

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, December 19, 2012, at 8:00 p.m. in Council Chambers at City Hall. *The Council will convene at 7:00 p.m. and it is expected they will adjourn into Executive Session at 7:01 p.m. to discuss personnel issues.*

AGENDA

1. Pledge of Allegiance
2. Roll Call
3. General Announcements.
4. Draft unapproved minutes of the Regular Meeting of the City Council held December 5, 2012.
5. Mayor's Management Report
 - Safe Routes to School Update
 - Legal Update
6. Continuation of the Public hearing on the proposed 2013 Budget.
7. Resolution to adopt the 2013 Budget and establish the 2013 tax levy and 2013 tax rate.
Roll Call.
8. Resolution to transfer additional funds from the Contingency account to fund legal services for a Council investigation pursuant to Article 6, Section C6-3 of the City Charter entitled "Investigations".
Roll Call.
9. Resolution by Rye City Mayor and Council to support the Westchester County and Sustainable Playland Inc. agreement.
10. Resolution authorizing the City Comptroller to make the necessary year-end closing transfers.
Roll Call.
11. Resolution to authorize participation in Westchester County contracts.
Roll Call.
12. Resolution authorizing the Mayor to execute an agreement with the Rye Free Reading Room to furnish library services for 2013.
Roll Call.
13. Resolution designating the days and time of regular meetings of the City Council for 2013 setting January 9, 2013 as the first regular meeting.

14. Authorization to procure legal representation for the City of Rye in the appeal of *Carroll v. City of Rye* in the Appellate Division, Second Department.
Roll Call.
15. Residents may be heard on matters for Council consideration that do not appear on the agenda.
16. Consideration of Bid for the Police contract for uniforms (Contract #2-12).
Roll Call.
17. Bid Award for the City Hall Playback Server (Bid #2012-03).
Roll Call.
18. Acceptance of donation to the Rye Police Department of graphics design and installation services from Creative Image Design, Inc. valued in the amount of seven hundred fifty (\$750.00) dollars.
Roll Call.
19. Miscellaneous communications and reports.
20. Old Business.
21. New Business.
22. Adjournment.

The next regular meeting of the City Council will be held on Wednesday, January 9, 2013 at 8:00 p.m.

** City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at www.ryeny.gov under "RyeTV Live".

* Office Hours of the Mayor by appointment by emailing dfrench@ryeny.gov.



CITY COUNCIL AGENDA

NO. 4

DEPT.: City Clerk

DATE: December 19, 2012

CONTACT: Dawn Nodarse

AGENDA ITEM Draft unapproved minutes of the Regular Meeting of the City Council held December 5, 2012, as attached.

FOR THE MEETING OF:

December 19, 2012

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Approve the minutes of the Regular Meeting of the City Council held December 5, 2012, as attached.

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on December 5, 2012 at 8:00
P.M.

PRESENT:

DOUGLAS FRENCH Mayor
LAURA BRETT
RICHARD FILIPPI
JULIE KILLIAN
CATHERINE F. PARKER
JOSEPH A. SACK
Councilmembers

ABSENT: PETER JOVANOVIICH

The Council convened at 7:00 p.m. Mayor French made a motion, seconded by Councilwoman Brett and unanimously carried to immediately adjourn into executive session to discuss personnel issues. Councilman Sack made a motion, seconded by Councilwoman Killian and unanimously carried, to adjourn the executive session at 8:46 p.m. The regular meeting convened at 8:50 p.m.

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements

Mayor French announced that the City Council investigation into the Rye Golf Club is continuing and the situation is very serious. He added that the Council will update the public as soon as possible.

4. Draft unapproved minutes of the Budget Workshop held November 26, 2012 and the Regular Meeting/Budget Workshop of the City Council held November 28, 2012

Councilman Filippi made a motion, seconded by Councilwoman Parker and unanimously carried, to approve the minutes of the Budget Workshop of the City Council held on November 26, 2012, as submitted.

Councilman Filippi made a motion, seconded by Councilwoman Parker and unanimously carried, to approve the minutes of the Regular Meeting/Budget Workshop of the City Council held on November 28, 2012, as submitted.

5. Mayor's Management Report
• Legal Update

Corporation Counsel Wilson updated the Council on the following matter:

Panetta v. Planning Commission: This is a hybrid Article 78/Declaratory Judgment Action. The City was successful in dismissing the petition for the Article 78 portion, which is currently being appealed by the petitioner. The Declaratory Judgment action was severed from the Article 78 action and is in the discovery phase. Depositions will take place next week.

6. Presentation of the Citizen's Budget: 4-year Financial Plan

Mayor French said the City has asked the Finance Committee (the "Committee") to look at four-year trends in the costs of the retirement system and health care and other costs that municipalities face. Warren Keegan and Paula Schaefer Co-Chairs of the Committee presented.

Ms. Schaefer first presented the Citizen's Budget Report, which is a streamlined version of the proposed 2013 budget that is prepared by City staff at the Committee's request. She offered the following overview:

- The 2013 tax rate currently proposed is \$149.39 per \$1,000 of assessed valuation or a 3.03% increase over the 2012 rate. The annual tax increase for a median assessed house would be \$96.51.
- The revenues budgeted for 2013 are budgeted to be \$30.9 million, up \$1 million from 2012 or 3.3%.
- Expenditures are budgeted at \$31.7 million, up \$1.7 million from 2012 or 5.3%.
- There is a planned use of Fund Balance of approximately \$800,000. The projected year end 2013 Unassigned Fund Balance is \$4.3 million, representing 13.7% of expenditures, which is higher than the 5% requirement.

Ms. Schaefer next presented the four-year projection. The Committee started with a line item review of the 2013 Budget, which is used as the basis for the four-year projection. The 2013 Budget assumes an increase in taxes of 3.03% and stays within the 2% tax cap. Expenditures exceed revenues by approximately \$800,000. A set of assumptions was developed through 2016 regarding items such as assessed values; property tax increases; revenues; rental payments; salaries; staffing costs; employee benefits and required contributions; debt service; and capital projects. By 2016 the annual budget deficit is projected to be \$2.3 million with Fund Balance falling to about \$4 million. The four-year projections assume that the tax cap is

respected; there are no significant changes to services or the way they are delivered; and, New York State continues to mandate payments for retiree benefits.

Mr. Keegan spoke about initiatives studied by the Committee to address the projected budget deficit, including changes to service delivery and/or appropriate service levels. They have also looked into Police and Fire; retirement and health care benefits; sanitation; Rye Town Park; sale of assets; and recreation. The goal of the Committee is to provide objective fact-based evidence about alternatives for the City that includes the delivery of services and the restoration of capital investment projects.

7. Mayor and Council amendments to the proposed 2013 City of Rye Budget
Roll Call.

The Council discussed proposals put forth for changing the proposed 2013 Budget that included increasing revenue projections for sales tax and building permits; decreasing proposed expenses for Fire overtime and engineering work; increasing funding to the library; and funding two additional crossing guards. There were also discussions about mortgage tax revenues and parking revenues. It was suggested that the Council hold a workshop on parking.

Mayor French made a motion, seconded by Councilman Filippi, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby adopts the following changes to the proposed 2013 Budget:

Increase sales tax revenues by \$25,000;
Increase Building Permit revenues by \$40,000;
Decrease Fire Department administrative overtime by \$5,000;
Decrease Engineering Contract expenses by \$25,000;
Decrease the Police Materials and Supplies budget by \$20,000;
Increase funding to the Rye Free Reading Room by \$30,000;
Increase funding for crossing guards by \$20,000.

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Killian, Parker and Sack
NAYS: None
ABSENT: Councilman Jovanovich

The Resolution was adopted by a 6-0 vote.

The adopted changes will reduce the proposed tax rate increase from 3.03% to 2.7%.

8. Public hearing on the proposed 2013 Budget

Councilman Filippi made a motion, seconded by Councilwoman Parker and unanimously carried, to open the public hearing on the proposed 2013 Budget.

The only members of the public wishing to speak on the proposed 2013 Budget were *Bob Zahm*, 7 Ridgewood Drive and *Jim Amico*, 350 Midland Avenue. Mr. Zahm spoke about pushing out the issuance of the bonds from the recently approved bond referenda, and increasing Golf Club dues vs. continuing the food minimum. Mr. Amico spoke about the two additional crossing guards the Council had voted to fund and where they would be assigned, and the workings of the Police Department.

The public hearing was kept open.

9. Public Hearing to adopt a Local Law to override the State enacted tax levy limitation

Mayor French said the proposed local law would enable the City to override the tax cap if necessary and is an action recommended by the New York Conference of Mayors. He added that the City had not adopted the legislation last year. City Manager Pickup said that the 2013 proposed Budget is under the levy cap and there would be no specific need to adopt the legislation unless the Council wanted to add to the proposed budget.

Mayor French made a motion, seconded by Councilman Filippi and unanimously carried to open the public hearing on a Local Law to override the State enacted tax levy limitation.

There was no one from the public who wished to speak on the proposed local law.

Mayor French made a motion, seconded by Councilwoman Brett and unanimously carried to close the public hearing.

No vote was taken on the proposed local law.

10. Authorization for Richard T. Blancato, Esq. to represent the City of Rye in an appeal *Carroll v. City of Rye* in the Appellate Division, Second Department
Roll Call.

Corporation Counsel Wilson reported on the decision rendered by Judge LaCava in the matter *Carroll v. City of Rye* that she said should be appealed for several reasons. There was a discussion among the Council on whether the Council should vote at this meeting on authorizing Richard Blancato, Esq. to represent the City in an appeal or defer that decision and simply vote to file a Notice of Appeal.

Councilman Filippi made a motion, seconded by Mayor French, to adopt the following Resolution:

RESOLVED, that the City Council of the City

of Rye, hereby authorizes the Corporation Counsel to file a Notice of Appeal in the Appellate Division, Second Department in connection with the matter *Carroll v. City of Rye*.

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Killian, Parker and Sack
NAYS: None
ABSENT: Councilman Jovanovich

The Resolution was adopted by a 6-0 vote.

11. Residents may be heard on matters for Council consideration that do not appear on the agenda

Bob Zahm, 7 Ridgewood Drive said that the hanging “No Left Turn” sign at the intersection of Elm Place and Purchase Street was gone and asked that it be replaced with something more visible.

12. Consideration of Bid for Curbside Recycling Collection Services
Roll Call.

City Manager Pickup said that because there were some issues with the bid, the recommendation is that the Council reject the current bids in order for the specs to be reworked and the contract rebid.

Councilwoman Brett made a motion, seconded by Councilman Filippi, to adopt the following Resolution:

RESOLVED that all bids submitted for Contract #1012-04 for Curbside Recycling Collection Services be rejected.

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Killian, Parker and Sack
NAYS: None
ABSENT: Councilman Jovanovich

The Resolution was adopted by a 6-0 vote.

13. Miscellaneous Communications and Reports

Councilwoman Parker discussed the following matters:

- Police presence in the downtown since the Village Officer is out with an injury.
- Putting the creation of a downtown Historic District on an upcoming agenda.
- Clean up of the beach at Rye Town Park - why it is taking so long, and the proposed dissolution of the Town of Rye
- A proposal before the Rye Brook Planning Board for a skating facility and how it might affect the Ice Casino at Playland.
- Asking Standard Amusements to present their amended proposal for Playland at a City Council meeting.
- The current proposal for the United Hospital property.

Mayor French reported on a meeting of a Residents Committee discussing Emergency Preparedness Planning. Topics discussed included having standard information centers that people know they can go to; block captains from neighborhoods who come to City Hall or the Police Station for information; and using technology.

14. Old Business

Councilwoman Brett asked for an update on the Sluice Gate. City Manager Pickup said that final approvals have been received on the site plan change for the electric. The installation of the actuators can be finished and testing can begin.

Councilman Filippi asked for an update on the Central Avenue Bridge. City Manager Pickup said there are shop drawing issues that are being worked out with the contractor before the crew will be on site. Work will be done through the winter. Mr. Filippi noted that there was also cleanup work that remained to be done on Blind Brook from the hurricane.

Councilwoman Killian asked for an update on the “Black Bass Grill” property. Corporation Counsel Wilson said that the owners have received all of the necessary approvals and it is just a matter of when they start the work. Ms. Killian also said she had met the head of Con Edison’s Public Affairs Department and was happy to hear that they were coming to meet with the City Manager and Police Commissioner.

Councilman Sack asked about the appointment for the newly created position of Fire Lt/Fire Inspector and why the appointment was posted prior to the Council and Board of Wardens being informed. City Manager Pickup said that two members of the Board Fire Wardens were involved in the process of choosing the candidate, but they were not able to schedule a meeting to report it to the others. Mr. Pickup said that no formal announcement has been made yet.

15. New Business

There was nothing discussed under this Agenda topic.

16. Adjournment

There being no further business to discuss Councilman Filippi made a motion, seconded by Councilwoman Brett and unanimously carried, to adjourn the meeting at 10:50 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: December 19, 2012

CONTACT: Mayor Douglas French

AGENDA ITEM: Mayor's Management Report

FOR THE MEETING OF:

December 19, 2012

RYE CITY CODE,

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RECOMMENDATION: That the City Manager provide a report on requested topics.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Mayor has requested an update from the City Manager on the following:

- Safe Routes to School Update
- Legal Update



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Manager's Office

DATE: December 19, 2012

CONTACT: Scott D. Pickup, City Manager

ACTION: Continuation of the Public hearing on the proposed 2013 City Budget.

FOR THE MEETING OF:

December 19, 2012

**RYE CITY CODE,
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RECOMMENDATION: That the Mayor and the Council conduct the public hearing on the proposed 2013 Rye City Budget.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The City Manager presented the budget on November 14th. The Council held Workshops on November 26th and 28th. The Public Hearing was opened on December 5th.

The proposed 2013 Budget is available on the City website www.ryeny.gov under City News: 2013 Tentative Budget.

The Budget adoption is scheduled for December 19, 2012.



CITY COUNCIL AGENDA

NO. 7

DEPT.: Finance

DATE: December 19, 2012

CONTACT: Joseph Fazzino, Acting City Comptroller

AGENDA ITEM: Resolution to adopt the 2013 Budget and establish the 2013 City tax levy and 2013 tax rate.

FOR THE MEETING OF:
December 19, 2012

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, on November 14, 2012 the 2013 Tentative Budget was presented to the City Council, and,

WHEREAS, since November 14, 2012 the City Council has discussed possible amendments to the 2013 Tentative Budget, now, therefore be it

RESOLVED, that the tentative budgets and fee schedules as amended for the General Fund, Cable TV Special Revenue Fund, K.T. Woods Permanent Fund, Debt Service Fund, Capital Projects Fund, Boat Basin Enterprise Fund, Golf Club Enterprise Fund, Risk Retention Internal Service Fund and Building and Vehicle Maintenance Internal Service Fund, are hereby adopted for the fiscal year ending December 31, 2013, and be it further

RESOLVED, that the City Council does hereby certify to the City Comptroller the 2013 City of Rye tax rate of \$148.91 per \$1,000 taxable assessed valuation and the 2013 City of Rye tax levy of \$20,563,240 and be it further

RESOLVED, that the City Council does hereby direct the City Comptroller to apportion and extend against each taxable property listed upon the assessment roll at the tax rate certified in this resolution to produce the tax levy certified in this resolution, and to render tax notices for, and receive and collect, the several sums so computed and determined, with interest as provided by law, and any special assessments heretofore authorized and approved.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: On November 14, 2012 the City Manager and City Comptroller presented the 2013 Tentative Budget to the City Council. The tentative budget has since been reviewed and amended by resolutions adopted by City Council at public meetings. The above resolution provides for the adoption of the 2013 Budget.



CITY COUNCIL AGENDA

NO. 8

DEPT.: Finance

DATE: December 19, 2012

CONTACT: Joseph S. Fazzino, Acting City Comptroller

AGENDA ITEM: Resolution to transfer additional funds from the Contingency account to fund legal services for a Council investigation pursuant to Article 6, Section C6-3 of the City Charter entitled "Investigations".

FOR THE MEETING OF:
December 19, 2012

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, City staff has determined that the amounts required for the cost of legal services in connection with the investigation into the Rye Golf Club were not anticipated and were not provided for in the adopted 2012 budget by \$106,000, and,

WHEREAS, the General Fund Contingent Account has a balance of \$175,000, now therefore be it

RESOLVED, that the City Comptroller is authorized to transfer \$106,000 from the General Fund Contingent Account to the City Council Legal Services Account.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Use and status of the Contingent Account in 2012:

01/01/2012 Beginning balance	\$300,000
04/04/2012 Transfer to Engineering for staff positions	(70,000)
07/11/2012 Transfer to Code Maintenance Services Account	(25,000)
10/18/2012 Transfer to City Council Legal Services Account	(30,000)
12/19/2012 Transfer to City Council Legal Services Account	<u>(106,000)</u>
12/19/2012 Balance	<u>\$ 69,000</u>



CITY COUNCIL AGENDA

NO. 9 DEPT.: City Manager's Office DATE: December 19, 2012
CONTACT: Scott D. Pickup, City Manager

AGENDA ITEM: Resolution by Rye City Mayor and Council to support the Westchester County and Sustainable Playland agreement.

FOR THE MEETING OF:
December 19, 2012
RYE CITY CODE,
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RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: An agreement was signed on October 11, 2012 between Westchester County and Sustainable Playland Inc. for *Reinventing Playland for the 21st Century*. Under the proposed 10-year management agreement, Westchester County will receive an upfront payment of \$4 million from the not-for-profit group, as well as a minimum payment of \$1.2 million a year. Sustainable Playland Inc. will invest \$34 million in capital improvements at the park. Westchester County will continue to own the land during the ten-year management agreement.

The attached resolution by Rye City Mayor and Council is in support of this agreement.

RYE CITY COUNCIL RESOLUTION IN SUPPORT OF THE WESTCHESTER COUNTY AND SUSTAINABLE PLAYLAND INC. AGREEMENT

WHEREAS, the Mayor and Council of City of Rye established the Playland Strategic Planning Working Group in 2010 to present findings representative of issues of concern for Rye and Westchester County residents in response to the pending issuance of a request for proposal (RFP) from Westchester County to "Reinvent Playland for the 21st Century."

WHEREAS, the working group after months of review, public forums and informal and formal input from local and County residents presented a list of core principles that reflected a vision for the park's future.

WHEREAS, the core principles were eventually incorporated in large part in Westchester County's RFP so that proposed uses should be consistent with those values.

WHEREAS, the values (in the attached resolution) included the need to keep for public use, access to open space, Long Island Sound and facilities; to be sensitive to environmental considerations, to preserve the park's historical importance; to ensure financial sustainability, to comply with the City's laws and regulations, and to incorporate the Westchester Children's Museum proposal.

WHEREAS, the Mayor and 3 of the 4 Council members who were serving at the time adopted the measure in support of these values and are currently on the Council.

WHEREAS, resident feedback has been extremely positive since the announcement of the letter of intent signed between Westchester County and Sustainable Playland Inc.

WHEREAS, upon signing a letter of intent with the County of Westchester, members of Sustainable Playland Inc. came before the Rye City Council and pledged to be sensitive to the needs of the City and surrounding neighborhoods in the development and site planning process.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Rye City Council support the proposal put forth by Sustainable Playland Inc. and the opportunities it brings to Rye and Westchester residents by protecting and enhancing the qualities that make Playland a special place.

AND, FURTHER BE IT RESOLVED, that the Mayor and Council encourage Westchester County to finalize its agreement with Sustainable Playland Inc. so that the process of reinventing Playland for its future, as referenced in the RFP, can begin.



CITY OF RYE

CITY HALL • RYE, NEW YORK 10580

TELEPHONE (914) 967-5400

RYE CITY COUNCIL RESOLUTION REGARDING THE CITY'S PRIMARY PRINCIPLES AND VALUES TO BE APPLIED DURING WESTCHESTER COUNTY'S REVIEW OF PROPOSALS SUBMITTED IN RESPONSE TO THE REQUEST FOR PROPOSAL ENTITLED "REINVENTING PLAYLAND PARK FOR THE 21ST CENTURY"

WHEREAS, in anticipation of Westchester County issuing a "Request for Proposal" (RFP) about Playland, the Rye City Council (the "City Council") appointed a Playland Strategic Planning Working Group in 2010. Soon thereafter, Westchester County issued the RFP entitled "Reinventing Playland Park for the 21st Century. "

WHEREAS, through the fall of 2010 and the beginning of 2011, the Playland Strategic Planning Working Group met on a regular basis to educate themselves on the issues concerning Rye, our residents and Westchester County. These public meetings plus community forums, a tour of the park and a significant amount of formal and informal input from our residents have allowed us to present the following findings.

WHEREAS, the County's RFP does not reflect any particular vision for Playland and invites responses to supply such a vision, the Rye Playland Strategic Planning Working Group has sought to identify principles and values it believes should be applied to evaluate responses to the request for proposal.

NOW, THEREFORE, BE IT RESOLVED, that based on the Playland Strategic Planning Working Group's findings, the City Council adopts the following principles:

1. Playland is first and foremost a public resource for the use and enjoyment of all residents of Rye and Westchester County. Any proposed use of the Playland site should be consistent with insuring public use of and access to open space, Long Island Sound and facilities.

There is wide scope for enhancing existing facilities and open space and increasing access to them. These opportunities range from such simple

measures as ensuring walks are open more frequently to more substantial but not new undertakings such as enhancing the aquatic facilities

New uses such as augmented concert, sports or other facilities may also be proposed and, if so, should also be assessed in the same light. While private enterprise may have a role in any proposed use of Playland, the role should nevertheless be consistent with preserving and enhancing open space available to all.

2. Any use of the Playland site must be sensitive to environmental considerations and sustainability, including the integrity of the Edith Read Sanctuary, Playland Lake and the waters of Long Island Sound. Playland's fragile natural site requires any proposed use be carefully examined for adverse impact. Sewage, solid waste, noise and visual pollution are vital considerations as are congestion and energy efficiency. Any future use of Playland should emphasize the improvement of the environmental impact to the site.
3. A substantial portion of Playland has been designated a National Historic Landmark. This is the highest level of national historic designation and reflects Playland's unique historical importance. While adaptive uses of existing facilities or changes, removal or replacement of structures which are not national historic landmarks could be considered, any of these should be consistent with the historic heart of Playland.
4. Any proposal affecting the Playland site must be examined to insure it is both financially responsible and sustainable. Demonstrated financial viability over the long term is an essential criterion in evaluating any proposal. However, public parks rarely are profitable in a commercial sense, and an appropriate proposed use could well contemplate a sustainable level of public expenditure to maintain the existing or a re-envisioned Playland and supporting infrastructure. Proposed uses consistent with the principles set forth above that present opportunities to reduce these costs or the portion of them borne by the public should be given careful consideration.
5. Rye has a long established designated zoning policy which reflects a careful balancing of many considerations. This policy insures the interests of affected neighborhoods and the community at large is given appropriate consideration.

Any proposal affecting Playland should comply with existing Rye ordinances. New structures or uses should be on a scale including height and mass and in a style consistent with, or complimentary of, Playland's site, neighborhood and access.

Roll call vote:



CITY COUNCIL AGENDA

NO. 10 DEPT.: Finance DATE: December 19, 2012
CONTACT: Joseph Fazzino, Acting City Comptroller

AGENDA ITEM: Resolution authorizing the City Comptroller to make the necessary year-end closing transfers.

FOR THE MEETING OF:
December 19, 2012
RYE CITY CODE,
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RECOMMENDATION: That the City Council adopt the following resolution:

RESOLVED, that the City Comptroller is hereby authorized to make the necessary 2012 fiscal year-end budget transfers in City accounts, provided a list of such transfers is furnished to the City Council after completion of such transfers.

IMPACT: Environmental Fiscal Neighborhood Other: Cost savings through operational efficiency

BACKGROUND: While at the fund level total actual expenditures do not exceed the total budgeted amount, there may be several detailed budget lines that show various over and under expended amounts. This resolution authorizes the City Comptroller to make the necessary year-end budget adjustments to ensure that the line item budgets are properly allocated.



CITY COUNCIL AGENDA

NO. 11

DEPT.: Finance

DATE: December 19, 2012

CONTACT: Joseph Fazzino, Acting City Comptroller

AGENDA ITEM: Resolution to authorize participation in Westchester County contracts.

FOR THE MEETING OF:
December 19, 2012

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, by Act No. 8-1983, The County Board of Legislators authorized the County Purchasing Agent to act as Purchasing Agent for any city, town, village, school district or other unit of local government within the County of Westchester County, provided that said unit of local government by act, ordinance or resolution authorizes the County Purchasing Agent to act as its Purchasing Agent for items purchased by the County, and empowering designated officers and employees to sign requisitions, and further directing the proper official of local government to audit and pay County bills for the cost of County services within thirty (30) days after the receipt of said bill by the local government, and to provide the County with such insurance coverage as may be required by the County's Director of Risk Management, NOW, THEREFORE, be it

RESOLVED, that the County Purchasing Agent is hereby authorized to act as Purchasing Agent for the City of Rye, New York on a continuing basis, and be it further

RESOLVED, that the City Manager, the Assistant City Manager, the City Comptroller, and/or the City Engineer are hereby authorized to sign appropriate requisitions, and be it further

RESOLVED, that the City Comptroller is hereby authorized and directed to audit and pay County bills for the cost of County services within thirty (30) days after receipt of said bills, and be it further

RESOLVED, that the City Comptroller is hereby authorized to secure and provide to the County of Westchester any and all insurance required by the County's Director of Risk Management, in Accordance with County Act No. 8-1983.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The City of Rye participates in contracts awarded by the County of Westchester. The County of Westchester requires a resolution of our governing board for our continued participation in County purchase contracts.



CITY COUNCIL AGENDA

NO. 12 DEPT.: City Manager's Office DATE: December 19, 2012
CONTACT: Scott D. Pickup, City Manager

AGENDA ITEM: Resolution authorizing the Mayor to enter into an agreement with the Rye Free Reading Room to furnish library services for 2013.

FOR THE MEETING OF:
December 19, 2012
RYE CITY CODE,
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RECOMMENDATION: That the City Council approve the following resolution:
RESOLVED, that the Mayor be and hereby is authorized to execute an agreement with the Rye Free Reading Room to furnish library services for 2013.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Each year the City of Rye financially supports the operations of the Rye Free Reading Room (RFRR). In FY 2012, the contribution was in the amount of \$1,080,000. The attached agreement includes an appropriation of \$1,110,000. The agreement stipulates the specific rights and obligations of both parties, pursuant to section 256 of the Education Law of the State of New York.

THIS AGREEMENT, made as of the ____ day of January, 2013, by and between the CITY OF RYE, a municipal corporation located within the County of Westchester and State of New York, party of the first part, and RYE FREE READING ROOM, a free library association duly registered by the Regents of the University of the State of New York at a meeting thereof on January 24-25, 1917, and maintaining a free library in the City of Rye, County of Westchester and State of New York, party of the second part:

WITNESSETH, that the parties hereto, pursuant to section 256 of the Education Law of the State of New York, do hereby mutually covenant and agree as follows:

1. The party of the second part does hereby agree to furnish library privileges to the people of the City of Rye, under reasonable rules and regulations of the party of the second part, during the terms of this agreement.

2. The party of the second part does hereby agree that the Rye Free Reading Room will offer service to the public a minimum of 41 hours in the winter and 41 hours in the summer. The Library will make all best efforts to ensure that within its hours of operation that Saturday is open. **In addition, the Rye Free Reading Room will guarantee that they will be open for “special events” as they occur throughout the year.**

3. The party of the second part does hereby agree to submit to the City of Rye a financial report within two months of the close of its fiscal year and to provide copies of an annual narrative report prepared for association members. Copies of all audit reports prepared by independent audit firms or the State of New York will be filed, within 30 days of receipt, with the City Comptroller and the City Council's Audit Committee.

4. In consideration of the foregoing the party of the first part does hereby agree to pay the sum of One Million One Hundred Ten Thousand Dollars (\$1,110,000) to the party of the second part during the calendar year: Five Hundred Fifty Five Thousand Dollars (\$555,000) to be paid in January, and Five Hundred Fifty Five Thousand Dollars (\$555,000) to be paid in July.

5. Pursuant to said statute, such total sum shall be a charge upon the City of Rye and shall be raised, appropriated and paid in the same manner as other City charges.

6. If the capital improvements that were part of the 2012 bond resolution are installed in 2013, the Rye Free Reading Room will be responsible for all maintenance and repair costs of same.

7. This agreement shall be effective and continue for the calendar year 2013.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement as of the day and year first above written.

CITY OF RYE

By _____
Mayor

RYE FREE READING ROOM

By _____
President

Attest:

City Clerk



CITY COUNCIL AGENDA

NO. 13

DEPT.: City Manager's Office

DATE: December 19, 2012

CONTACT: Scott D. Pickup, City Manager

AGENDA ITEM: Resolution designating the days and time of regular meetings of the City Council for 2013 setting January 9, 2013 as the first regular meeting.

FOR THE MEETING OF:

December 19, 2012

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Mayor and City Council schedule the 2013 meeting dates.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Rye City Charter stipulates that the City Council meet within the first two weeks of January in each year and shall hold stated meetings at least twice a month, except for the months of June through September when only one stated meeting per month need be held.

See attached schedule for regular meetings of the City Council for 2013.

**CITY OF RYE
CITY COUNCIL
MEETING SCHEDULE 2013**

MEETINGS BEGIN 8:00 P.M. AT CITY HALL

January 9
January 23

February 13
February 27

March 6
March 20

April 3
April 17

May 8
May 22

June 12

July 10

August 7 - including Presentation of the CIP

September 11

October 9
October 23

November 6 - including Presentation of the Budget
November 20

December 4
December 18

2013

January						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

 Council Meeting Dates
 February 18-22 School Mid-Winter Recess
 March 25-29 School Spring Break
 November 5 Election Day



CITY COUNCIL AGENDA

NO. 14

DEPT.: City Manager

DATE: December 19, 2012

CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Authorization to procure legal representation for the City of Rye in the appeal of *Carroll v. City of Rye* in the Appellate Division, Second Department.

FOR THE MEETING OF:

December 19, 2012

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council authorize legal representation for the City's interests in the appeal of *Carroll v. City of Rye*.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: An Article 7 Tax Certiorari proceeding against the City of Rye was commenced by Edward Carroll who is challenging the assessed value of his property. The recent decision by Judge LaCava reduces the assessed value of the property by 45% for years 2003 through 2011 which results in a value significantly below the true market value of the property and is not supported by the evidence in the record. For this reason City Assessor Noreen Whitty and Corporation Counsel Kristen K. Wilson recommend that the City appeal this decision. The appeal will be heard by the Appellate Division, Second Department.

Proposals have been solicited from the following:

Richard Blancato, Esq. (solo practitioner) – \$10,000 for entire appeal

Ansa Annsucaao, LLP - Partners: \$295, Stefanie A. Bashar: \$275, Junior Associates: \$225-\$245
Paralegals: \$135. Brief preparation (120 hours); oral argument (15-20 hours)

Frances Marinelli, Esq. (of counsel to Joseph Maria, P.C.) - \$215/hour and an estimate of 30-35 hours for brief (\$6,400-\$7,500) and approximately 5-10 hours (\$1,100-2,100) for oral argument.



CITY COUNCIL AGENDA

NO. 16

DEPT: Police Department

December 19, 2012

CONTACT: William R. Connors, Police Commissioner

ACTION: Consideration of Bid for the Police contract for uniforms (Contract #2-12).

FOR THE MEETING OF:

December 19, 2012

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the request to go out to re-bid the contract for Police Uniforms (Contract #2-12) with certain clarifications.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The bid opening for Contract #2-12 took place on December 13, 2012. No bids were submitted. Additionally, since the bid was noticed, one uniform company was taken over by another and has changed the "brand/label" of the uniforms as outlined in the original bid. Due to this and the opportunity to further clarify the bid, Police Commissioner William R. Connors recommends that the contract be re-bid with certain clarifications.



CITY COUNCIL AGENDA

NO. 17 DEPT.: Rye Cable Television DATE: December 19, 2012
CONTACT: Nicole Levitsky, Access Coordinator

<p>AGENDA ITEM: Bid Award for the City Hall Playback Server (Bid # 3-12).</p>	<p>FOR THE MEETING OF: December 19, 2012 RYE CITY CODE, CHAPTER SECTION</p>
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RECOMMENDATION: That Bid #3-12 be awarded to HB Communications for a playback server for use in the studio at Rye City Hall in the amount of \$16,075.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: RyeTV Access Coordinator Nicole Levitsky has reviewed the bid for a playback server and recommends that the bid be awarded to HB Communications which met all bid requirements. The new equipment will be a replacement of the playback server for the studio at City Hall which has been experiencing technical difficulties. The bid includes the equipment and installation. HB Communications has done quality work for the RyeTV in the past.

See attached.

CITY OF RYE
MEMORANDUM

TO: Scott Pickup, City Manager

FROM: Nicole Levitsky, TV Access Coordinator

DATE: December 3, 2012

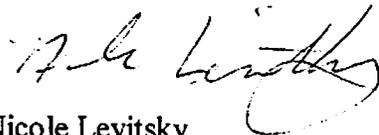
SUBJECT: Bid Recommendation for Bid # 3-12: City Hall Playback Server

I have checked the bid received for the above referenced bid. A copy of the bid result is attached for your convenience.

We had only one bidder on this item. The company HB Communications has done work for RyeTV in the past. They have completed past projects on time and with quality work.

I therefore recommend that the bid be awarded to the sole bidder, which met all bid requirements, HB Communications, Inc. in the amount of \$16,075.

Sincerely,



Nicole Levitsky
TV Access Coordinator

OK.
SAP



CITY COUNCIL AGENDA

NO. 18

DEPT.: Police Department

DATE: December 19, 2012

CONTACT: William R. Connors, Police Commissioner

AGENDA ITEM: Acceptance of donation to the Rye Police Department of graphics design and installation services from Creative Image Design, Inc. valued in the amount of seven hundred fifty (\$750.00) dollars.

FOR THE MEETING OF:

December 19, 2012

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council adopt the following resolution:

Whereas, Creative Image Design, Inc. desires to donate graphic design services valued in the amount of seven hundred fifty (\$750.00) dollars to the Rye Police Department; and

Whereas, the services will be used to install lettering and graphics on one of the HUMVEEs recently acquired by the Rye Police Department; now, therefore be it

Resolved, that the City Council of the City of Rye accepts the aforementioned donation; and be it further

Resolved that the Police Commissioner is authorized to schedule the installation of the graphic design services with Creative Image Design, Inc.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Mr. Tom Giampa of Creative Design, Inc., by letter dated October 17, 2012, advised the Police Department that they would like to donate graphic design services valued in the amount of \$750.00. The Police Commissioner recommends acceptance of this donation.



William R. Connors
Police Commissioner

POLICE DEPARTMENT

City of Rye, New York

21 McCullough Place

Rye, N. Y. 10580

Phone: (914) 967-1234

FAX: (914) 967-8341



November 30, 2012

Memorandum for: Scott D. Pickup, City Manager

Subject: **PROPOSED DONATION BY CREATIVE IMAGE DESIGN –
VEHICLE GRAPHICS**

Attached is a letter from Mr. Tom Giampa of Creative Image Design, Inc., 422 North Main Street, Suite 5, Port Chester, New York 10573 offering to donate the design and installation of lettering and graphics on one of the Department's recently acquired HUMVEEs. As you know, the Department recently acquired possession of several military surplus HUMVEEs at no cost through the Department of Defense Law Enforcement Support Office to be used for severe weather operations. The vehicles were shown to be of enormous value during Hurricane Sandy. Mr. Giampa has offered to design and install graphics similar to the Department's current color scheme to identify the HUMVEEs as police vehicles; the value of this donation is approximately seven hundred fifty dollars (\$750.00). The company is willing to install markings on additional HUMVEES for the cost of the vinyl material, approximately \$375.00. It is our intention at this time to mark one vehicle; additional vehicles will be considered based on the availability of donations and other funding sources.

I recommend acceptance of this donation, which will enable the Department to identify a special service vehicle at no cost to the City. Upon acceptance, I will forward a letter of appreciation to Mr. Giampa.

Submitted for your consideration.

WRC/wrc

William R. Connors
Police Commissioner



Hummers

Tom Giampia <tom@cidsignage.com>
To: mgomez35@gmail.com

Wed, Oct 17, 2012 at 1:34 PM

Hi Mo,

Here are layouts for the truck we looked at today.

To cut and install the vinyl as shown would normally cost \$725.00.

We will donate the first truck, but would need to charge for the materials (\$375.00) for the other trucks. We will still donate our labor and install on the other trucks.

Let me know when the paint is done, and I'll schedule the install.

Tom



 Rye PD Hummers.pdf
4916K