

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on February 6, 2019, at 7:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
EMILY HURD
RICHARD MECCA
JULIE SOUZA
DANIELLE TAGGER-EPSTEIN
Councilmembers

ABSENT:

BENJAMIN STACKS
Councilmember

The Council convened at 6:30 P.M. Councilman Mecca made a motion, seconded by Councilwoman Souza, enter into executive session to discuss litigation and personnel matters. At 7:32 P.M., Councilman Mecca made a motion, seconded by Councilwoman Souza, to exit executive session and commence the regular meeting of the City Council. The meeting began at 7:40 P.M.

1. Pledge of Allegiance.

Mayor Cohn called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call.

Mayor Cohn asked the City Clerk to call the roll; a quorum was present to conduct official City business.

Mayor Cohn announced the untimely passing of one of the City's volunteer firefighters, Richard Cadigan. Mr. Cadigan was commended for his many years of service. Mayor Cohn said that despite being into his 60s, Mr. Cadigan was fully active in the department and up-to-date with training. There was a moment of silence honoring the memory and life of Mr. Cadigan.

3. General Announcements.

Councilwoman Tagger-Epstein thanked the City of Rye firefighters for all they do. She referenced a recent rescue of a swan from the ice located near Playland. She said that whether it was a resident or animal, the department will be there when they are needed. Councilwoman Tagger-Epstein also reminded all to stay off the ice.

Councilman Mecca announced that Westchester County has posted the civil service exam for firefighters. The County would be taking applications until February 22, 2019. He reminded those interested that the only way to become a firefighter is to take the civil service exam. He invited anyone interested to take the exam.

Councilwoman Tagger-Epstein added that it was Firefighter Cristian Acevedo who rescued the swan on the lake.

4. Draft unapproved minutes of the Regular Meeting of the City Council held January 23, 2019.

Councilman Mecca made a motion, seconded by Councilwoman Hurd, to adopt the minutes of the Regular Meeting of the City Council held January 23, 2019.

5. Residents may be heard on matters for Council consideration that do not appear on the Agenda.

Gerry Seitz, 141 Kirby Lane, addressed the Council. He asked about alternate sources of revenue for the City, such as raising sales tax, as previously proposed. He asked Mayor Cohn to contact Assemblyman Otis on this issue.

Mayor Cohn thanked Mr. Seitz for attending the meeting. He responded that he had put a call into Assemblyman Otis but that the two had not yet had a conversation on the issue.

Mr. Seitz stressed the importance of his proposal of raising the local sales tax as a potential additional source of revenue for the City.

6. Mayor announcement of the City receiving the National Government Finance Officers Association Distinguished Budget Presentation Award.

Mayor Cohn announced that the City was once again the recipient of the National Government Finance Officers Association Distinguished Budget Presentation Award. He thanked City Comptroller, Joseph Fazzino, for his thoughtful preparation and presentation. He said that Mr. Fazzino's tremendous hard work and skill has impressed the City. Mayor Cohn also thanked City Manager Serrano.

City Comptroller Fazzino thanked the Mayor and Council. He reported that it was the 17th year that the City received this award. He said he was happy to continue the tradition. Mr. Fazzino praised his staff for help with this huge document. He thanked the Mayor and Council for the recognition.

7. Resolution authorizing the City Manager to sign a commercial lease agreement with HRTK-Southern Connecticut, LLC allowing Carefree Boat Club to rent boats at the Boat Basin.

City Manager Serrano explained that this would allow residents or non-residents can rent a boat to try it out. The company would be rent in the form of a boat slip costing the non-resident rate slip. There would be three slips.

Councilwoman Goddard inquired as to why the agreement as written did not define “base rent” in the beginning of the document.

Councilwoman Souza asked that Carefree Boat Club also be defined. Councilwoman Goddard added that the names of the contractor should be uniform.

Councilwoman Souza inquired as to whether this would be for commercial use.

Mayor Cohn said that with respect to the renewal provision, it seems like the company would be able to renew indefinitely. This might be concerning, should the City and Carefree Boat Company wish to terminate their agreement.

Councilwoman Souza suggested adding a mutual consent to renew and a termination clause.

Corporation Counsel Wilson said that Section 17 of the agreement discusses the City’s rights, should the contractor fail to comply with conditions.

Councilman Mecca asked if the rental fee goes into the enterprise fund. City Manager Serrano responded that it would. Councilman Mecca then asked how the City would be covered from an insurance perspective, especially since this service is open to the public. City Manager Serrano responded that the City is being held harmless for the activities.

Councilwoman Souza asked that the insurance specifications be reviewed before signing.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd, to authorize the City Manager to sign a commercial lease agreement with HRTK-Southern Connecticut, LLC allowing Carefree Boat Club to rent boats at the Boat Basin.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Hurd, Mecca, Souza, Tagger-
Epstein
NAYS: None
ABSENT: Councilman Stacks

8. Authorize payment of the balance of the 2018/2019 Rye Neck Union Free School District taxes collected by the City to the School District.
Roll Call.

By way of background, the balance of unpaid Rye Neck U.F.S.D. taxes on property within the City of Rye is \$287,133.19 at 12/31/18. This balance represents 2.44% of the total tax levied, \$11,759,702.64, on September 1, 2018. Arrears notices will be mailed in conjunction with the 2019 City tax bills, and again during March 2019, May 2019 and June 2019 to try to collect these balances prior to the filing of the list of delinquent taxes with the County scheduled for July 1, 2019. In accordance with Section 22.9 of the City Charter, it is requested that the City Council authorize the City Comptroller to pay the Treasurer of the Rye Neck UFSD the amount due at December 31, 2018.

Councilwoman Tagger-Epstein made a motion, seconded by Councilwoman Souza, to authorize payment of the December 31, 2018 balance of \$287,133.19 to the Rye Neck Union Free School District taxes on February 28, 2019.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Hurd, Mecca, Souza, Tagger-Epstein
NAYS: None
ABSENT: Councilman Stacks

9. Resolution authorizing the City Manager to sign a 4-year agreement with the County of Westchester to participate in their Organic Yard Waste Management Program whereby the City can collect and transport organic yard waste to the designated transfer site for composting .

City Manager Serrano explained that in order to divert additional recyclable materials from the waste stream, the County has an Organic Yard Waste Management Program with several municipalities within the district. The City would collect organic yard waste within its boundaries and transport the waste to a designated transfer site. The County would then arrange for transporting the yard waste from the transfer site to a composting facility and pay for such transportation and disposal costs. There has been an increase in the contract fee due to CPI increase.

Corporation Counsel Wilson explained that the County was asking the City to make a SEQRA determination. This would be a Type II action, and there would need to be a motion that declares it as such.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to declare the Organic Yard Waste Management Program a Type II action.

Councilman Mecca inquired as to what the County would be doing with the organic waste collected.

Councilwoman Souza asked about non-district waste costs. There was discussion on this topic.

Councilwoman Goddard made a motion, seconded by Councilwoman Tagger-Epstein, to authorize the City Manager to sign a 4-year agreement with the County of Westchester to participate in their Organic Yard Waste Management Program whereby the City can collect and transport organic yard waste to the designated transfer site for composting.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Hurd, Mecca, Souza, Tagger-Epstein
NAYS: None
ABSENT: Councilman Stacks

10. Consideration of a request by the Westchester County chapter of the National Alliance on Mental Illness (NAMI) to have a ribbon initiative in the Central Business District during the month of May 2019.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd and unanimously carried, to approve the request by the Westchester County chapter of the National Alliance on Mental Illness (NAMI) to have a ribbon initiative in the Central Business District during the month of May 2019.

11. Consideration of request for permission to close a section of Purchase Street for the 67th Annual Celebration of the Halloween Window Painting Contest.

Councilwoman Souza made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to approve the request for permission to close a section of Purchase Street for the 67th Annual Celebration of the Halloween Window Painting Contest on October 20, 2019.

12. Consideration of request from Rye Recreation to hold the Annual Food Truck Festival Saturday, June 22, 2019. The Council will have to waive § 144-8D and G of the City Code.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd, to waive § 144-8D and G of the City Code to permit a request from Rye Recreation to hold the Annual Food Truck Festival Saturday, June 22, 2019.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Hurd, Mecca, Souza, Tagger-Epstein
NAYS: None
ABSENT: Councilman Stacks

13. Consideration of request from Rye Recreation to hold the annual Turkey Run road race on Saturday, November 30, 2019.

Councilwoman Souza made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to approve the request to hold the annual Turkey Run road race on Saturday, November 30, 2019.

14. Miscellaneous communications and reports.

Councilwoman Goddard announced that registration for the food scrap recycling program is now open on the City website. Starting next Tuesday, those registered can pick up their food scrap starter kit. The curbside component was closed out in 36 hours. The City is now accepting waitlist names for curbside pickup in case the program becomes permanent. Councilwoman Goddard said that the City was looking forward to the service which will begin on March 4, 2019. Anyone with questions could email foodscrap@ryeny.gov.

Councilman Mecca said that at the recent Planning Commission meeting, the Commission had heard the referral from this Council for possible rezoning for fitness centers in the central business district. No decisions have been made, but there are issues to consider. For example, the applicant has suggested that the zoning change be applied to Parking District A or B, but the Planning Commission would like to consider the other business districts, inclusive of other properties, such as Avon. He said this was the beginning of the conversation. He said that Commission would be discussing for several meetings before issuing a recommendation.

Councilwoman Souza asked about Trinity Fitness on Purchase Street. Councilman Mecca responded that their current use is being questioned. Councilman Mecca further said that the downtown trend has changed to service-based businesses for the most part. This affects parking turnover. That is being considered.

Councilman Mecca reported that the City of White Plains had seen a greater number of applications for propane storage tanks because of Con Ed moratorium. He said that the temporary storage containers that Con Ed has is compressed natural gas.

Mayor Cohn said that the feedback from building department are that people are looking at propane and renewable energy. There is no end date for the moratorium. The gas problem in Westchester needs to be solved with a new pipeline.

Councilwoman Hurd asked if the moratorium had impacted Con Ed's urgency to do work in Rye. Mayor Cohn responded that it had not, and that the subject areas would remain supplied.

There was discussion about Con Ed's moratorium on new gas connections.

There was also discussion about a possible initiative regarding the ban of unnecessary balloons.

15. Old Business/New Business.

There was nothing discussed under this agenda item.

16. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion at 8:36 P.M. seconded by Councilwoman Souza, to adjourn the regular meeting of the City Council.

Respectfully submitted,

Carolyn D'Andrea
City Clerk