

APPROVED MINUTES of the Regular
Meeting of the City Council of the City of Rye held in
City Hall on February 27, 2019, at 7:30 P.M.

PRESENT:

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

ABSENT:

None

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 7:38 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 7:43 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.

3. General Announcements.

There was nothing discussed under this agenda item.

4. Draft unapproved minutes of the Regular Meeting of the City Council held February 6, 2019.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to adopt the minutes of the Regular Meeting of the City Council held February 6, 2019.

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

There was nothing discussed under this agenda item.

16. Proclamation Honoring Kids S.P.A.C.E. on its 25th Anniversary.

This item was taken out of order. Councilwoman Hurd announced that Kids S.P.A.C.E. is celebrating its 25th anniversary in Rye. She described Kids S.P.A.C.E. as an amazing program with daily enrichment and childcare for children in the Rye City School District. Today, Kids S.P.A.C.E. serves over 80 children daily. Councilwoman Hurd congratulated them on 25 years of service.

Mayor Cohn echoed Councilwoman Hurd's comments of praise and added that his daughter also attended Kids S.P.A.C.E. years ago when she was a student in rye.

Mayor Cohn read the following proclamation:

***WHEREAS**, 25 years ago a group of women came together to create much needed daycare in Rye, and*

***WHEREAS**, through hard work, then and since, those women and their successors nurtured and maintained Kids S.P.A.C.E., and*

***WHEREAS**, Kids S.P.A.C.E. is a much-needed and valued part of the Rye community, providing pre- and post-school, school-based care for scores of elementary-school aged children daily; and*

***WHEREAS**, countless Rye families have had the opportunity to depend on Kids S.P.A.C.E. as a reliable, safe place for their children, which in turn benefits the entire community; and*

NOW, THEREFORE, I, Josh Cohn, Mayor of the City of Rye, on behalf of the City of Rye, do hereby congratulate and honor Kids S.P.A.C.E., its founders and supporters, on the twenty-fifth anniversary of Kids S.P.A.C.E.

6. Consideration of a petition by The Miriam Osborn Memorial Home Association to amend the text of the City of Rye Zoning Code to create a new use and development standards for "Senior Living Facilities" in the R-2 Zoning District.

Mayor Cohn stated that there was a request before the Council to refer the petition by the Miriam Osborn Memorial Home Association to amend the text of the City of Rye Zoning Code to create a new use and development standards for "Senior Living Facilities" in the R-2 Zoning District to the Planning Commission for review and comment.

Steven Wrabel, McCullough Goldberger and Staudt, addressed the Council. He said that the request is simply for a referral to the Planning commission at this time.

Corporation Counsel Wilson stated that if the Council wishes to pass this along to the Planning Commission, the Commission will review the request and provide a recommendation.

Councilwoman Goddard asked if the Planning Commission would provide some historical context regarding the reasoning for the covenants and restrictions. Councilman Mecca, liaison to the Planning Commission, responded that they would.

Mayor Cohn thanked the applicant's representatives for hosting the Council at the Osborn for a site walk-through. He stated that one concern was regarding potential mass of the buildings and the effect on the Post Road view and other neighboring views.

Councilwoman Goddard also added to the concern about the mass, and that the envisioned structures could be up to five stories each. It is as contemplated a change to the aesthetic to what is there now.

Councilwoman Hurd said that there were general concerns with respect to the FAR and setback requests. She said that she understood the need and the desire to expand. She added that she wanted to keep Osborn School in mind with any issues that could come out of this proposed expansion.

Councilwoman Tagger-Epstein stated that it would be important to measure and consider the burden on the City's infrastructure, such as the sewer and water lines. She also felt it important to consider traffic implications as well.

Councilman Mecca explained that Planning Commission review process. He said that the first test: that is considered by the Commission is asking whether the zoning change/ proposal is something that Rye wants. With respect to the infrastructure mentioned by Councilwoman Tagger-Epstein, those items were examined in recent years with the proposal of 120 Old Post Road. The City knows from that development that there is ample water capacity. The rest of it would become a site plan review with respect to zoning. Finally, the Planning Commission would come back to the Council with recommendations.

Councilwoman Goddard asked if the Commission would also consider potential flooding issues/ impervious surface issues. Councilman Mecca explained that those issues are considered with the site plan review.

Councilwoman Souza asked how many garden homes are currently on the Osborn site. The applicant responded that there were 20 garden homes. There was then discussion about replacing these structures with a possibility for less impervious surface.

There was discussion about impervious surface versus height.

Councilman Stacks asked what the recommendation looked like.

Councilman Mecca explained that it was a report in the form of a memo. The public will be able to comment at a public hearing.

Councilwoman Souza made a motion, seconded by Councilwoman Tagger-Epstein and carried by the Council to adopt the following resolution:

RESOLVED, that the petition by the Miriam Osborn Memorial Home Association to amend the text of the City of Rye Zoning Code to create a new use and development standards for “Senior Living Facilities” in the R-2 Zoning District is referred to the Planning Commission for review and comment.

7. RyeACT Youth Leadership Team Presentation of feedback from Youth Speak Out.

Julia Laber, Reece Buckner-Wolfson, and Henry Cetina, Rye High School students representing RyeACT’s Youth Council, read a statement to the City Council. They explained that there are over 50 members in RyeACT youth coalition. There are regular meetings, providing insight and new perspective. The students discussed the Youth Speak Out event that took place in May last year, which was attended by 240 community members. There was input for the event from more than 2000 students, in the Rye City School District, with participation from 20 student clubs. The feedback from students helped to establish what the students valued, what they were stressed about, and what the students felt was important for the adults in the community to know. There was also discussion at the event regarding trends in substance abuse, among other topics. The students also discussed initiative specifics throughout the year, such as the Rye/ Harrison football game, Drug Takeback Day, and other community events. The students shared that they attended a national leadership forum in Washington, D.C., and were able to meet Senator Schumer and Congressman Engel’s staff. The students thanked the Mayor and Council and Commissioner Falk and the Rye Police Department who have supported their initiatives. They asked that the Council continue to support these programs. Lastly, they thanked the Council for considering the upcoming event for RyeACT on the agenda this evening.

The City Council thanked the students and the representatives from RyeACT for their hard work and presentation.

9. Consideration of a request by the RyeACT Coalition to use the Village Green to hold an Community Prevention Fair on Tuesday, May 14, 2019 contingent upon a certificate of insurance and approval by the City Engineer.

This item was taken out of order. Councilwoman Souza made a motion, seconded by Councilwoman Hurd and unanimously carried, to approve a request by the RyeACT Coalition to use the Village Green to hold a Community Prevention Fair on Tuesday, May 14, 2019 contingent upon a certificate of insurance and approval by the City Engineer.

8. Capital Expenditure Update.

Mayor Cohn read the following statement:

“We as a Council spoke frequently over our first year together of the capital expenditures that we as a City are obliged to make. As we progress through our second year, it is appropriate to provide a status report. We have in process a first group of projects (described below) that is anticipated to cost in the neighborhood of \$12 million. We have a second group of mandatory projects that will cost millions more. An aggregate capital expenditure cost in the \$20 million range, substantially bond-supported, in the next few years may be anticipated.

Our second group of projects will be sewer repair and renewal projects throughout the City, many of which may be agreed in a settlement we hope to achieve of the lawsuits brought by the New York State Department of Environmental Conservation and Save the Sound. We are studying the results of our most recent technical survey work and our settlement discussions are ongoing. As a result, we cannot yet provide a firm cost figure, but we know that there is much to do.

It seems safe to assume, given inevitably rising costs, that the City will need to spend in the aggregate at least \$15 million to \$20 million in the next few years. We will need to bond for much of that. We fortunately will have some grant support as well, and we will seek more.

Returning to our first group of projects, status is as follows:

- New garbage trucks – ordered and scheduled to arrive in October.
- Courthouse renovation – planning complete, but for temporary court housing plan that must be completed before bids are sought.
- Central Avenue pump station – application for sewer district change is with the County Legislature, planning is underway and construction anticipated for fall 2019 (to replace the leaking sewer line under I-95).
- DPW projects – in planning (new garage, renovated garage, salt shed, fuel tank)
- City Hall improvements – preliminary design completed (primarily HVAC and other building system improvements).

It is worth noting that both the Golf Club and Boat Basin enterprise funds may need to bond in coming years. Although any such bonding would be primarily on the basis of each enterprise fund’s own ability to repay, the City is the ultimate obligor. In short, the City’s credit standing may be well-used in coming years.

We will continue to keep the City apprised of our progress. We recognize that we will be spending a substantial amount of money. We take this responsibility seriously and we take the public’s right to know seriously.”

10. Resolution to authorize the addition of Westchester Bank and Signature Bank as authorized depositories of the City of Rye.

Councilman Stacks made a motion, seconded Councilwoman Hurd and unanimously carried, authorize the addition of Westchester Bank and Signature Bank as authorized depositories of the City of Rye.

11. Consider a request by the Rye Golf Club Commission to appoint Terrence McCartney, Rye Resident, to fill a commissioner seat vacated by Garrick Gelinias for the remainder of his term (ending Dec 31, 2020).

Mayor Cohn announced that Garrick Gelinias, Rye Golf Club Commission, had stepped down. Pursuant to the Rye Golf Commission's request, Mayor Cohn appointed Terrence McCartney to fill the unexpired term, ending December 31, 2020.

Councilman Stacks made a motion, seconded by Councilwoman Souza and unanimously carried, to approve the appointment.

12. Consideration of a request by the Rye Chamber of Commerce for the use of the southern end of the City's Car Park #2 on Sundays from May 12, 2019 through December 8, 2019 from 6:30 a.m. to 3:30 p.m. for the Rye Farmers' Market. Market hours are from 8:30 a.m. to 2 p.m.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to approve the request by the Rye Chamber of Commerce for the use of the southern end of the City's Car Park #2 on Sundays from May 12, 2019 through December 8, 2019 from 6:30 a.m. to 3:30 p.m. for the Rye Farmers' Market. Market hours are from 8:30 a.m. to 2:00 p.m.

13. Consideration of a request by the Rye Little League to approve a parade to kickoff Opening Day of the 62nd Little League Season on Saturday, April 6, 2019 beginning at 12:00 p.m.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd and unanimously carried, to approve a request by the Rye Little League to approve a parade to kickoff Opening Day of the 62nd Little League Season on Saturday, April 6, 2019 beginning at 12:00 p.m.

14. Consideration of a request from the Vita Family to have a food truck at their May 5, 2019 annual picnic at Rye Recreation. The City Council will have to waive § 144-8D and G of the City Code.

Councilman Mecca made a motion, seconded by Councilwoman Souza, to waive § 144-8(D) and (G) of the Rye City Code to accommodate a request from the Vita Family to have a food truck for their annual picnic at Rye Recreation on May 5, 2019.

ROLL CALL

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

15. Consideration of a request from the Stigliano Family to have a children’s “gaming truck” for child’s birthday party on Sunday, April 7, 2019. The City Council will have to waive § 144-8D and G of the City Code.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd, to waive § 144-8(D) and (G) of the Rye City Code to accommodate a request from the Stigliano Family to have a children’s “gaming truck” for child’s birthday party on Sunday, April 7, 2019.

ROLL CALL

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

17. Appointments to Boards and Commissions, by the Mayor with Council approval.

There was nothing discussed under this agenda item.

18. Miscellaneous communications and reports.

Councilman Mecca reported that the Planning Commission had recently heard “Round 2” of the request for a zoning change to allow physical fitness use in the central business district. Councilman Mecca explained that the first question facing the Commission is whether a physical fitness use is something that Rye would like to have more of. That determination is in the affirmative. The next question facing the Commission is regarding this specific proposal. At the most recent hearing, parking districts were considered. The Commission also looked at other business districts, such as B-4, B-5, and B-6 districts.

Councilwoman Goddard discussed the Food Scrap Recycling program, recently launched with the City and the Rye Sustainability Committee. She reported that the at-home recycling kits came in a few weeks ago. She said that there had been a kit assembly gathering including DPW staff, high school students, and Rye Sustainability members. The group put together 400 kits in 4-5 hours. Councilwoman Goddard also reported that Sustainability Committee has been active at DPW. She thanked the DPW staff for all of their help and support. Councilwoman Goddard extended a special thank you to Angie and Danny for sharing their space with the Committee over the last couple of weeks. She also invited those interested to register and pick up their kits. Curbside pickup will begin Wednesday, March 6, 2019 to the test group. Lastly, Councilwoman Goddard thanked the workers who have started to make improvements to City Hall.

Councilwoman Souza announced that as approved this evening, the RyeACT community event will be held on the Village Green on May 14, 2019. On behalf of Rye Recreation, she announced that the Food Truck Festival would be held Saturday, January 22, 2019.

The line-up so far includes:

- Gyro Uno Food Truck
- Hapa (Asian Style Food) (has gluten free options)
- Longfords Ice Cream

- M.O.C Eatery (has gluten free options)
- Melt Mobile - Grilled Cheese
- Sloppie Joe's Food Truck
- Walter's Hot Dogs
- Box Car Cantina

Councilwoman Souza that more trucks are to be announced. She also announced that summer camp (Kiddy Camp, Lower Camp, and Upper Camp) will be held July 2 to August 9, 2019. Camp 78 will be held July 1 to August 2, 2019. Camp registration is open for Kiddy Camp, with Camp 78 to follow on March 10, 2019, and Lower Camp/ Upper Camp to open on March 21, 2019. Further, Councilwoman Souza announced that the Carole D. Kirby Memorial Egg Hunt will be held Saturday, April 13, 2019, with line up by Recreation tennis courts at 10:30 a.m. The hunt will begin promptly at 11:00 a.m.

Councilman Stacks stated that the Finance Committee is up and engaged again for the New Year. The Committee so far has started looking at revenue opportunities. On behalf of the Rye Golf Club, annual dues are due on March 15, 2019.

Mayor Cohn announced that the County Executive was proposing a 1% sales tax increase. The City of Rye would share in 0.2% of that, estimated to be approximately \$800,000.

There was general discussion about raising sales tax, revenue, and other items.

19. Old Business/New Business.

Councilman Stacks said that he would like to have a broader discussion at some point about the salt vs. brine argument with regard to preparing for snow. City Manager Serrano said that staff would provide a memo.

There was general discussion regarding the issues surrounding salting the roads in preparation for a storm. Councilwoman Tagger-Epstein noted that Rye has significantly better conditions in a snow event than other communities due to DPW preparation.

20. Adjournment.

There being no further business to discuss, Councilwoman Souza made a motion, seconded by Councilman Mecca, to adjourn the meeting into executive session to discuss personnel and litigation matters of the City Council at 8:46 p.m.

Respectfully submitted,

Carolyn D'Andrea
City Clerk