

BEACON CITY COUNCIL AGENDA

DATE: Monday, July 20, 2009

DRAFT: 7/17/2009 11:59 AM

PLACE: Municipal Center, One Municipal Plaza, Beacon, NY

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- Call to Order:
- Pledge of Allegiance
- Roll Call
- **Public Comments:** Pertaining to any item. Maximum time for this section is 30 minutes. Maximum time for individual public comment is 3 minutes.
- **Public Hearings:**
- **Community Segment:**
- **Approval of Minutes:** June 1, 2009
- **Communications**
- **Reports:**
 - City Administrator
 - Report of Activities
 - City Attorney – **First Meeting of the Month**
 - Council Reports of Activities
 - Mayor Report of Activities
 - County Legislator Reports
- Public Comments: Pertaining to This Agenda Only.

UNFINISHED BUSINESS –

- **Local Laws And Ordinances:**
- **Resolutions:**
 1. City Council of the City of Beacon Hereby Approves the Police Policy Manual dated May, 2009. **Tabled on July 6, 2009.**

NEW BUSINESS -

- **Resolutions:**
 1. Authorize Mayor to Sign Retainer Agreement between the City of Beacon and Towne, Bartkowski & DeFio Kean, P.C.
 2. Authorize The Mayor To Apply For And Accept Funds For Juvenile/Community Relations (Code No. 09130210S010) Totaling \$3,119.00 for the Year 2009 Youth Development Delinquency Prevention (YDDP) Programs.
 3. **Special Use Permit** – Waterfront Development Concept Plan and Special Use Permit for Long Dock Beacon. **Set Public Hearing for Monday, August 3, 2009.**
 4. **Proclamation:** Family Day – A Day to Eat Dinner with Your Children on September 28, 2009

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5. Authorize Mayor to sign Amended Agreement between Dutchess County and City of Beacon for the Community Development Block Grant Program. (2004 Security Cameras).
6. Replacement of Sanitary and storm lines at Mackin and Ralph Street.

• **Local Laws And Ordinances:**

1. **First Reading:** Proposed Local Law to Amend Chapter 173 to change Title to Rental Properties, Absentee Owner/Owner Non-Occupied Building Registration Requirements - **Set Public Hearing for Monday, August 3, 2009.**

• **Ratifications / Appointments**

1. Appointment of Scott T. Forsythe as Police Officer effective July 27, 2009.
2. Promotion of Detective Richard Sassi to the rank of Detective Sergeant
3. Promotion of Police Officer Jonathan Crone to the rank of Sergeant

• **Announcements:**

- **Budget Amendments:** See Attached

• **Public Comments:**

- **Next Workshop:** Monday, July 27, 2009 at 7:00pm – Municipal Center

- **Next Council Meeting:** Monday, August 3, 2009 at 7:00p.m. – Municipal Center

• **Motion to go into Executive Session:**

• **Adjournment**

DATE: July, 2009 - Mark Wildonger, AIC – Scenic Hudson

RE: Scenic Hudson applauds the City Council in working with MTA towards the creation of a Transit Oriented Development (TOD) zoning district.

Scenic Hudson applauds the City Council in working with MTA towards the creation of a Transit Oriented Development (TOD) zoning district. Creating a TOD District is a positive step in advancing smart growth by encouraging around Beacon Station mixed-use, compact and walkable development that is anticipated to increase public transit ridership, increase the potential for affordable housing, reduce traffic and associated carbon emissions, and ultimately contribute to the City's economic development.

Many communities around the world are realizing the environmental, economic, and social benefits afforded by TOD. In fact, the Final Report of the Blue Ribbon Commission on Sustainability and the MTA published earlier this year identifies Beacon as a logical community for a possible TOD.

TOD helps create the critical mass for public transportation which has the potential to reduce traffic and carbon emissions which degrade air quality and contribute to global warming. In addition to the environmental benefits, the future development at the train station will help create jobs and stimulate the economy. Lastly, the TOD has the opportunity to complement all the assets of the waterfront and create a vibrant gateway to the City of Beacon.

Scenic Hudson commends the City of Beacon in implementing the recommendations of the comprehensive plan. This proposed ordinance weaves together many of the goals and objectives found in the comprehensive plan. With many of the parks and recreational assets found at the waterfront, a TOD will strike a healthy balance of uses and development at the waterfront.

Though Scenic Hudson supports the proposed TOD District zoning district, we suggest some specific recommendations listed below that could result in a more successful TOD District.

Specific recommendations

Section 2. Intent and Purpose

This introductory paragraph should also include the environmental benefits of TOD and its potential to reduce greenhouse gases.

223-41.8 Purposes.

Scenic Hudson is pleased that the view sheds identified in the Local Waterfront Revitalization Program (LWRP) are referenced in this zoning ordinance and are required to be protected.

The term "open space" should be defined and could be included in § 223-41.10 - Definitions. The term should include examples, such as civic plazas, gathering areas, or green space.

An additional purpose, not listed in Section A of § 223-41.8, is the opportunity for the TOD District to maintain and enhance the walk ability of the waterfront area as well as create a pedestrian oriented connection to Main Street.

223-41.9 Regulations

Scenic Hudson recommends that "Parks and Recreation" be added to the list of permitted uses in Section B. Even though this may not be a dominant use of the area, it should still be included as a possibility.

Section F.(3).(c).[4] should require that the TOD district be consistent with policies in Beacon's adopted Local LWRP, in addition to the comprehensive plan as stated.

Scenic Hudson commends the City of Beacon for including the TOD design principles found in Section I. These principles will help guide the sustainability of this development.

Though Section I includes a provision that the TOD project should be energy efficient, there are many other techniques to make a development sustainable. Elements from the LEED certification process or other green building techniques should be encouraged and explicitly stated within the code. The City of Beacon should continue its goal to encourage all new large scale development to be as environmentally friendly as possible.

Civic public open spaces should be integrated into the development in such a way that will activate and animate streetscapes contributing to the viability of the project.

Scenic Hudson is pleased to support the proposed TOD District zoning ordinance with the aforementioned recommendations. Currently, the waterfront lacks amenities, such as places to sit, bathrooms, and places to buy refreshments. However, this TOD ordinance will help create a compact, mixed use, walk able development adjacent to Beacon Station that will provide these amenities and enhance the waterfront, further adding to the quality of life in the City of Beacon.

DATE: July, 2009 – Roger Connor - Cablevision
Re: Launching of 27 New HD Channels

Cablevision is pleased to announce the launching of an additional 27 High Definition (HD) Channels between Wednesday, June 24th and Friday, June 29th. With this launch,

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Cablevision will be offering our customers the opportunity to enjoy over 100 HD channels. The new HD channels are as follows:

Channel	New HD Services	Minimum Package
720	Big Ten HD	iO Sports Package
723	MSBNC HD	Family
732	Cartoon HD	Family
734	TCM HD	Family
758	Tm TV HD	Family
788	Outdoor Channel HD	iO Sports Package
789	NBA TV HD	iO Sports Pack., iO Gold, NBA League Pass
807	HBO West HD	iO Silver
808	HBO 2 West HD	iO Silver
809	HBO Signature West HD	iO Silver
810	HBO Family West HD	iO Silver
814	Starz West RD	iO Silver
815	Starz Comedy HD	iO Silver
823	Showtime Extreme HD	iO Gold
824	Showtime West HD	iO Gold
825	Showtime Too West HD	iO Gold
826	Showtime Showcase West HD	iO Gold
833	Thriller Max HD	iO Gold
834	WMAX HD	iO Gold
836	5 Star Max HD	iO Gold
838	Cinemax West HD	iO Gold
841	TMC XTRA HD	iO Gold
842	TMC West HD	iO Gold
843	TMC XTRA West HD	iO Gold
845	QVC HD	Broadcast Basic
846	Planet Green HD	iO Package
847	Style HD	iO Package

Customers will be notified of these exciting program additions through bill messages beginning July 5th, and through the interactive Channel Guide (Channel 14) effective June 19th. Customers with the appropriate HD equipment will be able to enjoy these new HD channels depending upon their subscription level.

As always, customers can find their most current channel line-up on our consumer web site www.optimum.com.

In addition please note, effective June 1, 2009, the rate for a digital box increased from \$6.28 to \$6.51 per month, and the price of a digital remote control increased from \$.22 to \$.24 per month. Customers were notified through bill messages of this change.

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If you have any questions, as always please feel free to call me at 914-378-4515.

Date: June, 2009 – Mark Castiglione , Acting Executive Director - HRVG
RE: Climate Smart Community

On behalf of the Hudson River Valley Greenway I would like to take this opportunity to recognize and express our gratitude towards City of Beacon for becoming a climate smart community. Thank you for your leadership and dedication to making this pledge.

Making your municipal operations and community "climate smart," you will help reduce carbon emissions, which in turn works to slow down climate change. Your commitment and devotion to help decrease energy use and waste is sincerely appreciated. Reducing energy consumption coupled with a commitment to adopt smart growth principles has the potential to have a powerful impact on our collective response to climate change. The City of Beacon is a positive example for other local governments wishing to reduce energy use, save tax dollars, and adapt to changing conditions. Your leadership is inspiration to not only the public, but other surrounding communities as well.

The Hudson River Valley Greenway program looks forward to working with your community to reduce carbon emissions while realizing our mission of working together as a region to of preserve, enhance and develop the world-renowned scenic, natural, historic, cultural and recreational resources of the Hudson River Valley.

Once again, I applaud the City of Beacon for adopting the Climate Smart Community Pledge. Best wishes and we look forward to continuing our Greenway partnership!

DATE: June, 2009 – Wingate of Beacon - Christopher Johnson, LNHA Administrator
RE: Facility undergoing Physical "rejuvenation" during summer months

These are exciting times for Wingate at Beacon, and I want to share the good news with you - our facility will be undergoing a physical "rejuvenation" during the summer months which will include fresh paint, and furniture, as well window and floor treatments in some of our patient rooms and public spaces.

We are making this investment in our infra structure in order to maintain our elegant and wonderful facilities allowing our residents to recuperate in surroundings conducive to recovery and their own "rejuvenation".

Contractors will begin work here on Monday, June 2211, and will be provided with identification badges so they are easily identified when on our property. We will be providing weekly updates regarding the progress of the project, and should you care for additional information, please don't hesitate to call me directly.

Thank you for your support of Wingate at Beacon. Where Healthcare and Hospitality Meet.

DATE: June, 2009

RE: RESOLUTION NO. 209183

RE: ESTABLISHING A PUBLIC HEARING PURSUANT TO SECTION 303-b OF THE AGRICULTURE AND MARKETS LAW TO CONSIDER RECOMMENDATIONS OF THE AGRICULTURE AND FARMLAND PROTECTION BOARD INCLUSION OF VARIOUS PROPERTIES WITHIN DUTCHESS COUNTY CERTIFIED AGRICULTURE DISTRICTS 20,21,22 AND 23.

Legislators FETTES, COOPER, and HORTON offer the following and move its adoption:

WHEREAS, in accordance with New York State Agriculture and Market Law

Section 303-b, the Dutchess County Legislature pursuant to Resolution No. 204098 established an annual thirty-day period in which landowners may submit requests to the County Legislature to include predominantly and viable agriculture land within in an existing Certified Agricultural District, and

WHEREAS-, a notice to-all owners of viable farmland in Dutchess County was publicized, and

WHEREAS, the requests by property owners for inclusion of their property within an existing Agricultural District were referred to the Agriculture and Farmland Protection Board, and

WHEREAS, the Agriculture and Farmland Protection Board has issued a report containing recommendations as to the requests of individual property owners for inclusion of their property in an existing Agricultural District, and

WHEREAS, the County Legislature is required to adopt or reject the proposed inclusion of land in an existing Agricultural District following a Public Hearing pursuant to Agriculture and Markets Law Section 303-b, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby establishes July 13, 2009 as the date for a Public Hearing pursuant to the recommendations of the Agriculture and Farmland Protection Board at 7:00 o'clock pm and that the Clerk of the County Legislature hereby is directed to publish a Notice of Public Hearing in accordance with the provisions of Subdivision 3 of Section 303-b of the Agriculture and Markets Law and that written notice of the Public Hearing be given directly to those municipalities whose territory encompasses the lands which are proposed to be included in an Agricultural District and a notice shall also be sent to the Commission the New York State Department of Agriculture and Markets.

DATE: June, 2009 – Michael Caldwell – DC Department of Health

RE: H1N1 Influenza - Preventing

The H1N1 influenza virus (more commonly known as swine flu) is no longer making daily headlines, but the virus does continue to spread through our community. Now that the summer season is here, many municipalities are hosting or giving permits for an increased number of public gatherings. These public gatherings increase social personal contact such as handshaking and hugging. As a result, there may be increased risk for the spread of flu viruses among attendees.

To help reduce the spread of influenza infection in our communities, the Dutchess County Department of Health encourages municipal officials to provide important preventive guidelines to event organizers and event attendees, including messages about the need to remain home if ill,

that persons who have compromised health conditions should avoid large public gatherings, as well as the importance of good hygiene practices at the event.

Event organizers should be provided with the following information and tips. This information should then be passed along to all event attendees and if possible, posted in high visibility areas at the event. Posters and flyers promoting healthy habits can also be downloaded free of charge from the Center for Disease Control and Prevention at :

http://www.cdc.gov/flu/protect/pdf/covercough_school8-5x11.pdf

Influenza infections spread from person-to-person when someone sneezes, coughs or even talks. Occasionally a person may become infected by touching something with the virus on it and then touching their mouth or nose. To prevent the spread of influenza viruses, Dutchess County and New York State Departments of Health recommend the following:

- Wash your hands often with soap and warm water. Alcohol-based hand cleansers can be used if hand washing is not an option.
- Avoid close contact with people who are ill.
- Stay home if you are sick.
- Use a tissue when you cough, sneeze or spit, and dispose of the tissue immediately in a covered trash bin. When a tissue is not available, cover your mouth with the crack of your elbow.
- Keep hands away from your face. Avoid touching your eyes, nose or mouth.
- Refrain from sharing personal items such as forks, spoons, toothbrushes and towels.
- Contact your health care provider if you become ill with high fever (more than 100 degrees) severe headache, body aches or pains, fatigue, cough, and/or runny nose.
- Other measures can also be used by event organizers to help reduce the risk of influenza infection. Feasibility of use will vary depending on the event of type and the setting.
- Make hand washing facilities widely available at the event, with soap and running water, hand sanitizer, and tissues.
- Provide on-site medical assessment and care for persons with influenza-like illness (i.e. fever with either cough or sore throat).
- Provide alternative options and venues for participation (i.e. remote Web-based viewing sites.)
- Discourage "self-serving" of chips, candy or other food products from open bowls or other containers where people would reach their hand in to help themselves.

For more information about public gatherings and reducing the risk of H1N1 infection or any influenza infection, visit www.dutchessny.gov and click on the "Swine Flu" icon or call us at the Department of Health at 486-3400.

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. _____ OF 2009

**RESOLUTION TO APPROVE POLICE DEPARTMENT
RULES AND REGULATIONS**

WHEREAS, the Police Department has been developing comprehensive updates to departmental rules and regulations, and

WHEREAS, the City of Beacon Labor Counsel has reviewed such updates; and

WHEREAS, the City of Beacon, City Council has been given a presentation relative to the Rules and Regulations and has been given a copy of the complete documents, and

WHEREAS, the City Administrator recommends that the City Council approves such rules and regulations so that the New York State Accreditation process can begin;

NOW, THEREFORE, BE IT RESOLVED, that Steve K. Gold as Mayor of the City of Beacon and the City Council of the City of Beacon hereby approves the Police Department rules and regulations completed in May, 2009.

July 20, 2009		<input type="checkbox"/> AMENDMENTS			<input type="checkbox"/> 2/3 REQUIRED		
Resolution 2009		<input type="checkbox"/> ON A ROLL CALL			<input type="checkbox"/> NOT ON A ROLL CALL		
Motion	2 nd	Council member	Yes	No	Abstain	Reason	Absent
		THOMPSON, ELEANOR					
		LEAKE, DEANNA					
		KELLY, CHARLES					
		CASALE, RANDY					
		PASTI, SARA					
		FREDERICKS, MARLENE					
		GOLD, STEVE					