

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cunningham, Cypher, Hutchings,
and Larr

NAYS: None

ABSENT: Councilman McKean

The resolution was adopted.

14. Discussion and instructions to staff regarding next steps for development of a management plan for the Friends Meeting House

The City Manager explained that the City had asked for proposals from community groups who might wish to be a “managing tenant” of the Friends Meeting House. She said that the City had received two proposals (from Empty Hand Zendo and KidsSPACE). She said proposals were judged based on meeting the City’s goals for use of the facility and identifying the specific economic feasibility of all elements of the proposal. She recommended that neither proposal be accepted at this time, primarily because both will limit public access to the building and grounds. Zendo is the most limited in this respect as they treat the Meeting House as a sanctuary. She urged the Council to authorize the City to be the managing tenant.

Marion Anderson from Kids’SPACE, spoke on behalf of their proposal saying that there is no more space for them in the schools; that they are very community-based and would like to be seriously considered. Victoria Sterling concurred, saying the Kindergarten program has the most critical need for space. Councilman Cypher said he would hate to see the proposal rejected out of hand, but is concerned about the size and condition of the site, especially for small children. Ms. Anderson said they had already spoken with an architect and with the State Family Agencies, but the Mayor and Councilman Hutchings both agreed with Councilman Cypher. The Mayor suggested the group look into using space at the Rye Town Park Pavilions that stand empty. The City Manager said she will keep both proposers in the loop.

15. Resolution authorizing the waiver of review by City advisory boards and commissions of the City’s plans for work at the City-owned Rye Nursery property

The City manager presented a resolution authorizing the waiver of review by City advisory boards and commissions of the City’s plans for work at the City-owned Rye Nursery property. She said it has been a consistent practice not to submit projects being undertaken or funded by the City and involving use of city-owned land for review and approval of the City’s boards and commissions, but she thought it would be wise to keep the Council apprised of the practice and formalize the procedure. She said all approvals required by local law, such as the Coastal Consistency permit, would be obtained. Councilman Hutching said he thought the resolution was fine especially as it was the intent of the Council to get the fields completed as soon as possible. Michael Klemens, Charlotte Street, expressed concerns, not so much that the plans for the fields were to move forward without being reviewed, but that the wetlands portion would not get proper scrutiny. He said the process needs to use the temporary committee already

set up and to keep the process open, especially for the wetlands portion. City Planner, Christian Miller said that the City intends to get all required approvals; that the LWRP is for the Council to approve with the advisory recommendation of the Planning Commission, and that the intent of the resolution was simply to seek direction from the Council. Mayor Otis said there was a history of public participation through collaborative committees on such projects as Whitby and the fire houses and that he would expect that the special committee, which was set up to advise on all aspects of the project, would continue to be involved. He proposed several changes to the resolution addressing Mr. Klemens' concerns.

Councilwoman Cunningham made a motion, seconded by Councilman Hutchings, to adopt the following resolution as amended:

WHEREAS, the New York State Constitution, Article IX, and the General City Law, Articles 2-A, 3 and 5-A, grant certain powers to the City of Rye, including, without limitation, power to regulate, manage and control its property and local affairs; and, the City of Rye has been granted all the rights, privileges and jurisdiction necessary for carrying such powers into execution; and

WHEREAS, the Charter of the City of Rye states in Article 3:

“The City shall have all the powers granted to cities under the Constitution and laws of this state as fully and completely as though they were specifically enumerated in this Charter.

“The powers of the city under this Charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power states in this Article.” and

WHEREAS, the City of Rye acting in accordance with the authorization granted by the State of New York has, as a matter of local choice and initiative, adopted local laws intended to prevent the depletion, despoliation or destruction of the natural resources of the City which exceed the mandated requirements of generally applicable State law; and

WHEREAS, as a matter of consistent practice the City has not previously submitted projects being undertaken or funded by the city and involving use of city-owned land for formal review and approval by City Boards and commissions in accordance with provisions of local laws which were not mandated or imposed by State law: and

WHEREAS, the City intends to take appropriate action necessary to provide recreation facilities upon City-owned property on Milton Road, commonly referred to as “the Rye Nursery site”, now, therefore be it

RESOLVED, that formal review and approval by City Boards and Commissions of the City's plans for use of the Rye Nursery site are, to the extent such review and approval is not mandated by the requirements of generally applicable State law, hereby waived, and be it further

RESOLVED, that nothing in this resolution changes the traditional advisory involvement that City Boards and Commissions play or the jurisdiction of the Fields/Wetlands Special Committee in designing the wetlands restoration on the site.

16. Acceptance of a Local Government Records Management Improvement Fund Grant from the State Archives and Records Administration in the amount of \$8,857 for microfilming former bids and contracts

Manager Novak explained that the Clerk's Office had been awarded a grant to microfilm former bids and contracts effective July 1, 2002, to be completed by June 30, 2003.

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr, to accept the following resolution:

WHEREAS, the City of Rye has been awarded a Local Government Records Management Improvement Fund grant in the amount of \$8,857 for the microfilming of bids and contracts; and

WHEREAS, the 2002 annual budget made no provision for either the estimated revenue or appropriation of these grant funds; now, therefore, be it

RESOLVED, that the City Council accepts the award of this grant; and be it further

RESOLVED, that the City Comptroller be authorized to amend the 2002 annual budget as follows:

Increase the General Fund Records Management estimated revenues for State Aide Records Management in the amount of \$8,857.

Increase the General Fund Records Management appropriations for Microfilming/Imaging Services in the amount of \$8,857.

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cunningham, Cypher, Hutchings, and Larr

NAYS: None

ABSENT: Councilman McKean

The resolution passed.