CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, February 10, 2016, at 7:30 p.m. in Council Chambers at City Hall. *The Council will convene at 6:30 p.m. and it is expected they will adjourn into Executive Session at 6:31 p.m. to discuss personnel.*

AMENDED 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 27, 2016.

5. Issues Update/Old Business.

6. Presentation on the 2015 New York State Equalization Rate.

7. Home Rule Resolution supporting S6334(Latimer)/A9111(Otis) to amend the public officers law in relation to qualifications for holding the office of Comptroller in the City of Rye.
   Roll Call.

8. Discussion regarding the *Mayors Against Illegal Guns* Statement of Principles.

9. Discussion regarding amending local law Chapter 117, Landmarks Preservation, of the Rye City Code by amending Section §117-5, "Designation of Preservation Districts or Protected Sites and Structures", to designate Hidden Spring Lane as an Historic District.

10. Resolution regarding Confidential Information to Council Members-elect.

~~11. Resolution for City Council approval of the changes to the Fire Department Bi-Laws as approved by the Board of Fire Wardens.~~ **Withdrawn**

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

13. Authorize payment of the balance of the 2015/2016 Rye Neck Union Free School District taxes collected by the City to the School District.
    Roll Call.

14. Consideration of a request by the American Legion Post 128 and the Ladies Auxiliary of Post 128 to approve a parade to commemorate Memorial Day to be held on Monday, May 30, 2016 from 9:45 a.m. to 10:15 a.m.

15. Consideration of a request by the Rye Chamber of Commerce for the use of City Car Park #2 on Sundays from May 29, 2016 through December 4, 2016 from 8:30 a.m. to 2:00 p.m. for the Rye Farmers Market.

16. Miscellaneous communications and reports.

17. New Business.

18. Adjournment.

* *

The next regular meeting of the City Council will be held on Wednesday, February 24, 2016 at 7:30 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 jsack@ryeny.gov or contacting the City Manager’s Office at (914) 967-7404.

CITY COUNCIL AGENDA

NO. 4 DEPT.: City Clerk DATE: February 10, 2016

CONTACT: Carolyn D'Andrea, City Clerk

AGENDA ITEM Draft unapproved minutes of the Regular Meeting of the City Council held January 27, 2016.

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND: Approve the minutes of the Regular Meeting of the City Council held January 27, 2016, as attached.

DRAFT UNAPPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on January 27, 2016 at 7:30 P.M.

PRESENT:
JOSEPH A. SACK Mayor
KIRSTIN BUCCI
EMILY HURD
JULIE KILLIAN
RICHARD MECCA
DANIELLE TAGGER-EPSTEIN
Councilmembers

ABSENT: TERRENCE McCARTNEY
Councilmember

The Council convened at 7:00 P.M. Councilman Mecca made a motion, seconded by Councilwoman Bucci and unanimously carried to immediately adjourn into Executive Session to discuss litigation and personnel matters. Councilman Mecca made a motion, seconded by Councilwoman Bucci and unanimously carried, to adjourn the Executive Session at 7:30 P.M. The regular meeting convened at 7:35 P.M.

1. Pledge of Allegiance.

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

2. Roll Call.

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

3. General Announcements.

Mayor Sack acknowledged Henry King for his dedication and attendance for each City Council meeting and welcomed him back after a brief absence. Mayor Sack thanked Mr. King for his service to the community and involvement.

Councilwoman Tagger-Epstein announced that prior to the City Council meeting, the Rye Arts Center awarded the winners of the Distracted Walking and Driving Poster Contest: Lara Martin, Crispian Thorne, and Manon Veltman. All posters in the contest will be on display at the Rye Arts Center for January and February 2016. On Friday, January 29, 2016, at 6:30 P.M., a film on “Idle Threat” and the idling law in Rye will be shown at the Rye Country Day School.

Mayor Sack congratulated Councilwoman Killian for being appointed Deputy Mayor.

4. Draft unapproved minutes of the regular meeting of the City Council held January 13, 2016.

Councilman Mecca made a motion, seconded by Councilwoman Hurd and unanimously carried to approve the minutes of the regular meeting of the City Council held on January 13, 2016.

5. Issues Update/Old Business.

Mayor Sack announced that at the end of 2015, the Council approved a settlement with TessenderloKerley, Inc. (TKI). He stated that the Council also indicated that as part of the 2016 budget, there would be a discount to returning Rye Golf Club members in good standing to incentivize them to rejoin, provided those members signed a release. There have been questions about clarifying this discount and Mayor Sack asked Councilwoman Bucci to clarify further for residents.

Councilwoman Bucci explained that the 35% discount will be applied to both the regular golf membership and the total comprehensive membership.

Councilwoman Killian asked City Manager Serrano to revisit the issue about rocks within the right-of-way. She then spoke about notice for the Board of Architectural Review meetings and asked that the website system be more effective in letting people know about the meeting dates and agendas. Councilwoman Killian also spoke about the Cable Commission and the first meeting she attended. She asked that an email distribution list be put together for the Cable Commission activities.

Mayor Sack announced that the Recreation Commission is considering potential upgrades and improvements at Disbrow Park, and has asked the Recreation Committee to inform the community about any potential actions on this item. He advised the community to reach out to the City Manager's office if anyone wishes to participate in the discussion. Mayor Sack also alerted the community to an article in the Westchester County Business Journal that stated Port Chester residents are favorable to the United Hospital project. He felt that Rye residents likely did not agree with this sentiment. Mayor Sack further stated that the Final Environmental Impact Statement (FEIS) will not be ready prior to the end of January 2016. Mayor Sack asked City Manager Serrano to remain in close contact with Port Chester on this issue. He reminded the community that hearings may be held to comment on the FEIS once it is released and asked City Manager Serrano to update the Council with any developments.

Councilwoman Killian added that there is also another housing unit site plan proposed in close proximity to the United Hospital site.

Mayor Sack stated that Rye Town Park is currently looking for proposals for management. The Council will update the community with any developments.

City Manager Serrano updated the Council on the Forest Avenue Sidewalk project. The City has received estimates for the project and will be performing a survey and a title search. Following those action items, the City's options will be discussed.

City Manager Serrano also updated the Council on the New York Rising Request for Qualifications, which has been released. The project proposal pursuant to the grant was presented to the State, who has approved the process. The City plans on moving forward with the applicant that best meets its qualifications, and price will be determined and negotiated at a later date.

Mayor Sack asked City Manager Serrano to keep the Council advised of any updates with the City's Flood Advisory Group.

6. Consideration of a request from the Rye Fire Department that Captain Dan Bochicchio of the Milton Point Engine & Hose Company fill the position of Second Assistant Chief on a temporary basis.

This agenda item was tabled for future review.

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

A) Two appointments to the Board of Appeals for a three-year term.
This item was deferred for discussion at a future meeting.

B) One appointment to the Board of Ethics for a three-year term.
Mayor Sack made a motion, unanimously approved by the Council, to appoint Owen Nee to the Board of Ethics for a three-year term expiring on January 1, 2019.

C) Four appointments to the Flood Advisory Committee for a three-year term.
This item was deferred for discussion at a future meeting.

D) Eight appointments to the Rye Cable and Communications Committee for a three-year term.
This item was deferred for discussion at a future meeting.

E) Two appointments to the Rye Playland Advisory Committee for a three-year term.
This item was deferred for discussion at a future meeting.

F) Two appointments to the Rye Town Park Advisory Committee for a three-year term.
This item was deferred for discussion at a future meeting.

G) Six appointments to the Traffic & Pedestrian Safety Committee for a three-year term.

Mayor Sack made a motion, unanimously approved by the Council, to reappoint Chairman Brian Dempsey, and appoint new member Dan Chorost.

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

Acting Police Commissioner Scott Craig approached the Council. Mayor Sack introduced the issue of dogs within the Rye Town Park. Last year, the City Council implemented the Rye Town Park off-leash policy, allowing off-leash licensed dogs between the hours of 6:00 and 9:00 A.M. This program was conditioned on strict enforcement, and residents are currently concerned about the police presence enforcing the off-leash rules.

Acting Commissioner Craig agreed with the Mayor's statement. He stated that the City's enforcement is relatively new and unique for the Rye Town Park. Through the enforcement program, the Police have educated the dog owners about Rye Town Park licensing, as well as New York State dog licensing. The goal of the Police Department is to balance the needs of the dog owners and other park users. He further stated that the enforcement officer at Rye Town Park is a new position that did not take away from any other enforcement. It also has allowed the City to increase traffic enforcement for problem areas. Acting Commissioner Craig stated that overall, the Police have tried to balance and meet the needs of the entire community.

Councilwoman Killian inquired as to why the enforcement officer drives onto the grass at Rye Town Park. Acting Commissioner Craig explained that the officer needs the first aid equipment and other equipment located within the car for safe enforcement. Additionally, it is a focal point for residents to seek help within the park. The department needs the enforcement officer to be as mobile as possible to be able to quickly respond to an emergency.

Councilwoman Hurd thanked Acting Commissioner Craig for his service and response to the Council's questions. She expressed that she is happy that people are using the Rye Town Park for this purpose and that more dogs are now licensed. She then asked if there were any dog bite incidents. Commissioner Craig responded that there have been no incidents since the program was implemented. Councilwoman Hurd then inquired as to whether the City could have a bicycle patrolman in the park rather than a car. Acting Commissioner Craig responded that while it is possible, the department implements bicycle patrol solely within the downtown. There is a concern that without a vehicle, it could inhibit the enforcement officer from responding quickly to an emergency.

Mayor Sack thanked Acting Commissioner Craig for his service as Acting Commissioner and praised him for his work.

9. Discussion regarding a switch to LED lighting for street lights in the City of Rye.

City Manager Serrano announced that City Engineer Coyne has been exploring Light Emitting Diodes ("LED") street lights and has attempted to work with the New York Power Authority (NYPA) on this endeavor. He stated that the City has not been progressing as it

had hoped with NYPA regarding this issue. City Manager Serrano also explained that the with an LED program, street lights would have an extended life of approximately 15-20 years, while saving money and "going green" at the same time. The current street lights are effective for two years. He stated that the City would put together GPS coordinates for the lights to effectively switch them out. City Manager Serrano introduced Heather Cuffel, Project Manager from Lumen Light Solutions, who gave a brief overview of a potential LED implementation program to the City Council.

Ms. Cuffel explained that Lumen Lighting assists municipalities in the transition to LED lighting. The municipality would be permitted to fund an LED conversion program from the energy savings realized as a result of the switch, pursuant to a provision in the New York State Energy Law. Ms. Cuffel explained that the City of Rye, under General Municipal Law Section 103, could effectuate a "piggy-back" provision onto the City of New Rochelle's current contract with Lumen Light Solutions. Ten other municipalities have availed themselves of this option in Westchester County. The process would include a quick installation and audit period, at which time light installation crews would have the coordinates of each light and record the conversions. Ms. Cuffel stated that in Yonkers, Lumen installed 11,000 lights in nine months. Ms. Cuffel further discussed the colors of the lights, which are a neutral white light. LED lights do not have any "up-lighting" or "backlighting."

Councilwoman Hurd commented that it is important to maintain the historic nature of it and that she was happy to hear that an LED light would not have a blue tint that would negatively impact the aesthetic historic look.

Councilman Mecca commented on the cost of energy savings of 23 cents per watt, and was concerned that with NYPA, the Council could use less cents per watt. Ms. Cuffel clarified that with the Con Edison delivery charge, the energy savings cost results in a total of 23 cents per watt. Councilman Mecca was also concerned about the "piggy-back provision" with New Rochelle's current contract. Ms. Cuffel responded that General Municipal Law Section 103 allows the municipality to piggy-back off of another contract. Lastly, Councilman Mecca referred to page 2 of the handout that was provided to the Council and inquired as to how the energy savings would work. Ms. Cuffel stated that the energy savings from using LED lights in general would be used to pay for the conversion. The lights would be rented by the City and then purchased at the end of the lease period.

City Manager Serrano added that the City will explore the best financial options.

Councilwoman Bucci discussed the financing for the purchase of the LED lights. She asked if the annual interest would be approximately a fixed 5%. Ms. Cuffel confirmed that this is correct. Councilwoman Bucci further inquired as to how Lumen could guarantee energy savings. Ms. Cuffel responded that Lumen guarantees that the price the City will pay to Lumen will be a result of energy savings. After the installation, the savings per watt will be calculated as of the price of energy on that day.

City Manager Serrano stated that the next steps will be to gather Council feedback concerning this procedure. If the Council would like to move forward, staff will present financing calculations.

Mayor Sack stated that he did not want the colors of the lights to be an issue for residents, and asked that the City convert a small number of lights to LED so that the community could provide feedback.

10. Discussion on the legislation and use of Drones in the City of Rye.

City Manager Serrano stated that with the development of drone technology, staff would like to approach the issue from a legal standpoint.

Corporation Counsel Wilson stated that the drone issue first came up with the Rye Golf Club, who is interested in using drones to help run operations. Corporation Counsel suggested that the Council and staff develop an internal control policy. She also stated that it would be important to consider possible legislation for the community. The FAA requires registration of drones over a certain weight and if being used for commercial purposes. State and County regulation of drones will be forthcoming, and New York City is currently drafting regulations. For next steps concerning this issue, Corporation Counsel Wilson will provide draft policies for department uses and draft code legislation.

11. Consideration of a request by the Rye Little League to approve a parade to kickoff Opening Day of the 59th Little League Season on Saturday, April 9, 2016 beginning at 12:00 p.m.

The City Council unanimously agreed to approve the request of the Rye Little League to hold a parade to kickoff Opening Day of the 59th Little League Season on Saturday, April 9, 2016 beginning at 12:00 p.m.

12. Consideration of a request by the Midland Elementary School PTO to approve a parade to precede the Midland Elementary School Fair on Saturday, April 16, 2016 from 9:00 a.m. to 10:15 a.m.

The City Council unanimously agreed to approve the request of the Midland Elementary School PTO to hold a parade to precede the Midland Elementary School Fair on Saturday, April 16, 2016 from 9:00 a.m. to 10:15 a.m.

13. Consideration of a request by the Rye YMCA for the use of City streets for the 28th Annual Rye Derby on Sunday, April 24, 2016 from 9:00 a.m. to 2:00 p.m.

The City Council unanimously agreed to approve the request of the Rye YMCA for the use of City streets for the 28th Annual Rye Derby on Sunday, April 24, 2016 from 9:00 a.m. to 2:00 p.m.

14. Miscellaneous communications and reports.

Councilwoman Killian asked that the proposed Hidden Spring Historic District be included on an upcoming City Council agenda. She asked that the City send out notice for the meeting to neighbors that it may affect. Councilwoman Killian also discussed the Safe Routes to School program, started by the Rye YMCA in 2007. In 2012, the group hired a consultant, who proposed 4-5 projects and began working with the City on different items. "Complete Streets" is a program that emerged from Safe Routes to School, and its policies were approved in October 2013. Councilwoman Killian further clarified that these two groups are separate entities from the City's Traffic and Pedestrian Safety Committee (TPS), but TPS typically reviews these types of projects.

15. Old Business.

There was no discussion under this agenda item.

16. New Business.

Mayor Sack added an item to the agenda for the approval of the law firm Beveridge & Diamond to defend the City of Rye in the Save the Sound litigation. City Corporation Council Wilson announced that eight municipalities are currently involved in a lawsuit with Save the Sound, and that it is her opinion that the City retain special counsel with respect to this federal litigation.

Mayor Sack made a motion, seconded by Councilwoman Killian and unanimously carried, to retain the law firm of Beveridge & Diamond for services related to the defense against the Save the Sound litigation.

ROLL CALL

AYES:	Mayor Sack, Councilmembers Bucci, Hurd, Killian, McCartney, Mecca and Tagger-Epstein
NAYS:	None
ABSENT:	Councilmember McCartney

Mayor Sack introduced the discussion issue of a resolution regarding the confidential information to Councilmembers-elect. He stated that it is important for Councilmembers-elect to be apprised of City issues ahead of taking office. Mayor Sack stated that he memorialized those thoughts in a resolution for discussion.

Councilwoman Hurd stated that she and Councilwoman Tagger-Epstein knew that for the past 25 years the Councilmembers-elect have been invited into executive session and be given confidential packets, and as a result, asked for a resolution to memorialize this practice. Councilwoman Hurd stated that at the time that Councilmembers are sworn in, they have a great deal of responsibility. She suggested that an orientation meeting could be created so that there are no inconsistencies in the future.

Mayor Sack suggested placing the resolution on the agenda for the next Council meeting for a vote.

17. Adjournment.

There being no further business to discuss within the public meeting of the City Council, Mayor Sack made a motion at 9:05 P.M., seconded by Councilman Mecca and unanimously carried, to enter into Executive Session to discuss personnel matters and a confidential real estate acquisition matter.

Respectfully submitted,

Carolyn E. D'Andrea
City Clerk

CITY COUNCIL AGENDA

NO. 5 DEPT.: City Council DATE: February 10, 2016

CONTACT: Mayor Joseph A. Sack

AGENDA ITEM: Issues Update/Old Business

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That an update be provided on outstanding issues or Old Business.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

CITY COUNCIL AGENDA

NO. 6 DEPT.: City Manager DATE: February 10, 2016

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Presentation on the 2015 New York State Equalization Rate.

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION:

IMPACT: ☒ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: A presentation will be made by City Assessor Noreen Whitty on the 2015 New York State Equalization Rate.

See attached 2015 Equalization Rates.

South

County of Westchester

New York State Department of Taxation and Finance
Office of Real Property Tax Services
WA Harriman State Campus
Albany, New York 12227

Date: Dec 7, 2015
Time: 9:21 AM

2015 Equalization Rate Status

Municipal Code	Municipal Name	(A) 2014 State Equalization Rate	(B) 2015 State Equalization Rate and Status		(C) Percentage Change in Estimate of Full Value
550800	City of Mt Vernon	3.58	3.20	Tentative	11.88%
551000	City of New Rochelle	2.93	2.93	Final	0.00%
551200	City of Peekskill	3.97	3.73	Final	6.43%
551400	City of Rye	1.91	1.71	Final	11.70% *
551700	City of White Plains	3.48	3.30	Final	4.28%
551800	City of Yonkers	3.05	3.00	Final	0.00%
552000	Town of Bedford	10.36	10.22	Final	1.37%
552200	Town of Cortlandt	1.88	1.84	Final	2.17%
552201	Village of Buchanan	2.99	1.24	Final	10.97%
552203	Village of Croton-on-Hudson	4.33	3.92	Final	10.46%
552400	Town of Eastchester	1.41	1.27	Final	11.02%
552401	Village of Bronxville	100.00	100.00	Final	5.07%
552403	Village of Tuckahoe	1.59	1.45	Final	8.69%
552600	Town of Greenburgh	3.33	3.09	Final	7.77%
552603	Village of Dobbs Ferry	3.41	3.24	Final	4.51%
552605	Village of Elmsford	3.57	3.41	Final	3.27%
552607	Village of Hastings-on-Hudson	3.29	3.12	Final	5.99%
552611	Village of Tarrytown	2.94	2.74	Final	5.45%
552800	Town of Harrison	1.73	1.60	Final	8.13%
553000	Town of Lewisboro	10.28	9.90	Tentative	3.84%
553200	Town of Mamaroneck	100.00	100.00	Final	5.46%
553201	Village of Larchmont	1.50	1.50	Final	-0.28%
553400	Town of Mount Pleasant	1.61	1.48	Final	8.78%
553401	Village of Sleepy Hollow	26.20	24.05	Final	6.82%
553403	Village of Pleasantville	9.63	9.46	Final	2.52%
553600	Town of New Castle	20.67	19.34	Final	6.88%
553800	Town of North Castle	2.37	2.25	Final	5.33%
554000	Town of North Salem	10.87	11.39	Final	-4.57%
554200	Town of Ossining	5.95	5.65	Final	5.31%
554400	Town of Pelham	100.00	100.00	Final	2.60%
554600	Town of Pound Ridge	18.11	17.74	Final	2.09%
554800	Town of Rye	100.00	100.00	Final	8.12%

Column C is the percentage change in the estimate of full value between the 2014 State equalization rate and the 2015 State equalization rate due to the change in full value standard.

This percentage change is important because county and school taxes are apportioned according to a municipality's share of the full value of the county or the school. A municipality will be apportioned a larger share of the tax levy if its full value increases by a larger percentage than others, or if its full value decreases less than the decrease for other municipalities in the county or school.

The information shown in columns B and C is subject to change as the other tentative rates are established in the county and as rates are finalized after the completion of rate complaint processing. You will be sent a complete report when we have established 2015 State equalization rates for all municipalities in your county.

South

County of Westchester

New York State Department of Taxation and Finance
Office of Real Property Tax Services
WA Harriman State Campus
Albany, New York 12227

2015 Equalization Rate Status

Municipal Code	Municipal Name	(A) 2014 State Equalization Rate	(B) 2015 State Equalization Rate and Status		(C) Percentage Change in Estimate of Full Value
555000	Town of Scarsdale	100.00	100.00	Tentative	-1.01%
555200	Town of Somers	13.08	12.95	Final	1.00%
555400	Town of Yorktown	2.51	2.56	Final	-1.95%
555600	Town of Mount Kisco	18.08	17.56	Final	2.96%
555601	Village of Mount Kisco	9.90	8.58	Final	14.85%

Column C is the percentage change in the estimate of full value between the 2014 State equalization rate and the 2015 State equalization rate due to the change in full value standard.

This percentage change is important because county and school taxes are apportioned according to a municipality's share of the full value of the county or the school. A municipality will be apportioned a larger share of the tax levy if its full value increases by a larger percentage than others, or if its full value decreases less than the decrease for other municipalities in the county or school.

The information shown in columns B and C is subject to change as the other tentative rates are established in the county and as rates are finalized after the completion of rate complaint processing. You will be sent a complete report when we have established 2015 State equalization rates for all municipalities in your county.

CITY COUNCIL AGENDA

NO. 7 DEPT.: City Manager's Office DATE: February 10, 2016

CONTACT: Marcus Serrano, City Manager

ACTION: Home Rule Resolution supporting S6334(Latimer)/A9111(Otis) to amend the public officers law in relation to qualifications for holding the office of Comptroller in the City of Rye.

FOR THE MEETING OF:

February 10, 2016

RYE CITY CODE,

CHAPTER
SECTION

RECOMMENDATION: That the City Council approve the resolution.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

Legislation has been introduced to amend the New York State Public Officers Law regarding residency requirements to hold the office of Comptroller in the City of Rye. A Home Rule resolution is needed before the bill can advance in Albany.

See attached Home Rule legislation.

S T A T E O F N E W Y O R K

6334

I N S E N A T E

(PREFILED)

January 6, 2016

Introduced by Sen. LATIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law, in relation to qualifications for holding the office of comptroller in the city of Rye in Westchester county

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 3 of the public officers law is amended by adding a new subdivision 65 to read as follows:

65. IN THE CITY OF RYE, WESTCHESTER COUNTY, THE PROVISIONS OF THIS SECTION REQUIRING A PERSON TO BE A RESIDENT OF THE POLITICAL SUBDIVISION OR MUNICIPAL CORPORATION OF THE STATE FOR WHICH HE OR SHE SHALL BE CHOSEN OR WITHIN WHICH HIS OR HER OFFICIAL FUNCTIONS ARE REQUIRED TO BE EXERCISED AND THE PROVISIONS REQUIRING A PERSON TO BE A RESIDENT OF THE STATE, SHALL NOT PREVENT A PERSON FROM HOLDING THE OFFICE OF COMPTROLLER OF THE CITY OF RYE; PROVIDED, HOWEVER, THE PERSON PERFORMING THE FUNCTION OF COMPTROLLER IN ANY OTHER CITY SHALL BE A RESIDENT OF SUCH CITY, UNLESS OTHERWISE PROVIDED BY LAW.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD13111-01-5

CITY COUNCIL AGENDA

NO. 8 DEPT.: City Manager DATE: February 10, 2016

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Discussion regarding the Mayors Against Illegal Guns Statement of Principles.

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION:

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: *Mayors Against Illegal Guns* was formed in April 2006 during a summit co-hosted by Mayors Michael Bloomberg of New York City and Thomas Menino of Boston. *Everytown for Gun Safety* is an American non-profit organization founded in 2014 which advocates for gun violence prevention. The organization works to support efforts to educate policy makers, as well the press and the public, about the consequences of gun violence and promote efforts to keep guns out of the hands of criminals. Most recently the group has focused on efforts to require expanded background checks on firearms purchases.

See attached Statement of Principles.

MAYORS AGAINST ILLEGAL GUNS

STATEMENT OF PRINCIPLES

Whereas: 30,000 Americans across the country are killed every year as a result of gun violence – including 12,000 who are murdered – destroying families and communities in big cities and small towns; and

Whereas: As Mayors, we are duty-bound to do everything in our power to protect our residents, especially our children, from harm, and there is no greater threat to public safety than the threat of illegal guns;

Now, therefore, we resolve to work together to find innovative new ways to advance the following principles:

PUNISH – to the maximum extent of the law – criminals who possess, use, and traffic in illegal guns.

TARGET and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers.

EXTEND background check requirements to all gun sales, including the private sales that take place between strangers online and at gun shows

OPPOSE all federal efforts to restrict cities' right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the Bureau of Alcohol, Tobacco, Firearms and Explosives to combat illegal gun trafficking.

WORK to develop and use technologies that aid in the detection and tracing of illegal guns.

SUPPORT all local, state, and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices.

INVITE other cities to join us in this national effort.

TO JOIN MAYORS AGAINST ILLEGAL GUNS, please print and sign the statement below, and send a scanned copy to mayors@everytown.org or fax it to (917) 410-6932.

MAYOR'S SIGNATURE _____ DATE _____

MAYOR'S NAME	MAYOR'S MUNICIPALITY
MAYOR'S OFFICE ADDRESS	CITY, STATE, ZIP
MAYOR'S TELEPHONE	MAYOR'S EMAIL ADDRESS
STAFF MEMBER'S NAME	STAFF MEMBER'S TITLE
STAFF MEMBER'S TELEPHONE	STAFF MEMBER'S EMAIL ADDRESS
MAYORAL TERM – MM/DD/YYYY to MM/DD/YYYY	ELECTED AS – e.g. Rep., Dem., Ind., non-partisan

CITY COUNCIL AGENDA

NO. 9 DEPT.: City Manager's Office DATE: February 10, 2016

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Discussion to amend local law Chapter 117, Landmarks Preservation, of the Rye City Code by amending Section §117-5, "Designation of Preservation Districts or Protected Sites and Structures", to designate Hidden Spring Lane as an Historic District.

FOR THE MEETING OF:
February 10, 2016
RYE CITY CODE,
CHAPTER 117
SECTION 5

RECOMMENDATION: That the City Council discuss designating the properties located on Hidden Spring Lane as an Historic District.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: The Landmarks Advisory Committee has submitted a recommendation to the City that Hidden Spring Lane be designated as an Historic District. The designation process as outlined in Chapter 117-5 of the Rye City Code includes:

- Detail the specific properties to be included in the Historic District; there are seven properties on Hidden Spring Lane, including two undeveloped properties subdivided by the Planning Commission in 2012/2013 (listed by S/B/L: 146-7-4-1-1, 146-7-4-1-2, 146-7-4-2, 146-7-4-3, 146-7-4-3, 146-7-4-4, 146-7-4-5 and 146-7-4-6)
- Clarify the specifics of the structure: District designations only apply to the exterior of a structure unless the LAC includes a specific request that the interior of the structure(s) also be designated
- Written consent must be obtained from the owners of these properties
- Formal filing of the Designation request must be submitted to the City Clerk
- A Public Hearing must be held

See attached Request from the Landmarks Advisory Committee and Chapter 117-5.

TO: The City Council of the City of Rye, New York

FROM: The Landmarks Advisory Board
of the City Council of Rye, New York

RE: Proposal for Designation of Hidden Spring Lane,
Rye, New York as an Historic District

Dear Council Members:

The Landmarks Advisory Committee ("LAC") submits this recommendation to the City Council that Hidden Spring Lane (the "Lane"), in the City of Rye, be designated as an Historic District within the meaning of Local Law No. 4 (2013), as amended. The Lane contains five houses on the land between Loudon Woods, Boston Post Road, Peck Avenue, and Midland Avenue.

Overview

The five remaining houses on the Lane are generally homogenous in architectural style, age, composition of construction, and acreage. We say "remaining" since the 1855 Victorian-style Peck House, the manor house on the former Jib Farm, was destroyed in 2011 by a developer who applied to build three large houses on that 1.62 acre property which still bears an address of 1 Hidden Spring Lane. Interested neighborhood property owners and other citizens of Rye strongly opposed the extreme development of this property to its zoning limits, largely because the new dense construction would diminish the historical character of the Lane, and create runoff and traffic safety issues. The Zoning Board agreed to reduce the allowable development to two houses on the property.

In 2013 an abutting neighbor in Loudon Woods purchased 1 Hidden Spring Lane from the developer and has improved the property and maintains it today in a park-like setting.[1]

History

The Lane has a rich history. The Peck House was built by Jared Valentine Peck ("a man of uncommon energy and tact")[2], circa 1855, on Jib Farm prior to the railroad extending out to Rye. Peck was the eighth of nine children and became an eminently successful businessman in his family's lumber, brick, hardware, and agricultural business in Port Chester and along the Byram River where he operated several gristmills. He entered politics, served as auditor of the Town of Rye, served in the State Assembly and in the U.S. Congress from 1853-1855.[3]

---

[1] A member of the LAC, Jerome P. Coleman, resides at 2 Hidden Spring Lane.
[2] History of Rye, 1660-1870, Charles W. Baird, Anson D.F. Randolph and Company, 1871, p. 378.
[3] Biographical Directory of the United States Congress
History of Apawamis, Rye, N.Y., 1940

The land which is now the Lane was bucolic, with numerous springs and ponds, and large boulder and small rock outcroppings typical of the topography of Rye, and an apple orchard. In 1897, the Apawamis Club chose the house and property as appropriate for its purposes and leased the house and land. It created a 9-hole golf course down from the house towards and beyond what is now Midland Avenue, and between what is now Peck Avenue and Loudon Woods. (See excerpts from "Fifty Years at Apawamis," published in 1940, and attached as Ex. "A" hereto.)

The Club later moved to its present location several years later.

While records are sketchy, and we have not performed a title search on all houses in the Lane, it is believed the house was purchased by Mr. James Peak at some point in the early 1900s. It has been reported, but is not documented that he had five children and created a roadway in the center of the property, and built five homes for each around the road on either side leading up to the house in the dominant style of the time using clapboard, shingle and brick. These five homes (Nos. 2, 3, 4, 5 and 6), were built between 1920 and 1924. The current layout (as attached hereto as Ex. "B"), notes lots ranging from .80 acres to 1.45 acres. In building these houses, the rock ledges that run down the north side of the Lane were used as part of the foundations for numbers 2, 4 and 6, and the rock ledges extending down from Loudon Woods were also used as foundation support for numbers 3 and 5.

There have been numerous improvements to each home over the years, yet maintaining the distinctive architectural style and building composition of the houses as originally constructed, and four of the five homes have added pools that are not visible from the Lane. As noted above, the houses have a certain homogeneity, composed of clapboard, shingle and brick, and are all painted white or off-white in color. These improvements and restorations have neither changed the character of the construction nor the ambiance of the Lane as maintained for the last 90 years. Pictures of each house are reproduced in Ex. "C" hereto.

Qualifications

It is the conclusion of the LAC that the criteria for qualification of an Historic District are met in the case of the Lane. Local law No. 4 (2013) was amended by Local Law No. 2015 to amend Chapter 177 "Taxation" Article XII, "Exemption for Historic Districts of the Code of the City of Rye," and added new definitions to Section 177-179 ("Definitions"), and a new Section 177-182 ("Designation of Historic Districts"). In that amendment, the City allowed the designation of an Historic District if the LAC advised that, as outlined in Chapter 117 of the Rye City Code, one or more of the following characteristics were met:

i. Association with persons or events of historic significance to the city, region, state or nation.

ii. Illustrative of historic growth and development of the city, region, state or nation.

iii. Embodying distinctive characterization of a type, period or method of construction . . . .

Conclusion and Recommendation

It is the decision of the LAC that the Lane meets all three of the above characteristics. Thus, we recommend that Hidden Spring Lane be designated as an Historic District in the City of Rye.

Rye, New York
November 24, 2015

Respectfully submitted,

The Landmarks Advisory Committee
Jack Zahringer, Chair

EXHIBIT A

Fifty Years

of

APAWAMIS

RYE, NEW YORK

1 9 4 0

today. Even the early fathers became fed up with the simple life. They yearned for some of the conveniences and comforts enjoyed at other newly formed clubs. Moreover, the lure of the game had captured an ever increasing number of victims. It was therefore not surprising that agitation by a small group of the more expert players for a decent course with clubhouse facilities, should have met with support.

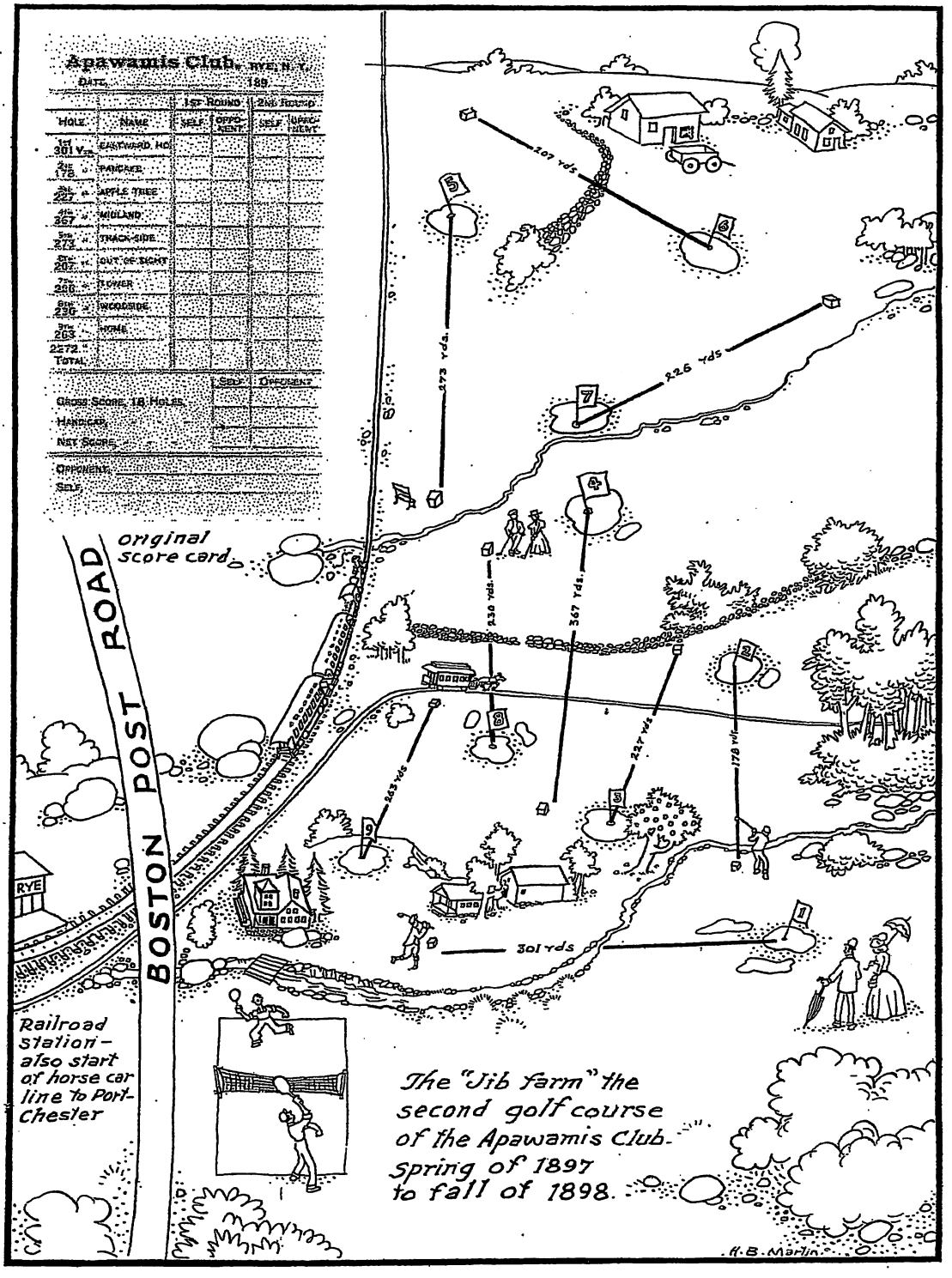
After much debate, a committee was finally appointed to go thoroughly into the matter. This was in the fall of 1896. At the time there was available the property known as Jib Farm, owned by the Peck Estate. It was located on the easterly side of the Boston Post Road at the point where the railroad bridge crosses; to the south, was the property now known as Loudon Woods, and to the north and east was part of Fulton's Folly. The Peck land contained about thirty acres, with a quite substantial dwelling and suitable stable accommodations. Fifteen additional acres were made available by Mr. Fulton, who had recently built an imposing mansion on the Post Road and acquired the land across the railway tracks for farming purposes.

The committee felt that this combination offered a rare opportunity for the proposed venture, and its report, made in glowing terms at a special meeting of the members, was unanimously approved. Leases of the properties were made in March, 1897. At the time, the floating indebtedness of the Club was about $1,000. It was found possible to raise by gift $1,000 and there were issued debentures in amount $3,000, with coupons which could be used in the payment of house charges. After clearing the debts, there were sufficient funds left to put the house and grounds in order.

The design and construction of the course was left to the Golf Committee headed by B. Lambert Sackett as Chairman. They had the advice of Willie Kirk, a recent Scotch importation. It was a task of no mean importance, as there were stone and snake fences to be removed, woods to be cleared, ditches to be drained and covered, fairways seeded and greens built. However, by June, although rough and unfinished, play began. A flock of 300 sheep had been acquired from Central Park and they were promptly put to work in place of mowers.

The Peck House at Jib Farm

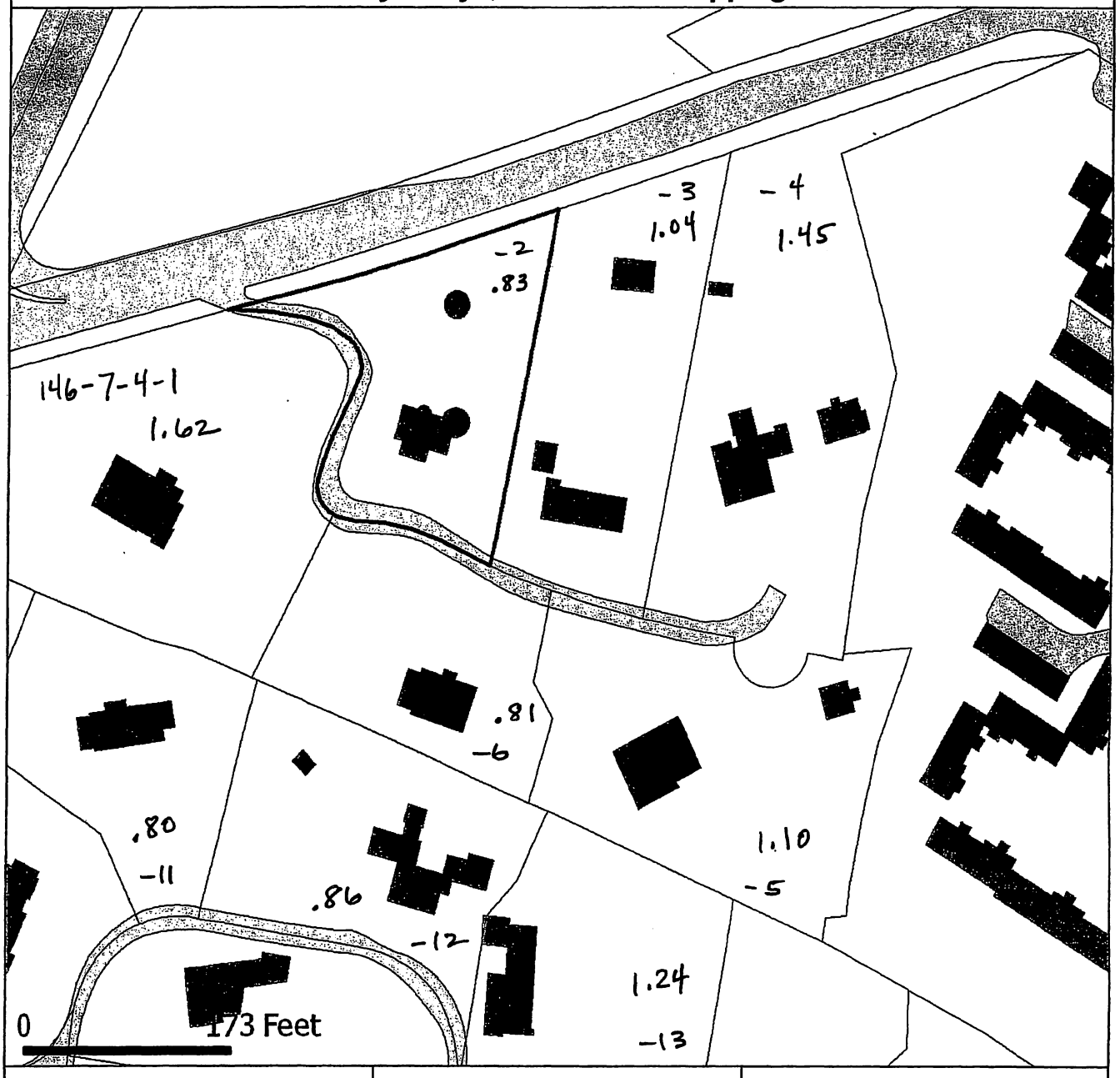
An original score-card which has been recovered and which is attached to a sketch of the various holes, shows a yardage of 2,272. No par is indicated, as in those days "Colonel Bogey" ruled the scoring. Apparently, 39 or 40 was par golf. It must be remembered that the old gutty ball was still in use and a four on a 178-yard hole was top golf. That there were many weird hazards is well remembered. There were swamps, intervening apple orchards, a trolley track through the center, a signal tower at the 8th, which seemed to have a strange attraction for tee shots, and the railway tracks were always a menace on the incoming holes. There was little in the way of traps and the upkeep was carried on by one greensman, Robert Dickey by name, with an occasional as-



Second course and original score card, Jib Farm

EXHIBIT B

City of Rye, NY - Online Mapping



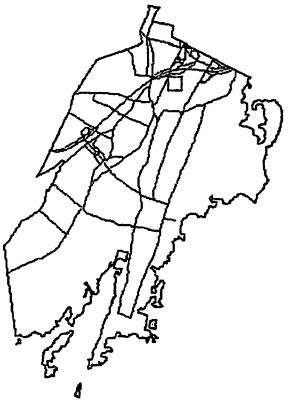
Property Information

Prop ID	146-7-4-2
Location	2 HIDDEN SPRING LN
Owner	COLEMAN JEROME P
Address 1	2 HIDDEN SPRING LN
Address 2	RYE
Address 3	NY
Total Area	0.83 acres

Smallest = .80
Average = 1.02
Largest = 1.45
(excl McDermotts)

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

The City of Rye makes no claims, no representations, and no warranties, expressed or implied, concerning the validity (expressed or implied), the reliability, or the accuracy of the GIS data and GIS data products furnished by the Town, including the implied validity of any uses of such data. The use of this data, in any such manner, shall not supercede any federal, state or local laws or regulations.



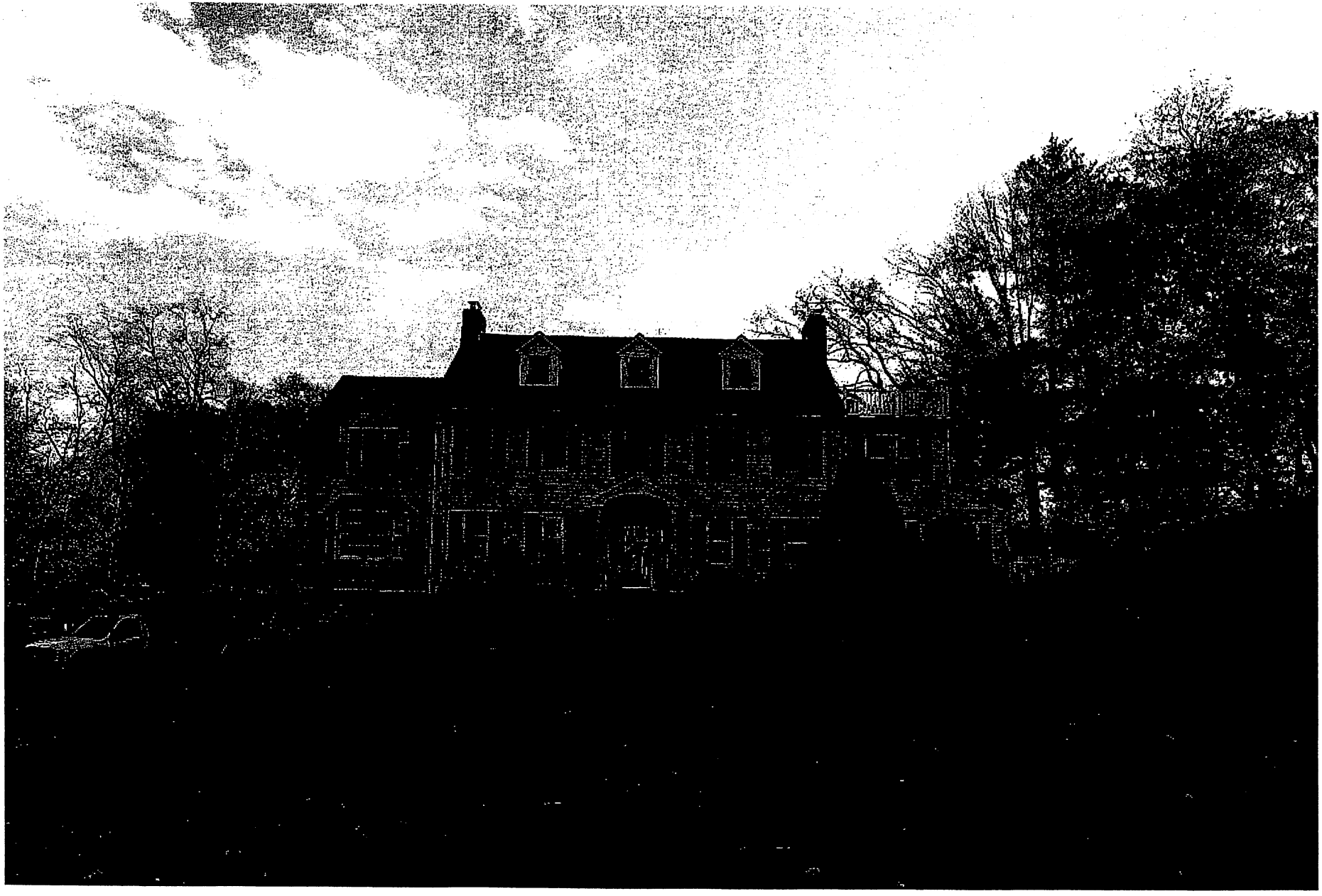
1.62 ÷ 2 = .81
1.62 ÷ 3 = .54

EXHIBIT C

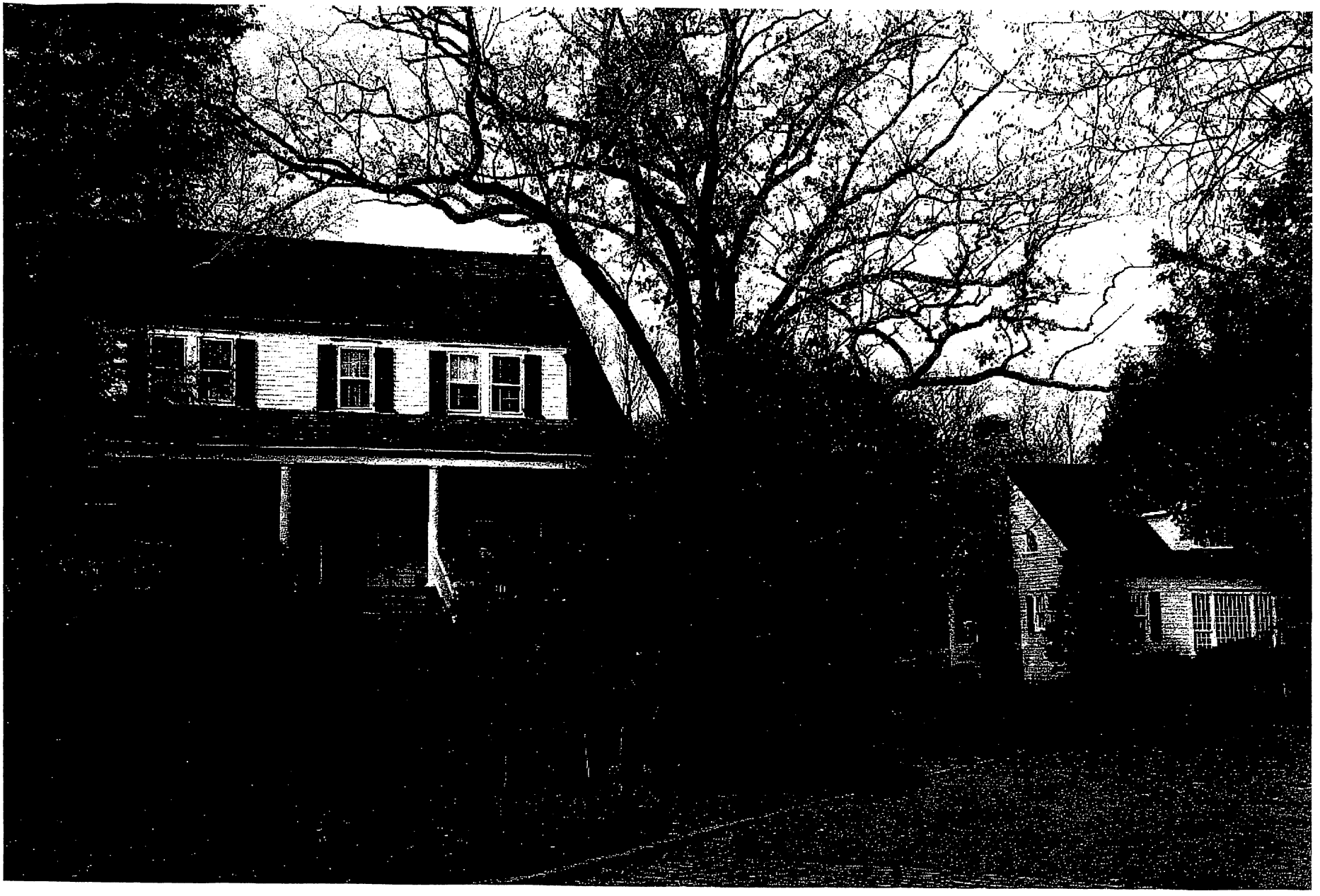
#2

3

#4



#5



#6

CITY OF RYE
BOARD OF ARCHITECTURAL REVIEW
AGENDA - Revised

Carmen Aguilar, Chairman
Holly Kennedy
Lisa Hogan
Kathy Hobbins
Kevin Grainger
John Barrett
Michael Harrington

Maureen Eckman, Building Inspector

Meeting, Monday
November 23, 2015
7:30 pm

Mayor's Conference Room
Rye City Hall

*** 15.167** **Pell** – 49 Glen Oaks Drive 153.05-3-10
New Single Family Residence
Continued – Driveway Concerns

*** 15.170** **Koechlin (Contractor Vendee)** – 43 Sanford Street 146.20-1-03
New Single Family Residence
Continued – Requesting Lower Roof Height and Landscaping Plan

*** 15.171** **10 Florence Avenue LLC** – 10 Florence Avenue 146.17-2-07
New Single Family Residence

*** 15.175** **Caiati** – 190 Forest Avenue 146.12-1-52
Deck, Front Porch, Pergola, Fireplace, Outdoor Kitchen per Variance Granted #15-53
Continued – No One Present

*** 15.164** **Manning (Contract Vendee)** – 1 Halls Lane 153.14-1-15
New In-Ground Pool and Terrace
Continued - Requesting Landscape Plan

15.181 **Rye Greenridge LLC**– 2 Purchase Street 146.07-3-21
Little Thai Kitchen Restaurant (Previous Subway location)
Interior Renovations for New Tenant Fit-Out includes New Roof Exhaust Fan

*** 15.068** **Vietor** – 147 Wappannocca Avenue (aka 130 Purchase Street) 139.19-2-01
2nd Floor Rear Addition over existing and Interior Remodeling
Modifications to Relocate Master Bathroom Window
Approved as Small Project

15.182 **Sawyer** – 19 Gramercy Avenue 146.12-1-41
1st Floor Rear Addition and New Deck

*** 14.085** **Hoover** – 900 Forest Avenue 153.14-1-27
South Side Kitchen and Family Room Addition
Modifications to Add 2nd Floor Elevated Porch, Relocate Interior Stairs

15.183 **Kelly** – 3 Billington Court 146.15-1-1.2
One Story Rear Addition per Variance Granted #15-36

15.184 **Egan** – 33 Rosemere Street 146.19-3-20
2 Story Rear Addition with Balcony and Patio, Remove existing Garage per Variance Granted #15-55

15.185 **RJV Realty** – 1005 Boston Post Road 146.11-1-18
New Hanging Plaque Signage to read "Le Beastro Pet Grooming & Boutique"

15.186 **RJV Realty** – 1005 Boston Post Road 146.11-1-18
New Hanging Plaque Signage and Awnings to read "Beauty Box" and "1005"

15.187 **Lonnegren (Contract Vendee)** – 85 Drake Smith Lane 146.12-2-03
1 Story Addition at 1st Floor and 1 Story Addition at 2nd Story Addition per Variance Granted #15-56

15.188 **Zamarron** – 2 Morris Court 153.05-1-70.11
Change Kitchen Window as part of Kitchen Renovation, Finished Basement
Approved as Small Project

15.189 **2 Fulton LLC** – 2 Fulton Avenue 146.18-2-31
New Single Family Residence

15.190 **10 Eve Lane LLC** – 10 Eve Lane 146.15-1-66
New Single Family Residence

*** 12.188** **Iannucci LLC** – 23 Locust Lane 153.06-1-84
New Single Family Residence per Variance Granted #12-63 and WP #335
Modifications to Add Stone Masonry Retaining Wall
Removed from Agenda – Requires Wetlands Permit

*** 13.065** **Coccari** – 3 Green Acres Drive 146.15-1-05
2 Story Addition, 1 Story Rear Addition, New Entry Portico and Rear Patio, Interior Renovations per Variance Granted # 12-40 and pending SWC
Modifications to Add 2nd Floor Addition

15.191 **53 Purchase Street LLC** – 53 Purchase Street 146.07-1-51
Complete Renovation of Existing Building with Ground Floor Retail and 4- Apartments on Upper Floors

15.192 **Westchester County** – 150 North Street 146.10-1-66
Proposed 41 Unit Affordable Senior Citizen Apartment Building with 61 Parking Spaces

*** Continued or Modified from Previous Meeting**

City of Rye, NY
Friday, February 5, 2016

Chapter 117. Landmarks Preservation

§ 117-5. Designation of Preservation Districts or Protected Sites and Structures.

A. Designation of exteriors and interiors.

(1) Designation of a Protected Site or Structure may apply to the exterior only or to the interior only or to both. The designation shall include a specific reference as to whether the interior or exterior, or both, is intended; where such specific reference is omitted, the designation shall be deemed to apply to the exterior only.

(2) Designation of a Preservation District shall be deemed to apply to the exterior only of structures or sites therein, except that interiors of any structure within the district may be designated by specific reference thereto.

B. No Preservation District or Protected Site or Structure, as the case may be, shall be designated unless it is found to possess one or more of the following characteristics:

(1) Association with persons or events of historic significance to the city, region, state or nation.

(2) Illustrative of historic growth and development of the city, region, state or nation.

(3) In the case of structures: embodying distinctive characteristics of a type, period or method of construction or representing the work of a master, or possessing unique architectural and artistic qualities, or representing a significant and distinguishable entity whose components may lack individual distinction.

(4) In the case of districts: possessing a unique overall quality of architectural scale, texture, form and visual homogeneity, even though certain structures within the district may lack individual distinction.

(5) In the case of interiors: possessing one or more of the characteristics enumerated in Subsection **B(1)**, **(2)** or **(3)** above and, in addition, embodying distinctive characteristics of architectural scale, form and visual homogeneity which are an integral part of the character of the structure in which the space is contained.

C.

Designation of a Preservation District or a Protected Site or Structure shall be deemed a proposed amendment to the Zoning Ordinance and Official Zoning Map of the City of Rye or the General Ordinances of said City[1] and shall become effective only after public hearing and upon approval of such proposed amendment in the manner provided by law. The Landmarks Advisory Committee or any person, group of persons or association may petition the City Council for adoption of such an amendment. In addition to any other notices required by law, the City Council shall notify the Landmarks Advisory Committee 10 days prior thereto of any hearings bearing on a proposed designation or change thereof.

[1] *Editor's Note: See Ch. **197**, Zoning, which includes a copy of the Zoning Map at the end thereof. Ordinances formerly contained in the General Ordinances are currently included in the Code of the City of Rye.*

D. Designation procedures.

(1) The proposed designations or changes thereof shall be filed by the Landmarks Advisory Committee with the City Clerk, together with its request that all property owners affected by such proposals be notified thereof. The City Clerk shall give public notice of such proposals and shall mail each property owner affected by the proposals a copy thereof. [Amended 12-7-1983 by L.L. No. 13-1983]

(a) Sites or structures which have been listed on the National Register of Historic Places or proposed by the Committee on the Register for consideration by the New York State Board on Historic Preservation for a recommendation to the State Historic Officer for nomination for inclusion in the National Register of Historic Places, and which have been recommended for designation by the Landmarks Advisory Committee, may be designated by the City Council, on its own action, as protected sites or structures, when determined by said Council to be of important historic significance.

(b) No other site or structure shall be designated unless the owner thereof files a written consent, nor shall any property be included within a Preservation District unless the owner thereof files a written consent, with the Clerk.

(2) Except for action taken by the City Council pursuant to § **117-5D(1)(a)**, following expiration of the time within which affected property owners may object, the proposals as to which there are no objections shall be referred to the City Planning Commission and the Board of Architectural Review for their review and recommendations to the City Council. [Amended 12-7-1983 by L.L. No. 13-1983]

(3) The resolutions and/or recommendations of the City Planning Commission and the Board of Architectural Review with respect to any proposed designation or change thereof, together with the recommendations of the Landmarks Advisory Committee, shall be forwarded to the City Clerk, who shall transmit copies of the same to the Council. The Council shall either adopt, modify or reject the recommendations of the Landmarks Advisory Committee, the Planning Commission and the Board of Architectural Review with respect to a proposed designation or change thereof. Designation of a district or a Protected Site or Structure can be rescinded only by the City Council.

(4) Within five business days after a designation of a district or Protected Site or Structure has been adopted, notice of such designation shall be sent to all affected property owners. The designation shall be effective either upon service of a copy thereof upon the affected property owner or 10 days after publication of the change to the Zoning Ordinance as provided above. Notice of such designation shall also be sent to all city and county departments having power to administer and enforce any laws, codes or regulations governing real property within the City, and a certified copy of the designating local law, ordinance or resolution shall be filed in the office of the Clerk of the Westchester County and indexed against the affected parcels of land.
[Amended 12-7-1983 by L.L. No. 13-1983]

E. The designated Preservation District and Protected Sites and Structures shall be set forth in this subsection by block and lot number, street designation and, if appropriate, by local designation.

(1) Preservation District: Village Green, the Square House, the Rye Free Reading Room and City Hall, Boston Post Road, Rye, New York, also known as Block 2, Lot Nos. 29 and 31, on the current tax assessment map of the City of Rye, and formerly known as Block 42, Lot Nos. 14A, 14B, 20, 21, 22, 23 and 24. Specifically designated as protected within the district are:
[Added 9-15-1982 by L.L. No. 8-1982]

(a) The Square House: the exterior and the grounds surrounding, a total of 1.88 acres. On the interior: the council room; tavern room; warming kitchen; small exhibit room; ballroom; nineteenth-century bedroom; the main entrance hall and staircase; adjoining hallways between the specified rooms and the Civil War period room in the attic, all exclusive of displays, furnishings or exhibits. All areas not specifically proposed for preservation as listed above should be deemed to be excluded.

(b) The Rye Free Reading Room:

[1] The exterior and grounds surrounding, a total of 0.26 acre. On the interior, only that portion of the 1913 building described as: in the first floor entrance vestibule: woodwork, excluding doors; in the first and second floor foyer: staircase, stairwell and landing space, including three arches; woodwork, excluding doors to north and south second floor rooms; in the first floor circulation area: woodwork, including square and circular columns and connecting beams only; in the first floor reading rooms, north and south: woodwork, including fireplace surrounds and mantels, trim above seven feet one inch (level of mantels), window trim, including sills, and fireplaces as working fireplaces.

[2] The following portions of the interior and exterior of the 1913 building shall be specifically excluded: second floor, north and south rooms; toilet rooms and adjacent hallway: furniture, including circulation desk and bookshelves: furnishings, including carpet, vases, artwork, signage and paint colors. Interior and exterior exclusions: lighting, heating ventilation

and electric; alarm systems, including fire and security; wiring and devices for telecommunications, including cable television, computer, phone and similar installations.

[3] The following future possible changes are also excluded: installation of ceiling and attic fans, railing in foyer, exterior sign identifying the building, storm windows, security lights and glass doors or stoves (e.g., Stovalator) in fireplaces; waterproofing terrace.

(c) The Rye City Hall be deemed protected as to exterior.

(d) The Village Green be deemed protected as to walks, walls, millstones and landscaping.

(2) Protected site and structures: Alansten, the Jay Mansion, and the Carriage House, 210 Boston Post Road, Rye, New York, also known as Sheet 153.09, Block 1, Lot 24.1, on the current Tax Assessment Map of the City of Rye. Specifically designated as protected sites and structures are: [Added 7-18-1984 by L.L. No. 10-1984]

(a) Alansten: The entire site consisting of 22.46 acres and including a viewway, a trapezoidal area located between the Jay Mansion and the southerly property line in which there shall be no construction, except for the installation of utility services, which shall have a width of 90 feet at the rear of the building and a width of 300 feet along the southerly property line, the centers of which shall be the center of the rear facade of the building and the point at which a line extending from the rear facade and perpendicular to the rear facade intersects the southerly property line, respectively. The foregoing described orientation of the viewway to the mansion may be adjusted by the Planning Commission during site plan review if it finds that said adjustment will improve the public's view of the mansion.

(b) The Jay Mansion: The entire exterior.

(c) The Carriage House: The entire exterior.

(3) Protected site and structure: the Hains-Robinson House, 556 Milton Road, also known as Sheet 153.06, Block 1, Lot 70, on the current Tax Map of the City of Rye. Specifically designated as protected is: [Added 1-16-1985 by L.L. No. 1-1985]

(a) The Hains-Robinson House: the entire exterior and the entire site, including the stone walls; the interior; the entire ground floor, which includes the original kitchen and tap room containing the ship's doors and paneling from the frigate Brandywine. Also deemed protected are the stair railings and newel posts and other Brandywine doors throughout the house.

(4) Protected site: the Jay Family Cemetery, Boston Post Road, Rye, New York, also known as Sheet 153.09, Block 1, Lot 33, on the current Tax Map of the City of Rye. Specifically designated as protected is: [Added 9-17-1986 by L.L. No. 14-1986]

(a) The Jay Family Cemetery: the entire site comprising 2.85 acres shall be deemed protected, including walls, fences, stones, monuments, paths and the access road. This designation shall not interfere with or prevent additional burials or placement of headstones.

(5) Protected Site and Structure: the Timothy Knapp House, 265 Rye Beach Avenue, Rye, New York, also known as Sheet 146.19, Block 5, Lot 8, on the current Tax Map of the City of Rye. Specifically designated as protected is:
[Added 8-19-1987 by L.L. No. 9-1987]

(a) The Timothy Knapp House: the entire site and entire building including interior and exterior.

(6) Protected site and structure: the Parsons Estate, 260 Boston Post Road, Rye, New York, also known as Sheet 153.09, Block 1, Lot 34, on the current Tax Map of the City of Rye. Specifically designated as protected is:
[Added 6-15-1988 by L.L. No. 11-1988]

(a) The Parsons Estate: the entire site; the exterior and interior of the main residence, the exterior of the gardener's cottage and the exterior of the carriage house and stables.

(7) Protected site and structure: 235 Boston Post Road, Rye, New York, also known as Sheet 153.05, Block 1, Lot 74.1, on the Tax Map of the City of Rye. Specifically designated as protected is:
[Added 10-6-2005 by L.L. No. 3-2005]

(a) The Stillman Residence: the entire site and the exterior of the main residence.

(8) Protected structure: 5 Morris Court, Rye, New York, also known as Sheet 153.05, Block 1, Lot 74.3, on the Tax Map of the City of Rye. Specifically designated as protected is:
[Added 10-6-2005 by L.L. No. 3-2005]

(a) The exterior of the one-story stone garage, including the chimney. The attached greenhouse-type structure shall be deemed to be excluded.

(9) Protected site and structures: The Bird Homestead, 600 Milton Road, Rye, New York, also known as Sheet 153.6, Block 1, Lot 61, on the Tax Map of the City of Rye; the Rye Meeting House, 624 Milton Road, Rye, New York, also known as Sheet 153.6, Block 1, Lot 60, on the Tax Map of the City of Rye. Specifically designated as protected is:
[Added 1-28-2015 by Ord. No. 1-2015]

(a) The Bird Homestead: the entire site and the exterior.

(b) The Rye Meeting House: the entire site and the exterior.

CITY COUNCIL AGENDA

NO. 10 DEPT.: City Council DATE: February 10, 2016

CONTACT: Mayor Joseph A. Sack

AGENDA ITEM: Resolution regarding Confidential Information to Council Members-elect.

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council consider a Resolution regarding providing Confidential Information to Council Members-elect.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

See attached Resolution.

RESOLUTION OF THE CITY OF RYE
REGARDING CONFIDENTIAL INFORMATION
TO COUNCIL MEMBERS-ELECT

WHEREAS, individuals who are elected to the City Council in November by law do not take the oath of office and do not become fiduciaries of the City until the commencement of their terms in January; and

WHEREAS, new Council members-elect have much information, both publicly available and privileged, to learn and digest both before and after actually being sworn in; and

WHEREAS, duly-sworn Council members often receive confidential material, including from the City Manager and Corporation Counsel, in the performance of their fiduciary duties; and

WHEREAS, to encourage optimum performance in their new roles after they take office, it may be beneficial for Council members-elect to also become privy to such confidential material before they take office; and

WHEREAS, the City Council sometimes conducts discussions in Executive Session pursuant to the Public Officers Law; and

WHEREAS, the City Council sometimes, depending on the circumstances, invites certain individuals, including City staff members and members of the public, to attend portions of Executive Sessions; thereby

BE IT RESOLVED, that it is the desire of the City Council to have such confidential information be made available to Council members-elect, provided that these recipients execute a document indicating that they agree to assume such fiduciary responsibilities, to disclose any conflicts of interest, to maintain and produce any personal e-mails regarding City-related issues, and to be subject to any other similar requirements of a full-fledged Council member; and

BE IT FURTHER RESOLVED, that the City Council may at its discretion continue to invite certain individuals, including Council members-elect, into Executive Sessions as the Council may deem helpful and appropriate.

CITY COUNCIL AGENDA

NO. 11 DEPT.: City Manager DATE: February 10, 2016

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: ~~Resolution for City Council approval of the changes to the Fire Department Bi-Laws as approved by the Board of Fire Wardens.~~ **Withdrawn**

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council consider a Resolution regarding changes to the Fire Department Bi-Laws.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

The Fire Department Bi-Laws have been updated regarding eligibility requirements for the officers of the City of Rye Fire Department. Changes to be eligible to run for Departmental Officers include:

- Must be a resident of the City of Rye for one year immediately preceding his/her election or appointment
- Must be qualified to vote in the City of Rye
- Has been an active member Department (as defined in ARTICLE II section 1b) for a period of three years immediately preceding his/her election or appointment

See attached revised Bi-Laws.

Fire Department of the City of Rye
a/k/a Rye Fire Department
Rye, New York

To maintain discipline, to define duty and to promote efficiency in saving life and property where endangered by fire or other emergency, for which purpose the department was organized, the Board of Fire Wardens of the City of Rye Fire Department does enact the following for its government.

ARTICLE I

The members of the several fire companies of the City, enumerated below, shall constitute the Fire Department of the City of Rye, the head of which shall be the Board of Fire Wardens. The maximum number of members of each company shall be fixed by the Council. The Fire Chief, the first and second Fire Chiefs and the Wardens of such companies shall constitute the Board of Wardens.

Poningoe Engine and Hose Company
Poningoe Hook and Ladder Company
Milton Engine and Hose Company
Fire Police Patrol

ARTICLE II

MEMBERS

Section1.

a) Members shall be those persons who meet the requirements of Section 16-a of the General City Law of the State of New York, have been

elected to membership in any company of the Department, approved by the Board of Fire Wardens and the City Council and are of 18 years of age or older.

b) Active members shall mean a member who has attended at least six(6) company meetings in the twelve months immediately preceding the annual election of departmental officers and has either: (i) responded to at least twelve alarms in the twelve months immediately preceding the election of departmental officers and who has either completed or is exempt from completing all training required by law including, but not limited to Firefighter I or an equivalent course offered by the State Office of Fire Prevention and Control, or (b) has been a member of the department for more than twenty years.

Section 2.

The election of members of any company shall be pursuant to the By-laws of such companies. The names of all newly elected members shall be presented to the Board of Fire Wardens and to the City Council of the City of Rye for their approval and their membership shall not be effective until confirmed.

ARTICLE III
BOARD OF FIRE WARDENS

Section1. Members

The Board of Fire Wardens of the City of Rye Fire Department shall consist of the Fire Chief, the two assistant chiefs and two wardens from each of the four companies.. Each of the several companies shall elect

annually by ballot from their own members a warden for a term of two years.

Section 2. Powers and duties of the Board.

A. The Board of Fire Wardens in conjunction with the City Manager, shall have control and supervision of the Fire Department and of all equipment and apparatus thereof, subject to the authority and control of the Council

B. The Board in conjunction with the City Manager shall make recommendations with employment of such persons as the Council may deem necessary and proper in the Department within budgetary limitations.

C. The Board shall fill any vacancies in the office of Fire Chief and First and Second Assistant Fire Chiefs subject to the approval of the Council.

D. The Board in conjunction with the City Manager shall, subject to the the approval of the Council, adopt and enforce rules and regulations, not inconsistent with the provisions of the Civil Service Law or any other law, for the control, disposition and discipline of the officers, members and employees of the Department, for their training and efficiency, and for the use and care of equipment and apparatus of the Department.

E. The Board shall approve the by-laws adopted by the several fire companies for the government and discipline of their members.

F. In all of its actions, the Board shall comply with city regulations, practices and procedures relating to administration, employees, purchasing and accountability of city property, except as otherwise provided by the Council.

G. The Board shall review and make recommendations as to the annual budget prior to the submission to the city.

H. The Board shall prescribe By-Laws as shall be by them deemed necessary

or proper for the management of the affairs and the disposition of the members funds of the Department subject to the approval of the Council.

I. The Board shall call meetings of members, regular or special, except the annual meeting of the Department as hereinafter provided, and may designate one or more days in each year for public exercise, inspection and review.

I. The Board shall have such other and further powers and duties as may be from time to time conferred upon it by the Council or By-Laws of the Department.

Section 3. Annual Meeting and Officers.

The Board of Fire Wardens shall meet on the second Monday in April of each year and choose a secretary and treasurer of the City of Rye Fire Department who shall hold their respective offices for one year or until their successors have been appointed unless removed by the Board for cause. A vacancy in the office of secretary or treasurer shall be filled by the Board at its next meeting for the balance of the unexpired term.

Section 4. Regular Meetings.

Regular meetings of the Board of Fire Wardens shall be held monthly on the second Monday of each month

Section 5. Special Meetings.

Special meetings of the Board shall be held upon the call of the Chief or upon the written request of five members of the Board in good standing.

Section 6. Quorum.

A majority, in person or by proxy, shall constitute a quorum at all meetings of the Board.

Section 7. Duties of the Secretary.

It shall be the duty of the Secretary to issue notices of all special meetings of the Board at least three days prior ro the meeting, to designate the business for which it is called. He/she shall call the roll at every meeting of the Board and of the Department and to keep a record of the same. He/she shall also call a meeting of the Fire Department, by order of the Chief, to be held on the first Thursday following the first Tuesday in April of each year, at 8 P.M. or upon any subsequent day as determined by the Board of Fire Wardens, at which time he/she shall present his yearly report. He/she/ shall keep and be responsible for a roster of all members of the Department. And whether they are active pursuant to ARTICLE II Section 1.b. He/she shall Prepare an agenda for the next ensuing Board meeting and distribute it to the Wardens and City Manager three days prior to the meeting.

Section 8. Duties of the Treasurer.

It shall be the duty of the Treasurer to keep the accounts of the City of Rye Fire Department, receive all moneys, pay all bills approved by the Board of Fire Wardens and preserve proper vouchers therefore. He/she shall supervise any campaign for the solicitation of contributions to the Department and he/she shall have such other and further duties as may from time to time be delegated by the Board.

ARTICLE III

DEPARTMENTAL MEETINGS AND ELECTION OF DEPARTMENTAL OFFICERS

Section 1. Annual Meeting and Nominations.

The annual meeting of the Department shall be held on the Thursday

following the first Tuesday in April of each year, or any subsequent day as may be determined by the Board of Fire Wardens at 8 o'clock P.M. at which time the nomination and election of departmental officers shall take place.

Section 2. Special Meetings.

Special meetings of the Department may be held at the direction of a majority of the Board of Fire Wardens, or of the Fire Chief or shall be called upon the written request of not less than twenty five members of the Department.

Section 3. Quorum.

Twenty five members present at any Departmental meeting shall constitute a quorum.

Section 4. Nomination and Election of Departmental Officers.

The nomination and election of Departmental officers shall be made in accordance with the latest edition of Roberts Rules of Order. Only active members shall be eligible to vote. At least twenty days prior to the Departmental annual meeting, the Secretary of each company shall certify a list of active members to the Secretary of the Department. Such lists shall be posted in a conspicuous place in each fire station. Any member who claims to qualify as an active member but whose name was omitted from such list may, upon written notice to the Board of Fire Wardens, at least five days prior to the annual meeting, peririon to be eligible to vote. Such member shall produce either a written statement from the Company Secretary that the omission was a clerical error or proof that such member is qualified to vote. Such petitions and proof shall be heard by the Board of Fire Wardens immediately prior to the Annual Meeting. Upon a finding by the Board that

such member is qualified to vote, the members name shall be added to the list of active members.

Section 5. Order of Business at Annual Meeting.

The order of business at the annual meeting shall be as follows:

1. Salute to the Flag;
2. Roll call;
3. Reading of minutes;
4. Report of committees;
5. Report of Treasurer;
6. Report of Secretary;
7. Report of Chief;
8. Appointment of tellers;
9. Nomination and election of 2nd Assistant Chief;
10. Nomination and election of 1st Assistant Chief;
11. Nomination of Chief;
12. New B**usiness**
13. **Adjournment.**

ARTICLE V

DEPARTMENTAL OFFICERS

Section 1. Departmental Officers.

The officers of the City of Rye Fire Department shall consist of Fire Chief, first Assistant Chief and second Assistant Chief respectively, each of whom shall be a member of the Department, qualified to vote in the City of Rye, a resident of the City of Rye for one year immediately preceding his/her election or appointment, has been an active member of the

Department (as defined in AERICLE II section 1b) for a period of three years immediately preceding his/her election or appointment.

Section 2. Duties of the Chief.

The Chief shall be Chairman of the Board of Fire Wardens and of the meetings of the Department. He/she shall have exclusive control of the members at all fires, departmental drills, inspections, reviews and other emergency duties. He/she shall, under the supervision of the Board of Fire Wardens, in conjunction with the City Manager, have control of the engines, hose and other apparatus owned by the City for the prevention or extinguishment of fires, of all property owned by the Department and of all officers and employees thereof elected or employed by the Board, the City Manager or the City Council. He/she shall, at the annual meeting of the Department, or when required by the City Council or Board of Fire Wardens, report the condition of the property of the Department and furnish such other information respecting the Department as may be required. He/she shall hold the members, officers and employees of the Department strictly to account for the neglect of duty and may suspend them at any time subject to the approval of two-thirds of the members of the Board at the next meeting and further subject to the rules under the Civil Service Law. The Chief shall perform such other duties prescribed by the Board or City Council.

Section 3. Duties of Assistant Chiefs.

The first and second Assistant Chiefs shall rank second and third respectively in command of the Department and in case of the

temporary inability or absence of the Chief, the first Assistant Chief, and in the absence or inability of both Chief and first Assistant Chief, the second Assistant Chief shall perform the duties and have all the powers of the Chief. In the event of the extended absence of the Chief, first Assistant or second Assistant Chief, the Board of Fire Wardens shall, subject to the approval of the City Council, appoint a member of the Department to serve as second Assistant Chief until the Chief and/or first Assistant Chief and/or second Assistant Chief is able to resume the duties of his/her office but said appointment shall not extend beyond the next annual election of officers by the Department. The first and second Assistant Chiefs shall perform such duties and be responsible for such departmental activities as may have been assigned to them by the Board or the Chief.

ARTICLE VI

COMPANY ELECTIONS AND BY-LAWS

Each of the four companies whose members constitute the City of Rye Fire Department shall hold an annual meeting on the first Tuesday in April of each year, subject to their by-laws and subject to the approval of the Board.

ARTICLE VII

ALARMS AND CONDUCT DURING DUTY

Section 1. Duties generally.

In addition to their fire duties in case of alarm of fire, all companies of the Department are hereby designated for the purpose of rendering assistance in case of accidents, calamities or other emergencies.

Section2. Alarms.

Upon actual knowledge, or upon information and belief, of the existence of a fire within the limits of the City. or of any territory which is afforded fire protection by the Department pursuant to a contract for such protection, an alarm shall be sounded electronically. In like manner an electronic alarm shall be sounded in the case of any accident, calamity or other emergency in connection with which the services of any fireman may be required to render assistance pursuant to the Westchester County Mutual Aid Plan (including services of fire-fighting, fire police, emergency relief, rescue and stand-by) but no such aid is to be given, or apparatus removed without the consent of the Chief, or in the absence of the Chief and the Assistance Chiefs, the next ranking officer, the City Manager or a member of the Board of Fire Wardens.

Section 3. Conduct.

Members while on duty shall avoid all unnecessary noise or confusion, and any member who shall at such time disobey orders of the proper officer or shall be guilty of misconduct or shall be under the influence of drugs or intoxicating beverages, or attempt to obstruct the workings of the Department or the execution of the orders of the proper officers, shall be immediately suspended by the officer in charge, pending a hearing.

ARTICLE VIII

SUSPENSION, ALTERATION OR AMENDMENT

Section 1. Suspension.

Any section of these By-Laws may be suspended at a meeting by the Board by unanimous vote of the members present, but such suspension shall expire with the meeting at which it is ordered.

Section 2. Amendment.

These By-Laws may be altered or amended by a two-thirds vote of the members of the Board present at a regular meeting or a special meeting held for that purpose, provided the substance of the proposed amendment to be voted upon is incorporated in the notice of such meeting and a vote shall not be had until 30 days after the amendment is proposed to the Board, or until the next regular meeting. Such amendment shall not become effective until approved by the City Council.

CITY COUNCIL AGENDA

NO. 13 DEPT.: Finance DATE: February 10, 2016

CONTACT: Joseph Fazzino, Deputy City Comptroller

AGENDA ITEM: Authorize payment of the balance of the 2015/2016 Rye Neck Union Free School District taxes collected by the City to the School District.

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER 22.9
SECTION

RECOMMENDATION: That the Mayor and the City Council authorize payment of the 12/31/15 balance of $212,349.87 on 2/10/2016.

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 $212,349.87 at 12/31/15. This balance represents 1.81% of the total tax levied, $11,751,205, on September 1, 2015. Arrears notices will be mailed in conjunction with the 2016 City tax bills, and again during March 2016, May 2016 and June 2016 to try to collect these balances prior to the filing of the list of delinquent taxes with the County scheduled for July 1, 2016.

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, 2015.

CITY COUNCIL AGENDA

NO. 14 DEPT.: City Manager DATE: February 10, 2016

CONTACT: Marcus Serrano

AGENDA ITEM: Consideration of a request Consideration of a request by the American Legion Post 128 and the Ladies Auxiliary of Post 128 to approve a parade to commemorate Memorial Day to be held on Monday, May 30, 2016 from 9:45 a.m. to 10:15 a.m.

FOR THE MEETING OF:
February 10, 2016
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council consider granting the request.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

The American Legion Post 128 and the Ladies Auxiliary of Post 128 is requesting the Council approve a parade to commemorate Memorial Day to be held on Monday, May 30, 2016 from 9:45 a.m. to 10:15 a.m.

See attached request from Robin Phelps Latimer, Parade Coordinator.

Honorable Mayor and City Council
City of Rye
1051 Boston Post Road
Rye, NY 10580

Dear Honorable Mayor and Council Members:

I am writing on behalf of American Legion Post 128 and the Ladies Auxiliary of Post 128 Rye, to request approval to hold a parade on Monday morning, May 30, 2016 in honor of Memorial Day.

The plan would be to use the Metro North parking lot along Station Plaza between First and Second Streets as a staging area for participants (as was done last year) and have the marchers process down Purchase Street to the Village Green for the annual Memorial Day Services, planned for immediately following parade. The parade staging area would be blocked for participants to arrive beginning at 8:30am., with the parade itself starting at 9:30am.

Please advise what our organization needs to do to complete our proposal for your consideration; we stand ready to meet with the City Manager and City staff, as well as the Council itself, to answer questions, advance the idea, and obtain your formal approval and authorization to proceed. Under separate cover your will be receiving a request for the Memorial Day Ceremony on the Village Green from American Legion Post 128.

Sincerely,
Robin Phelps Latimer
Robin Phelps Latimer
American Legion Auxiliary President
Parade Coordinator for
American Legion Post 128 Rye

CITY COUNCIL AGENDA

NO. 15 DEPT.: Rye Merchants Association DATE: February 10, 2016

CONTACT: Margaret Ricketts, President

AGENDA ITEM: Consideration of a request by the Rye Chamber of Commerce for the use of City Car Park #2 on Sundays from May 22, 2016 through December 4, 2016 from 8:30 a.m. to 2:00 p.m. for the Rye Farmers Market.

FOR THE MEETING OF:
February 10, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council consider approving the request.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

The Merchants Association requests the use of the southern end of Car Park #2 on Sundays from May 22, 2016 through December 4, 2016 from 8:30 a.m. to 2:00 p.m. for the Rye Farmers Market. The City Council is asked to approve the request.

See attached request.

January 25, 2016

Ms. Carolyn E. D'Andrea
City Clerk
City of Rye
1051 Boston Post Road
Rye, New York 10580

RE: Rye Farmers Market

Dear Ms. D'Andrea,

On behalf of the Rye Chamber of Commerce, I am writing to request permission from the City for use of Parking Lot # 2 southern end on Sundays from 6:30 am – 3:30 pm from May 22 –December 4, 2016 for the Rye Farmers Market. Market hours are from 8:30 am – 2 pm.

Our members will be setting out their own tables and tents with a mindful eye to keep the ends delineated with traffic cones.

I will contact Interim Commissioner Pease of the Rye City Police Department to make sure the village officer is aware of this seasonal activity. An insurance certificate will be provided upon approval.

Thank you in advance for your consideration.

Very truly yours,

Margaret Ann Ricketts

President,
Rye Chamber of Commerce