

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, February 13, 2013, 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 real estate matters.*

AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Draft unapproved minutes of the regular meeting of the City Council held January 23, 2013.
5. Mayor's Management Report.
 - School Public Safety Update
 - Capital Projects Update
 - Legal Update
6. Presentation on the Central Avenue Bridge Construction Project: anticipated construction process and schedule.
7. 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.
8. Resolution to appropriate indemnification funding for legal services for City personnel who have been requested to participate in the Council investigation of the Rye Golf Club pursuant to Article 6, Section C6-3 of the City Charter entitled "Investigations".
Roll Call.
9. Discussion and Update on the Draft Financial Disclosure Form.
10. Discussion of the City of Rye's FOIL procedures.
11. Authorization for City Manager to execute an Assumption Agreement transferring Control of franchise agreement between City of Rye and NEON Optica, Inc. to LTS Buyer LLC.
12. Consideration of referral to the Board of Architectural Review and City Consultant, the Special Permit Application submitted by Sprint for modifications to its existing wireless telecommunications facility located at 66 Milton Road.
13. Residents may be heard on matters for Council consideration that do not appear on the agenda.

14. Authorization for Rye Recreation to enter into a license agreement with Post Consumer Textile Waste (PCTW) for the placement of clothing collection/donation containers.
Roll Call.
15. Authorize payment of the balance of the 2012/2013 Rye Neck Union Free School District taxes collected by the City to the School District.
Roll Call.
16. One appointment to the Planning Commission for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.
17. One appointment to the Finance Committee for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.
18. Two appointments to the Rye Town Park Advisory Committee for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.
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, February 27, 2013 at 8:00 p.m. The meeting will be preceded by a Workshop on Land Use with members of the Board of Appeals, the Board of Architectural Review, the Planning Commission, and the Conservation Commission/Advisory Council beginning at 7:00 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: February 13, 2013

CONTACT: Dawn Nodarse

AGENDA ITEM Draft unapproved minutes of the Regular Meeting held January 23, 2013, as attached.

FOR THE MEETING OF:

February 13, 2013

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 held January 23, 2013, as attached.

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on January 23, 2013 at 8:00
P.M.

PRESENT:

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

ABSENT: None

The Council convened at 7:02 p.m. Councilman Jovanovich made a motion, seconded by Councilwoman Parker and unanimously carried to immediately adjourn into executive session to discuss real estate matters related to 1037 Boston Post Road and attorney/client matters. Councilman Filippi arrived at 7:10 p.m. Councilman Filippi made a motion, seconded by Councilman Jovanovich and unanimously carried, to adjourn the executive session at 8:32 p.m. The regular meeting convened at 8:37 p.m.

Mayor French announced that the City has received several bids in connection with the sale of 1037 Boston Post Road. The Council is in the process of reviewing the bids and will discuss them at a future meeting.

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.

The first item under Agenda Item 5 was taken out of order.

3. General Announcements

Mayor French made the following announcements:

- He, City Manager Pickup, the President of the School Board and the Superintendent of Schools met to discuss school safety. There is an increased police presence with current patrols and they are considering hiring seasonal police officers. City Manager Pickup said the City is looking at titles in the County or creating a new title.
- There will be many construction projects during the year around town to rebuild the City.
- The proposed State budget keeps municipal funding flat and includes some reform initiatives regarding binding arbitration and pension costs.
- The Rye Golf investigation is continuing and the Council will share the results with the public and the District Attorney's Office.

Councilman Filippi made a lengthy statement about what he believes is inappropriate behavior by Leon Sculti at public meetings and towards staff members. He said he believes that this type of activity deters people from volunteering to serve on committees and that people can disagree and share ideas without making personal attacks. He urged people to move back to more civility.

4. Draft unapproved minutes of the regular meeting of the City Council held January 9, 2013 and the Strategic Workshop held January 12, 2013

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to approve the minutes of the regular meeting of the City Council held on January 9, 2013, as submitted.

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to approve the minutes of the strategic workshop of the City Council held on January 12, 2013, as submitted.

5. Mayor's Management Report

- Update from the Sustainability Committee on a draft Sustainability Plan and a proposed "cool roof" initiative

Mayor French noted that the Sustainability Committee was established in 2010 to guide the City in terms of a Sustainability Plan. Sara Goddard, Chair of the Committee, said that in preparing the draft plan, the Committee relied on best practices and were guided by ICLEI's Five Milestones Process, which includes completing a greenhouse gas audit; setting goals; writing the plan; implementing the plan; and monitoring the plan and tracking its progress. Ms. Goddard said that in developing Rye's Sustainability Plan, the results of the greenhouse gas emissions audit was included as a starting point from which future measurements can be made. The areas of focus for Rye include energy; transportation; waste reduction; recycling; water and land use; and community awareness education outreach. There is also a section regarding implementation and tracking of the initiatives that are selected. Many civic organizations have also contributed and input is still awaited from others including religious organizations and municipal committees. She has received comments that are still being incorporated into the plan before the draft is completed. Ms. Goddard also summarized some outstanding and new initiatives that the Committee is exploring including biodiesel fuels; energy efficiency recommendations; a Sound Shore Consortium; a "leave leaves alone" initiative; and a "cool roof" initiative. The completed

Sustainability Plan will be presented to the Council for adoption, after which specific initiatives will be chosen to be worked on.

The member of the Committee who was to discuss the “cool roof” initiative was unavailable to attend this meeting but can come back at a later meeting.

Mayor French also appointed Julie Engerran to the Sustainability Committee.

- Discussion of Land Use Workshop

Mayor French said that since there are many boards and commissions that focus on land use, it would be good to get them all together and talk about the obstacles they are facing and what legislation the Council may need to look at. The suggested date for the workshop is February 27th, prior to the regular Council meeting. Councilwoman Parker said it would be a good way to make sure everyone is “operating on the same page.”

- Legal Update

Corporation Counsel Wilson reported on the following matters:

- *Lamont v. City of Rye, et al* – in December the City was served with a Federal Civil Rights lawsuit that also includes the Archdioceses of New York and Resurrection Church regarding a landlord/tenant relationship on church property. Our insurance company has been notified and we are awaiting a coverage determination.
- *Panetta v. City of Rye* (declaratory judgment action) – The note of issue has been filed and a summary judgment motion, if successful, would get the City out of the lawsuit. The City is still fighting with the insurance carrier over coverage.

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

- A) One appointment to the Board of Architectural Review for a three-year term.
- B) One appointment to the Traffic & Pedestrian Safety Committee for a three-year term.

Mayor French made a motion, seconded by Councilman Filippi and unanimously carried, to appoint Mark Schindler to the Board of Architectural Review for a three-year term.

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to appoint Lisa Urban to the Traffic & Pedestrian Safety Committee for a three-year term.

7. Adjustment to City Council Liaison designations by the Mayor

Mayor French designated Councilwoman Brett to serve as a representative to the Rye Town Park Commission and Councilman Sack to serve as the liaison to the Boat Basin Commission.

8. Consideration of Bid for the Police contract for uniforms (Contract #1-13)
Roll Call.

Corporation Counsel Wilson said that the warranty requirements contained in the bid specifications were not met by the companies submitting bids, and, therefore, the contract must be rebid.

Mayor French made a motion, seconded by Councilwoman Brett, to adopt the following Resolution:

RESOLVED, that all bids received in connection with Contract #1-13, Police Uniforms, are hereby rejected.

ROLL CALL:

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

The Resolution was adopted by a 7-0 vote.

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

Several residents spoke in connection with Councilman Filippi's statement made under the General Announcements Agenda item. They included *Brendan O'Brien, Chris O'Brien, Mrs. Lefkowitz, John Duffy and Angela Sposato* who criticized Councilman Filippi for his statement and made statements in favor of the activities of Leon Sculti in connection with the Golf Club investigation. *Chris O'Brien and Angela Sposato* urged the Council to come to a Golf Commission meeting to explain to the membership what is going on with the investigation. Mayor French said that the Council is willing to meet with the Golf Commission but has reported as much as it can at this point in connection with the investigation. The results will be shared when the investigation has been completed.

10. Acceptance of Grant Award from Governor's Traffic Safety Committee in the amount of \$3,500 for participation in the "Selective Traffic Enforcement" program
Roll Call.

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

WHEREAS, the City of Rye has been awarded a New York State grant from the Governor's Traffic Safety Committee's in the amount of \$3,500 for participation in the statewide "Selective Traffic Enforcement" program; now, therefore, be it

RESOLVED, that the City of Rye accepts the aforementioned grant.

ROLL CALL:

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

The Resolution was adopted by a 7-0 vote.

11. Acceptance of donation to the Rye Police Department from the Zegarowicz family in the amount of one hundred (\$100.00) dollars
Roll Call.

Councilman Jovanovich made a motion, seconded by Councilwoman Killian, to adopt the following Resolution:

WHEREAS, the Zegarowicz family desires to donate one hundred (\$100.00) dollars to the Rye Police Department; and

WHEREAS, the fiscal 2013 General Fund budget did not anticipate this donation; 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 City Comptroller is authorized to amend the fiscal 2013 General Fund budget as follows:

Increase Deferred Revenues – Police Donations \$100.00.

ROLL CALL:

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

The Resolution was adopted by a 7-0 vote.

12. Miscellaneous Communications and Reports

Mayor French reported that he and Councilwoman Killian had met with the Chairs of the Finance Committee and asked them to move forward on a four-year plan and bring it back to the Council.

City Manager Pickup reported that the Moreland Commission, a New York State appointed Commission, is meeting at SUNY Purchase on January 24th. They are looking for general input on storm response. He will attend to speak about issues of interest to municipalities including Con Edison's refusal to share information about their grid after the hurricane. Mayor French noted that representatives of Con Edison are going to homes and telling people they need to take down hedges around transformers but they are not giving people sufficient time to do it. He added that Con Edison has not been responsive to people calling them about the failure to provide a reduction in their bills for the period when they were without power after the hurricane. The City Manager was asked to follow up on these items.

Councilwoman Parker reported that the County Board of Legislators has two bonds for repairs to Playland -- a \$7 million bond for rebuilding the boardwalk, which should be ready by mid-May, and a second bond of just under \$5 million to repair the Ice Casino by September. Ms. Parker also reported that the Rye Senior Advocacy Committee is working on holding a symposium on health care and how the local facilities will be affected by changes in government policy.

13. Old Business

Councilwoman Brett asked for an update on the sluice gate project. City Manager Pickup said it is in the acceptance testing phase on the operational aspects. City Engineer Ryan Coyne is hopeful that the testing will be completed and the project accepted by the end of January or the beginning of February. Ms. Brett also reported on the Rye Town Park Commission meeting held the previous week. Deirdre Curren, who spoke at a recent Council meeting, attended and raised her concerns about the conditions in the Park. The Commission addressed many of the concerns regarding maintenance and committed to use existing staff to do a daily walk-through of the park and a sub-contractor has been engaged to do garbage collection.

Councilman Filippi asked for an update on the Central Avenue Bridge. City Manager Pickup said that the utilities have been relocated and the contractor is committed to start the project and should be on site soon.

Councilman Jovanovich asked if the Town of Rye was closer to deciding if the dissolution of the Town will happen. Mayor French said even if a decision is made to dissolve the Town, it will take at least two years.

Councilwoman Killian asked if the Financial Disclosure Policy could be put back on an agenda. Corporation Counsel will re-circulate the draft policy.

Councilman Sack asked Councilwoman Parker for an update on her conversations with the Department of Environmental Conservation (DEC) on deer culling. Councilman Parker said she has been playing "phone tag" with the DEC who became more responsive after Assemblyman Otis contacted them. The City needs a permit from the DEC in order to have a bow hunting culling pilot program. The properties being considered are the Jay Property, Marshlands and the wooded area of the Rye Golf Club. Councilman Filippi said that permits may also be needed from people on bordering properties as well.

Councilman Sack said he had asked Corporation Counsel Wilson if it was legal for people to duck hunt in Milton Harbor and she said that it was legal pursuant to DEC law if it takes place within navigatable waters. He said there must be a way to regulate this when the waterway is narrow. Corporation Counsel Wilson said that the City Code prohibits the discharge of firearms from land and she is working with Police Commissioner Connors to make sure the current City practices are within DEC regulations. She will put the regulations together and provide them to the Police Commissioner to make sure the police can properly enforce them.

14. New Business

There was nothing reported under this agenda item.

15. Adjournment

There being no further business to discuss Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to adjourn the meeting at 10:05 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: February 13, 2013

CONTACT: Mayor Douglas French

AGENDA ITEM: Mayor's Management Report

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

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:

- School Public Safety Update
- Capital Projects Update
- Legal Update



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Manager

DATE: February 13, 2013

CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Presentation on the Central Avenue Bridge Construction Project: anticipated construction process and schedule.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Kenneth Jacques, P.E., and Nicholas Cavaluzzi, P.E., Associate Vice President/Director of Construction Services, of Ammann & Whitney Consulting Engineers, PC will give a presentation on the Central Avenue Bridge construction scheduled to begin shortly. Project consultants and City staff will review the anticipated construction process and schedule. Residents have been notified and will be given an opportunity to ask questions.

See attached.



**PLEASE JOIN US FOR A PUBLIC PRESENTATION ON
THE CENTRAL AVENUE BRIDGE
CONSTRUCTION PROJECT**

DATE: February 13, 2013

TIME: 8:00 p.m.

PLACE: Rye City Hall, Council Chambers, 2nd Floor

PURPOSE: As an area neighbor you are invited to attend the next meeting of the Rye City Council to hear a presentation regarding the construction of the Central Avenue Bridge, which is expected to begin shortly. The project consultants and City staff will present the anticipated construction process and schedule. Public comments and questions are welcome.

CONTACT: Please contact the City Manager at manager@ryeny.gov with any questions.



1660

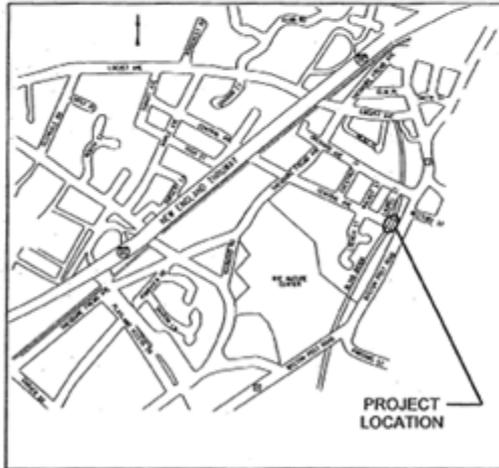
1904

CITY OF RYE NY 1942



CITY OF RYE
WESTCHESTER COUNTY, NEW YORK

REPLACEMENT OF THE CENTRAL AVENUE BRIDGE
OVER BLIND BROOK (BIN 2225280)



PROJECT LOCATION MAP
NOT TO SCALE

STANDARD SHEETS: 203-04, 604-02, 606-04, 608-01, 609-01, 645-01,
645-03, 655-05, 685-01.

GENERAL NOTES:
DESIGN SPECIFICATIONS: NYSDOT STANDARD SPECIFICATION FOR
HIGHWAY BRIDGES, IN EFFECT AS OF JULY 2002 WITH CURRENT ADDITIONS
AND MODIFICATIONS.

CONSTRUCTION AND MATERIALS SPECIFICATION: NYSDOT STANDARD
SPECIFICATIONS - CONSTRUCTION AND MATERIALS MAY 1, 2008 AND
ADDENDUM AND REVISIONS THEREIN.

DESIGN LOAD: MS 23 R/S 25I

MAINTENANCE OF TRAFFIC:
TRAFFIC IS TO BE DETOURED OVER LOCAL ROADS.

RECORD PLANS:
AS-BUILT PLANS NOT AVAILABLE

REMOVALS:
EXISTING SUBSTRUCTURE TO BE REMOVED AS NOTED ON PLANS.

UTILITIES AND LIGHTING:
NEW STRUCTURE TO CARRY 8" GAS MAIN AND CONDUIT FOR TELEPHONE ON
THE SOUTH SIDE AND 6" WATER MAIN ON THE NORTH SIDE BELOW THE DECK.

RESTRICTIONS:
PARKING SHALL BE RESTRICTED ON THE NORTH SIDE OF CENTRAL AVENUE
FROM THE BOSTON PULL ROAD INTERSECTION TO 20' FROM THE WEST
ABUTMENT OF THE BRIDGE.

PREPARED AND RECOMMENDED BY



Neal Westman 10/7/11
NEAL WESTMAN, P.E. DATE
PRESIDENT



BergerLehman
ASSOCIATES PC

411 THEODORE FREUND AVENUE
RYE, NEW YORK 10580

SCOTT PICKUP, CITY MANAGER DATE
RLO (RESPONSIBLE LOCAL OFFICIAL)
CITY OF RYE
WESTCHESTER COUNTY, NEW YORK

DATE PLOTTED: 5/6/10 10:56:20 AM
LAST MODIFIED: 5/6/10 10:56:20 AM

DATE PLOTTED: 5/6/10 10:56:20 AM
LAST MODIFIED: 5/6/10 10:56:20 AM

DESIGN SUPERVISOR: M.A. CHECKED BY: J.A. DRAWN BY: J.A. CHECKED BY: M.M. DATE PLOTTED: 5/6/10 10:56:20 AM







Construction Stages



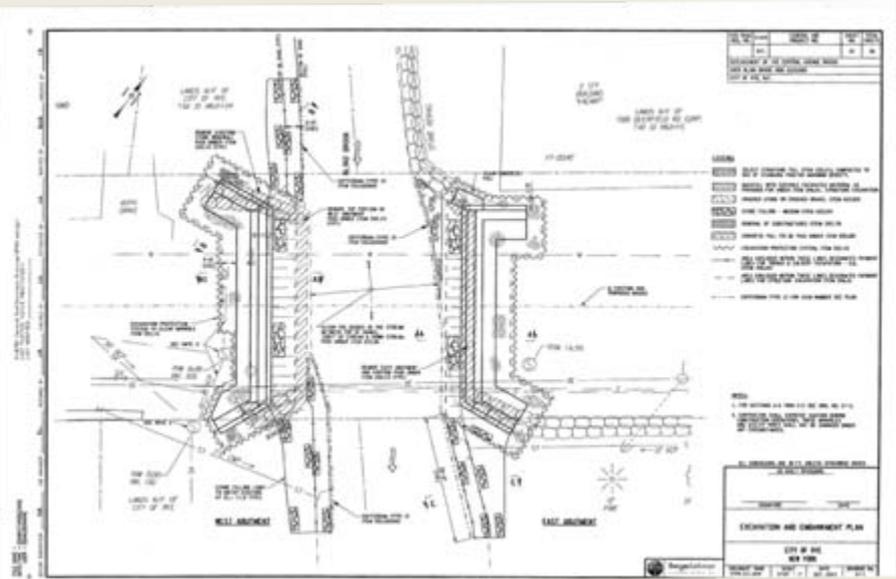
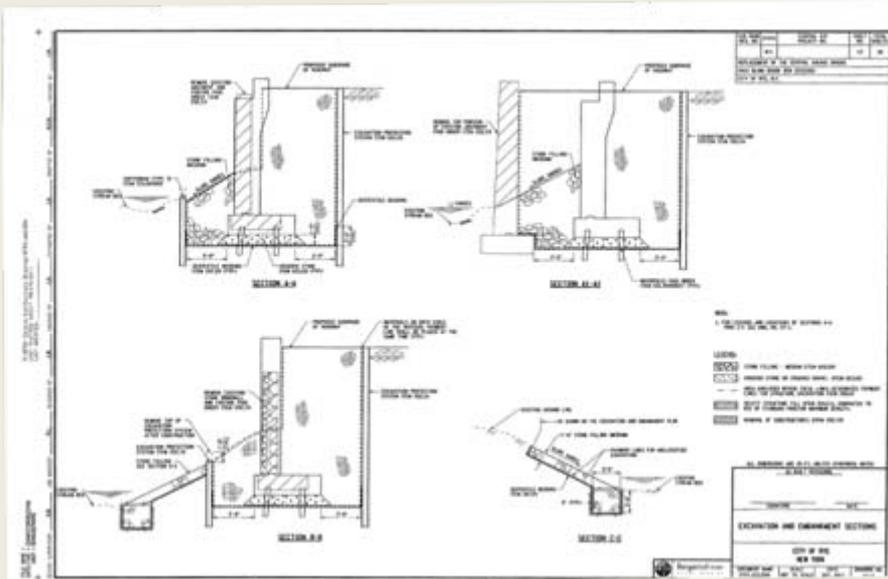
Substructures
(Abutments)



Superstructure
(Bridge Deck)

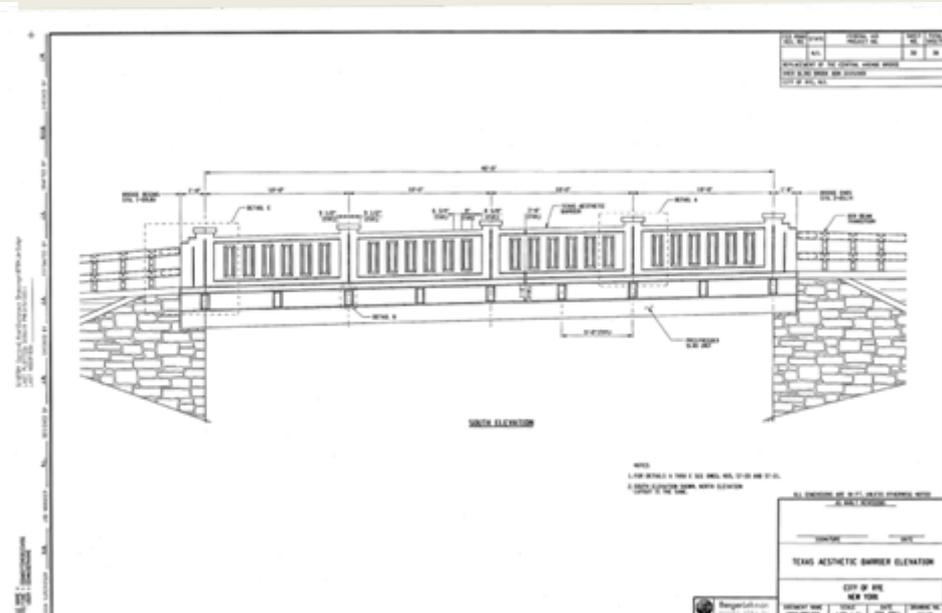
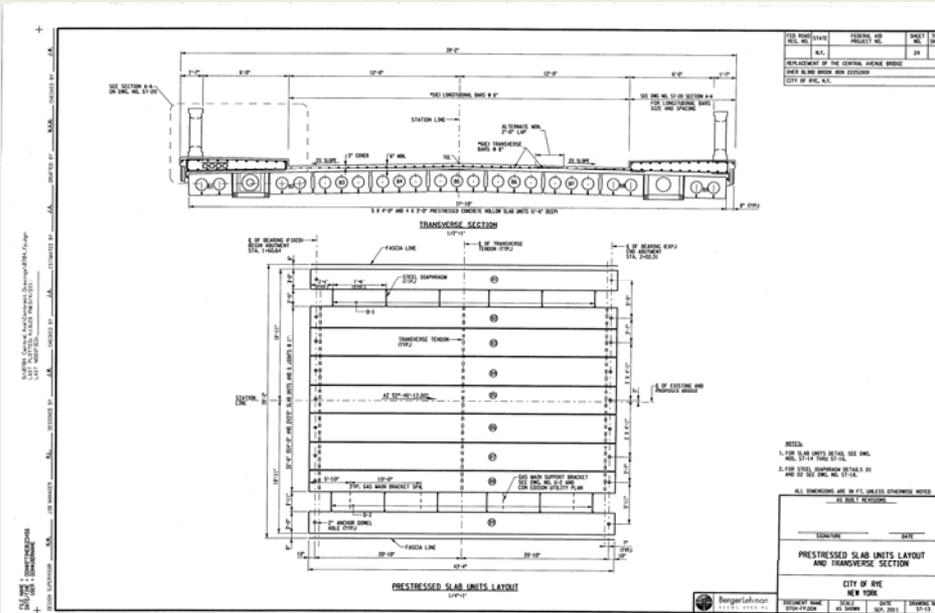


Roadway



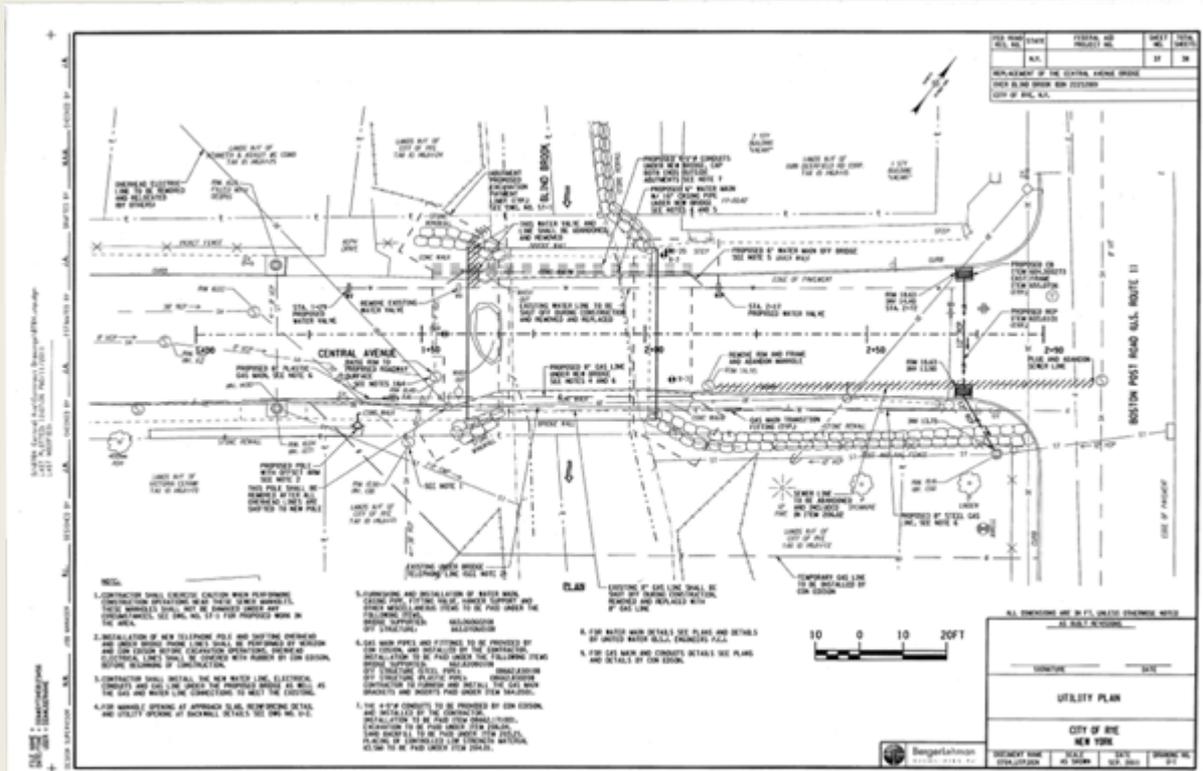
SUBSTRUCTURES (ABUTMENTS)

- Install Cofferdams
- Install Excavation Protection System
- Excavate Existing Abutments
- Drill In Mini Piles
- Form & Place Concrete for New Abutments



SUPERSTRUCTURE (BRIDGE DECK)

- Install Pre-stressed Concrete Hollow Units (9)
- Form & Place Concrete for Bridge Deck Wearing Surface
- Form & Place Concrete for Sidewalks
- Form & Place Concrete for Aesthetic Bridge Rail



ROADWAY

- Install 8" Gas Main on south side
- Install 6" Water Main on north side
- Form & Place Concrete for Approach Slabs
- Install Drainage Basins & Pipe at east side
- Form & Place Concrete for Curbs
- Excavate Old Roadway, Grade & Pave Asphalt

Construction Stages

SUBSTRUCTURES (ABUTMENTS)

Install Cofferdams	03/04 – 03/08
Install Excavation Protection System	03/11 – 03/22
Excavate Existing Abutments	03/25 – 03/29
Drill In Mini Piles	04/01 – 05/03
Form & Place Concrete for New Abutments	05/05 – 07/05

SUPERSTRUCTURES

Install Pre-stressed Concrete Hollow Units (9)	07/08 – 07/12
Form & Place Concrete for Bridge Deck Wearing Surface	07/15 - 07/19
Form & Place Concrete Sidewalks	07/22 - 07/26
Form & Place Concrete for Aesthetic Bridge Rail	07/29 - 08/02

ROADWAY

Install 8" Gas Main on south side	07/15 – 07/19
Install 6" Water Main on north side	07/15 – 07/19
Form & Place Concrete for Approach Slabs	07/22 – 07/26
Install Drainage Basins & Pipe at east end	07/15 – 07/19
Form & Place Concrete for Curbs	07/29 – 08/02
Excavate Old Roadway, Grade & Pave Asphalt	08/05 – 08/16



1660

1904

CITY OF RYE NY 1942



CITY COUNCIL AGENDA

NO. 7

DEPT.: Finance

DATE: February 13, 2013

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:
February 13, 2013

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, City staff has determined that the amounts required for the cost of legal services performed in January, 2013 in connection with the investigation into the Rye Golf Club were not anticipated and were not provided for in the adopted 2013 budget by \$77,000, and,

WHEREAS, the General Fund Contingent Account has a balance of \$300,000, now therefore be it

RESOLVED, that the City Comptroller is authorized to transfer \$77,000 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 2013:

01/01/2013 Beginning balance	\$300,000
02/13/2013 Transfer to City Council Legal Services Account	<u>(77,000)</u>
02/13/2013 Balance	<u>\$223,000</u>



To: Scott Pickup, City Manager
From: Eleanor M. Militana
Date: February 8, 2013
Re: Rye Golf Club Investigation Bills

Below please find the costs associated with the investigation at the Rye Golf Club to date, including the month of January:

12/31/2012 Total Bills paid in 2012	<u>(\$178,897.33)</u>
01/31/2013 Invoice # 20130000 from Brune & Richard LLP for services rendered through 01/31/13	(\$26,045.00)
01/31/2013 Invoice # 92311 from Breen and Associates, LLC for services rendered through 01/31/13	(\$28,143.75)
01/31/2013 Invoice # 734 from Michael Tremonte, Esq. for services rendered through 01/31/13	<u>(\$ 22,345.00)</u>
01/31/2013 Total Bills for January, 2013	<u>(\$ 76,533.75)</u>
Total cost of the RGC Investigation to date	<u>\$255,431.08</u>



To: Scott Pickup, City Manager

From: Eleanor M. Militana

Date: January 8, 2013

Re: Rye Golf Club Investigation Bills through December 31, 2012

Below please find the costs associated with the investigation at the Rye Golf Club and the monies appropriated for such.

10/18/2012 Transfer to City Council Legal Services Account	\$30,000.00
12/19/2012 Transfer to City Council Legal Services Account	<u>\$106,000.00</u>
Total Monies appropriated	<u>\$136,000.00</u>
12/03/2012 Invoice # 20120428 paid to Brune & Richard LLP for services rendered through 10/31/12	(\$23,402.78)
12/12/2012 Invoice # 20120488 paid to Brune & Richard LLP for services rendered through 11/30/12	(\$61,725.12)
01/08/2013 Invoice # 20120526 paid to Brune & Richard LLP for services rendered through 12/31/12	(\$41,736.46)
01/02/2013 Invoice # 92150 paid to Breen and Associates, LLC for services rendered through 11/30/12	(\$17,803.75)
01/08/2013 Invoice # 92233 paid to Breen and Associates, LLC for services rendered through 12/31/12	(\$29,349.22)
01/08/2013 Invoice # 708 paid to Michael Tremonte, Esq. for services rendered through 12/31/12	<u>(\$ 4,880.00)</u>
01/08/2013 Total Bills paid	<u>(\$178,897.33)</u>
To be covered with year-end budget adjustment	<u>(\$42,897.33)</u>



CITY COUNCIL AGENDA

NO. 8

DEPT.: City Manager

DATE: February 13, 2013

CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Resolution to appropriate money to cover legal services for City personnel who have been requested to participate in the Council investigation of the Rye Golf Club pursuant to Article 6, Section C6-3 of the City Charter entitled "Investigations".

FOR THE MEETING OF:
February 13, 2013

RECOMMENDATION: That the City Council approve the appropriation.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The City Council of the City of Rye invoked its authority pursuant to Article 6, Section C6-3 of the City Charter entitled "Investigations" to declare itself the lead investigative body of the recent events at Rye Golf Club. Selected City staff has been requested to participate in the Council investigation. It is requested that the City Council appropriate money to fund legal services for these staff members.



CITY COUNCIL AGENDA

NO. 9

DEPT.: City Council

DATE: February 13, 2013

CONTACT: Mayor Douglas French

AGENDA ITEM: Discussion and Update on the Draft Financial Disclosure Form.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The City is reviewing the policy of financial disclosure with respect to public officials and selected City employees. The Corporation Counsel has drafted a proposed Financial Disclosure Statement which would be filed yearly by public officials and selected employees within the City; the information would be confidential.

See attached.

**ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
FOR THE CITY OF RYE – 2013**

Instructions: Please answer each question legibly and with blue or black ink only. “Not Applicable” is not an acceptable answer for any question. “No” or “None” may be used to answer a question.

1a. Name: (Last Name, First Name, M.I.): _____

1b. Home Address: _____

1c. Home Telephone No.: _____

2a. Title of Position: _____ Salaried: Yes _____ No _____

2b. Department, Board, or Commission: _____

3a. Married: Yes _____ No _____

3b. To the best of your knowledge, state the names of Relatives* who, within the past year, have received or solicited a Financial Benefit ** from the City of Rye or appeared before the City of Rye on behalf of another person. Attach additional paper if necessary.

** A Relative is defined as a spouse, child, step-child, sibling, half-brother, half-sister, parent, step-father, step-mother, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparent, grandchild, niece, nephew, and first cousin, and shall also include any person claimed as a dependent on the New York State individual tax return of the disclosing City officer or employee.*

*** Financial Benefit is defined as any pecuniary or material benefit including, but not limited to any money, stock, security, service, license, permit, contract, authorization, loan, travel, entertainment, discount not available to general public, real or personal property, or anything of value.*

3c. Names of Household Members who are currently living with you. Attach additional paper if necessary.

Name (First and Last)

Relationship

_____	_____
_____	_____
_____	_____

** A Household Member is defined as any person with whom a City officer or employee lives as a single household unit.*

4a. Do you have an Outside Employer* or business? Yes _____ No _____

If "No", skip to 4c.

If yes, state the name, address, and telephone number of your Outside Employer or business. Attach additional paper if necessary.

** Outside Employer is defined as (1) any person from whom or from which a City officer or employee receives a financial benefit for services rendered or goods sold or produced; (2) any business in which the City officer or employee has an ownership interest of five percent (5%) or more; (3) any business in which the City officer or employee has a value in excess of fifty thousand dollars (\$50,000.00); or (4) any business corporation for which the City officer or employee is an uncompensated member of the board of directors or is an uncompensated corporate officer.*

4b. During the past year, has your Outside Employer or business solicited a financial benefit or appeared before the City of Rye on behalf of another person?

Yes _____ No _____

If yes, state the nature of such activities or matters. Attach additional paper if necessary.

4c. State the name of any Relative who is also a City officer or employee and the department within which he or she is employed. Attach additional paper if necessary.

Name (First and Last)	Relationship	Department, Agency or Board
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4d. To the best of your knowledge, state the name, address and telephone number of any outside employer or business for each Close Relative* of the disclosing City Officer or Employee. Attach additional paper if necessary.

** A Close Relative is defined as spouse, child, step-child, sibling, half-brother, half-sister, parent, step-father and step-mother.*

4e. To the best of your knowledge, state the name, address and telephone number of any outside employer or business for each Household Member. Attach additional paper if necessary.

5. Within the past year has any Close Relative or Household Member received or solicited a financial benefit from the City of Rye or appeared before the City of Rye on behalf of another person. Yes _____ No _____

6. Within the past year, has any Outside Employer or business disclosed in response to paragraphs 4a-4e, received or solicited a financial benefit from the City of Rye or appeared before the City of Rye on behalf of another person?

Yes _____ No _____

If yes, state the nature of such activities or matters. Attach additional paper if necessary.

7. Has anyone agreed to hire you at the end of your service to the City of Rye? If Yes, please describe. Attach additional paper if necessary.

8. List all real estate in the City of Rye owned by you, your spouse, Household Member(s) or Children. Attach additional paper if necessary.

9a. While in your position with the City of Rye, have you received a gift valued in excess of seventy five dollars (\$75.00) within the last year?

Yes _____ No _____

Is the person from whom you received the gift, your spouse, child, step-child, sibling, half-brother, half-sister, parent, step-father, or step-mother?

Yes _____ No _____

If "Yes", stop HERE.

If "No", please describe in the space provided. Attach additional paper if necessary.

9b. While in your position with the City of Rye, have you received a gift valued in excess of two hundred dollars (\$200.00) within the last year?

Yes _____ No _____

Is the person from whom you received the gift, your spouse, child, step-child, sibling, half-brother, half-sister, parent, step-father, or step-mother?

Yes _____ No _____

If "Yes", stop HERE.

If "No", please describe in the space provided. Attach additional paper if necessary.

10. Identify any interest in any contract involving the City of Rye held by you, your Spouse, Household Member(s), or Children. Attach additional paper if necessary.

Vendor

Nature of Contract

11. During the past year, have you been an officer of any political party or political committee? Yes _____ No _____

If yes, please describe. Attach additional paper if necessary.

12. Identify your customer or client, or customer or client of your Outside Employer or business, who is known to have received or solicited a financial benefit from the City of Rye within the past year, or appeared before the City of Rye on behalf of another person within the past year.

I HEREBY CERTIFY UNDER THE PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

Signature of Reporting Individual

Sworn before me this
___ day of ___, 2012.

NOTARY PUBLIC



CITY COUNCIL AGENDA

NO. 10

DEPT.: City Council

DATE: February 13, 2013

CONTACT: Councilman Joseph Sack

AGENDA ITEM: Discussion of the City of Rye's FOIL procedures.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Council review the current FOIL procedures.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The City has seen an increase not only in the number of FOILs submitted, but in the amount of information requested. Allowable charges from the City to the requestor have been questioned.

The City's FOIL Procedures were last updated by the Council at their May 11, 2011 meeting to include:

- The Corporation Counsel would be the appeals officer for all appeals of FOIL requests.
- Section 9E was added, outlining at what point the City can charge the requestor for staff time.
- The wording of the procedures was updated to comply with current requirements for electronic FOILs as contained in the Freedom of Information Law.

See attached Resolution adopted by the City Council on May 11, 2011.

APPROVED MINUTES of the
Regular Meeting of the City Council of the
City of Rye held in City Hall on May 11, 2011
at 8:00 P.M.

10. Resolution to amend the City of Rye's FOIL procedures

Councilman Jovanovich made a motion, seconded by Councilwoman Gamache, to amend the City of Rye's FOIL Procedures to read as follows:

Procedures for Public Access to the Records of the City of Rye

Section 1. Purpose and Scope

- (a) These regulations are established pursuant to Article 6 of the Public Officers Law, known as the Freedom of Information Law.
- (b) These regulations provide the procedures by which records of the City of Rye may be obtained.
- (c) Personnel of the City of Rye shall furnish to the public the information and records required by law and those which were furnished to the public prior to the enactment of the Freedom of Information Law, subject to the conditions contained in subdivision 2 of Section 87 of the Freedom of Information Law, or other provisions of Law.

Section 2. Designation of records access officer.

- (a) The City Manager shall be the Records Access Officer responsible for assuring compliance with these regulations, and designates the following persons as additional records access officers:
 - 1. The City Comptroller for all records in the Department of Finance.
 - 2. The City Assessor for all records in the office of the City Assessor.
 - 3. The Building Inspector for all records in the Department of Buildings.
 - 4. The City Engineer for all records in the Department of Public Works.
 - 5. The City Planner for all records in the offices of the Planning Commission and City Planner.
 - 6. The Police Commissioner for all records in the Department of Police.
 - 7. The City Clerk for all records in the office of the City Clerk and for all other records of the City of Rye not previously mentioned.

- (b) The records access officers shall be responsible for assuring appropriate responses to public requests for access to records. The records access officers shall assure that appropriate personnel are adequately instructed in and properly perform the functions described in Sections 6 and 7 of these regulations and shall supervise the administration of these regulations.

Section 3. Designation of fiscal officer.

The City Comptroller is designated the fiscal officer, who shall certify the payroll and respond to requests for an itemized record setting forth the name, address, title and salary of every officer or employee of the City of Rye.

Section 4. Location.

Records shall be available for public inspection and copying at the office of the records access officer at City Hall, Boston Post Road, Rye, New York, or at the location where they are kept.

Section 5. Hours for public inspection.

Requests for public access to records shall be accepted and records produced during all hours City Hall is regularly open for business except that all records must be returned to their proper custodian at least 30 minutes before closing time.

Section 6. Request for public access to records.

- (a) Requests for records shall be in writing (hard copy or electronically) in accordance with New York Public Officers Law. The custodian of the records has discretion to waive the requirement for written requests in appropriate circumstances.
- (b) If records are maintained on the internet, the requestor shall be informed that the records are accessible via the internet and in printed form either on paper or other information storage medium.
- (c) Officials shall respond to a request for records no more than five (5) business days after receipt of the request. This response will acknowledge receipt of request and indicate that the requestor will receive a response within twenty (20) business days unless otherwise noted. Any electronic requests received after 5:00 P.M. will be considered received by the City on the next business day.
- (d) A request for access to records should be sufficiently detailed to identify the records. Where possible, the requestor should supply information regarding dates, titles, file designations or other information which may help identify the records.

- (f)
 - 1. A current list, by subject matter, of all records produced and retained in accordance with the Department of Education's State Archives Schedule MU-1, shall be maintained by each records access officer by the City Clerk or the appropriate records access officer and shall be available for public inspection and copying. The list shall be sufficiently detailed to permit the requestor to identify the file category of the records sought.
 - 2. The subject matter list shall be updated periodically and the date of the most recent updating shall appear on the first page. The updating of the subject matter list shall not be less than semiannual.
 - 3. A duplicate copy of such current subject matter list shall be filed by each records access officer with the City Clerk who shall consolidate and maintain all such current lists. Each records access officer shall keep a copy of these regulations with the subject matter list.
- (f) Appropriate personnel of the City of Rye shall assist the requestor in identifying requested records.
- (g) Upon locating the requested records, the appropriate personnel of the City of Rye shall, as promptly as possible, and within the time limits set in subsection (b) above, either:
 - (1) Make the records available by either, (i) indicating a time and date when the records are available for review and inspection, or (ii) send the records electronically if the request was for electronic copies and the records can be sent electronically, or
 - (2) Deny access in whole or in part, and explain in writing the reasons therefore.
- (h) Upon failure to locate records, the appropriate official shall certify that:
 - 1. The City of Rye is not the legal custodian of the requested records; or,
 - 2. The requested records, after diligent search, cannot be found.

Section 7. Inspection and copying of records.

- (a) A person who has requested access to the public records of the City of Rye shall be given full opportunity to see and inspect such records unless access is denied as provided in Section 8 herein.
- (b) The requestor may also make a copy of the records he/she inspects. No record may be removed from the office where it is located without written permission of the person in charge of the office at that time.

- (c) Upon request and payment of the established fee, if any, the appropriate officer or employee shall prepare and deliver a transcript of such records.
- (d) Upon request and payment of the established fee, if any, an appropriate official of the City of Rye shall certify as correct a transcript prepared by the custodian of the records.

Section 8. Denial of access to records.

- (a) Denial of access to records shall be in writing stating the reason(s) therefore and advising the requestor of the right to appeal to the Corporation Counsel within ten (10) business days of the denial. Appeals heard by the Corporation Counsel are final determinations.
- (b) If requested records are not provided promptly, as required in Section 6 (c) of these regulations, such failure shall also be deemed a denial of access. In such cases, appeals must be filed within thirty (30) days of the date by which the records were to be made available.
- (c) The time for deciding an appeal by the City's Corporation Counsel shall commence upon receipt of a written appeal identifying:
 - 1. The date of the appeal.
 - 2. The date and location of the original record request.
 - 3. The records to which the requestor was denied access.
 - 4. Whether the denial of access was in writing or by failing to provide records in accordance with the applicable time periods.
 - 5. A copy of the written denial, if any.
 - 6. The name and return address (or email address) of the requestor.
- (d) The appeal shall be determined by the City's Corporation Counsel's office within ten (10) business days if the receipt of the appeal. If the appeal is submitted via email, any emails received after 5:00 P.M. will be considered received on the next business day. Written notice of the determination shall be served upon the person requesting the record and the Committee on Open Government.
- (e) A person requesting an exception from disclosure, or an agency denying access to record, shall in all appeal proceedings have the burden of proving entitlement to the exception.
- (f) A proceeding to review an adverse determination upon appeal may be commenced pursuant to Article 78 of the Civil Practice Law and Rules in accordance with all applicable provisions of the law.

Section 9. Fees.

- (a) Except as otherwise specifically authorized by law, or by established practice prior to September 1, 1974, there shall be no fee charged for:
1. Inspection of records;
 2. Search for records;
 3. Any certification pursuant to this part.
- (b) The fee for a photocopy transcript of records shall be 25 cents per single sided page for pages not exceeding 9 by 14 inches. The City has the authority to redact portions of a paper record in accordance with the Public Officers Law and does so prior to the disclosure of the record by making a photocopy from which the proper redactions are made.
- (c) The fee for photocopies of records exceeding 9 by 14 inches per page or any non-paper format (such as computer disk, microfilm, etc.) shall be the actual costs of reproduction, which shall be deemed to be the average unit cost for making such a photocopy, excluding fixed costs such as operator salaries, except when a different rate is otherwise prescribed by statute.
- (d) The fee for a transcript that is typed, handwritten, or otherwise prepared by hand shall cover the clerical time involved in making the transcript, including comparison for accuracy.
- (e) The fee the City may charge for a copy of any other record is based on the actual cost of reproduction and may include only the following:
- (1) an amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee's time is necessary to do so; and
 - (2) the actual cost of the storage devices or media provided to the person making the request in complying with such request; or
 - (3) the actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy.
- (f) The City shall inform a person requesting a record of the estimated cost of preparing a copy of the record if more than two hours of an agency employee's time is needed, or if it is necessary to retain an outside professional service to prepare a copy of the record.
- (g) A person requesting a record shall pay the City the required fee for copying or reproducing the record in advance of the City preparing such copy.

Section 10. Public Notice.

A notice containing the job title or name and business address of the records officers and the appeal body shall be posted in the Office of the City Clerk. A copy of these rules will be kept in the custody of each records officer and be made available for inspection upon request.

Section 11. Severability.

If any provision of these regulations or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.

ROLL CALL:

AYES:	Mayor French, Councilmembers Gamache, Jovanovich, Keith and Sack
NAYS:	Councilwoman Parker
ABSENT:	Councilman Filippi

The Motion was adopted by a vote of 5-1



CITY COUNCIL AGENDA

NO. 11 DEPT.: Corporation Counsel DATE: February 13, 2013
CONTACT: Kristen K. Wilson, Esq., Corporation Counsel

<p>AGENDA ITEM: Authorization for City Manager to execute an Assumption Agreement transferring Control of franchise agreement between City of Rye and NEON Optica, Inc. to LTS Buyer LLC.</p>	<p>FOR THE MEETING OF: February 13, 2013 RYE CITY CODE, CHAPTER SECTION</p>
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RECOMMENDATION: That the Council authorize the City Manager to execute the Agreement.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: In 2001 the City executed a Telecommunications Franchise Agreement with NEON Optica, Inc. NEON has entered into a Stock Purchase Agreement with LTS Buyer LLC and has requested that the City execute an Assumption Agreement transferring control of the original agreement between the City and NEON to LTS Buyer LLC. Corporation Counsel Kristen K. Wilson, Esq. has been in contact with the attorneys for NEON and has reviewed the proposed Assumption Agreement.

See attached.

Jean L. Kiddoo
Danielle Burt
jean.kiddoo@bingham.com
danielle.burt@bingham.com

January 7, 2013

VIA CERTIFIED MAIL

Kristen K. Wilson, Interim Corporation Counsel
City Hall
1051 Boston Post Road
Rye, NY 10580

Re: Notice of Intent and Request by NEON Optica, Inc. for Consent to Transfer of Control

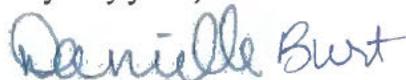
Dear Ms. Wilson:

Enclosed please find an original and one (1) copy of the above-referenced Notice and Request in connection with the transfer of control of the Franchise Agreement that is currently held by NEON Optica, Inc. to LTS Buyer LLC.

Also enclosed are the confidential agreement submitted as Exhibit A and the confidential pro forma financial statements submitted as Exhibit C to the application. Applicants respectfully request confidential treatment of the documents in Exhibits A and C which are propriety and confidential and are not available to the public. General dissemination of the information contained in Exhibits A and C would be harmful to Applicants' business interests.

Please date-stamp the extra copy and return it via the prepaid-postage envelope enclosed. Should you have any questions concerning this submission, please do not hesitate to contact us.

Very truly yours,



Jean L. Kiddoo
Danielle Burt

cc: George Mottarella (City Engineer)
Yaron Dori (LTS Buyer LLC)
Paul Eskildsen (NEON)

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**BEFORE THE
CITY OF RYE**

In the Matter of)
)
NEON Optica, Inc.)
)
For consent to the transfer of control of)
Franchisee)
_____)

**NOTICE OF INTENT AND
REQUEST BY FRANCHISEE
FOR CONSENT TO
TRANSFER CONTROL**

On February 8, 2001, NorthEast Optic Network, Inc. (“NorthEast Optic”) entered into a Franchise Agreement with the City of Rye (“City”) to construct, operate and maintain a fiber optic telecommunication system (“Fiber Optic Network”) on, over and under the streets of the City. Subsequently, NorthEast Optic changed its name to NEON Optica, Inc. (“NEON”). On October 17, 2007, the City consented to the change of control of NEON to RCN Corporation. On April 21, 2010, the City consented to the change of control of NEON pursuant to a sale of RCN Corporation to ABRY Partners VI, L.P. and ABRY Senior Equity III, L.P. that resulted in those entities becoming the ultimate parent entities of NEON.¹

On December 22, 2012, LTS Buyer LLC (“LTS Buyer”) and Yankee Metro Partners, LLC (“Yankee”) entered into an Agreement and Plan of Merger (“Agreement”) for LTS Buyer to acquire direct ownership and control of Yankee and thereby indirect ownership and control of NEON, along with certain other operating subsidiaries of Yankee including Sidera Networks of

¹ NEON’s affiliate, Sidera Networks of Long Island, Inc. f/k/a Long Island Fiber Exchange, Inc. (“Sidera-LI”), also holds a Franchise Agreement with the City of Rye, dated December 2, 2010. Pursuant to the terms of Sidera-LI’s Franchise Agreement, Sidera-LI is not required to seek prior consent from the City of Rye for a change in control. If the City decides to require Sidera-LI to obtain prior consent for the transaction described herein, Sidera-LI requests consent as part of the instant application.

Long Island, Inc. (the “Sidera Transaction”).² Yankee, under the trade name Sidera Networks and through its operating subsidiaries (collectively, the “Company”), provides dark fiber, colocation and advanced networks services including Ethernet, Wavelength, SONET, Internet Access, and private managed optical networks to enterprise, carrier, and data center customers.³

Pursuant to Section 14.3 of the Franchise Agreement, NEON respectfully requests the consent of the City for the transfer of control of NEON to LTS Buyer, as contemplated in the Agreement. NEON respectfully submits that, pursuant to Section 14 of the Franchise Agreement, the City should not unreasonably withhold consent to the foregoing because, as detailed herein, the contemplated transfer complies with the standards set forth in the Franchise Agreement.

I. DESCRIPTION OF THE PARTIES

A. NEON Optica, Inc. (“NEON”) & Yankee Metro Partners, LLC (“Yankee”)

NEON, a Delaware corporation, is an indirect subsidiary of Yankee. As explained above, NEON is authorized to construct, operate and maintain a fiber optic telecommunication system on, over and under the streets of the City. NEON provides telecommunications-related services to other telecommunications companies, and Internet, cable and wireless companies and enterprise customers.

Yankee, through its subsidiaries and under the trade name Sidera Networks, provisions high-performance, low-latency networks to serve large enterprise, carrier and data center

² A copy of the confidential Agreement is attached as Exhibit A. The Company respectfully requests that the City accord confidential treatment to Exhibit A, which has not been made available to the public, because general dissemination of the information contained in Exhibit A would harm the position of the Company in the marketplace.

³ In conjunction with the Sidera Transaction, LTS Buyer has entered into an Agreement and Plan of Merger, also dated as of December 22, 2012, to acquire control of Light Tower Holdings LLC (“Light Tower”) and its subsidiaries (the “Light Tower Transaction” and, together with the Sidera Transaction, the “LTS Buyer Transactions”).

customers. The Company offers dark fiber, colocation and advanced network services including Ethernet, Wavelength, SONET, Internet Access, and private managed optical networks throughout the Northeast, in the mid-Atlantic region and to Chicago. It also provides data and voice services for Long Island businesses. Yankee's principal offices are located at 196 Van Buren Street, Suite 250, Herndon, Virginia 20170, and it also has substantial office facilities at several locations in New York City and on Long Island.

ABRY Partners VI, L.P. and ABRY Senior Equity III, L.P., both Delaware limited partnerships, together have majority ownership of Yankee. ABRY Partners VI, L.P. has sole voting rights in Yankee. The sole general partner of ABRY Partners VI, L.P. is ABRY VI Capital Partners, L.P., a Delaware limited partnership. The sole general partner of ABRY VI Capital Partners, L.P. is ABRY VI Capital Investors, LLC, a Delaware limited liability company. The sole owner of ABRY VI Capital Investors, LLC is Royce Yudkoff, a citizen of the United States. The principal place of business for ABRY Partners VI, L.P., ABRY Senior Equity III, L.P., ABRY VI Capital Partners, L.P., ABRY VI Capital Investors, LLC, and Royce Yudkoff is c/o ABRY Partners, LLC, 111 Huntington Avenue, 30th Floor, Boston, Massachusetts 02199.

B. LTS Buyer LLC (“LTS Buyer”)

LTS Buyer is an indirect, wholly-owned subsidiary of LTS Group Holdings LLC (“LTS Holdings”). LTS Buyer and LTS Holdings both are Delaware limited liability companies created for purposes of the LTS Buyer Transactions with principal offices located at c/o Berkshire Partners LLC, 200 Clarendon Street, 35th Floor, Boston, Massachusetts 02116. LTS Holdings has no majority owner, but certain investment funds and entities controlled and/or managed by a number of investors, including Berkshire Partners LLC (“Berkshire”), ABRY Partners, LLC (“ABRY”), HarbourVest Partners, LLC (“HarbourVest”) and Pamlico Capital (“Pamlico”),

together with certain executive officers of LTS Holdings, will own the equity of LTS Holdings. Upon consummation of the proposed LTS Buyer Transactions, Berkshire will hold 44.2 percent of the ownership interests in, and will exercise voting control, of LTS Holdings; ABRY, HarbourVest and Pamlico will hold 11.0 percent, 11.9 percent and 10.1 percent, respectively, of the ownership interests of LTS Holdings; and the remaining 22.8 percent of the ownership interest in LTS Holdings will be held by certain executive officers of LTS Holdings and other minority investors, none of which is expected to hold in the aggregate more than 3.3 percent of the equity of LTS Holdings.

Berkshire, a Boston-based investment firm, has invested in over 100 middle market companies since 1986 through eight investment funds with aggregate capital commitments of \$11 billion. Berkshire has developed specific industry experience in several areas including communications, consumer products and retail, business services, industrial manufacturing and transportation. Berkshire has a strong history of partnering with management teams to grow the companies in which it invests.

ABRY is a private equity firm that primarily makes privately negotiated equity investments in the media, telecommunications, and information sectors. Currently, certain investment funds managed by ABRY are collectively the majority owners of Yankee, the parent of NEON Optica, Inc. and Sidera Networks of Long Island, Inc.

HarbourVest is a private equity firm led by an investment team that has been investing in private markets for 30 years.

Pamlico Capital, a Charlotte, North Carolina-based private equity firm, invests in growing middle market companies in the U.S. Pamlico Capital works with proven management

teams in its target industries, which include communications, business and technology services and healthcare. The firm currently manages over \$2 billion in assets.

The business and affairs of LTS Holdings and its subsidiaries will be managed by a seven-member board of managers consisting of four members designated by Berkshire, one member designated by ABRY, one member designated by Pamlico, and Robert J. Shanahan, the current Chief Executive Officer of Light Tower. Mr. Shanahan will serve as Chief Executive Officer of LTS Holdings and will be supported by a team of management personnel with substantial experience in the telecommunications industry.

II. DESCRIPTION OF THE PROPOSED TRANSACTION AND ITS ANTICIPATED IMPACTS

Pursuant to the Agreement, LTS Buyer will acquire control of NEON, through its acquisition of all the ownership interests of Yankee. Specifically, SDI Merger Sub LLC (“Merger Sub”), a Delaware limited liability company and direct, wholly-owned subsidiary of LTS Buyer created solely for the purposes of the Sidera Transaction, will merge with and into Yankee, with Yankee surviving the merger as a direct, wholly-owned subsidiary of LTS Buyer.⁴ As a result, NEON will become an indirect, wholly-owned subsidiary of LTS Buyer. While the Sidera Transaction will result in changes in the equity ownership of Yankee, the ultimate parent of NEON, it is not expected to change or affect the day-to-day operation or customer-facing activities of these operating subsidiaries. Sidera Networks, Inc. will remain the guarantor under

⁴ Simultaneously, SD2 Merger Sub, LLC (“Merger Sub 2”), a Delaware limited liability company and direct wholly-owned subsidiary of Merger Sub created solely for purposes of the Sidera Transaction, will merge with and into Yankee Metro Partners, Inc., with Yankee Metro Partners, Inc. surviving the merger and remaining a direct wholly-owned subsidiary of Yankee; and SD3 Merger Sub, LLC, a Delaware limited liability company and direct wholly-owned subsidiary of Merger Sub 2 created solely for purposes of the Sidera Transaction, will merge with and into Sidera Networks, Inc., with Sidera Networks, Inc. surviving the merger and remaining a direct wholly-owned subsidiary of Yankee Metro Partners, Inc.

the Franchise Agreement. For the City's convenience, illustrative pre- and post-transfer of control transaction charges are attached hereto as Exhibit B.

Immediately following the Sidera Transaction, NEON will continue to provide service to existing customers at the same rates, terms and conditions. In addition, NEON will continue to be operated by highly experienced, well-qualified management, operational and technical personnel from both Yankee and Light Tower.

III. THE PROPOSED TRANSACTION WILL ENHANCE COMPETITION AND FURTHER THE PUBLIC INTEREST

The proposed LTS Buyer Transactions further the public interest in the following significant respects: (1) NEON will obtain access to additional financial resources from its new parent company that will strengthen its competitive position in the City; (2) NEON provides high quality services, which will not be interrupted as a result of the LTS Buyer Transactions; (3) the existing terms or conditions of the service now being provided by NEON will not be altered as a result of the LTS Buyer Transactions; and (4) the transfer to LTS Buyer will be transparent to the customers of NEON.

The LTS Buyer Transactions will enhance the ability of NEON to compete effectively in the medium and large enterprise, carrier and data center markets, which are subject to significant competitive forces, including participation by incumbent carriers. Following the LTS Buyer Transactions, NEON will continue to provide high-quality telecommunications services to customers without interruption at the same rates, and on the same terms and conditions, as currently provided. In addition, NEON will continue to be operated by highly experienced, well-qualified management, operating and technical personnel from Yankee and Light Tower. Meanwhile, the LTS Buyer Transactions will provide Yankee and Light Tower with access to additional financial and other resources that will enhance their ability to compete effectively with

larger incumbent telecommunications providers.⁵ Indeed, the improved financial support resulting from the proposed LTS Buyer Transactions will help to ensure a continued high level of service to existing and new customers. Ultimately, the LTS Buyer Transactions will benefit businesses and consumers by enabling Yankee and Light Tower and their subsidiaries to become stronger competitors in their markets.

The proposed LTS Buyer Transactions will also not have negative effects in the City, since the stock transfer of its ultimate parent will not change the qualifications of NEON. NEON will remain well qualified and will continue to operate within the City in a safe and professional manner.

Moreover, LTS Buyer is well qualified to control NEON. As described above, certain investment funds and entities control and/or managed by Berkshire will hold 44.2 percent of the direct or indirect ownership interests of LTS Holdings upon consummation of the proposed LTS Buyer Transactions, and certain investment funds affiliated with ABRY, HarbourVest and Pamlico will hold, in the aggregate, 11.0, 11.9 and 10.1 percent, respectively, of the direct or indirect ownership interests of LTS Holdings. Berkshire, ABRY, HarbourVest and Pamlico will bring their own expertise in the ownership and operation of telecommunications networks and services to complement management personnel of both Yankee and Light Tower.

In sum, the proposed LTS Buyer Transactions will not have a detrimental effect on, or result in a material change in, the services provided to existing customers of NEON. The proposed LTS Buyer Transactions should strengthen the ability of NEON to compete and to offer enhanced telecommunications services within the City. Also, the proposed LTS Buyer

⁵ Attached as Exhibit C are the confidential pro forma financial statements. The Company respectfully requests that the City accord confidential treatment to Exhibit C, which has not been made available to the public, because general dissemination of the information contained in Exhibit C would harm the position of the Company in the marketplace.

Transactions will place NEON in a better position to continue to provide and expand service offerings to its customers.

CONCLUSION

For the reasons stated above, NEON respectfully requests that the City consent to the transfer of control of NEON to LTS Buyer pursuant to the Agreement.

Dated: January 7, 2013

Respectfully submitted,

<p>LTS Buyer LLC</p> <p>By: <u>Yaron Dori / SCB</u> Mace Rosenstein Yaron Dori</p> <p>Covington & Burling LLP 1201 Pennsylvania Ave. NW Washington, DC 20004-2401 Tel: (202) 662-6000 Fax: (202) 662-6291 E-mail: mrosenstein@cov.com ydori@cov.com</p> <p><i>Its attorneys</i></p>	<p>NEON Optica, Inc.</p> <p>By: <u>Danielle C. Burt</u> Jean L. Kiddoo Danielle C. Burt</p> <p>Bingham McCutchen LLP 2020 K Street NW Washington, DC 20006-1806 Tel: (202) 373 6000 Fax: (202) 373 6001 E-mail: jean.kiddoo@bingham.com danielle.burt@bingham.com</p> <p><i>Its attorneys</i></p>
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EXHIBIT A

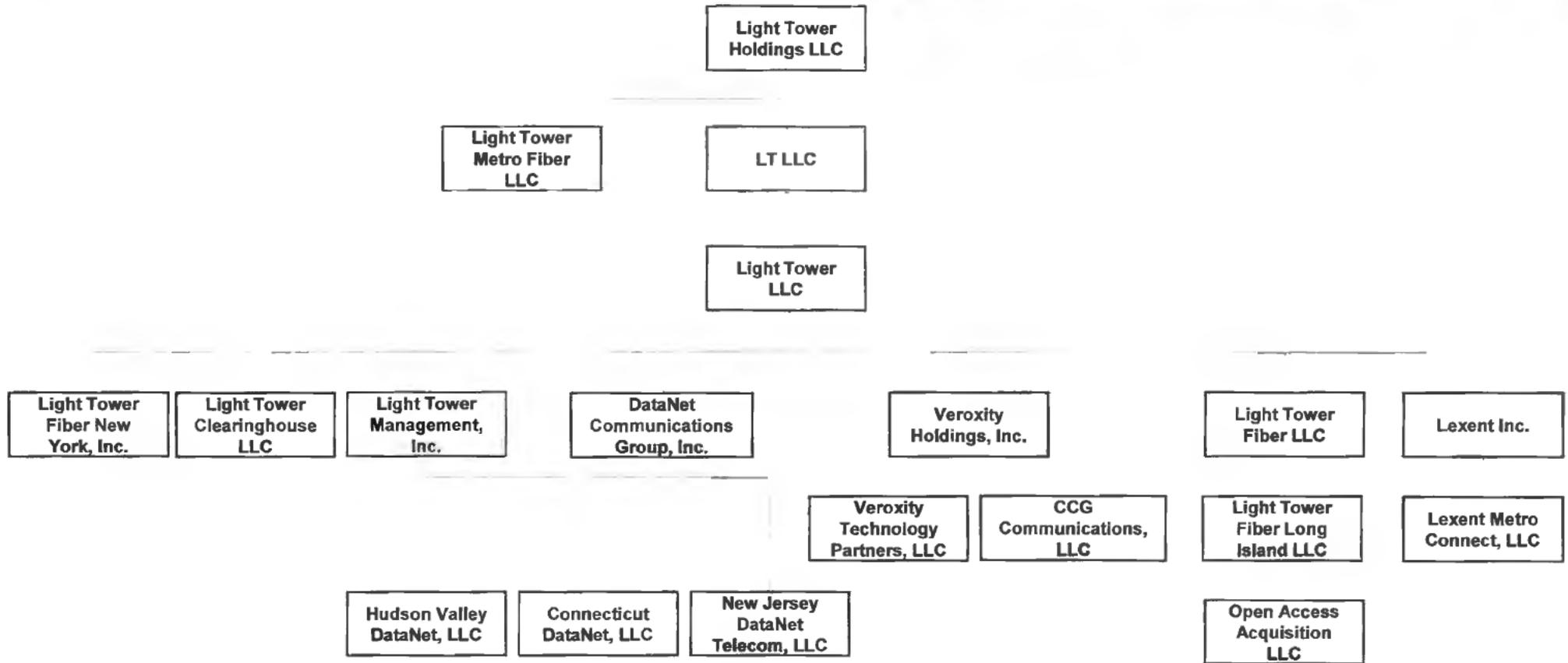
Agreement

CONFIDENTIAL - FILED UNDER SEAL

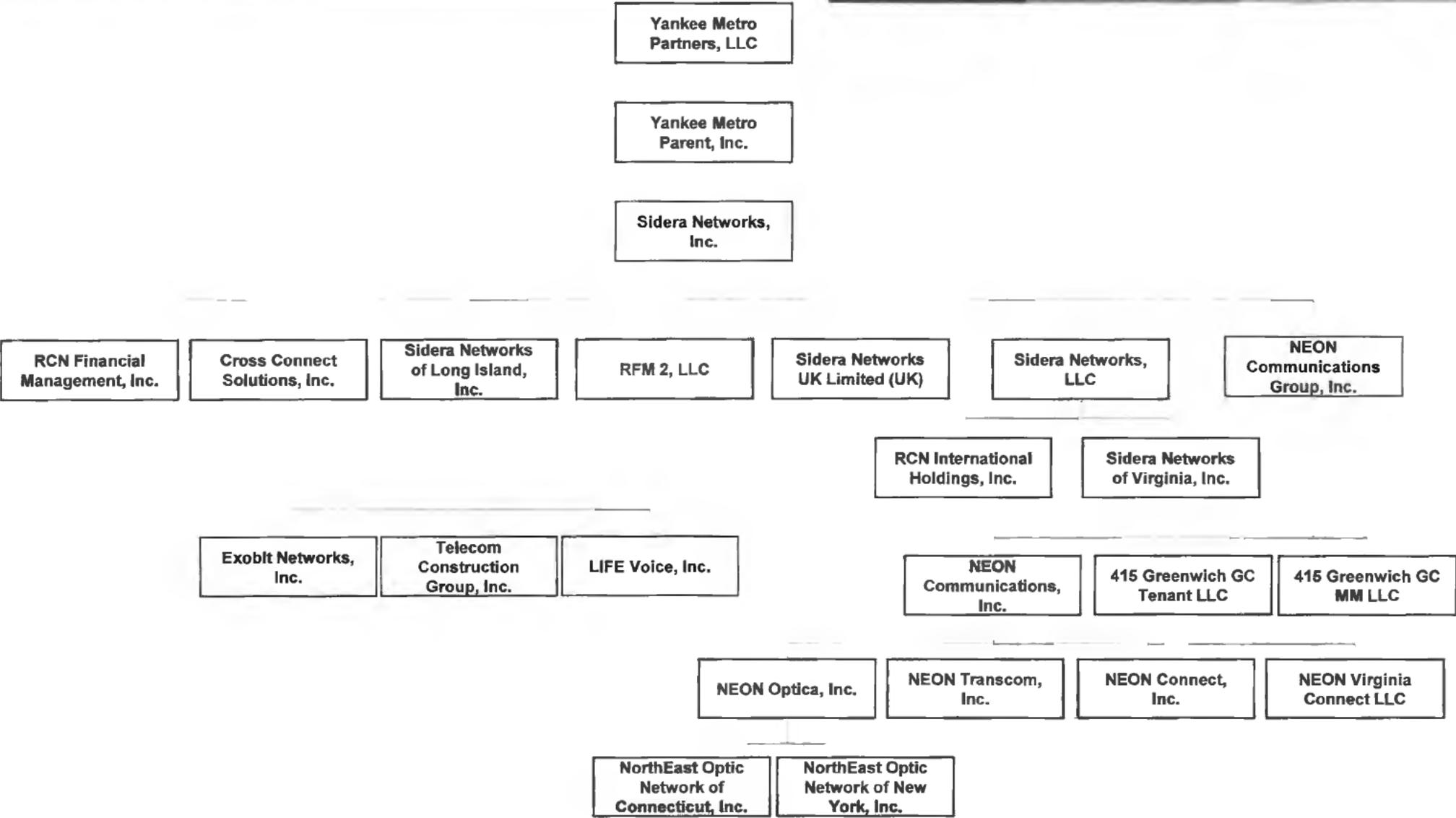
EXHIBIT B

Pre- and Post-Transaction Charts

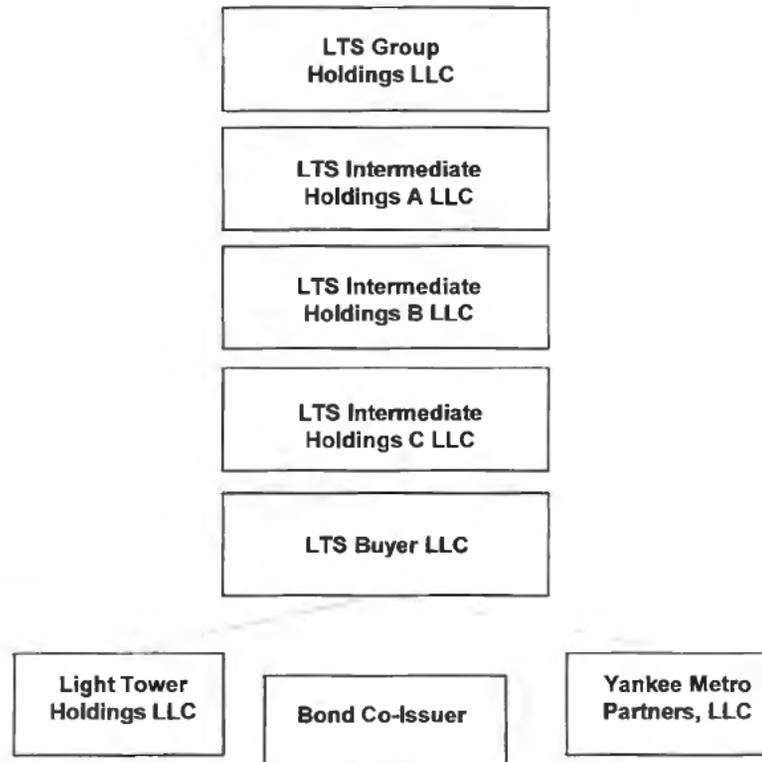
Pre-Closing Light Tower Structure



Pre-Closing Yankee Structure



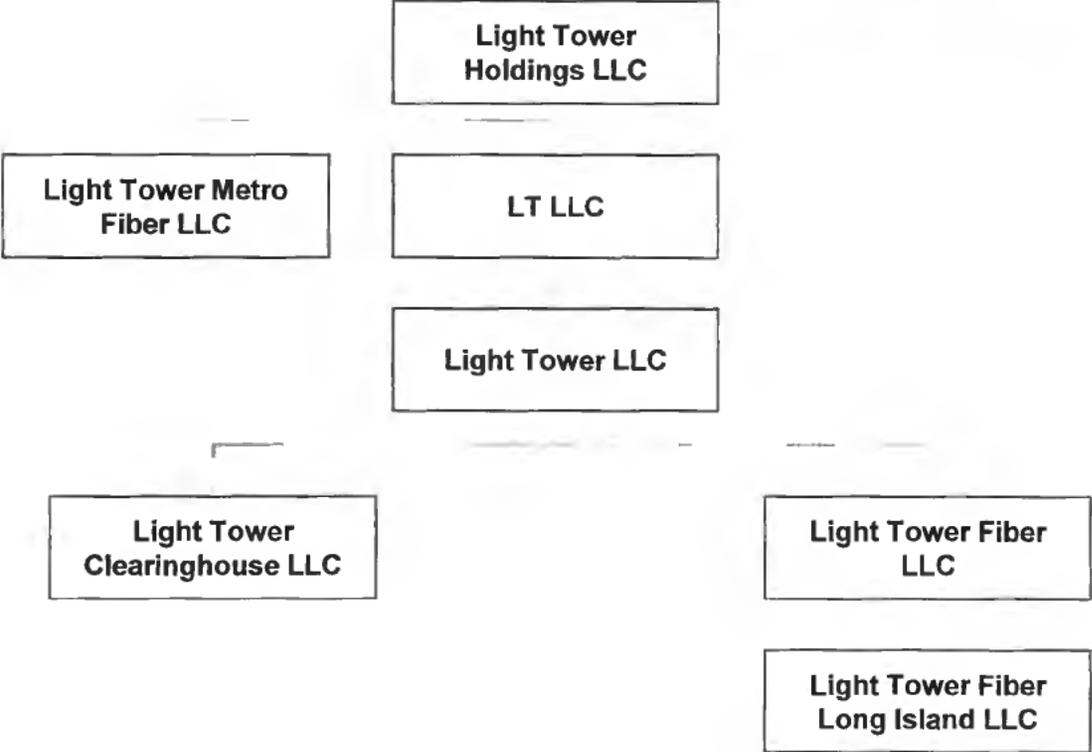
Post-Closing Structure



See Slide 4 for a detailed diagram of the post-Closing subsidiaries of Light Tower Holdings LLC

See Slide 5 for a detailed diagram of the post-Closing subsidiaries of Yankee Metro Partners, LLC

Post-Closing Light Tower Subsidiaries



Post-Closing Yankee Subsidiaries

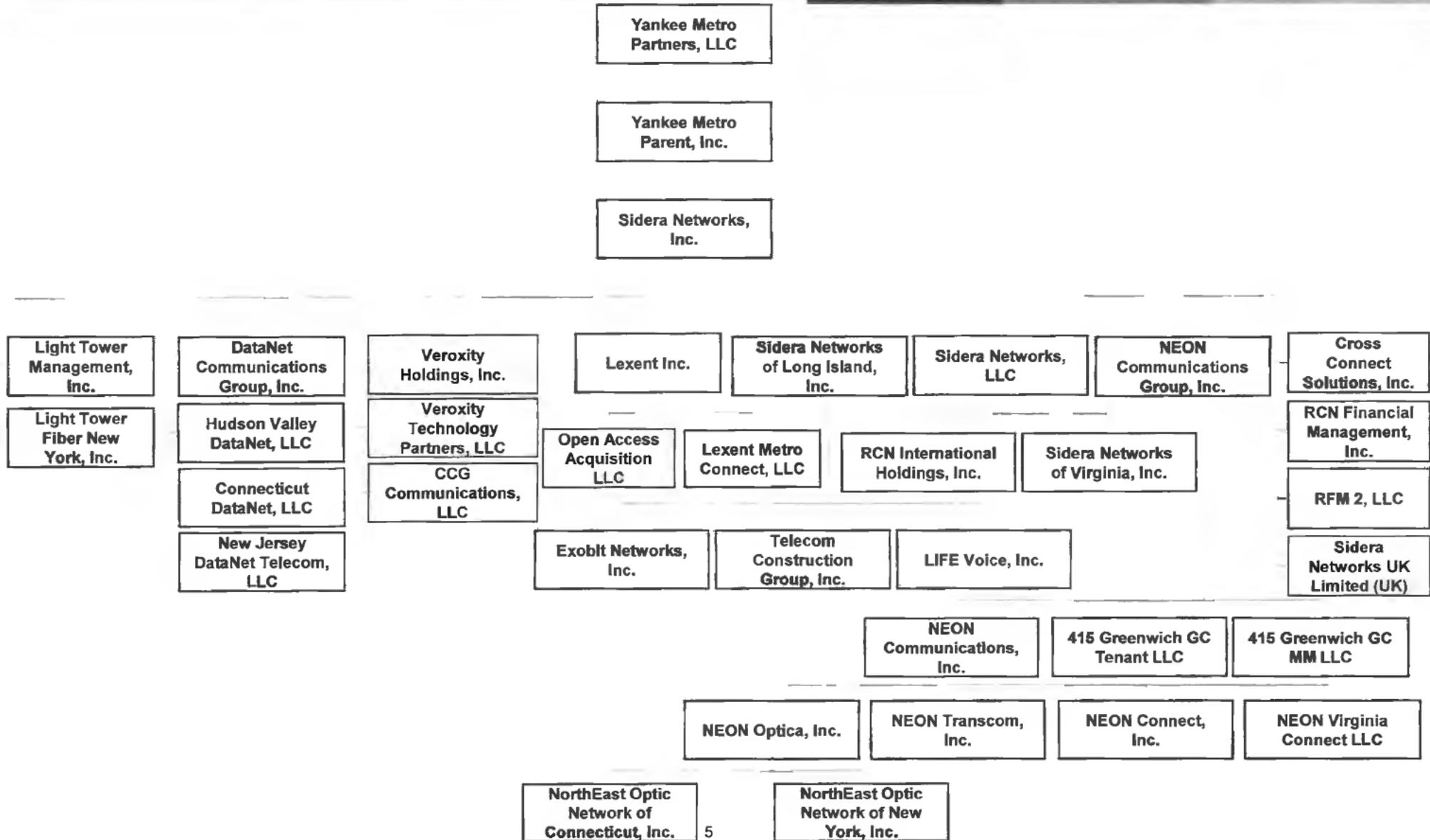


EXHIBIT C

Pro Forma Financial Statements

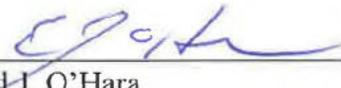
CONFIDENTIAL - FILED UNDER SEAL

STATE OF NEW YORK
COUNTY OF NEW YORK

§
§
§

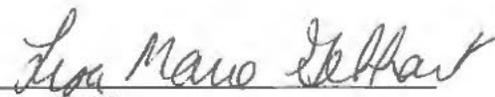
VERIFICATION

I, Edward J. O'Hara, am Senior Vice President and Chief Financial Officer of Yankee Metro Partners, LLC and its subsidiaries (collectively, the "Company"); that I am authorized to make this Verification on behalf of the Company; that the foregoing filing was prepared under my direction and supervision; and that the contents with respect to the Company are true and correct to the best of my knowledge, information, and belief.



Edward J. O'Hara
Senior Vice President and Chief Financial Officer
Yankee Metro Partners, LLC

Sworn and subscribed before me this 3 day of January, 2013.



Notary Public

My commission expires 4/12/14

Lisa Marie Gebhart Notary Public
State of New York
Qualified Kings County
Ref # 01GE6220435
Commission Exp. 4/12/14

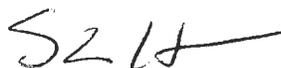
STATE OF MASSACHUSETTS
SUFFOLK COUNTY

§
§
§

VERIFICATION

I, Sharlyn C. Heslam, of Berkshire Partners LLC (“Berkshire Partners”), state that I am authorized to make this Verification on behalf of LTS Group Holdings LLC, which is managed by Berkshire Partners; that LTS Buyer LLC is a wholly owned subsidiary of LTS Group Holdings LLC; that the foregoing filing was prepared under my direction and supervision; and that the contents as they pertain to LTS Group Holdings LLC and/or LTS Buyer LLC, and any of their affiliates, are true and correct to the best of my knowledge, information and belief.

Executed on January 4, 2013.



Name: Sharlyn C. Heslam
Title: Managing Director

Sworn and subscribed before me this 4th day of January, 2013.



Notary Public Katherine C. Bush

My commission expires March 25, 2016



CITY COUNCIL AGENDA

NO. 12

DEPT.: Corporation Counsel

DATE: February 13, 2013

CONTACT: Kristen K. Wilson, Esq., Corporation Counsel

AGENDA ITEM: Consideration of referral to the Board of Architectural Review, the Special Permit Application submitted by Sprint for modifications to its existing wireless telecommunications facility located at 66 Milton Road.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council refer the Special Use Permit Application by Sprint to the BAR.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Sprint is seeking approval for modifications to its existing wireless telecommunications facility on the roof of the Blind Brook Lodge located at 66 Milton Road. Sprint is reducing the number of antennas at the site (see pgs. 4-6 of attached). Currently they have 6 antennas installed (2 per sector); after the proposed modification they will have one 3 antennas (1 per Sector). The antennas that are being replaced are slightly larger than what is currently in place: approximately 16" longer, actually 1" less wide, and 4.5" deeper. The modifications reflect a newer and more efficient model than the existing technology.

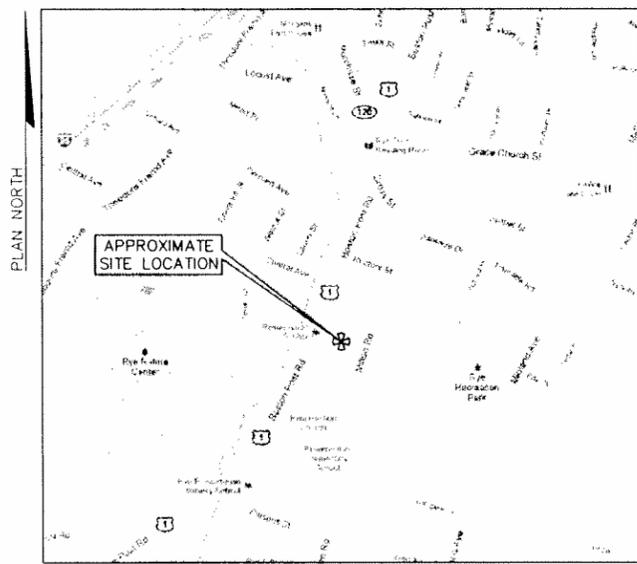
Pursuant to Sections 196-13 and 196-16 of the Code of the City of Rye the Council may refer the application to the Board of Architectural Review (BAR) who will provide a written assessment to the Council.

See attached.

Sprint®



SPRINT NUMBER: NY54XC585
 66 MILTON ROAD
 RYE, NEW YORK 10580
 WESTCHESTER COUNTY



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LOCATION MAP
 SCALE: 1" = ±600'

DRAWING SCHEDULE	
DWG#	DRAWING TITLE
T-001	TITLE SHEET
ANT-001	SITE MAP AND NOTES
ANT-002	PARTIAL ROOF PLAN
ANT-003	ALPHA SECTOR ANTENNA CONFIGURATION
ANT-004	BETA SECTOR ANTENNA CONFIGURATION
ANT-005	GAMMA SECTOR ANTENNA CONFIGURATION
ANT-006	NORTH ELEVATION
ANT-007	EQUIPMENT PLATFORM CONFIGURATION
ANT-008	ANTENNA AND SITE DETAILS
ANT-009	RFH DETAILS AND B.O.M.
ANT-010	RADIO FREQUENCY DATA SHEET
ANT-011	ELECTRICAL SPECIFICATIONS
ANT-012	ENLARGED ELECTRICAL EQUIPMENT PLAN
ANT-013	GROUNDING DETAILS AND NOTES

PROJECT INDEX	
SITE #:	NY54XC585
SITE ADDRESS:	66 MILTON ROAD RYE, NEW YORK 10580 WESTCHESTER COUNTY
PROPERTY OWNER:	BLIND BROOK LODGE OWNERS INC.
APPLICANT:	SPRINT ONE INTERNATIONAL BLVD., SUITE 800 MAHWAH, NEW JERSEY 07495
ZONING DISTRICT:	RA-3 ZONE 2
BLOCK:	1
LOT NO:	73
COUNTY:	WESTCHESTER COUNTY

PROJECT CONTACTS	
SITE CONTACT:	TBD
ELECTRIC COMPANY:	CON EDISON

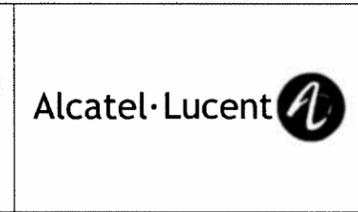
SITE COORDINATES	
LATITUDE:	N 40°58'40.16"± (NAD 83)
LONGITUDE:	W 73°41'04.77"± (NAD 83)

PROJECT APPROVALS	
CONSTRUCTION PROJECT MANAGER	DATE
SITE ACQUISITION MANAGER	DATE
SPRINT REPRESENTATIVE	DATE
SPRINT RF ENGINEER	DATE
LANDLORD / OWNER	DATE

SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	ISSUE DATE
5			
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	08/05/11

NOTES:

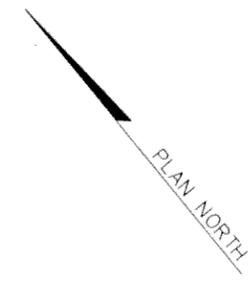
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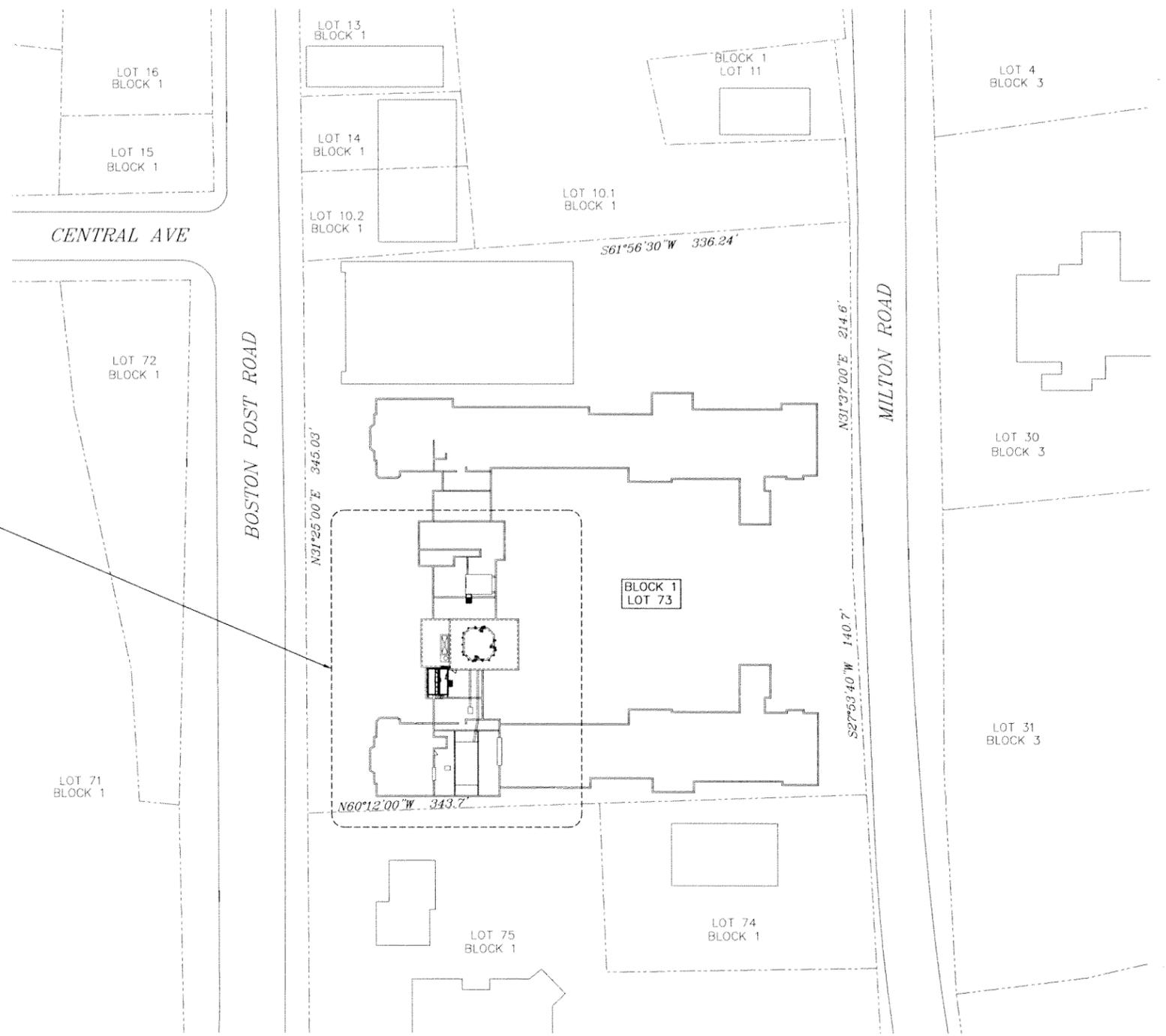
DRAWING TITLE:	TITLE SHEET
PROJECT:	NY54XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY

DRAWN BY:	J.M.C.	DRAWING NO. T-001.04
CHECKED BY:	S.J.K.	
DATE:	08/05/11	
SPRINT #	NY54XC585	
FPA #	4378.188	SHEET NUMBER 1 OF 14

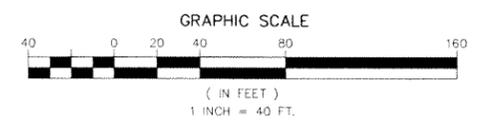
FRENCH & PARRELLO
 ASSOCIATES, P.A., CONSULTING ENGINEERS



1 PARTIAL ROOF PLAN
ANT-001



1 SITE MAP
ANT-001 SCALE: 1" = 40'



- GENERAL NOTES:**
- SUBJECT PROPERTY IS KNOWN AS BLOCK 1, LOT 73 AS SHOWN ON THE WESTCHESTER COUNTY TAX MAP AND IS SITUATED AT 66 MILTON ROAD, RYE, NEW YORK 10580.
 - APPLICANT: SPRINT
1 INTERNATIONAL BOULEVARD, SUITE 800
MAHWAH, NJ 07495
 - PROPERTY OWNER: BLIND BROOK LODGE OWNERS INC.
 - THE APPLICANT PROPOSES TO INSTALL A NEW MULTIMODAL EQUIPMENT CABINET AND (1) NEW BATTERY CABINETS ON AN EXISTING STEEL PLATFORM ON THE ROOF OF THE BUILDING AND THE INSTALLATION/REPLACEMENT OF (3) ANTENNAS ON THE EXISTING BUILDING ROOFTOP.
 - THE PROPOSED FACILITY IS NOT INTENDED FOR PERMANENT EMPLOYEE OCCUPANCY AND THEREFORE POTABLE WATER, SANITARY SEWERS, AND ADDITIONAL SITE PARKING ARE NOT REQUIRED.
 - THIS FACILITY SHALL BE VISITED ON THE AVERAGE OF ONCE A MONTH FOR MAINTENANCE AND SHALL BE MONITORED FROM A REMOTE FACILITY.
 - THIS SET OF PLANS HAS BEEN PREPARED FOR THE PURPOSES OF MUNICIPAL AND AGENCY REVIEW AND APPROVAL. THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS UNTIL ALL CONDITIONS OF APPROVAL HAVE BEEN SATISFIED AND EACH OF THE DRAWINGS HAVE BEEN REVISED TO INDICATED "ISSUED FOR CONSTRUCTION."
 - ALL MATERIALS, WORKMANSHIP AND CONSTRUCTION FOR THE SITE IMPROVEMENTS SHOWN HEREON SHALL BE IN ACCORDANCE WITH:
 - CURRENT PREVAILING MUNICIPAL AND/OR COUNTY SPECIFICATIONS, STANDARDS AND REQUIREMENTS.
 - CURRENT PREVAILING UTILITY COMPANY AUTHORITY SPECIFICATIONS, STANDARDS AND REQUIREMENTS.
 - THE CONTRACTOR SHALL NOTIFY FRENCH & PARRELLO ASSOCIATES, P.A. IMMEDIATELY IF ANY FIELD-CONDITIONS ENCOUNTERED DIFFER FROM THOSE REPRESENTED HEREON, AND/OR IF SUCH CONDITIONS WOULD OR COULD RENDER THE DESIGNS SHOWN HEREON INAPPROPRIATE AND/OR INEFFECTIVE.
 - ALL INFORMATION SHOWN TAKEN FROM TELECOMMUNICATIONS CONSTRUCTION PLANS PREPARED BY EDWARDS AND KELCEY ENGINEERING, LAST REVISED 12/13/01 AND INFORMATION TAKEN FROM A SITE VISIT PERFORMED BY FRENCH & PARRELLO ASSOCIATES P.A. ON 08/01/11.
 - THE LOCATION OF ALL EXISTING UTILITIES SHOWN ON THIS SET OF PLANS HAS BEEN DETERMINED FROM FIELD MEASUREMENTS AND OR PLANS PROVIDED TO FRENCH AND PARRELLO ASSOCIATES. NO GUARANTEE IS MADE NOR SHOULD BE ASSUMED AS TO THE COMPLETENESS OR ACCURACY OF THE HORIZONTAL OR VERTICAL LOCATIONS. ALL PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY THE ACCURACY AND COMPLETENESS OF THE INFORMATION SHOWN PRIOR TO CONSTRUCTION ACTIVITIES.
 - THE CONSTRUCTION CONTRACTOR IS SOLELY RESPONSIBLE FOR DETERMINING ALL CONSTRUCTION MEANS AND METHODS. THE CONSTRUCTION CONTRACTOR IS ALSO RESPONSIBLE FOR ALL JOB SITE SAFETY.
 - THERE IS NO DEFINED PARKING ON SITE, HOWEVER THERE IS EXISTING ON STREET PARKING FOR CELL TECHNICIAN'S VEHICLE.

SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	ISSUE DATE
5			
4	REMOVED 1.6 MHz DESIGN	R.P.J.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	08/05/11

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Sprint

1 INTERNATIONAL BLVD., SUITE 800
MAHWAH, NJ 07495

Alcatel-Lucent

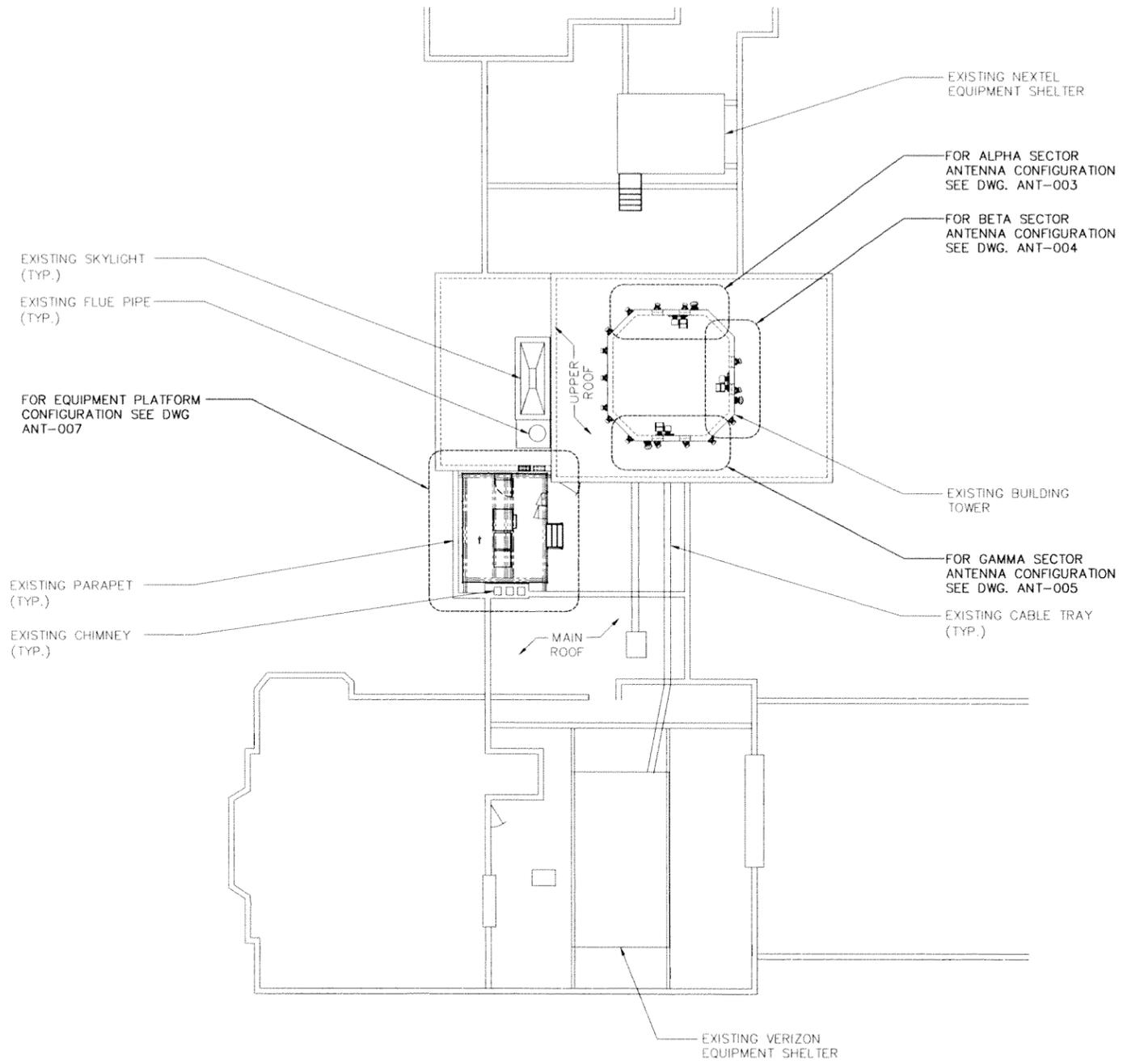
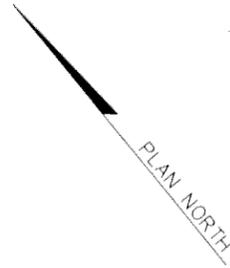
FRENCH & PARRELLO
ASSOCIATES, P.A., CONSULTING ENGINEERS

800 ROUTE 24, SUITE 101 - MAHWAH, NJ 07495-3128
NEW YORK STATE PROFESSIONAL ENGINEERING LICENSE NO. 129812

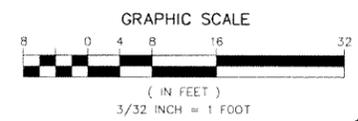
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SITE MAP AND NOTES	
PROJECT:	
NY54XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY	

DRAWN BY:	J.M.C.
CHECKED BY:	S.J.K.
DATE:	08/05/11
SPRINT #	NY54XC585
FPA #	4378.188

DRAWING NO.	ANT-001.04
SHEET NUMBER	



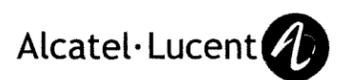
1 PARTIAL ROOF PLAN
ANT-002 SCALE: 3/32" = 1'-0"



SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY / ISSUE DATE
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3	REVISED PER ALU COMMENTS	P.J.F.	P.J.T. 12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	P.J.T. 12/13/11
1	REVISED PER ALU COMMENTS	T.J.	P.J.T. 09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	P.J.T. 08/05/11

NOTES:

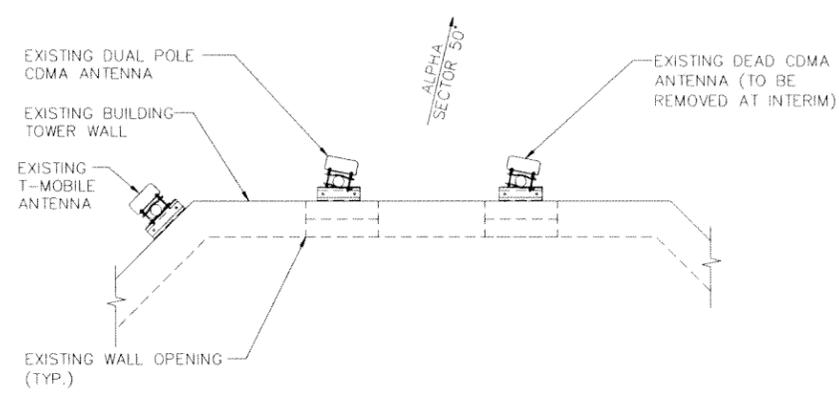
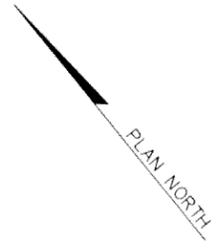
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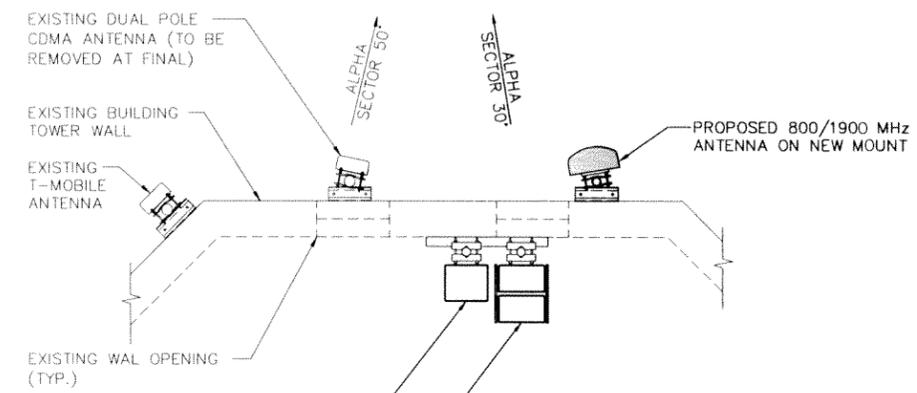
DRAWING TITLE:
PARTIAL ROOF PLAN

PROJECT:
NY54XC585
66 MILTON ROAD
RYE, NY 10580
WESTCHESTER COUNTY

DRAWN BY: J.M.C.	ANT-002.04
CHECKED BY: S.J.K.	
DATE: 08/05/11	
SPRINT # NY54XC585	
FPA # 4378.188	SHEET NUMBER 3 OF 14



1
ANT-003
EXISTING ANTENNA CONFIGURATION
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE
(IN FEET)
1/2 INCH = 1 FOOT

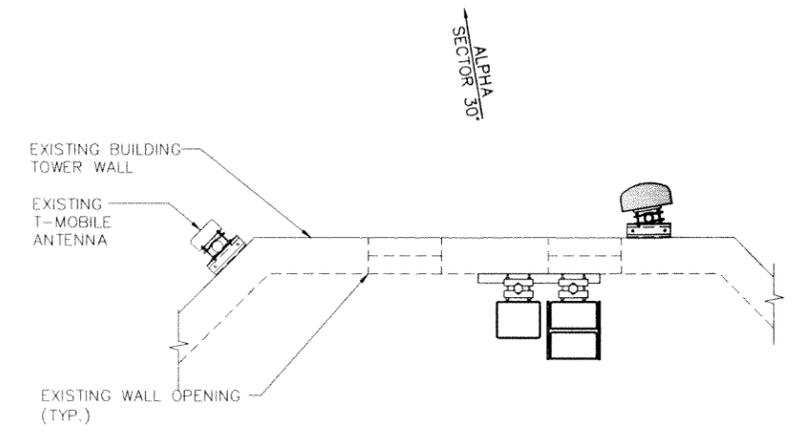


3
ANT-009
PROPOSED 800 MHz RRH MOUNTED ON UNISTRUT ON INTERIOR WALL OF EXISTING ROOFTOP TOWER

4
ANT-009
PROPOSED 1900 MHz RRH MOUNTED ON UNISTRUT ON INTERIOR WALL OF EXISTING ROOFTOP TOWER

2
ANT-003
INTERIM ANTENNA CONFIGURATION
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE
(IN FEET)
1/2 INCH = 1 FOOT

NOTE:
1/2" JUMPERS TO GO THROUGH EXISTING WALL OPENING TO EACH ANTENNA.

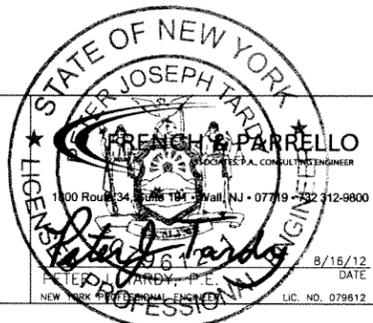
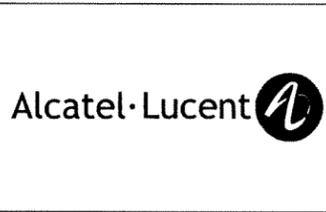


3
ANT-003
FINAL ANTENNA CONFIGURATION
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE
(IN FEET)
1/2 INCH = 1 FOOT

NOTES:
1. 1/2" JUMPERS TO GO THROUGH EXISTING WALL OPENING TO EACH ANTENNA.
2. ALL ANTENNAS AND EQUIPMENT TO BE PAINTED TO MATCH.

SCHEDULE OF REVISIONS				
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY	ISSUE DATE
5				
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	P.J.T.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	P.J.T.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	P.J.T.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	P.J.T.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	P.J.T.	08/05/11

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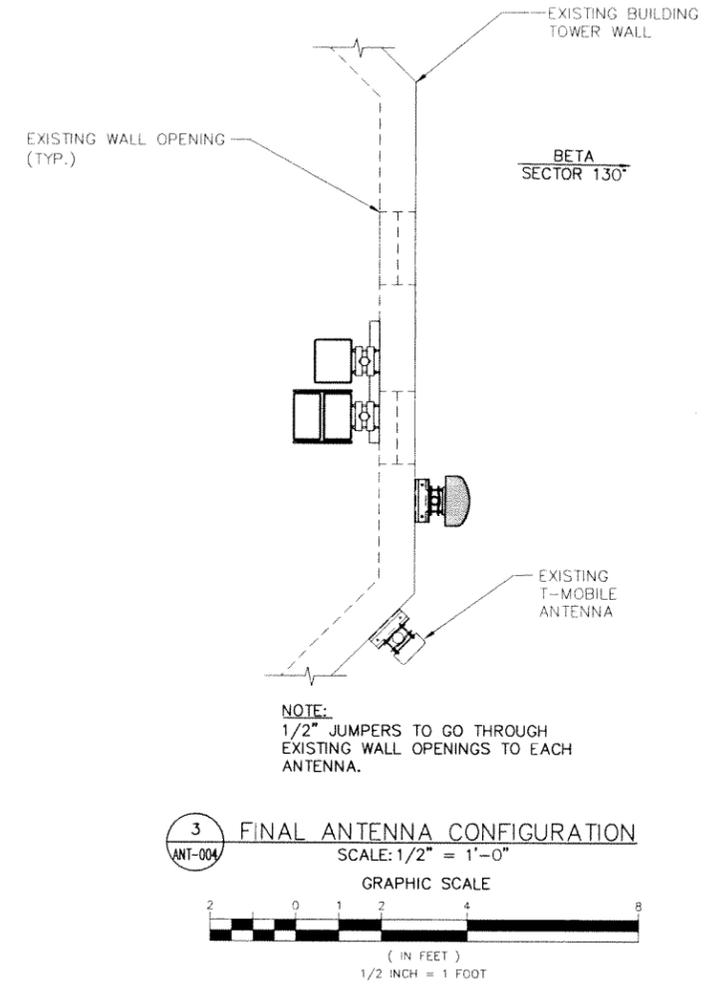
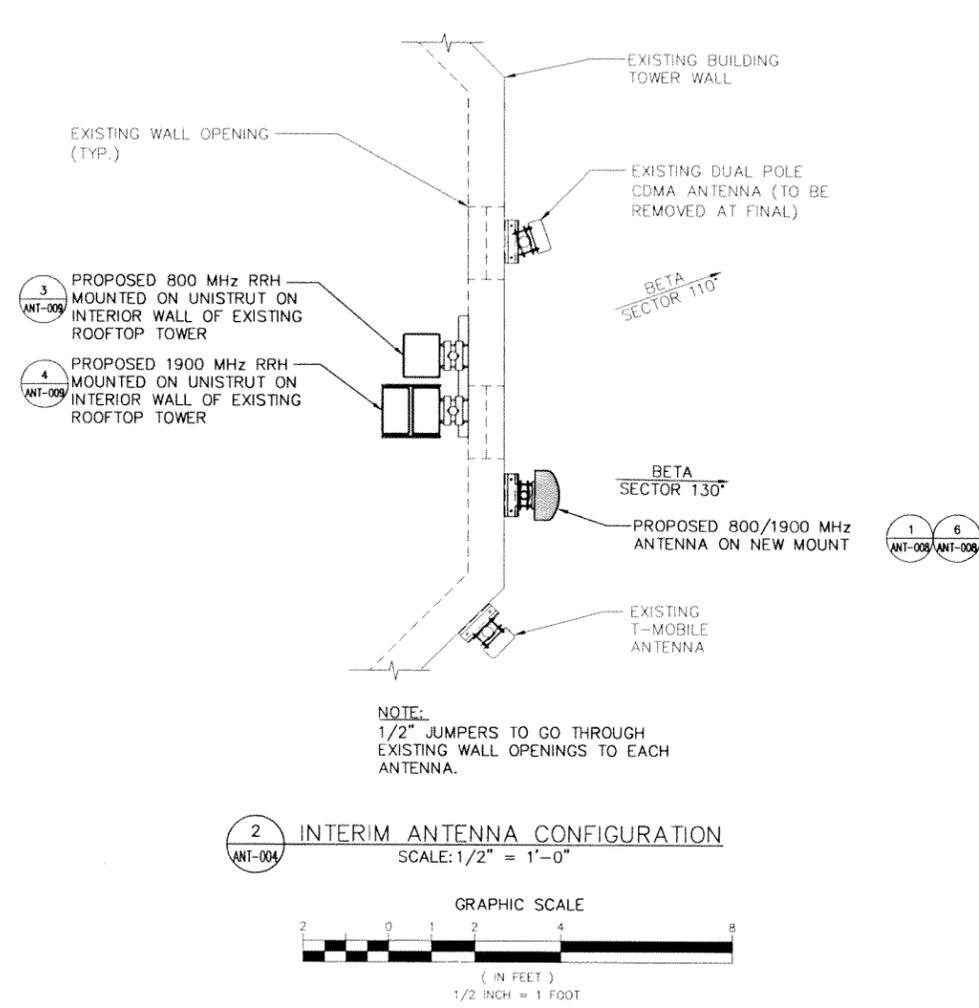
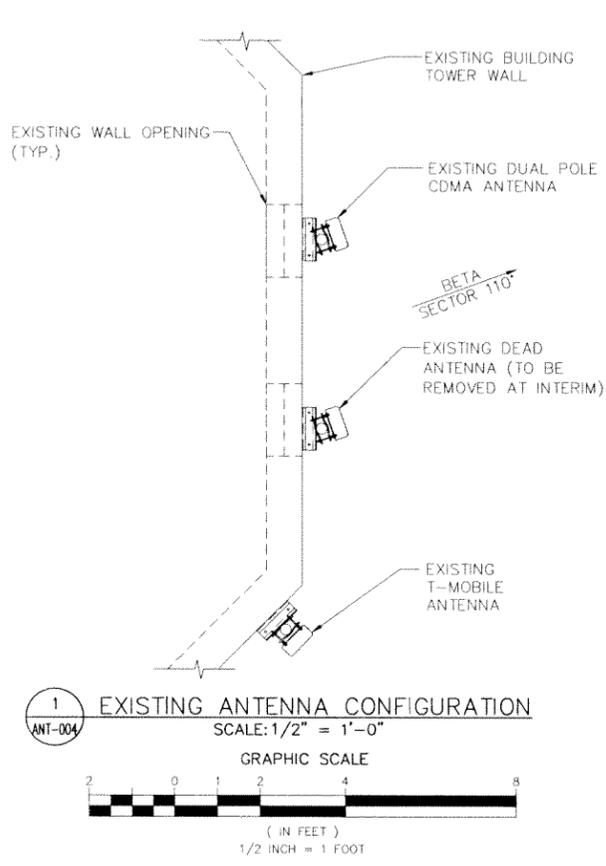


DRAWING TITLE:
ALPHA SECTOR ANTENNA CONFIGURATION

PROJECT:
NY54XC585
66 MILTON ROAD
RYE, NY 10580
WESTCHESTER COUNTY

DRAWN BY: J.M.C.
CHECKED BY: S.J.K.
DATE: 08/05/11
SPRINT # NY54XC585
FPA # 4378.188

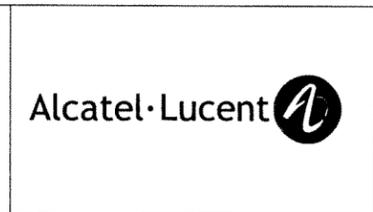
DRAWING NO.
ANT-003.04
SHEET NUMBER 4 OF 14



SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	DATE
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3	REVISED PER ALU COMMENTS	P.J.F.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	12/13/11
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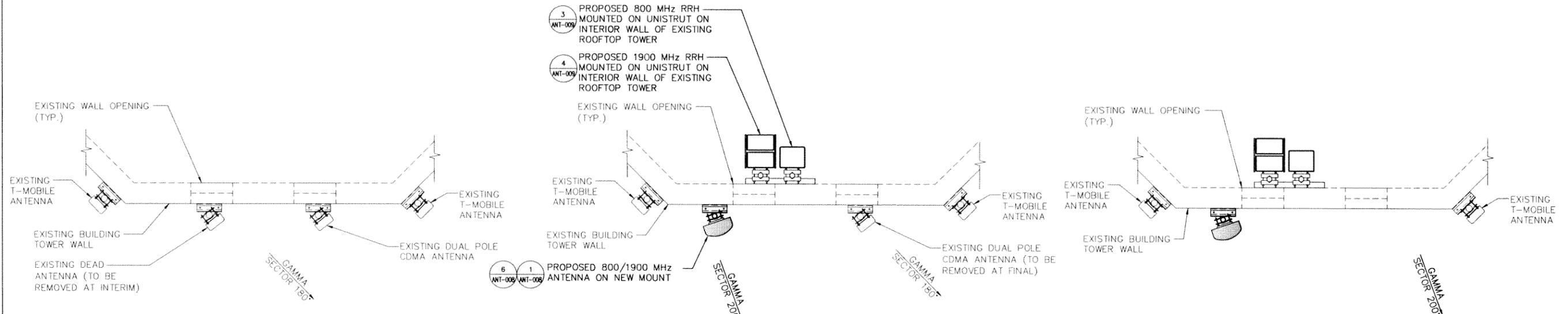


DRAWING TITLE:
BETA SECTOR ANTENNA CONFIGURATION

PROJECT:
NY54XC585
66 MILTON ROAD
RYE, NY 10580
WESTCHESTER COUNTY

DRAWN BY: J.M.C.
CHECKED BY: S.J.K.
DATE: 08/05/11
SPRINT # NY54XC585
FPA # 4378.188

DRAWING NO.
ANT-004.04
SHEET NUMBER 5 OF 14



1 EXISTING ANTENNA CONFIGURATION
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE
(IN FEET)
1/2 INCH = 1 FOOT

2 INTERIM ANTENNA CONFIGURATION
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE
(IN FEET)
1/2 INCH = 1 FOOT

3 FINAL ANTENNA CONFIGURATION
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE
(IN FEET)
1/2 INCH = 1 FOOT

NOTE:
1/2" JUMPERS TO GO THROUGH EXISTING WALL OPENINGS TO EACH ANTENNA.

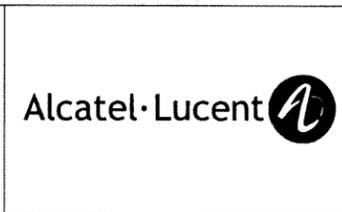
NOTE:
1/2" JUMPERS TO GO THROUGH EXISTING WALL OPENINGS TO EACH ANTENNA.

NOTE:
ALL ANTENNAS AND EQUIPMENT TO BE PAINTED TO MATCH.

SCHEDULE OF REVISIONS				
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY	ISSUE DATE
5				
4	REMOVED 1.6 MHz DESIGN	R.P.J.	P.J.T.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	P.J.T.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	P.J.T.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	P.J.T.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	P.J.T.	08/05/11

NOTES:

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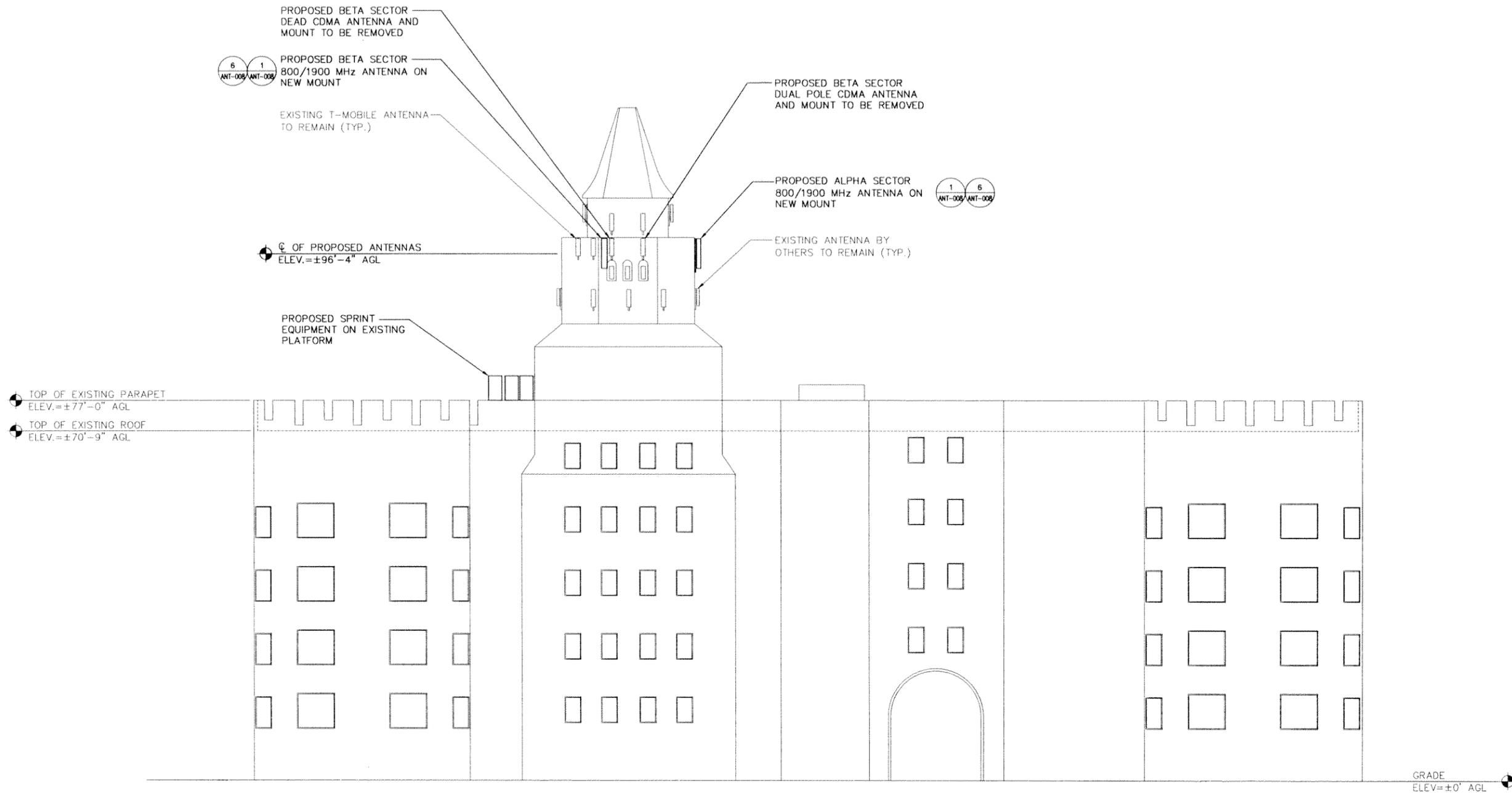


DRAWING TITLE:
GAMMA SECTOR ANTENNA CONFIGURATION

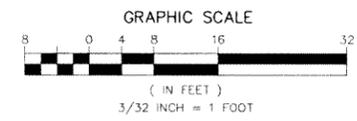
PROJECT:
NYS4XC585
66 MILTON ROAD
RYE, NY 10580
WESTCHESTER COUNTY

DRAWN BY: J.M.C.
CHECKED BY: S.J.K.
DATE: 08/05/11
SPRINT # NYS4XC585
FPA # 4378.188

DRAWING NO.
ANT-005.04
SHEET NUMBER 6 OF 14



1 NORTH ELEVATION
SCALE: 3/32" = 1'-0"



NOTE: ALL PROPOSED ANTENNAS ARE NOT SHOWN ON THIS ELEVATION, REFER TO PLAN VIEW FOR ADDITIONAL ANTENNA LOCATIONS

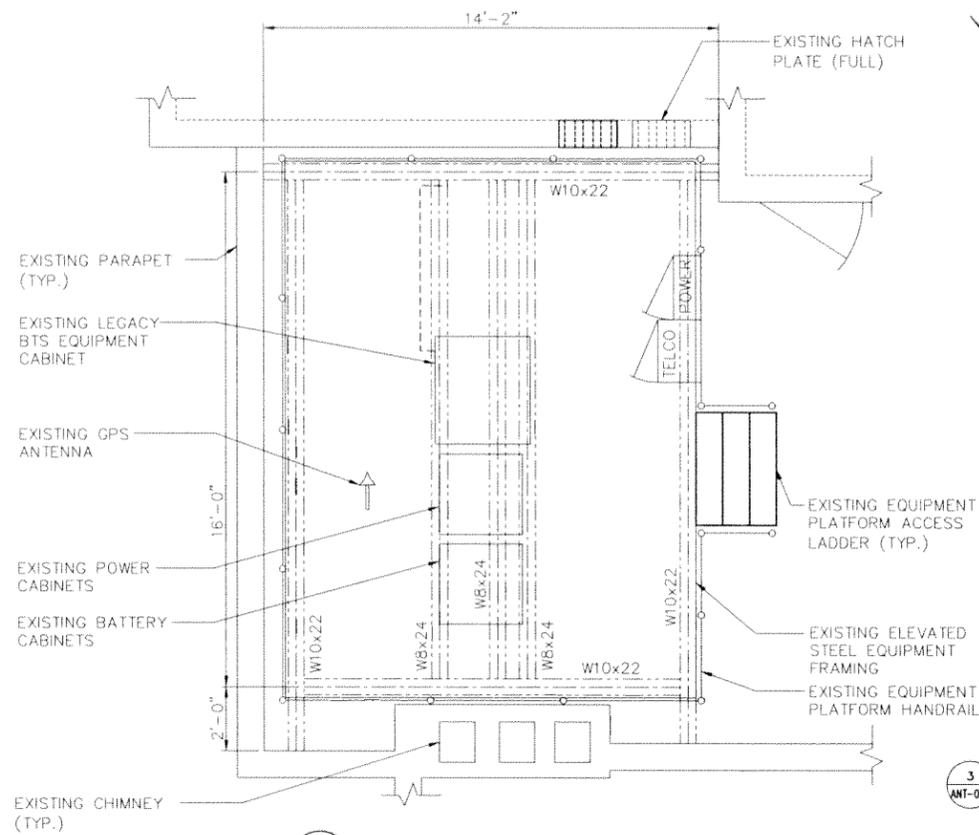
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY	ISSUE DATE
5				
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	P.J.T.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	P.J.T.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	P.J.T.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	P.J.T.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	P.J.T.	08/05/11

NOTES:

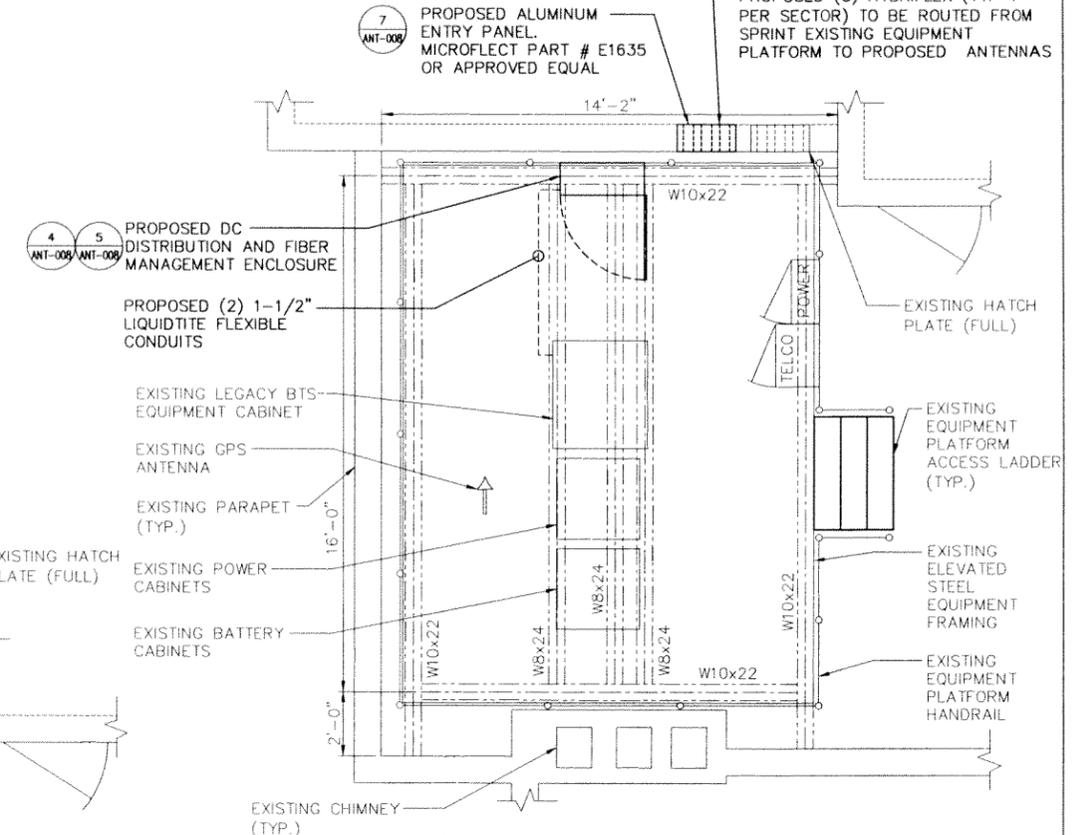
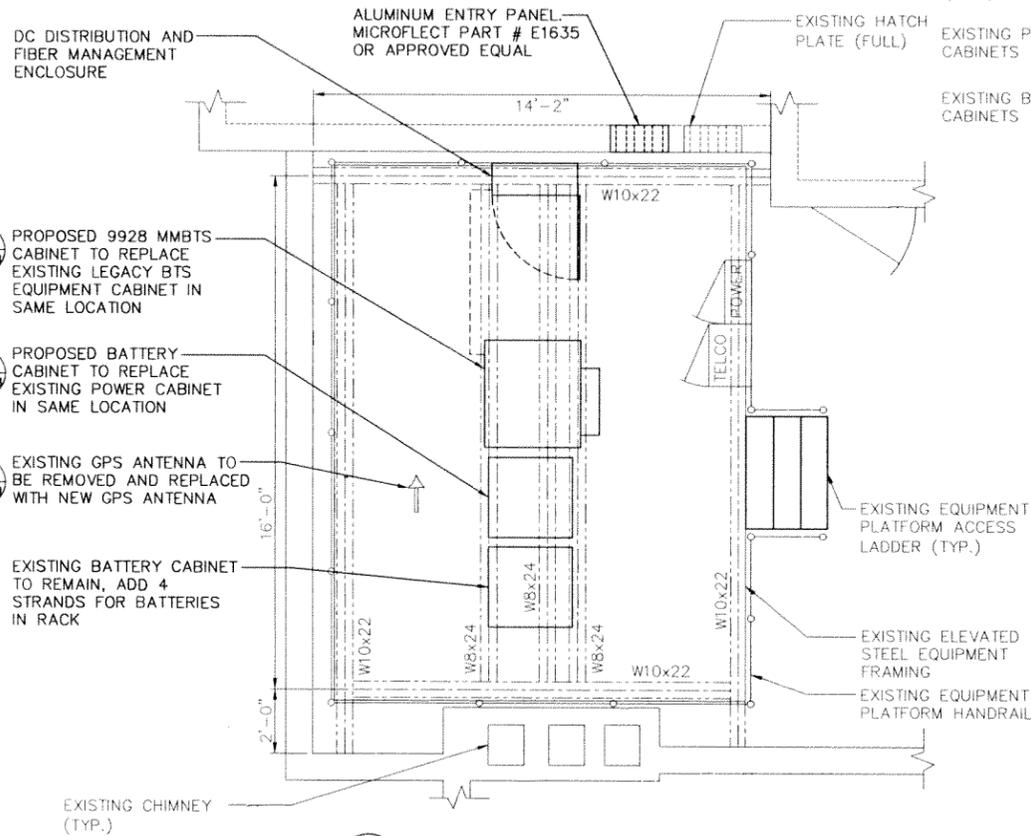
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DRAWING TITLE: NORTH ELEVATION	DRAWN BY: J.M.C.	DRAWING NO.
PROJECT: NY54XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY	CHECKED BY: S.J.K.	ANT-006.04
	DATE: 08/05/11	
	SPRINT # NY54XC585	
	FPA # 4378.188	SHEET NUMBER 7 OF 14



- 3
ANT-008
PROPOSED 9928 MMBTS CABINET TO REPLACE EXISTING LEGACY BTS EQUIPMENT CABINET IN SAME LOCATION
- 2
ANT-008
PROPOSED BATTERY CABINET TO REPLACE EXISTING POWER CABINET IN SAME LOCATION
- 2
ANT-009
EXISTING GPS ANTENNA TO BE REMOVED AND REPLACED WITH NEW GPS ANTENNA
- EXISTING BATTERY CABINET TO REMAIN, ADD 4 STRANDS FOR BATTERIES IN RACK



- 4
ANT-008
5
ANT-009
PROPOSED DC DISTRIBUTION AND FIBER MANAGEMENT ENCLOSURE
- PROPOSED (2) 1-1/2" LIQUIDITE FLEXIBLE CONDUITS
- EXISTING LEGACY BTS EQUIPMENT CABINET
- EXISTING GPS ANTENNA
- EXISTING PARAPET (TYP.)
- EXISTING POWER CABINETS
- EXISTING BATTERY CABINETS

- 7
ANT-008
PROPOSED ALUMINUM ENTRY PANEL. MICROFLECT PART # E1635 OR APPROVED EQUAL
- PROPOSED (3) HYBRIFLEX (TYP 1 PER SECTOR) TO BE ROUTED FROM SPRINT EXISTING EQUIPMENT PLATFORM TO PROPOSED ANTENNAS

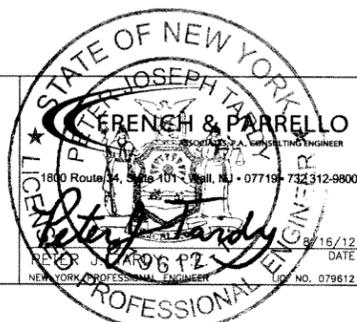
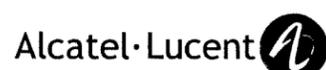
NOTE:
HYBRIFLEX TO FOLLOW EXISTING COAX ROUTING.

SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	DATE
5			
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	08/16/12
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2	INCORPORATED SPRINT COMMENTS	A.R.C.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	08/05/11

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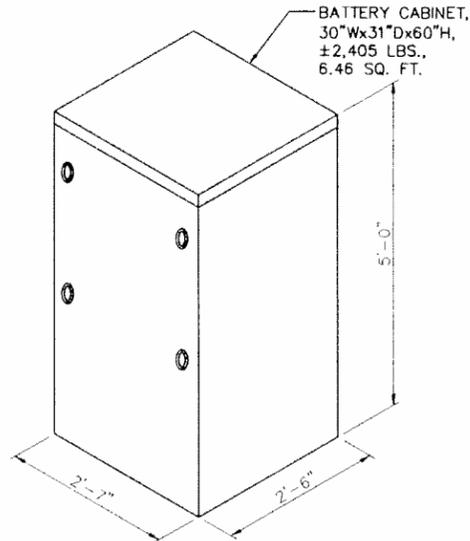
DRAWING TITLE: EQUIPMENT PLATFORM CONFIGURATION	DRAWN BY: J.M.C.	DRAWING NO.
PROJECT: NY54XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY	CHECKED BY: S.J.K.	ANT-007.04
	DATE: 08/05/11	
	SPRINT # NY54XC585	
	FPA # 4378.188	SHEET NUMBER 8 OF 14



MECHANICAL SPECIFICATIONS:
OVERALL
HEIGHT: 72 IN.
WIDTH: 11.8 IN.
DEPTH: 7 IN.
WEIGHT: 25.8 LBS.

RFS APXVSP18-C
800/1900 MHz
ANTENNA

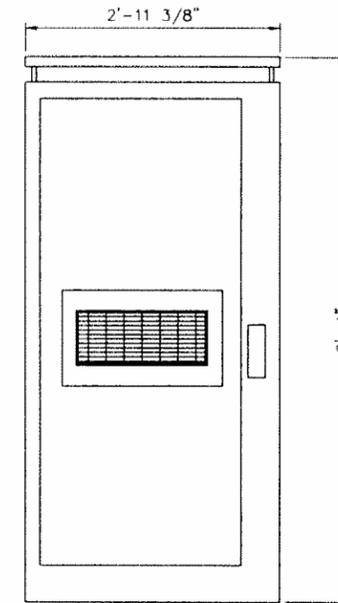
1 DETAIL
ANT-008 NOT TO SCALE



BATTERY CABINET,
30"Wx31"Dx60"H,
±2,405 LBS.,
6.46 SQ. FT.

ANDREW 60ECv2
BATTERY CABINET

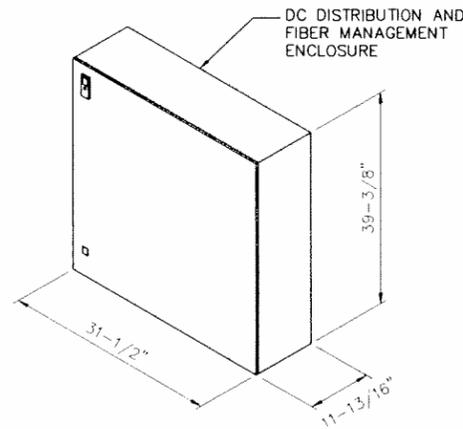
2 DETAIL
ANT-008 SCALE: N.T.S.



MECHANICAL SPECIFICATIONS:
OVERALL
HEIGHT: 74 IN.
WIDTH: 35.4 IN.
DEPTH: 37.8 IN.
WEIGHT: 1074 LBS.

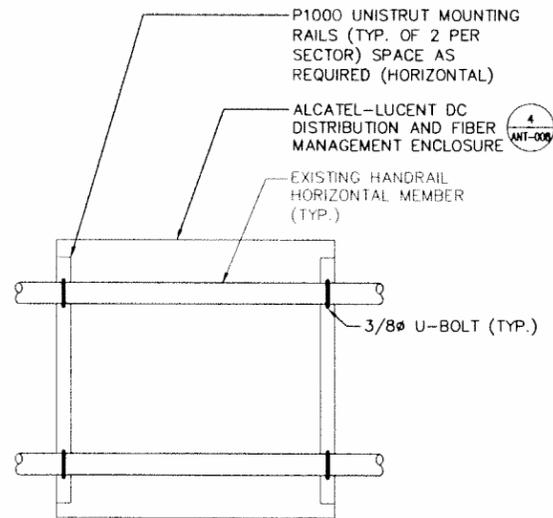
CABINET FRONT
9928 MM BTS MODULAR CELL

3 DETAIL
ANT-008 SCALE: N.T.S.



DC DISTRIBUTION AND FIBER MANAGEMENT ENCLOSURE

4 DETAIL
ANT-008 SCALE: N.T.S.

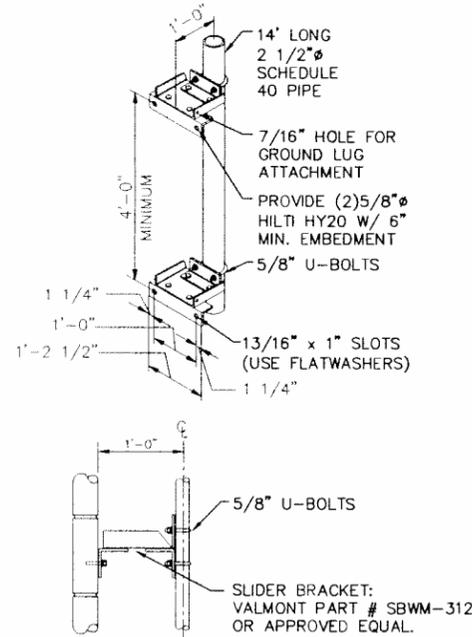


P1000 UNISTRUT MOUNTING RAILS (TYP. OF 2 PER SECTOR) SPACE AS REQUIRED (HORIZONTAL)
ALCATEL-LUCENT DC DISTRIBUTION AND FIBER MANAGEMENT ENCLOSURE
EXISTING HANDRAIL HORIZONTAL MEMBER (TYP.)
3/8" U-BOLT (TYP.)

*EXISTING MOUNT SIZES AND CONDITIONS TO BE FIELD VERIFIED

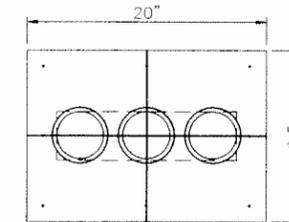
DC DISTRIBUTION AND FIBER MANAGEMENT ENCLOSURE
AT HANDRAIL

5 DETAIL
ANT-008 SCALE: N.T.S.



ANTENNA MOUNT DETAIL

6 DETAIL
ANT-008 SCALE: N.T.S.



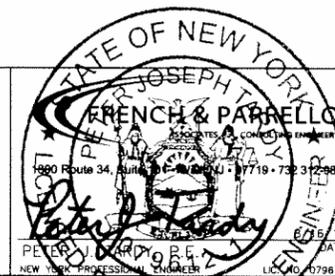
B1635 (3 PORTS)

7 DETAIL
ANT-008 SCALE: N.T.S.

SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	ISSUE DATE
5			
4	REMOVED 1.6 MHz DESIGN	R.P.J.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	08/05/11

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ANTENNA AND SITE DETAILS

PROJECT:
NY54XC585
66 MILTON ROAD
RYE, NY 10580
WESTCHESTER COUNTY

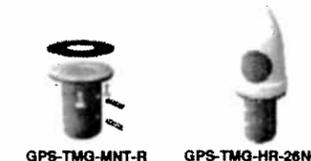
DRAWN BY: J.M.C.
CHECKED BY: S.J.K.
DATE: 08/05/11
SPRINT # NY54XC585
FPA # 4378.188

DRAWING NO.
ANT-008.04
SHEET NUMBER 9 OF 14

ITEM	SECTOR	DESCRIPTION	QTY	DIMENSIONS	PART/MODEL#
1	ALPHA	800/1900 MHz ANTENNA	1	72"x11.8"x7"	APXVSPP18-C
2		800 MHz RRH	1	19.4"x12.9"x10.7"	FD-RRH-2x50-800
3		1900 MHz RRH	1	17.7"x12.9"x7.4"	FD-RRH-4x40-1900
4		NOTCH FILTER	1	12"x12"x6"	ATTACHED TO 800 MHz RRH
5		1-1/4" HYBRIFLEX	1	90'	RFS: 1-1/4"/HB158-1-08U4-M6F
6		1/2" JUMPERS	19	10'	LDF4-50
7	BETA	800/1900 MHz ANTENNA	1	72"x11.8"x7"	APXVSPP18-C
8		800 MHz RRH	1	19.4"x12.9"x10.7"	FD-RRH-2x50-800
9		1900 MHz RRH	1	17.7"x12.9"x7.4"	FD-RRH-4x40-1900
10		NOTCH FILTER	1	12"x12"x6"	ATTACHED TO 800 MHz RRH
11		1-1/4" HYBRIFLEX	1	90'	RFS: 1-1/4"/HB158-1-08U4-M6F
12		1/2" JUMPERS	19	10'	LDF4-50
13	GAMMA	800/1900 MHz ANTENNA	1	72"x11.8"x7"	APXVSPP18-C
14		800 MHz RRH	1	19.4"x12.9"x10.7"	FD-RRH-2x50-800
15		1900 MHz RRH	1	17.7"x12.9"x7.4"	FD-RRH-4x40-1900
16		NOTCH FILTER	1	12"x12"x6"	ATTACHED TO 800 MHz RRH
17		1-1/4" HYBRIFLEX	1	80'	RFS: 1-1/4"/HB158-1-08U4-M6F
18		1/2" JUMPERS	19	10'	LDF4-50
19		BTS EQUIPMENT CABINET	1	72"x39"x36"	9928 MM BTS MODULAR CELL
20		BATTERY CABINET	1	69"x30"x30"	ABDREW 60ECv2
21		JUNCTION BOX	1	39"x32"x12"	
22		GPS ANTENNA	1	5"x3.2"Ø	GPS-TMG-HR-26N
23		RET CABLES	12	10' MAX	



GPS-TMG-HR-26N

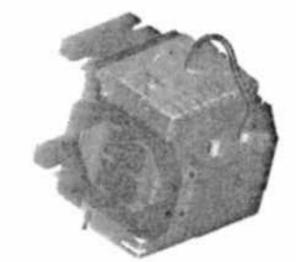


GPS-TMG-MNT-R GPS-TMG-HR-26NCM

SPECIFICATIONS:
HEIGHT: 5"
DIAMETER: 3.2"
WEIGHT: 0.6 LBS

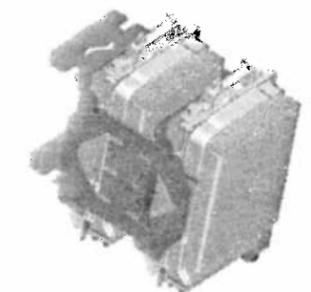
NOTE:
PROPOSED GPS ANTENNA TO REPLACE ANY/ALL EXISTING SPRINT GPS ANTENNAS ON EXISTING MOUNTS

2 ANT-009 GPS-TMG-HR-26N SCALE: NOT TO SCALE



NOTES:
TX CONFIG: 2x50
iBW: 7 MHz
WEIGHT: 60 LBS
DIMENSIONS: HxWxD
19.4"x12.9"x10.7"

3 ANT-009 FD-RRH-2x50-800 SCALE: NOT TO SCALE



NOTES:
TX CONFIG: 4x40
iBW: 65 MHz
WEIGHT: 88 LBS
DIMENSIONS: HxWxD
17.7"x12.9"x7.4"

4 ANT-009 FD-RRH-4x40-1900 SCALE: NOT TO SCALE

1 ANT-009 BILL OF MATERIALS SCALE: NOT TO SCALE

REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY	ISSUE DATE
5				
4	REMOVED 1.6 MHz DESIGN	R.P.J.	P.J.T.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	P.J.T.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	P.J.T.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	P.J.T.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	P.J.T.	08/05/11

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 1 INTERNATIONAL BLVD., SUITE 800 MAHWAH, NJ 07495			DRAWING TITLE: RRH DETAILS AND B.O.M.	DRAWN BY: J.M.C.	DRAWING NO. ANT-009.04
			PROJECT: NYS4XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY	CHECKED BY: S.J.K.	
			DATE: 08/05/11	SPRINT # NYS4XC585	SHEET NUMBER 10 OF 14
			FPA # 4378.188		

Market	New York		
Cascade ID	NY54XC585		
Candidate	NY54XC585-D		
	SECTOR 1	SECTOR 2	SECTOR 3
1900 MHz_Orientation (degrees)	30	130	200
1900 MHz_Number of Antennas (quantity) - RET's and Dual Pol only need 1/sector	1	1	1
1900 MHz_Antenna Height/Rad Center (feet)	96.3	96.3	96.3
1900 MHz_Antenna Manufacturer	RFS	RFS	RFS
1900 MHz_Antenna Model #	APXVSP18-C-A20	APXV9ERR18-C-A20	APXVSP18-C-A20
1900 MHz_Antenna Dimension Height (feet)	6	6	6
1900 MHz_Antenna Gain (dBd)	16.3	14.6	16.3
1900 MHz_Parapet Clearance (feet)			
1900 MHz_RET Antenna Electrical Downtilt	-3	-6	0
1900 MHz_Mechanical Tilt (degrees)	0	0	0
1900 MHz_Effective Tilt (degrees)	-3	-6	0
1900 MHz_Number of Fiber Cable Runs (quantity)	1	1	1
1900 MHz_Fiber Cable Manufacturer	RFS Hybr	RFS Hybr	RFS Hybr
1900 MHz_Fiber Cable Size	1.25	1.25	1.25
1900 MHz_RRU Manufacturer	ALU	ALU	ALU
1900 MHz_RRU Count	1	1	1
1900 MHz_Combiner Model #	N/A	N/A	N/A
800 MHz_Orientation (degrees)	30	130	200
shared antenna with 1900)	0	0	0
800 MHz_Antenna Height/Rad Center (feet)	96.3	96.3	96.3
800 MHz_Antenna Manufacturer	RFS	RFS	RFS
800 MHz_Antenna Model #	APXVSP18-C-A20 (Shared w/1900)	APXV9ERR18-C-A20 (Shared w/1900)	APXVSP18-C-A20 (Shared w/1900)
800 MHz_Antenna Dimension Height (feet)	6	6	6
800 MHz_Antenna Gain (dBd)	15.5	14	15.5
800 MHz_RET Antenna Electrical Downtilt	-8	-8	-1
800 MHz_Mechanical Tilt (degrees)	0	0	0
800 MHz_Effective Tilt (degrees)	-8	-8	-1
800 MHz_RRU Manufacturer	ALU	ALU	ALU

COAXIAL CABLE COLOR CODE				
SECTOR	CABLE	FIRST RING	SECOND RING	THIRD RING
1ALPHA	1	GREEN	NO TAPE	NO TAPE
1	2	BLUE	NO TAPE	NO TAPE
1	3	BROWN	NO TAPE	NO TAPE
1	4	WHITE	NO TAPE	NO TAPE
1	5	RED	NO TAPE	NO TAPE
1	6	SLATE	NO TAPE	NO TAPE
1	7	PURPLE	NO TAPE	NO TAPE
1	8	ORANGE	NO TAPE	NO TAPE
2BETA	1	GREEN	GREEN	NO TAPE
2	2	BLUE	BLUE	NO TAPE
2	3	BROWN	BROWN	NO TAPE
2	4	WHITE	WHITE	NO TAPE
2	5	RED	RED	NO TAPE
2	6	SLATE	SLATE	NO TAPE
2	7	PURPLE	PURPLE	NO TAPE
2	8	ORANGE	ORANGE	NO TAPE
3GAMMA	1	GREEN	GREEN	GREEN
3	2	BLUE	BLUE	BLUE
3	3	BROWN	BROWN	BROWN
3	4	WHITE	WHITE	WHITE
3	5	RED	RED	RED
3	6	SLATE	SLATE	SLATE
3	7	PURPLE	PURPLE	PURPLE
3	8	ORANGE	ORANGE	ORANGE
FREQUENCY COLOR CODE				
FREQUENCY	INDICATOR	ID		
800 #1	YELLOW	GREEN		
1900 #1	YELLOW	RED		
1900 #2	YELLOW	BROWN		
RESERVED	YELLOW	BLUE		
RESERVED	YELLOW	SLATE		
RESERVED	YELLOW	ORANGE		
RESERVED	YELLOW	WHITE		

1 RADIO FREQUENCY DATA SHEET
 ANT-010 SCALE: NOT TO SCALE

2 CABLE COLOR CODE DIAGRAM
 ANT-010 SCALE: NOT TO SCALE

REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY	ISSUE DATE
5				
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	P.J.T.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	P.J.T.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	P.J.T.	12/13/11
1	REVISED PER ALU COMMENTS	T.J.	P.J.T.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	P.J.T.	08/05/11

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 1 INTERNATIONAL BLVD., SUITE 800 MAHWAH, NJ 07495		 PETER J. TARDY, P.E. NEW YORK PROFESSIONAL ENGINEER LIC. NO. 079612	DRAWING TITLE: RADIO FREQUENCY DATA SHEET	DRAWN BY: J.M.C. CHECKED BY: S.J.K. DATE: 08/05/11 SPRINT # NY54XC585 FPA # 4378.188	DRAWING NO. ANT-010.04 SHEET NUMBER 11 OF 14
PROJECT: NY54XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY					

ELECTRICAL NOTES:

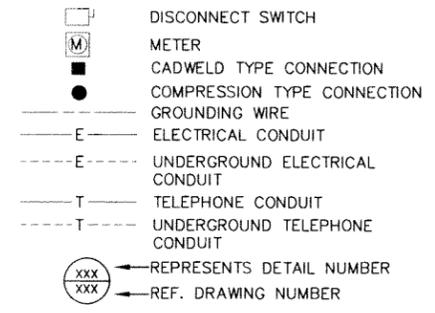
- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING AND COORDINATING ALL REQUIRED LOCAL BUILDING DEPARTMENT INSPECTIONS AND APPROVALS. ALL ELECTRICAL WORK IS TO BE PERFORMED BY AN INDIVIDUAL LICENSED IN THE JURISDICTION OF THE PROPOSED WORK.
- THE ENTIRE SYSTEM SHALL CONFORM TO ALL STATE AND LOCAL BUILDING CODES AND THE LATEST ADOPTED ADDITION OF THE NATIONAL ELECTRIC CODE.
- THE CONTRACTOR SHALL FURNISH & INSTALL ALL ITEMS INDICATED ON THESE DRAWINGS.
- ALL EXTERIOR DEVICES SHALL BE RATED FOR EXTERIOR USE "3R".
- THE CONTRACTOR IS RESPONSIBLE FOR ALL CLEARING AND EXCAVATING FOR NEW UTILITY POLES OR UNDERGROUND UTILITY RUNS. COORDINATE WITH THE LOCAL UTILITY COMPANIES TO DETERMINE WHAT DEVICES ARE SUPPLIED AND INSTALLED AS THE SECONDARY ELECTRIC AND TELEPHONE SERVICE VS. UTILITY COMPANIES RESPONSIBILITIES.
- ALL MATERIALS AND DEVICES INSTALLED SHALL BE NEW AND IN WORKING ORDER. DEVICES AND MATERIALS SHALL BE LISTED AND BEAR THE "UL" SEAL OF APPROVAL AND INSPECTION LABEL "J" THE CONTRACTOR IS TO DEMONSTRATE TO A CLIENT'S PROJECT MANAGER THAT THE SYSTEM IS FULLY ENERGIZED AND WORKING AS INTENDED. CONDUCT CONTINUITY, SHORT CIRCUIT AND FALL OF POTENTIAL GROUNDING TEST. SUBMIT TEST RESULTS TO THE PROJECT MANAGER.
- ALL ELECTRICAL EQUIPMENT SHALL BE LABELED WITH PERMANENT ENGRAVED PLASTIC LABELS.
- EACH CONDUCTOR OF EVERY SYSTEM SHALL BE PERMANENTLY TAGGED IN EACH PANEL BOARD, PULL BOX, J-BOX, SWITCH PLATE, ETC... IN COMPLIANCE WITH O.S.H.A.
- LABEL EACH PANEL BOARD CIRCUIT DIRECTORY CARD, IDENTIFY THE "LOAD SERVED", "SPARE" OR "SPACE".
- THE ENTIRE ELECTRICAL SYSTEM SHALL BE GROUNDED. GROUNDING SHALL BE #2 AWG SOLID TINNED ANNEALED COPPER, U.O.N.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL TRENCHING, BACK FILLING AND REPAIRING OF EXISTING SURFACES CUT AND REMOVED FOR UNDERGROUND UTILITY RUNS.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL CUTTING, PATCHING, DRILLING, CHASING, HOLES AND SLEEVES IN EXISTING BUILDING WALLS AND FLOORS REQUIRED TO INSTALL THE NEW EQUIPMENT, FIRE-RATED WALL SHALL BE PATCHED WITH 3M FIRE SEAL OR EQUAL, RATING AS REQUIRED. ALL PENETRATIONS THRU EXTERIOR WALLS SHALL BE CAULKED WEATHER TIGHT.
- THE CONTRACTOR IS TO SUPPLY ALL HANGERS, SUPPORTS, FASTENERS AND HARDWARE FOR A COMPLETE INSTALLATION. ALL OF THE ABOVE SHALL BE ZINC-COATED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL FIELD CONDITIONS PRIOR TO ORDERING LENGTHS OF MATERIAL.
- ALL SECONDARY CONDUITS USED FOR EXTERIOR UNDERGROUND UTILITIES SHALL BE PVC SCHEDULE #40, SCHEDULE #80 UNDER ROADWAYS. MIN. BED RADIUS SHALL BE 36". ALL CONDUITS SHALL HAVE MINIMUM OF (2) DRAG LINES. PULL BOXES ARE TO BE INSTALLED WHEN LENGTHS EXCEED 1000 FEET. COORDINATE SIZE OF CONDUITS REQUIRED BY THE UTILITY COMPANIES.
- ALL CIRCUIT BREAKERS, FUSES AND FIELD INSTALLED ELECTRICAL EQUIPMENT SHALL HAVE AN INTERRUPTING RATING NOT LESS THAN THE MAXIMUM SHORT CIRCUIT TO WHICH THEY MAY BE SUBJECT AND MINIMUM RATING OF 22,000 A.I.C.
- GENERAL CONTRACTOR IS TO COORDINATE ALL OF HIS WORK TO MINIMIZE THE DISTURBANCE TO THE EXISTING SITE OCCUPANTS' WORKERS OR ACCESS REQUIRED BY THE GENERAL PUBLIC OR MAINTENANCE PERSONNEL.
- ANY DISRUPTION OF THE EXISTING ELECTRICAL SERVICE MUST BE COORDINATED WITH THE OTHER SITE OCCUPANTS.
- ANY DISRUPTION OF THE EXISTING SITE CONDITIONS SHALL BE RETURNED TO THEIR PREVIOUS CONDITION OR BETTER.
- CONTRACTOR SHALL MODIFY EXISTING CABLE TRAY SYSTEM AS REQUIRED TO SUPPORT RF AND TRANSPORT CABLING TO THE NEW BTS EQUIPMENT. CONTRACTOR SHALL SUBMIT MODIFICATIONS TO CONTRACTOR FOR APPROVAL.
- ALL CIRCUITS SHALL BE SEGREGATED AND MAINTAIN MINIMUM CABLE SEPARATION AS REQUIRED BY THE NEC.
- CABLES SHALL NOT BE ROUTED THROUGH LADDER-STYLE CABLE TRAY RUNGS.
- EACH END OF EVERY POWER, GROUNDING, AND T1 CONDUCTOR AND CABLE SHALL BE LABELED WITH COLOR-CODED INSULATION OR ELECTRICAL TAPE (3M BRAND, 1/2 INCH PLASTIC ELECTRICAL TAPE WITH UV PROTECTION, OR EQUAL). THE IDENTIFICATION METHOD SHALL CONFORM WITH NEC & OSHA, AND MATCH EXISTING INSTALLATION REQUIREMENTS.
- POWER PHASE CONDUCTORS (I.E., HOTS) SHALL BE LABELED WITH COLOR-CODED INSULATION OR ELECTRICAL TAPE (3M BRAND, 1/2 INCH PLASTIC ELECTRICAL TAPE WITH UV PROTECTION, OR EQUAL). PHASE CONDUCTOR COLOR CODES SHALL CONFORM WITH THE NEC & OSHA AND MATCH EXISTING INSTALLATION REQUIREMENTS.
- ALL ELECTRICAL COMPONENTS SHALL BE CLEARLY LABELED WITH ENGRAVED LAMACOID PLASTIC LABELS. ALL EQUIPMENT SHALL BE LABELED WITH THEIR VOLTAGE RATING, PHASE CONFIGURATION, WIRE CONFIGURATION, POWER OR AMPACITY RATING, AND BRANCH CIRCUIT ID NUMBERS (I.E., PANELBOARD AND CIRCUIT ID'S).
- PANELBOARDS (ID NUMBERS) AND INTERNAL CIRCUIT BREAKERS (CIRCUIT ID NUMBERS) SHALL BE CLEARLY LABELED WITH ENGRAVED LAMACOID PLASTIC LABELS.

- ALL TIE WRAPS SHALL BE CUT FLUSH WITH APPROVED CUTTING TOOL TO REMOVE SHARP EDGES.
- POWER, CONTROL, AND EQUIPMENT GROUND WIRING IN TUBING OR CONDUIT SHALL BE SINGLE
- CONDUCTOR (#14 AWG OR LARGER), 600 V, OIL RESISTANT THHN OR THWN-2, CLASS B STRANDED COPPER CABLE RATED FOR 90 °C (WET AND DRY) OPERATION; LISTED OR LABELED FOR THE LOCATION AND RACEWAY SYSTEM USED, UNLESS OTHERWISE SPECIFIED.
- SUPPLEMENTAL EQUIPMENT GROUND WIRING LOCATED INDOORS SHALL BE SINGLE CONDUCTOR (#6 AWG OR LARGER), 600 V, OIL RESISTANT THHN OR THWN-2 GREEN INSULATION, CLASS B STRANDED COPPER CABLE RATED FOR 90 °C (WET AND DRY) OPERATION; LISTED OR LABELED FOR THE LOCATION AND RACEWAY SYSTEM USED, UNLESS OTHERWISE SPECIFIED.
- SUPPLEMENTAL EQUIPMENT GROUND WIRING LOCATED OUTDOORS, OR BELOW GRADE, SHALL BE SINGLE CONDUCTOR #2 AWG SOLID TINNED COPPER CABLE, UNLESS OTHERWISE SPECIFIED.
- POWER AND CONTROL WIRING, NOT IN TUBING OR CONDUIT, SHALL BE MULTI-CONDUCTOR, TYPE TC CABLE (#14 AWG OR LARGER), 600 V, OIL RESISTANT THHN OR THWN-2, CLASS B STRANDED COPPER.
- CABLE RATED FOR 90°C (WET AND DRY) OPERATION; WITH OUTER JACKET; LISTED OR LABELED FOR THE LOCATION USED, UNLESS OTHERWISE SPECIFIED.
- ALL POWER AND GROUNDING CONNECTIONS SHALL BE CRIMP-STYLE, COMPRESSION WIRE LUGS AND WIRENUTS BY THOMAS AND BETTS (OR EQUAL). LUGS AND WIRENUTS SHALL BE RATED FOR OPERATION AT NO LESS THAN 75°C (90°C IF AVAILABLE).
- RACEWAY AND CABLE TRAY SHALL BE LISTED OR LABELED FOR ELECTRICAL USE IN ACCORDANCE WITH NEMA, UL, ANSI/IEEE, AND NEC.
- NEW RACEWAY OR CABLE TRAY WILL MATCH THE EXISTING INSTALLATION WHERE POSSIBLE.
- ELECTRICAL METALLIC TUBING (EMT) OR RIGID NONMETALLIC CONDUIT (I.E., RIGID PVC SCHEDULE 40, OR RIGID PVC SCHEDULE 80 FOR LOCATIONS SUBJECT TO PHYSICAL DAMAGE) SHALL BE USED FOR EXPOSED INDOOR LOCATIONS.
- ELECTRICAL METALLIC TUBING (EMT), ELECTRICAL NONMETALLIC TUBING (ENT), OR RIGID NONMETALLIC CONDUIT (RIGID PVC, SCHEDULE 40) SHALL BE USED FOR CONCEALED INDOOR LOCATIONS.
- GALVANIZED STEEL INTERMEDIATE METALLIC CONDUIT (IMC) SHALL BE USED FOR OUTDOOR LOCATIONS ABOVE GRADE.
- LIQUID-TIGHT FLEXIBLE METALLIC CONDUIT (LIQUID-TITE FLEX) SHALL BE USED INDOORS AND OUTDOORS, WHERE VIBRATION OCCURS OR FLEXIBILITY IS NEEDED.
- CONDUIT AND TUBING FITTINGS SHALL BE THREADED OR COMPRESSION-TYPE AND APPROVED FOR THE LOCATION USED. SETSCREW FITTINGS ARE NOT ACCEPTABLE.
- CABINETS, BOXES, AND WIREWAYS SHALL BE LISTED OR LABELED FOR ELECTRICAL USE IN ACCORDANCE WITH NEMA, UL, ANSI/IEEE, AND NEC.
- CABINETS, BOXES, AND WIREWAYS TO MATCH THE EXISTING INSTALLATION WHERE POSSIBLE.
- WIREWAYS SHALL BE EPOXY-COATED (GRAY) AND INCLUDE A HINGED COVER, DESIGNED TO SWING OPEN DOWNWARD; SHALL BE PANDUIT TYPE E (OR EQUAL); AND RATED NEMA 1 (OR BETTER) INDOORS, OR NEMA 3R (OR BETTER) OUTDOORS.
- EQUIPMENT CABINETS, TERMINAL BOXES, JUNCTION BOXES, AND PULL BOXES SHALL BE GALVANIZED OR EPOXY-COATED SHEET STEEL, SHALL MEET OR EXCEED UL 50, AND RATED NEMA 1 (OR BETTER) INDOORS, OR NEMA 3R (OR BETTER) OUTDOORS.
- METAL RECEPTACLE, SWITCH, AND DEVICE BOXES SHALL BE GALVANIZED, EPOXY-COATED, OR NON-CORRODING; SHALL MEET OR EXCEED UL 514A AND NEMA OS 1; AND RATED NEMA 1 (OR BETTER) INDOORS, OR WEATHER PROTECTED (WP OR BETTER) OUTDOORS.
- NONMETALLIC RECEPTACLE, SWITCH, AND DEVICE BOXES SHALL MEET OR EXCEED NEMA OS 2; AND RATED NEMA 1 (OR BETTER) INDOORS, OR WEATHER PROTECTED (WP OR BETTER) OUTDOORS.
- THE CONTRACTOR SHALL NOTIFY AND OBTAIN NECESSARY AUTHORIZATION FROM THE BUILDING OWNER BEFORE COMMENCING WORK ON THE AC POWER DISTRIBUTION PANELS.
- THE CONTRACTOR SHALL PROVIDE NECESSARY TAGGING ON THE BREAKERS, CABLES AND DISTRIBUTION PANELS IN ACCORDANCE WITH THE APPLICABLE CODES AND STANDARDS TO SAFEGUARD AGAINST LIFE AND PROPERTY.
- POLYVINYL CHLORIDE CONDUIT, (PVC): NEMA TC2, TYPE EPC-40-PVC AND TYPE EPC-80-PVC, UL 651, WITH MATCHING FITTINGS BY SAME MANUFACTURER AS THE CONDUIT, COMPLYING WITH NEMA TC3 AND UL 514B. AVAILABLE MANUFACTURERS: CANTEX, INC., CERTAIN TEED CORP.: PIPE & PLASTICS GROUP, LAMSON & SESSIONS: CARLON ELECTRICAL PRODUCTS OR EQUAL.
- ALL PANELBOARDS, SWITCHBOARDS, INDUSTRIAL CONTROL PANEL, METER SOCKET ENCLOSURES AND MOTOR CONTROL CENTERS SHALL BE LABELED IN ACCORDANCE WITH ARTICLE 110.16 - (FLASH PROTECTION) OF THE 2008 NEC.

TRANSPORT T1 LINES:

- ALL RACEWAY SHALL COMPLY WITH THE REQUIREMENTS OF THE LATEST ADOPTED VERSION OF THE NATIONAL ELECTRICAL CODE (NEC, NFPA 70), CHAPTER 8.
- ALL SPECIFIED MATERIAL FOR EACH LOCATION (E.G., OUTDOORS, INDOORS-OCCUPIED, INDOORS-UNOCCUPIED, PLENUMS, RISER SHAFTS, ETC.) SHALL BE APPROVED, LISTED, OR LABELED AS REQUIRED BY THE NEC.
- METALLIC CONDUIT OR TUBING FOR T1 SHALL BE BONDED TO GROUND AT BOTH ENDS.

ELECTRICAL SYMBOLS



ABBREVIATIONS

AWG	AMERICAN WIRE GAUGE
AFG	ABOVE FINISHED GRADE
BCW	BARE COPPER WIRE
BTS	BASE TRANSMISSION SYSTEM
CIGBE	COAX ISOLATED GROUND BAR EXTERNAL
DWG	DRAWING
G.C.	GENERAL CONTRACTOR
GPS	GLOBAL POSITIONING SYSTEM
GR	GROWTH
MIGB	MASTER ISOLATED GROUND BAR
PCS	PERSONAL COMMUNICATION SYSTEM
PPC	POWER PROTECTION CABINET
PRC	PRIMARY RADIO CABINET
SSLP	SPRINT SPECTRUM LIMITED PARTNERSHIP
TYP.	TYPICAL
V.I.F.	VERIFY IN FIELD
RGS	RIGID GALVANIZED STEEL
WP	WEATHERPROOF
C.	CONDUIT
CO.	CONDUIT ONLY

SCHEDULE OF REVISIONS				
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	AUTH. BY	ISSUE DATE
5				
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	P.J.T.	08/16/12
3	REVISED PER ALL COMMENTS	P.J.F.	P.J.T.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	P.J.T.	12/13/11
1	REVISED PER ALL COMMENTS	T.J.	P.J.T.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	P.J.T.	08/05/11

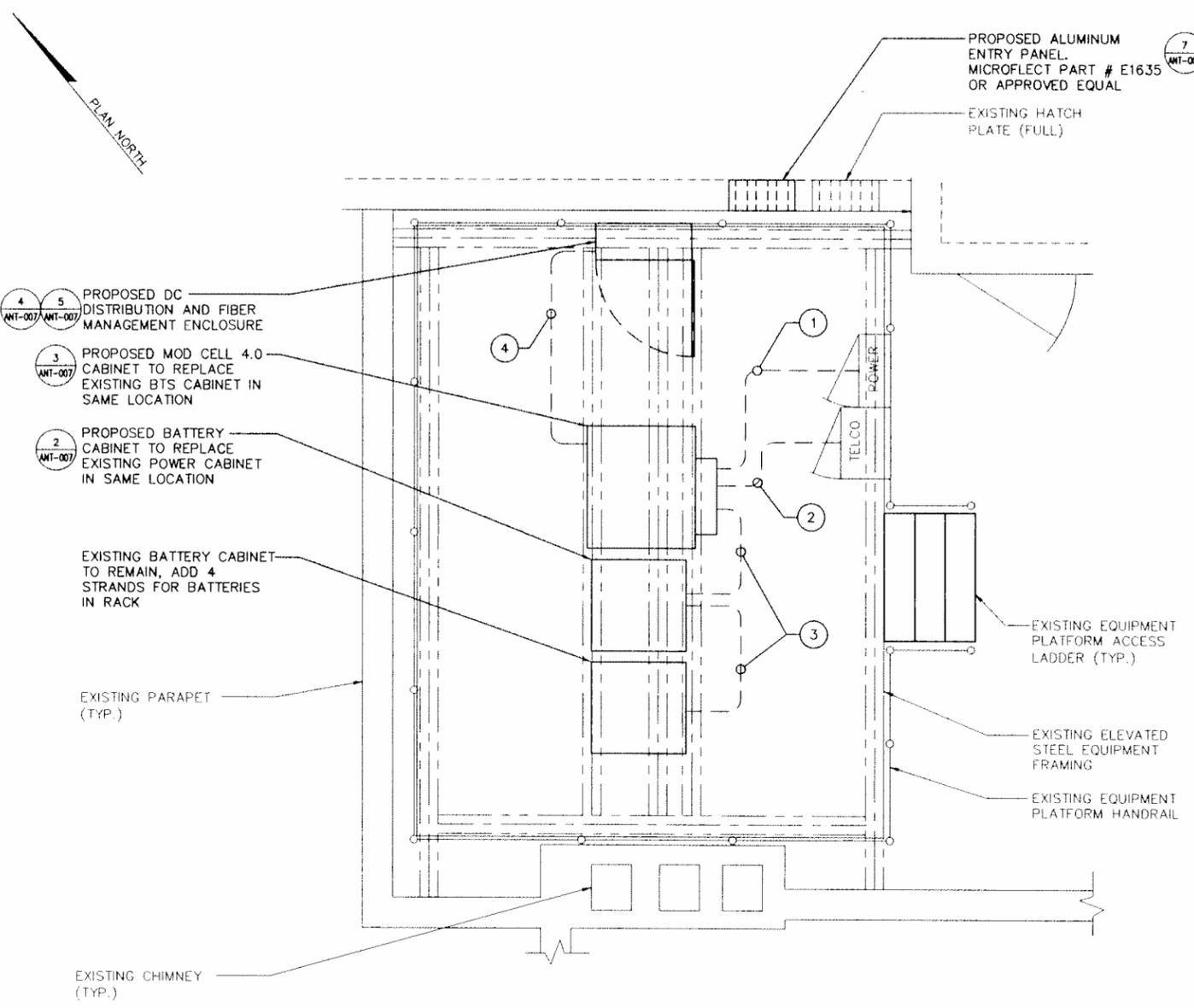
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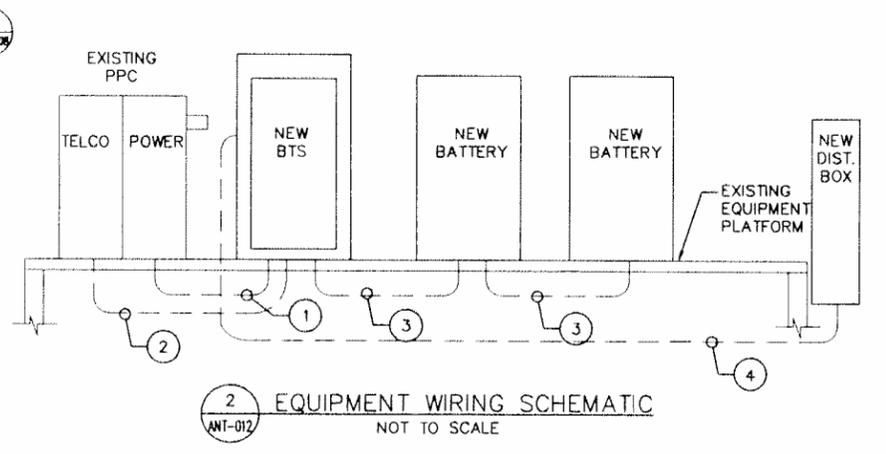
FRENCH & PARRELLO
ASSOCIATES, P.A., CONSULTING ENGINEERS
800 Route 34, Suite 1100, Wallkill, NY 12591-7323
PHONE: 845.256.1234 FAX: 845.256.1235
WWW.FRENCH-AND-PARRELLO.COM

DRAWING TITLE:	ELECTRICAL SPECIFICATIONS	
DRAWN BY:	J.M.C.	DRAWING NO.
CHECKED BY:	S.J.K.	ANT-011.04
DATE:	08/05/11	
SPRINT #	NY54XC585	
FPA #	4378.188	
PROJECT:	NY54XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY	
		SHEET NUMBER 12 OF 14

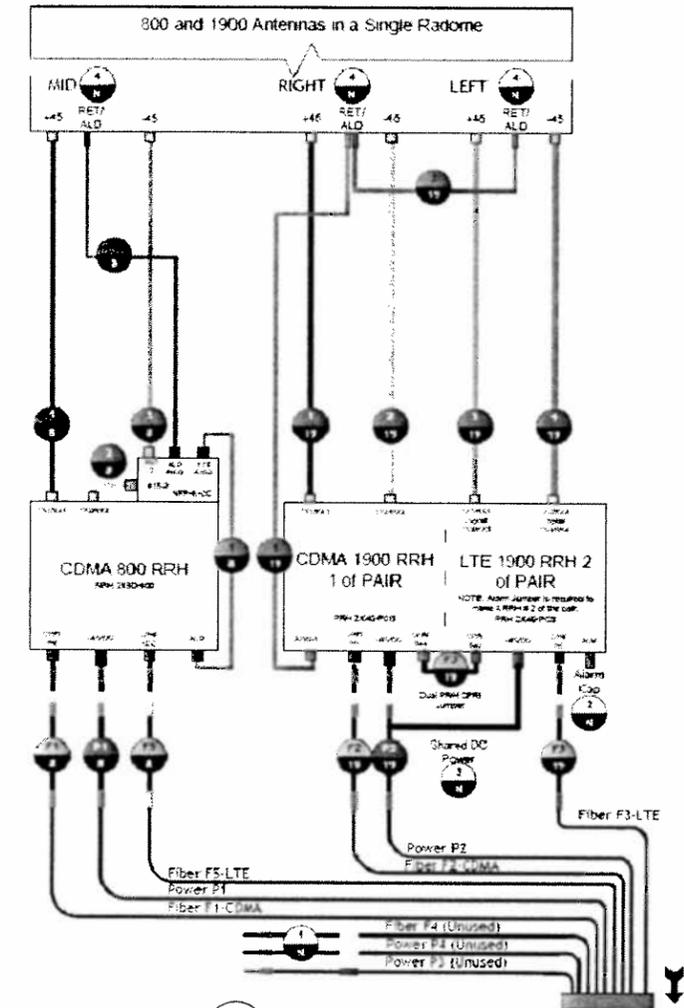


1 ENLARGED ELECTRICAL EQUIPMENT PLAN
SCALE: 1/2" = 1'-0"
GRAPHIC SCALE
1/2 INCH = 1 FOOT

FOR CABINET WIRING AND GROUNDING, SEE ANT-010.



- KEY NOTES:**
- CONTRACTOR TO USE EXISTING 100A 2 POLE BREAKER IN EXISTING PPC. VERIFY EXISTING CONDUCTORS ARE 3#3 AWG OR LARGER. IF NOT, CONTRACTOR TO REPLACE UNDERSIZED ITEM(S).
 - CONTRACTOR TO PROVIDE (1) 2" EMPTY CONDUIT WITH HEAVY DUTY PULLSTRING FROM EXISTING PPC TO EXISTING BTS.
 - CONTRACTOR TO PROVIDE (1) 2" SEALTIGHT CONDUIT WITH 2#3 DLO.
 - (2) NEW 1-1/2" LIQUIDTITE FLEXIBLE CONDUITS



Power Feed Polarity Definition:
IF wires are BLACK AND BLACK/WHITE STRIPE
Black = -48VDC Feed (Battery)
Black/White Stripe = Return

IF wires are RED AND BLACK:
Red = -48VDC Feed (Battery)
Black = Return

NOTE: For power feed use the same Hybriflex OEM color designator as the fiber

MM Pair 1 = F1 = Green = P1 (Green)
MM Pair 2 = F2 = Blue = P2 (Blue)
MM Pair 3 = F3 = Red = P3 (Red)
MM Pair 4 = F4 = Yellow = P4 (Yellow)
MM Pair 5 = F5 = Orange = (No P5 power feed)

HYBRIFLEX OEM COLOR CODE



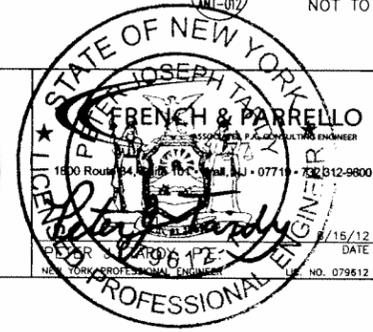
NOTE: CONTRACTOR TO PROVIDE LATEST PLUMBING DIAGRAM PRIOR TO CONSTRUCTION

4 PLUMBING DETAIL
NOT TO SCALE

SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	DATE
5			
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	12/19/11
2	INCORPORATED SPRINT COMMENTS	A.R.C.	12/15/11
1	REVISED PER ALU COMMENTS	T.J.	09/12/11
0	PRELIMINARY CONSTRUCTION DRAWINGS	J.M.C.	08/05/11

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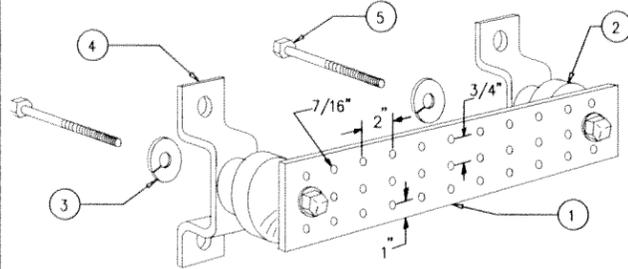


DRAWING TITLE:
ENLARGED ELECTRICAL EQUIPMENT PLAN

PROJECT:
NY54XC585
66 MILTON ROAD
RYE, NY 10580
WESTCHESTER COUNTY

DRAWN BY: J.M.C.
CHECKED BY: S.J.K.
DATE: 08/05/11
SPRINT #: NY54XC585
FPA #: 4378.188

DRAWING NO.:
ANT-012.04
SHEET NUMBER 13 OF 14



LEGEND

- 1- GALVANIZED STEEL GROUND BAR, 1/4" X 4" X 20", AT EQUIPMENT, 1/4" X 4" X 6", AT ANTENNA SECTORS. HOLE CENTERS TO MATCH NEMA DOUBLE LUG CONFIGURATION
- 2- INSULATORS.
- 3- 5/8" LOCKWASHERS.
- 4- WALL MOUNTING BRACKET.
- 5- 5/8-11 X 1" H.H.C.S.BOLTS.

1 GROUND BAR DETAIL
ANT-013 NOT TO SCALE

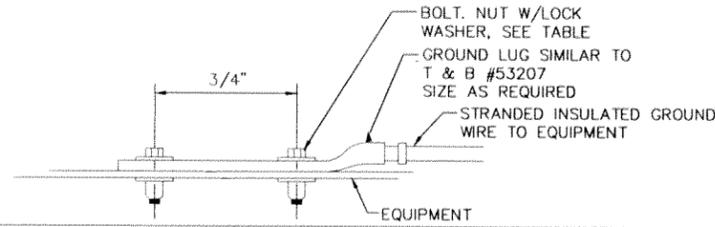
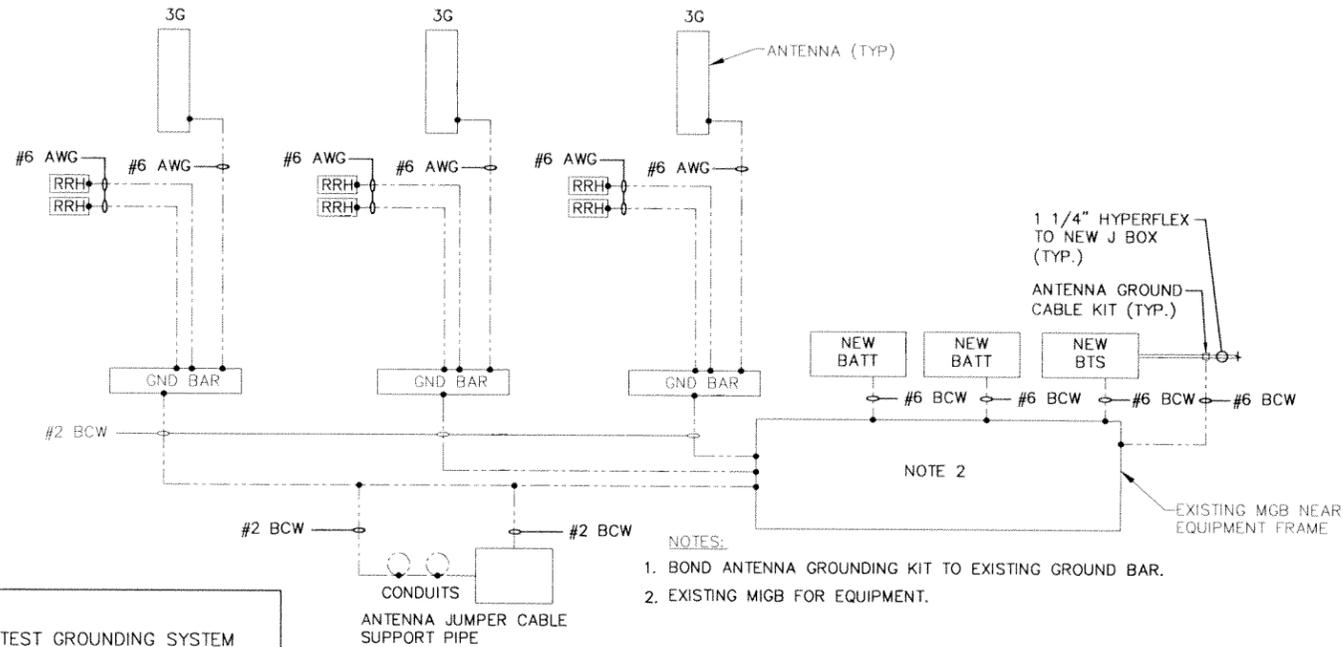


TABLE		
WIRE SIZE	LUG #	BOLT SIZE
#4/0	53212	1/2" - 20 NC x 1/2" S.S. BOLT & NUT W/LOCK WASHERS
#2	53207	1/4" - 20 NC x 1/2" S.S. BOLT & NUT W/LOCK WASHERS
#6	53205	

2 EXTERNAL EQUIPMENT GROUNDING CONNECTION
ANT-013 NOT TO SCALE



TESTING:
CONTRACTOR TO TEST GROUNDING SYSTEM IN PRESENCE OF AN SPRINT REPRESENTATIVE. THE MAXIMUM RESISTANCE TO GROUND SHALL BE 5 OHMS OR LESS.

3 SCHEMATIC DIAGRAM GROUNDING SYSTEM
ANT-013 NOT TO SCALE

GROUNDING NOTES:

1. THE CONTRACTOR SHALL REVIEW AND INSPECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR STRICT COMPLIANCE WITH THE NEC (AS ADOPTED BY THE AHJ), THE SITE-SPECIFIC (UL, LPI, OR NFPA) LIGHTING PROTECTION CODE, AND GENERAL COMPLIANCE WITH TELCORDIA AND TIA GROUNDING STANDARDS. THE CONTRACTOR SHALL REPORT ANY VIOLATIONS OR ADVERSE FINDINGS TO THE CONTRACTOR FOR RESOLUTION.
2. ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION, AND AC POWER GES'S) SHALL BE BONDED TOGETHER, AT OR BELOW GRADE, BY TWO OR MORE COPPER BONDING CONDUCTORS IN ACCORDANCE WITH THE NEC.
3. THE CONTRACTOR SHALL PERFORM IEEE FALL-OF-POTENTIAL RESISTANCE TO EARTH TESTING (PER IEEE 1100 AND 81) FOR NEW GROUND ELECTRODE SYSTEMS. THE CONTRACTOR SHALL FURNISH AND INSTALL SUPPLEMENTAL GROUND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS.
4. METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND CONDUCTOR. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION, SIZED IN ACCORDANCE WITH THE NEC, SHALL BE FURNISHED AND INSTALLED WITH THE POWER CIRCUITS TO BTS EQUIPMENT.
5. EACH BTS CABINET FRAME SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRES, 6 AWG STRANDED COPPER OR LARGER FOR INDOOR BTS; 2 AWG STRANDED COPPER FOR OUTDOOR BTS.
6. EXOTHERMIC WELDS SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE.
7. APPROVED ANTIOXIDANT COATINGS (I.E., CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL COMPRESSION AND BOLTED GROUND CONNECTIONS.
8. ALUMINUM CONDUCTOR OR COPPER CLAD STEEL CONDUCTOR SHALL NOT BE USED FOR GROUNDING CONNECTIONS.
9. MISCELLANEOUS ELECTRICAL AND NON-ELECTRICAL METAL BOXES, FRAMES AND SUPPORTS SHALL BE BONDED TO THE GROUND RING, IN ACCORDANCE WITH THE NEC.
10. METAL CONDUIT AND TRAY SHALL BE GROUNDING AND MADE ELECTRICALLY CONTINUOUS WITH LISTED BONDING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH 6 AWG COPPER WIRE UL APPROVED GROUNDING TYPE CONDUIT CLAMPS.
11. GROUND CONDUCTORS USED IN THE FACILITY GROUND AND LIGHTNING PROTECTION SYSTEMS SHALL NOT BE ROUTED THROUGH METALLIC OBJECTS THAT FORM A RING AROUND THE CONDUCTOR, SUCH AS METALLIC CONDUITS, METAL SUPPORT CLIPS OR SLEEVES THROUGH WALLS OR FLOORS. WHEN IT IS REQUIRED TO BE HOUSED IN CONDUIT TO MEET CODE REQUIREMENTS OR LOCAL CONDITIONS, NON-METALLIC MATERIAL SUCH AS PVC PLASTIC CONDUIT SHALL BE USED. WHERE USE OF METAL CONDUIT IS UNAVOIDABLE (E.G., NON-METALLIC CONDUIT PROHIBITED BY LOCAL CODE) THE GROUND CONDUCTOR SHALL BE BONDED TO EACH END OF THE METAL CONDUIT.
12. ALL GROUNDING SHALL COMPLY WITH THE MOST-RECENT REQUIREMENTS OF NEC ARTICLES 250 AND 810.
13. ALL DETAILS ARE SHOWN IN GENERAL TERMS. ACTUAL GROUNDING INSTALLATION AND CONSTRUCTION MAY VARY DUE TO SITE SPECIFIC CONDITIONS.
14. IF USED EXTERIOR GROUNDING RING SHALL BE BURIED TO MINIMUM DEPTH OF 1'-6" BELOW FINISH GRADE TO TOP. ELECTRIC METER GROUND EXCEPTED.
15. UNLESS OTHERWISE NOTED, GROUNDING CONDUCTORS SHALL BE,
 - A. BETWEEN EXTERIOR ITEMS & BARS: #2 SOLID, TINNED, COPPER
 - B. BETWEEN ANTENNA GROUND KITS & BARS: #6 STRANDED, GREEN THWN INSULATED COPPER
16. GROUNDING CONDUCTORS LARGER THAN #6 SHALL HAVE A MINIMUM BENDING RADIUS OF 12" GROUNDING CONDUCTORS #6 AND SMALLER SHALL HAVE A MINIMUM BENDING RADIUS OF 8".
17. GROUND SYSTEM SHALL BE TESTED AND SHALL HAVE A RESISTANCE OF 5 OHMS OR LESS. SUBMIT AN INDEPENDENT FALL OF POTENTIAL TEST REPORT.
18. NOTIFY SPRINT PROJECT MANAGER IF THERE ARE ANY DIFFICULTIES INSTALLING GROUNDING SYSTEM DUE TO SITE SOIL/RESISTANCE CONDITIONS.
19. ALL CONNECTIONS EXTERIOR TO BTS EQUIPMENT CABINETS SHALL BE CADWELDED ALL INTERIOR CONNECTIONS SHALL BE EITHER CADWELDED OR HEXAGONAL COMPRESSION CRIMP, UNLESS OTHERWISE NOTED. ALL MECHANICAL CONNECTIONS UTILIZING BOLTS SHALL BE MADE WITH TWO HOLE, LONG BARREL LUGS AND STAINLESS STEEL HARDWARE. APPLY ANTI-OXIDANT AT ALL MECHANICAL CONNECTIONS.
20. THE FOLLOWING LIST SHALL BE CONNECTED TO THE NEW GROUNDING SYSTEM (WHERE APPLICABLE & WITHOUT LIMITATION):
 - A. ALL EQUIPMENT CABINETS
 - B. EXTERIOR CABLE TRAY SYSTEM
 - C. EQUIPMENT SUPPORT FRAME
 - D. ANTENNA TRANSMISSION CABLES. (2 LOCATIONS EACH)
 - E. ANTENNA SUPPORTS
 - F. PPC CABINET
 - G. DC DISTRIBUTION BOX
21. METALLIC CONDUIT SURROUNDING GROUNDING CONDUCTORS SHALL BE GROUNDING IN ACCORDANCE WITH NEC ARTICLE 820-40(a)5. PROVIDE GROUND JUMPER FROM BONDING BUSHING TO NEAREST BAR USING #2 WIRE AND OZ-GEDNEY TYPE HBLG BUSHINGS.

SCHEDULE OF REVISIONS			
REV. NO.	DESCRIPTION OF CHANGES	DRAWN BY	ISSUE DATE
5			
4	REMOVED 1.6 MHZ DESIGN	R.P.J.	08/16/12
3	REVISED PER ALU COMMENTS	P.J.F.	12/19/11
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MAHWAH, NJ 07495

DRAWING TITLE:		DRAWN BY:	DRAWING NO.
GROUNDING DETAILS AND NOTES		J.M.C.	
PROJECT:		CHECKED BY:	
NYS4XC585 66 MILTON ROAD RYE, NY 10580 WESTCHESTER COUNTY		S.J.K.	ANT-013.04
		DATE:	
		08/05/11	
		SPRINT #	
		NYS4XC585	
		FPA #	
		4378.188	
		SHEET NUMBER	14 OF 14



CITY COUNCIL AGENDA

NO. 14

DEPT.: City Manager

DATE: February 13, 2013

CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Authorization for Rye Recreation to enter into a license agreement with Post Consumer Textile Waste (PCTW) for the placement of clothing collection/donation containers.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Mayor and Council authorize Rye Recreation to enter into the agreement with Post Consumer Textile Waste (PCTW).

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Rye Recreation requests to enter into an agreement with Post Consumer Textile Waste (PCTW) for the placement of clothing collection/donation containers. The containers will be placed at two locations: Recreation Park and Nursery Field. Rye Recreation will receive \$100 per month from PCTW for the placement of the containers. These containers will replace those currently on-site at Recreation which provide less payment to the Recreation Department.

See attached.



RECREATIONAL PCTW HOSTING AGREEMENT

THIS POST CONSUMER TEXTILE WASTE (PCTW) LICENSE AGREEMENT (the "License") is made on the _____. BY AND BETWEEN, Rye Recreation ("Licensor") located at: 281 Midland Avenue, Rye New York 10580 AND County Recycling LLC. (CR) located at 800 Westchester Avenue Suite 641 North Rye Brook NY, 10573 ("Licensee")

In consideration of the license fees and other covenants contained herein, Licensor hereby grants Licensee an exclusive license to place one or more clothing collection/donation containers (the "Containers") in the mutually agreed upon location(s) listed in Exhibit "A" (the "Premises") for a term commencing on February 1, 2013 (the "Commencement Date") and ending on February 1, 2015, (the "Termination Date") (the "License Term").

1. Rye Recreation will receive the sum of \$100. Per month per location to be paid in monthly installments commencing on February 1, 2013.
2. This License is contingent upon Licensee obtaining and maintaining, at its sole cost and expense, all necessary government approvals, if any, (the "Permits") for the placement of the Containers at the Premises and Licensor agrees to cooperate with Licensee in obtaining and maintaining the Permits. Licensee agrees to indemnify and hold Licensor harmless from any fines, losses or penalties incurred for placing the Containers at the Premises without the Permits.
3. Licensee hereby agrees, at Licensee's sole expense, to maintain and keep the area surrounding the Containers free of all debris, refuse, waste and other materials located in or around the Containers.
4. Licensee hereby agrees to have the recycler serviced on a weekly basis or more often if required.
5. Licensee hereby agrees to furnish and maintain general liability insurance for \$1,000,000 during the terms of this agreement. Licensor shall be named as an additional insured on the policy.
6. Licensor hereby authorizes Licensee, at Licensee's sole expense, to remove or cause to have removed any competing clothes collection bins that are currently or at any time during the term of this lease located on the Premises.

7. All License Fees and all written notices required herein shall be sent to Licensor at the address shown below until Licensee is otherwise notified in writing.

All written notices required herein shall be sent to Licensee via Certified Mail, Return Receipt Requested at the address shown below until Licensor is otherwise notified in writing.

Licensor: Rye Recreation, 281 Midland Avenue, Rye NY 10580

Licensee: County Recycling LLC., 800 Westchester Avenue Suite 641 North Rye Brook NY, 10573

8. This License shall be governed by the laws of the State of New York and any dispute will be resolved by the courts of the State of New York.

9. This License contains the entire agreement between the parties and supersedes any and all prior agreements and is binding upon the parties, their heirs, successors and assigns.

10. This License shall not be modified or terminated orally and any changes to the License must be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties, after complete understanding and agreement have executed this License or caused the same to be executed by their proper corporate officers on the date shown above.

LICNESEE: *COUNTY RECYCLING LLC.*

Rye Recreation: Date / /

NAME: TED FISHER

NAME: _____

TITLE: HEAD OF BUSINESS DEVELOPMENT

TITLE: _____

Sign: _____

Sign: _____



County Recycling, LLC.

800 Westchester Ave. Rye Brook, Suite 641 North New York 10573
o. 800.261.7099
f. 800.246.0208



“Exhibit A” Recreational Site Locations

Rye Recreation

Hereby authorize the County Recycling to facilitate, manage and maintain a “Post Consumer Textile Waste” (PCTW) collection/donation initiative at the following locations:

1. Rye Recreation, 281 Midland Avenue Rye NY 10580
2. Milton Road Park, 421 Milton Road, Rye NY 10580

Type of recycler:

1. Recreational Branded Generic

Rye Recreation

County Recycling LLC.

_____/_____/2012



County Recycling, LLC.

800 Westchester Ave. Rye Brook, Suite 641 North New York 10573
o. 800.261.7099
f. 800.246.0208



Official Recreational Recycler

CLOTHES & SHOES

Thank You



Your Donations Help:
• Divert waste from landfills
• Create local job opportunities
• Support recreational programs
• Provide affordable clothing & shoe options

Thank You
for more info please visit MyCountyRecycling.org
For Maintenance call 800.261.7099 (press 1)



WEAR • DONATE • RECYCLE



HELP SUPPORT RECREATIONAL PROGRAMMING

PLEASE
Do Not Leave Donations
Outside Of The Container
Thank You.



This PCTW collection/donation initiative is owned, managed and maintained by
County Recycling, LLC | MyCountyRecycling.org | 800.261.7099

Chute
Verbiage



Your Donations Help

- Divert waste from landfills
- Create local job opportunities
- Support recreational programs
- Provide affordable clothing & shoe options

Thank You

for more info please visit MyCountyRecycling.org
For Maintenance call 800.261.7099 (press 1)



This PCTW collection/donation initiative is owned, managed and maintained by
County Recycling, LLC | MyCountyRecycling.org | 800.261.7099

Lower Bin
Verbiage

Signature _____

Date _____

Please sign and date for approval and return. email: Info@MyCountyRecycling.org | fax 800.246.0208



CITY COUNCIL AGENDA

NO. 15

DEPT.: Finance

DATE: February 13, 2013

CONTACT: Joseph Fazzino, Acting City Comptroller

ACTION: Authorize payment of the balance of the 2012/2013 Rye Neck Union Free School District taxes collected by the City to the School District.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER 22.9

SECTION

RECOMMENDATION: That the Mayor and the City Council authorize payment of the 12/31/12 balance of \$287,511.94 on 2/15/2013.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The balance of unpaid Rye Neck U.F.S.D. taxes on property within the City of Rye is \$287,511.94 at 12/31/12. This balance represents 2.84% of the total tax levied, \$10,109,199, on September 1, 2012. Arrears notices will be mailed in conjunction with the 2013 City tax bills, and again during March 2013, May 2013 and June 2013 to try to collect these balances prior to the filing of the list of delinquent taxes with the County scheduled for July 1, 2013.

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, 2012.



CITY COUNCIL AGENDA

NO. 16

DEPT.: City Council

DATE: February 13, 2013

CONTACT: Mayor French

AGENDA ITEM: One appointment to the Planning Commission for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the appointment of Peter Olsen.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

<u>Current Committee Members</u>	<u>Expiration Date</u>
Nicholas Everett, Chair	1-1-15
Barbara Cummings	1-1-16
Hugh Greechan	1-1-14
Peter Larr	1-1-14
Martha Monserrate	1-1-15
Laura Brett, Councilwoman	1-1-15
VACANCY	1-1-13



CITY COUNCIL AGENDA

NO. 17 DEPT.: City Council DATE: February 13, 2013
CONTACT: Mayor French

AGENDA ITEM: One appointment to the Finance Committee for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.

FOR THE MEETING OF:
February 13, 2013
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council approve the reappointment of David Mullane.

IMPACT: Environmental Fiscal Neighborhood Other:

<u>Current Committee Members</u>	<u>Expiration Date</u>
Warren Keegan, Co-Chair	1-1-15
Paula Schaefer, Co-Chair	1-1-16
Frederic Dunn	1-1-16
Scott Florio	1-1-15
Michael Guarnieri	1-1-16
Laura Leach	1-1-14
John Monaghan	1-1-14
David Mullane	1-1-13
Dean Neely	1-1-15
VACANCY	1-1-14



CITY COUNCIL AGENDA

NO. 18

DEPT.: City Mayor

DATE: February 13, 2013

CONTACT: Mayor French

ACTION: Two appointments to the Rye Town Park Advisory Committee for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.

FOR THE MEETING OF:

February 13, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the reappointment of Ann Moller and the appointment of Stephen P. Kovacs.

IMPACT: Environmental Fiscal Neighborhood X Other:

BACKGROUND:

<u>Current Committee Members</u>	<u>Expiration Date</u>
Jeanne Golden, Chair	1-1-16
Russell Gold	1-1-15
Jason Mehler	1-1-16
Ann Moller	1-1-13
Stephanie Vroom	1-1-14
Elinore White	1-1-14
VACANCY	1-1-13