary circumstances:

    a. Disability;

    b. Illness;

    c. Health Concerns;

    d. Caregiving Responsibilities;

    e. Business Trips; or

    f. Other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

2. The majority of the City Council must conduct the public meeting from a physical location or locations where the public can attend. A physical location is any location identified in the meeting notice that is open to in-person public attendance.

    a. For example, no less than four members of the City Council must conduct the meeting in the same physical location or locations where the public can attend the meeting. If two City Council members are sick and two City Council members are on vacation, the public meeting must be cancelled because only three City Council members are available to meet in-person (or in any physical location open to the public). All four members cannot participate in the public

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

b. The City Council may conduct a meeting where three members attend the meeting from City Hall, two members attend using videoconference where their physical locations are open to the public and such locations have been identified in the meeting notice, and two members attend using videoconference where their location is not open to the public.

3. Board members wishing to attend a public meeting using videoconferencing technology from a location not open to the public, must advise the Mayor and the City Administrator as early as possible before the scheduled meeting that they are unable to be physically present at the meeting. The public notice for such meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available and identify the physical location or locations for the meeting where the public can attend.

    a. If a City Council member plans to attend a meeting using videoconferencing technology from a location open to the public, such member must advise the Mayor and the City Administrator at least 72 hours before the meeting to ensure that the City has enough time to post the required public meeting notice. The public notice for such meeting shall inform the public that videoconferencing will be used and shall identify the location for the meeting, and state that the public has the right to attend the meeting at any of the locations.

4. Except in the case of executive sessions conducted pursuant to Public Officers Law § 105, the City Council shall ensure that all members can be heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. Any City Council member attending a public meeting via videoconferencing technology must have their video turned on for the duration of the meeting.

5. During the meeting the Mayor shall announce the name or names of those members participating remotely. This information shall be included in the minutes.

6. Each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

7. If videoconferencing technology is used to conduct a meeting from locations not open to the public, the public body shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via

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

8. If a vote takes place during the meeting, the remote attendee will be entitled to participate in the vote as usual. The remote attendee will be asked directly what their vote is. The Mayor shall conduct a roll call vote of those members attending remotely.

9. Meetings that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines.

C. Exemptions

1. The provisions of this Policy and Public Officers Law § 103-a do not limit the existing authority set forth in the Public Officers Law which allows all public bodies to virtually connect multiple public locations from which members and the public may attend. The City's public bodies may continue to hold proper open meetings by videoconference from multiple physical locations which are identified in the meeting notice, open to the public and connected virtually together by videoconference.

2. The in person participation requirements set forth in this Policy and Public Officers Law § 103-a(2)(c) shall not apply during a state disaster emergency declared by the Governor pursuant to Executive law § 28, or a local state of emergency proclaimed by the Mayor of the City of Beacon pursuant to Executive Law § 24, if the Governor or the Mayor determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

D. Virtual Meeting Etiquette for Board Members

1. Board members that attend a public meeting via videoconferencing must comply with the following rules:

   a. Be on time.

   b. Keep your camera on at all times.

   c. Ensure your technology works correctly.

   d. Wear appropriate clothing.

e. Frame the camera correctly.

f. Have the right light.

g. Look into the camera.

h. Pay attention.

i. Mute yourself when not speaking.

j. Ensure others are not in the room to cause distractions.

k. Maintain appropriate backgrounds.

l. Silence all background noises.

m. Ensure your displayed participant name is correct.

E. Public Participation via Videoconferencing Technology

1. Questions will be answered in the order they are received. Participants attending a meeting via videoconferencing technology shall be called upon to speak following in-person speakers.

2. Participants must use the "Raise Hand" function to verbally ask a question. To raise one's hand, click the "Participants" button in the bottom toolbar, then click the "Raise Hand" button at the bottom of the "Participants" dialogue box. Participants who have joined the meeting solely via phone can dial *9 to raise their hand.

3. Virtual meeting participants must wait until authorized to speak by the Mayor. Only virtual speakers with a digital hand raised shall be called upon to speak.

4. Participants shall not type any questions or comments in the chat box. Chats sent privately through a private chat box will show up on the administrator's downloaded transcript.

5. Participants must mute themselves when not speaking to cut down on background noise.

Adopted on _____

KEANE & BEANE P.C.
ATTORNEYS AT LAW

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

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

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

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

City of Beacon City Council Agenda
06/27/2022

Title:

2023-2027 Draft Capital Program

ATTACHMENTS

2023-2027 Draft Capital Program

CITY OF BEACON

CAPITAL PROGRAM 2023-2027

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
GENERAL FUND					
FIRE DEPARTMENT					
Firehouse renovation at Lewis Tompkins	760,494	9,711,136			
ROAD RECONSTRUCTION					
Fishkill & Teller Construction	1,990,800				
Milling & paving various roads	400,000	400,000	400,000	400,000	400,000
CITY BUILDINGS & LOTS					
Mill, Pave & Restripe Van Nydek Parking Lot		45,000			
Mill, Pave & Restripe City Hall Lots			70,000		
HIGHWAY DEPARTMENT					
3-ton Roller - John Deere	42,000				
Dump/Plow/Sander	320,000				
Backhoe - John Deere	150,000				
Asphalt Hot Box - Falcon	54,000				
Dump/Plow/Sander		365,000			
Salt Brine Maker - Advantage		80,000			
Front End Loader - John Deere			260,000		
Dump/Plow/Sander			340,000		
Backhoe - John Deere				180,000	
1-ton Dump with Plow				80,000	
1-ton Dump with Plow				80,000	
Skidsteer					90,000
Street Sweeper					300,000
Dump/Plow/Sander					375,000
Solar Panels on DPW Garage	400,000				

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
PARKS & RECREATION DEPARTMENT					
South Avenue Park Bathroom Engineering	30,000				
Memorial Park Hilltop Pavillion (increase in scope)		50,000			
Riverfront Park Court & Parking Reconstruction		1,500,000			
USC Pool Restoration - Fiberglass			200,000		
Memorial Park Walkway			500,000		
Riverfront Park & Memorial Park Splash Pads				200,000	
Riverfront Park & Memorial Park Playgrounds				400,000	
Recreation Center					5,000,000
POLICE DEPARTMENT					
Crime Scene Truck - F250	88,000				
Patrol Vehicle - Interceptor	69,285				
Street Camera - 223 Main	12,595				
Patrol Vehicle - Interceptor		76,214			
Patrol Vehicle - Interceptor		76,214			
Street Camera - Main St. - 9D		14,502			
Locker Room Improvement		127,360			
Patrol Vehicle - Interceptor			83,074		
Unmarked Vehicle - Mach E			75,324		
Street Camera - Main St. and Tioronda Ave.			19,646		
Street Camera - 285 Main				17,254	
Unmarked Vehicle - Mach E				81,350	
Unmarked Vehicle - Mach E				81,350	
Unmarked Vehicle - Mach E					87,045
Street Camera - Main St. at Mase Hook & Ladder					16,613
Patrol Vehicle - Interceptor					96,000
Subtotal General Fund	**4,317,174**	**12,445,426**	**1,948,044**	**1,519,954**	**6,364,658**

DESCRIPTION OF ITEMS	2023	2024	2025	2026	2027
WATER FUND					
EQUIPMENT					
Jet Truck	300,000				
Vac Truck			540,000		
WATER SUPPLY					
Mt. Beacon Tank Engineering	100,000				
Mt. Beacon Tank Construction		1,300,000			
Melzingah Reservoir Rehabilitation Construction	2,900,000				
Well #1 Investigation		45,000			
WATER PLANT					
High Lift Pump # 4 Engineering		50,000			
High Lift Pump # 4 Construction			230,000		
Subtotal Water Fund	**3,300,000**	**1,395,000**	**770,000**	**-**	**-**
SEWER FUND					
SEWER PLANT					
Locker Room Renovation	240,000				
Dewatering System Building Upgrade Engineering	150,000				
Dewatering System Building Upgrade Construction		1,400,000	1,400,000		
Aeration Tanks Repair/Air System Upgrade Engineering		60,500			
Aeration Tanks Repair/Air System Upgrade Construction			1,297,725		
Subtotal Sewer Fund	**390,000**	**1,460,500**	**2,697,725**	**-**	**-**
GRAND TOTAL	**8,007,174**	**15,300,926**	**5,415,769**	**1,519,954**	**6,364,658**

City of Beacon City Council Agenda
06/27/2022

Title:

Council Rules of Procedure - Written Comments

ATTACHMENTS

2022 City Council Rules of Procedure

CITY COUNCIL RULES OF PROCEDURE
FOR PUBLIC MEETINGS[1]

1. **MEETING SCHEDULE:** The City Council shall hold its regular (voting) meetings on the first (1st) and third (3rd) Monday of each month. Workshop (non-voting) meetings shall be held on the Monday before each regular meeting of the City Council, except during the months of July and August when workshop meetings shall be held on the night of and immediately prior to the regular meeting. If any meeting falls on a holiday, the meeting shall be rescheduled for the next work day. The meeting schedule for 2022 is attached as Attachment 1 and may be modified by a majority vote of the City Council.

   Special meetings of the City Council shall consist of all meetings other than regular or workshop meetings at which four (4) or more members of the Council are present. A special meeting may be held on the call of the Mayor or by four or more Councilmembers, upon no less than twenty-four (24) hours (except if less notice is required by an emergency situation, then notice shall be as practicable) written notice via e-mail and telephone call to all Councilmembers and the Mayor.

2. **LOCATION OF MEETING AND CHANGES:** Unless otherwise announced, all meetings of the City Council shall be held at 7 p.m. in the Court Room at the Municipal Center located at One Municipal Plaza, Beacon, New York. Any changes in the date, time or location of the Council's meetings shall be determined by the Mayor and noticed in accordance with lawful requirements.

3. **QUORUM REQUIRED TO ACT:** A majority of the whole number of the City Council, including vacancies, abstentions and any members disqualified, shall constitute a quorum. Therefore, a quorum of the seven (7) member City Council is four (4) members. A quorum shall be necessary to take any formal action and to exercise any power, authority, or duty of the City Council. No member shall withdraw from a meeting of the Council without the permission of the Mayor when required to maintain a quorum.

4. **EXECUTIVE SESSIONS:** In accordance with Article 7 of the Public Officers Law, all meetings of the City Council shall be open to the public, except as provided that the Council may enter into an executive session, as defined by Article 7 of the Public Officers Law, to discuss those topics or items for which the Public Officers Law allows for a closed session. The decision to enter into an executive session for the purposes and in the manner as set forth in Article 7 of the Public Officers Law must

[1] These Rules of Procedure are in addition to any requirements imposed upon the City Council by relevant State or Local Laws.

Adopted, as amended, on March 21, 2022 pursuant to City of Beacon City Council Resolution No. 57.

be submitted by a motion calling for an executive session setting forth the general subject matter to be considered. The motion to enter into an executive session, its general subject matter thereof and the vote on the motion shall be recorded in the minutes of the open session. Attendance at an executive session shall be permitted to any member of the City Council and any other persons it authorizes.

5. **APPOINTMENTS:** For any proposed "senior" personnel appointments, following the announcement of the Mayor's appointment, the Council may defer a vote on such appointment for an additional period to allow time for public comment and/or Council discussion. Such senior appointments shall include the City Administrator, Department Heads, new consultants for planning, engineering or city attorney, Police and Fire promotions, and such other personnel as the Council may decide. Any Councilmember is free to discuss the individual being appointed/promoted; however, certain matters discussed concerning the decision to hire the individual, including personnel files, may not be discussed in public and any Councilmember who wishes to discuss the particulars of a specific employee shall first confirm the discussion of same is appropriate with the City Attorney or City Administrator.

6. **VOTING:** A quorum, as defined in Section 3 of these Rules, shall be required to perform and exercise any power, authority or duty of the Council.

   a. Abstentions and Absences: Abstentions and absences shall be considered a negative vote for the purposes of determining the final vote on a matter submitted to a vote.

   b. Silence: In any vote, silence by any Councilmember shall be understood as a positive vote on a matter submitted to a vote.

   c. Questions: The answer to a question submitted to the Council shall be made by counting the "ayes" and "nays" in response to a question seeking all members in favor and all opposed.

7. **ORDER OF BUSINESS – MEETING AGENDA:** The following is the order of business at all regular and special meetings of the City Council and shall be followed to the greatest extent possible where applicable:

   a. Call to Order
   b. Pledge of Allegiance
   c. Roll Call
   d. Community Segment (if scheduled)
   e. Public Comment
   f. Public Hearings (if scheduled)
   g. Reports: Mayor, Councilmembers, and City Administrator
   h. Appointments
   i. Local Laws and Ordinances

j. Resolutions
k. Budget Amendments
l. Approval of Minutes
m. Announcement of Next Meeting
n. Second Public Comment
o. Adjournment

The regular order of business at a meeting may at any time be suspended by majority vote of the Council.

8. GENERAL RULES OF PROCEDURE & STANDARD OF CONDUCT:

a. Presiding Officer: The Mayor shall preside at all meetings of the City Council. In the Mayor's absence, the Acting Mayor shall determine who presides at the meeting. In the event the Mayor has failed to appoint an Acting Mayor, or where such member is absent from the meeting, the Council shall determine who presides at the meeting.

b. Guidelines for Councilmembers:

1) Conflict of Interest. A Councilmember prevented from voting by a conflict of interest shall leave the City Council table during the debate, shall not vote on the matter, and shall otherwise comply with the State law and City ordinances concerning conflicts of interest.

2) Non-Disclosure of Confidential Information. "Confidential information" for this rule is defined as follows:

a) Specific information, rather than generalized knowledge, received by a Councilmember as a result of their position that is not available to the general public on request; or

b) Information furnished to a Councilmember under circumstances as to suggest the information is confidential, including when the provider of the information identifies the information as confidential; or

c) Information made confidential by law, including specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy; or

d) Discussions held in Executive Session. No Councilmember may disclose confidential information or otherwise use such information for his or her personal gain or benefit or the gain or benefit of another. No council

member may disclose confidential information to any person not entitled or authorized to receive the information.

c. Guidelines for Community Segments: Speakers are invited to speak and are placed on the agenda by prior arrangement with the Mayor's office and are placed on the agenda at the Mayor's discretion.

d. Guidelines for Public Comment and Public Hearing Sessions:

1) The City Council is committed to First Amendment Free Speech and believes our city government is made stronger through an engaged and active public. Our Public Comment and Public Hearing Sessions are two of the key ways that those who live and work in Beacon provide feedback, input and inspiration for City Council. These guidelines are designed to provide a civil environment where everyone can speak and listen.

2) There shall be two (2) segments during each regular meeting of the City Council dedicated to public comment, one at the beginning of the meeting and another at the end.

3) A speaker shall be allowed to speak at either the first public comment segment or the second, but not both.

4) Those who would like to speak during either of the public comment segments should sign up on the sheet provided at the meeting and shall be allowed to speak on a first-come, first-serve basis. Remote speakers via Zoom shall be recognized following in-person speakers by raising hands on Zoom. If meeting attendance is not possible, interested parties, or their representatives, are also welcome to submit their written and signed comments in advance. Communications clearly labeled as for Public Comment or Public Hearings may be read out loud or otherwise included in the public record. If not so labeled, written comments will be considered private communications with the Council.

5) The total time for all speakers at any one public comment segment shall not exceed thirty (30) minutes unless approved by a majority vote of the Council.

6) The Presiding Officer may appoint a timekeeper for purposes of the public comment segments.

7) A speaker may speak on any issue which is properly up for discussion on the agenda or which the City has the ability to act upon, provided that a speaker may not speak on any issue which has already been discussed at an earlier public hearing during the meeting or one that is to be discussed at a later public hearing during the meeting.

8) Conduct of Speakers: All persons speaking before the Council shall conform to

the following standards of conduct:

a) In-person speakers must step to the podium to address the Council and complete the sign-in sheet placed at the podium, unless they have signed in at the sign-in sheet placed at the table. Accommodations shall be made for all persons with disabilities who need such accommodation.

b) Remote speakers via Zoom must wait until authorized to speak by the Secretary to the City Mayor. Only remote speakers with a digital hand raised shall be called upon to speak. If necessary, priority shall be given to Beacon residents.

c) Before addressing the Council, a speaker must provide their name, home municipality, and organization (if any) for the record.

d) A speaker's individual time to speak during the public comment session may not exceed three (3) minutes unless, in the Presiding Officer's sole discretion, additional time is granted.

e) A speaker's individual time to speak at a public hearing may not exceed five (5) minutes.

f) Speakers shall address all members of the Council and shall avoid speaking to any one member directly or to the general public present at the meeting.

g) Hate speech and abusive language or conduct shall not be tolerated.

h) Any statements, comments or remarks made by a speaker shall not speculate as to the personal motives of a member of the Council or the City Administrator and/or constitute a personal attack or defamation. Statements, comments or remarks about any employee of the City other than the City Administrator or member of the public shall follow the same rules as above, and in addition, shall not include direct criticisms.

i) The audience shall be respectful of all speakers and shall refrain from comments and gestures, private discussions, cell phone use, or other conduct that interferes with the orderly progression of the meeting or in any way discourages free speech.

j) Any speaker who fails to conform their conduct to the above shall be directed by the Presiding Officer to cease speaking and yield the floor.

9) The Council, City employees and guests at the Council table are expected

to conduct themselves with a mutual respect to the public and conform to the rules set forth above regarding conduct during Public Comment and Public Hearing proceedings.

10) Debate or discussion between audience members and the speaker having the floor shall not be permitted.

11) Debate or discussion with the speaker by a member of the Council, the Mayor, the City Administrator, City Attorney, a guest at the Council table, or any other City employee in the audience, who has information pertinent to the discussion shall not be permitted, except in the Presiding Officer's discretion.

9. **RULES OF ORDER.** All questions of order or procedure of the Council not herein provided for shall be decided in accordance with Robert's Rules of Order Revised for Deliberative Assemblies.

10. **COUNCIL COMMUNICATION.** The City Administrator oversees the day-to-day operations of the City, including management of all City officers, employees, vendors and contractors. Councilmembers lack the authority to give orders, directions or instructions, either publicly or privately, to any City officer, employee, vendor or contractor. Any communication, whether written, electronic or verbal, with officers and employees of the City and members of the Council are to be expressed in a respectful and courteous manner and copied to the City Administrator.

    During a meeting of the City Council, any Councilmember statements should be confined to the question before the Council and shall not involve a personal attack or criticism of any member of the Council, any officer, or employee of the City, or any member of the public.

11. **RECORDING OF MEETINGS.** No person shall record the proceedings of the meetings of the City Council, or any part thereof, by electronic or any other type of recorder, nor with a "steno-type" or similar machine, nor by motion picture, television or any other type of camera or visual record, without having previously made application, in writing, to the City Council at least two (2) business days in advance of the meeting for which permission is requested and without having received written permission therefore. Permission shall be granted upon a finding that the recording and/or broadcasting will not be disruptive or obtrusive of the public meeting and reasonable conditions may be imposed upon the granting of the application. This rule shall not be construed to prohibit the use of a handheld audio recording device or video device which does not interfere with the meeting, or the making of notes by any person or persons at such meetings, whether or not such notes shall constitute a complete transcript of the proceedings, nor shall this rule apply to the City Clerk or to members of the City Council.

12. **AMENDMENTS:** The foregoing Rules of Procedure may be amended from time to time by a majority vote of the Council.

City of Beacon City Council Agenda
06/27/2022

Title:

Extension of an Agreement with Royal Carting Services Co. for Waste Collection and Disposal

ATTACHMENTS

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

Royal Carting Co. Agreement

2023 MODIFICATION AND EXTENSION AGREEMENT

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

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

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

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

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

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

DRAFT

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

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

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

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

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

CITY OF BEACON

By: _____

_____
CHRISTOPHER WHITE, CITY ADMINISTRATOR

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

By: _____
EMIL PANICHI, PRESIDENT

DRAFT

CITY OF BEACON
CITY COUNCIL

Resolution No. 176 of 2019

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

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

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

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

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

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

Waste Collection Agreement
Between the City of Beacon and Royal Carting

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

WITNESSETH:

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

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

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

ARTICLE I

A. Burnable Waste Collection and Disposal

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

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

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

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

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

B. Recyclable Waste Collection

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

C. Container Lease and Services

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

1. Beacon City Hall

Royal shall provide Beacon City Hall with containers for recyclables;

2. Waste Water Treatment Facility

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

3. Transfer Station

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

ARTICLE II

A. Changes in Disposal Costs and Tonnage: Burnable Waste

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

Base Disposal Cost Per Ton:	Provided by Royal, subject to audit
New Disposal Cost per Ton:	Provided to the City within three days of Royal's notification effective thirty days after change; also subject to audit.

Monthly tonnage to be used only for calculation of payment change: 300 tons per month.

Calculation of payment change:

[(new per ton rate) - (base per ton rate)]*300 =increase/decrease in monthly payment

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

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

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

B. Recyclable Waste Collection

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

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

C. Roll Off Container and Dumpster Lease and Service

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

1. Transfer Station

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

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

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

2. Dumpster Lease

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

2.1 Riverfront Park

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

3. Waste Water Treatment Facility

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

ARTICLE III

Agreement Summary

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

ARTICLE IV

Term of Agreement

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

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

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

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

ARTICLE V

A. Entire Agreement

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

B. Compliance with Law

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

C. Indemnification

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

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

D. Governing Law and Venue

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

E. Severability

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

F. Assignment or Novation

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

G. Prevailing Wage Determination

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

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

APPROVED AS TO FORM: **CITY OF BEACON**

By: _____
RANDY CASALE, Mayor

By: _____
ANTHONY RUGGIERO, City Administrator

By: _____
NICHOLAS M. WARD-WILLIS, City Attorney

APPROVED AS TO FORM: **ROYAL CARTING SERVICE CO.**

By: _____
JAMES P. POPOVICH, Vice President

EXHIBIT "A"

SERVICE AND PRICE SCHEDULE

EXHIBIT "A"

SERVICE AND PRICE SCHEDULE

SERVICE SCHEDULE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PRICE SCHEDULE

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

Item 1: Bins (1 CY or smaller)
The bidder shall provide the following pricing:
$ 3.20 price per container per pickup
$ 13,760 price per pickup for all containers (price per container per pickup x number of containers)
$ 59,580.80 /month -- weekly curbside trash

Item 2: Bins (1 CY or smaller)
The bidder shall provide the following pricing:
$ 1.03 price per container per pickup
$ 4,429 price per pickup for all containers (price per container per pickup x number of containers)
$ 19,177.57/month -- weekly curbside recycling

Item 3: Bins (1 CY or smaller)
The bidder shall provide the following pricing:
$ 1.00 price per container per pickup
$ 60.00 price per pickup for all containers (price per container per pickup x number of containers)
$ 1,299.00 /month -- weekly City trash/recycling receptacles

Item 4: Bins (1 CY or smaller)
The bidder shall provide the following pricing:
*$ 4.33 price per container per pickup
$ 18.75/month

* **Extra 65 gallon container: $3.68/pickup $15.95/month**
Extra 35 gallon container: $2.95/pickup $12.75/month

Item 5: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 7: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 8: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 9: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 10: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 11: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 12: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 13: Bins (1 CY or smaller)
The bidder shall provide the following pricing:
$ 0 price per container per pickup
$ 0 price per pickup for all containers (price per container per pickup x number of containers)

Item 13.1: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 13.2: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 13.3: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

Item 19: Bins (1 CY or smaller)
The bidder shall provide the following pricing:
$ 2.25 price per container per pickup
$ N/A price per pickup for all containers (price per container per pickup x number of containers)

ADD-A-CAN

Item 20: Dumpsters (2 to 10 CY)
The bidder shall provide the following pricing:
$ 25.00 price per container per pickup
$ 0 Rental fee

Lot 3 – Disposal of Construction and Demolition (C&D) Materials
Item 15: Roll-off Containers (20 to 40 CY)
The bidder shall provide the following pricing:
$ 0 Rental Fee (per month)
$ 78.00 Tipping Fee (per ton)
$ 175.00 Haul Charge (per pickup)

Lots 5 – Single Stream Recycling
Item 6: Bins (1 CY or smaller)
The bidder shall provide the following pricing:
$ 0 price per container per pickup

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

Item 14: (2 to 10 CY) Dumpsters
The bidder shall provide the following pricing for the service
$ 0 price per cubic yard of dumpster per pickup
$ 0 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY)
$ 0 Recyclable Processing Fee (per ton)
$ 0 Recyclable Floor Price (per ton)
0 % Revenue Sharing Percentage

Lot 6 – Recycling of Comingled Recyclables (E-Waste Only)
Item 18: Roll-off Containers (15 CY)
The bidder shall provide the following pricing for the service
$ 0 price per cubic yard of dumpster per pickup
$ 117.00 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY) (Haulage)
$ ** Recyclable Processing Fee (per ton)
$ 0 Recyclable Floor Price (per ton)
0 % Revenue Sharing Percentage

Lot 10 – Recycling of Corrugated Cardboard
Item 17: Roll-off Containers (20 to 40 CY)
The bidder shall provide the following pricing for the service
$ 0 price per cubic yard of dumpster per pickup
$ 75.00 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY) (Haulage)
$ 0 Recyclable Processing Fee (per ton)
$ 0 Recyclable Floor Price (per ton)
0 % Revenue Sharing Percentage

Lot 13 – Recycling of Scrap Metal
Item 16: Roll-off Containers (20 to 40 CY)
The bidder shall provide the following pricing for the service
$ 0 price per cubic yard of dumpster per pickup
$ 50.00 price per for the dumpster (price per cubic yard per pickup x dumpster size in CY) (Haulage)
$ 0 Recyclable Processing Fee (per ton)
$ 0 Recyclable Floor Price (per ton)
100 % Revenue Sharing Percentage

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

TEAHAN & CONSTANTINO LLP

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ELIOT D. HAWKINS
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EXHIBIT "C"

June 11, 2018

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

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

Re: December Trash and Recycling Weight Survey
2017 Rate Adjustment

Gentlemen:

Survey Results:

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

2017 Summary Results:

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

EXHIBIT B

Waste Collection Agreement
Between the City of Beacon and Royal Carting

SOUTH SIDE MAIN STREET

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

NORTH SIDE MAIN STREET

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

WOLCOTT AVENUE

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

EAST MAIN STREET

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

MUNICIPAL PARKING LOTS

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

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

Analysis - Trash:

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

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

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

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

[1]Monday and Tuesday of this week was not surveyed due to City personnel shortage. The actual tonage collected over the 3 day survey period was 43.52. Adjusting for a 5 day week resulted in estimated survey tonage of 72.53 determined as follows: 43.52 tons ÷ 3 x 5 = 72.53 tons.

Burnable Waste Collection and Disposal:

2014 Base Monthly Payment[2]			$57,863.21
Less: 2017 Weight Survey Result computed as follows:			
2014 Agreement budget base of 300 tons per month X 12 =	3,600.00	Annual Tons[3]	
Less 2017 average survey tonnage	< 3,458>Tons		
Difference	142	Tons	
Times Disposal Rate (per ton)	X 73.75		
2016 Annual Survey Rate Reduction	$10,472.50		
Divided by 12 to determine monthly rate adjustment	÷ 12		
Monthly Adjustment Amount	872.71		<872.71>
Tentative 2018 Adjusted Monthly Burnable Waste Fee[4]			$56,990.50

Therefore, beginning July 1, 2018, through December 31, 2018 the adjusted monthly rate for curbside trash pick up will be 56,990.50[5].

---

[2]Article III

[3]Article II 2

[4] Effective July 1, 2018.

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

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

Very truly yours,

/s/

James P. Constantino
General Counsel

JPC/cr
Enclosures

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

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

Waste Collection Agreement
Between the City of Beacon and Royal Carting

E-WASTE PRICE LIST

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

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BY EMAIL ONLY (cwhite@cityofbeacon.org)

February 5, 2021

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

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

Dear Mr. White:

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

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

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

Thank you for your courtesy.

Very truly yours,

JPC/ns

READ, AGREED, AND APPROVED:

City of Beacon

By: _____ Date: 2/5/2021
Christopher White, City Administrator

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

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BY EMAIL ONLY (cwhite@beaconny.gov)

December 13, 2021

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

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

Dear Mr. White:

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

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

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

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

Thank you for your courtesy.

Very truly yours,

JPC:ns

READ, AGREED, AND APPROVED:

City of Beacon

By: _____
Christopher White, City Administrator

Date: 12/15/2021

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

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 154 OF 2021

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

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

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

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

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

Title:

Executive Session

ATTACHMENTS