

## CITY OF RYE

### NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, July 12, 2017, 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 attorney client matters.*

### 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 June 7, 2017.
  5. Issues Update/Old Business.
  6. Continuation of the Public Hearing to amend the Rye City Code: (a) local law Chapter 133, "Noise", by amending Section §133-4, "Points and method for measuring intensity of sound" to regulate placement and noise of telecommunication devices; (b) local law Chapter 167, "Streets and Sidewalks", to add a new 196, "Wireless Telecommunications Facilities", by amending Sections §196-3 through §196-8, §196-14, §196-17, §196-18, and §196-22 to regulate wireless facilities and structures regarding size, visual impact and permit process.
  7. Public Scoping Meeting on the Crown Castle application pursuant to the New York State Environmental Quality Review Act (SEQRA).
  8. Residents may be heard on matters for Council consideration that do not appear on the agenda.
- \*\* Please note that the Public Hearing regarding a proposition on an investment in fields is ministerial only; the Hearing will be opened and closed and no action will be taken by the City Council.**
9. Public Hearing on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for an investment in fields.
  10. Public Hearing on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for charitable gaming.
  11. Public Hearing to amend local law Chapter 161, "Sewers", of the Rye City Code by amending Article II, "Sewer Rents", to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.
  12. Consideration of a Resolution to petition the Public Service Commission (PSC) to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

13. Consideration of a Resolution to petition the Westchester Joint Water Works (WJWW) Transportation Corporation Board to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.
14. Consideration of the proposed addition to the Rules and Regulations of the City of Rye Police Department General Order #113.21 regarding an Immigration Enforcement Policy.
15. Resolution to transfer \$50,000 from the Contingency account to the Legal Department to fund legal services.  
Roll Call.
16. Resolution to amend the 2017 Adopted Fees and Charges for the Rye Golf Club to add a pilot program for a new limited membership category, "Early Morning Swim".  
Roll Call.
17. Bid Award for the Kirby Lane Culvert & Guiderail Replacement contract (Contract #2017-03).  
Roll Call.
- 17A. Bid Award for the Rye Golf Club Greens Renovation Phase I contract (Contract #2017-02).  
Roll Call.
18. Acceptance of donation to the Rye Fire Department from The Woman's Club of Rye, Inc. in the amount of Two Hundred (\$200.00) Dollars.  
Roll Call.
19. Acceptance of donation to the Rye Senior Advocacy Committee from The Woman's Club of Rye, Inc. in the amount of Two Hundred and Fifty (\$250.00) Dollars.  
Roll Call.
20. Acceptance of the donation of a boat to the Rye Boat Basin Marina.  
Roll Call.
21. Six appointments to the Commission of Human Rights for a three-year term, by the Mayor with Council approval.
22. Consideration of request for permission to close a section of Purchase Street for the 65<sup>th</sup> annual celebration of the Halloween Window Painting Contest.
23. Consideration of a request by the Rye YMCA for the use of City streets for the 30<sup>th</sup> Annual Rye Derby on Sunday, April 28, 2018 from 9:00 a.m. to 2:00 p.m.
24. Consideration of a request by Ivy Rehab Physical Therapy for the use of the Village Green for free yoga classes.
25. Resolution to declare certain City of Rye equipment as surplus.  
Roll Call.
26. Miscellaneous communications and reports.
27. New Business.

28. Adjournment.

\* \* \* \* \*

The next regular meeting of the City Council will be held on Wednesday, September 13, 2017 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](http://www.ryeny.gov) under "RyeTV Live".

\* Office Hours of the Mayor by appointment by emailing [jsack@ryeny.gov](mailto:jsack@ryeny.gov) or contacting the City Manager's Office at (914) 967-7404.



# CITY COUNCIL AGENDA

NO. 4

DEPT.: City Clerk

DATE: July 12, 2017

CONTACT: Carolyn D'Andrea, City Clerk

**AGENDA ITEM:** Draft unapproved minutes of the regular meeting of the City Council held June 7, 2017.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the draft minutes.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Approve the minutes of regular meeting of the City Council held June 7, 2017, as attached.

***DRAFT UNAPPROVED MINUTES*** of  
the Regular Meeting of the City Council of the  
City of Rye held in City Hall on June 7, 2017, at  
7:30 P.M.

PRESENT:

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

ABSENT:

None

The Council convened at 5:30 P.M. Councilman McCartney made a motion, seconded by Councilwoman Bucci and unanimously carried to immediately adjourn into Executive Session to discuss litigation and personnel matters. Councilman McCartney made a motion, seconded by Councilwoman Bucci and unanimously carried, to adjourn the Executive Session at 7:55 P.M. The regular meeting convened at 8:07 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.

Councilwoman Tagger-Epstein congratulated Joseph Murphy and the Senior Advocacy Committee for a great Senior Summit Event. She was happy to report that the Anti-Defamation League will be incorporated into the high school with their “No Place for Hate” campaign. She also announced that on Friday evening, June 9, 2017 from 7:00 to 10:00 P.M., there will be a fundraiser for the Rye City School District sound equipment. Lastly, she announced that Rye middle and high school students have become a part of the Big Picture Foundation, empowering students in the community to use the arts to bridge gaps between Rye children and refugee children throughout the world.

Councilman McCartney announced that Memorial Day was a success, despite the rain. Following that event, there was a charity golf tournament at the Rye Golf Club, with funds donated to the American Legion. He also announced that the pool opened at the Rye Golf Club with some improvements for the 2017 season. He said the golf course was open and in great shape. He also said that Lessings, the management company for Whitby Castle, has been doing a great job. On the Recreation front, summer camps are mostly filled. He also said that on June 24, 2017, the Second Annual Food Truck Festival will be held from 1:00 to 5:00 P.M. at Rye Recreation Center. Councilman McCartney said that there have been two Disbrow Park Master Plan meetings so far, with the last one on June 20, 2017. The consultant will make a presentation to the City Council on July 12, 2017 after surveying and studying the community with their recommendations for the park.

Councilwoman Killian announced that Rye ACT and Rye High School will hold an event called “Hidden in Plain Sight” on June 20, 2017 at 7:00 P.M. She stated she attended a new initiative by Westchester County called Project WORTHY, a County program with useful resources for mental health and drug prevention.

Councilwoman Hurd stated she attended the Chamber’s annual Spring Soiree at the Westchester Children’s Museum. The Westchester Children’s Museum has seen over 50,000 children since last year and is currently looking for food vendors. She also said that Rye Historical Society recently held their annual fundraiser. She thanked Councilman McCartney for his remarks during the Memorial Day ceremony and thanked all who have served in our armed forces.

4. Draft unapproved minutes of the regular meeting of the City Council held May 17, 2017.

Councilman McCartney made a motion, seconded by Councilwoman Hurd, to adopt the minutes of the regular meeting of the City Council held May 17, 2017.

5. Issues Update/Old Business.

Kent Iarocci, 5 Charlotte Street, updated the City Council on the pedestrian traffic issue of the Haviland Lane/ Boston Post Road area. He stated concern over the issue of traffic safety at location. He discussed his six-point plan for that area with hope that there could be improvement.

Councilwoman Tagger-Epstein thanked Mr. Iarocci for his thoughtfulness around the issue. She mentioned the idea that was brought up at a Traffic and Pedestrian Safety Committee meeting about a right turn only lane.

Councilwoman Hurd asked about next steps with respect to the Master Plan. Mayor Sack responded that City Planner Miller is working with the consultant to set up a public meeting on the Master Plan.

Councilwoman Killian stated that she was hopeful to re-consider the issue of speed bump legislation within the City of Rye.

6. Presentation of the City of Rye Stormwater Management Program 2016 Annual Report.

City Engineer Coyne presented to the Council. He stated that the City is required by the DEC to implement a stormwater management program with an annual presentation. He said that the six requirements of the report were as follows: Annual presentation and outreach, public involvement, prevention of inflow and infiltration, construction and post-construction run-off, and municipal operations.

7. Continuation of the Public Hearing to amend the Rye City Code: (a) local law Chapter 133, "Noise", by amending Section §133-4, "Points and method for measuring intensity of sound" to regulate placement and noise of telecommunication devices; (b) local law Chapter 167, "Streets and Sidewalks", to add a new 196, "Wireless Telecommunications Facilities", by amending Sections §196-3 through §196-8, §196-14, §196-17, §196-18, and §196-22 to regulate wireless facilities and structures regarding size, visual impact and permit process.

Corporation Counsel Wilson advised the Council to adjourn the matter to the July 2017 City Council meeting. She also announced that Crown Castle had filed a federal lawsuit on May 11, 2017, and subsequently filed a temporary restraining order (TRO) on May 12, 2017. On May 26, 2017, the City, in lieu of answering the complaint, moved to dismiss. The City also filed the opposition to the TRO on June 6, 2017. Crown Castle informed the City that they will be opposing the City's motion to dismiss.

8. Consideration to set a Public Scoping Meeting for July 12, 2017 on the Crown Castle application pursuant to the New York State Environmental Quality Review Act (SEQRA).

Corporation Counsel Wilson stated that the City rendered a positive declaration under SEQRA. The next step in the SEQRA process is to hold a public hearing on the scoping document within the environmental impact statement.

Josh Cohn, 24 Green Avenue, suggested that the scoping meeting be held in September 2017. Councilwoman Tagger-Epstein responded that while she understood the sentiment, it is a time-sensitive issue and important to at least start discussion in July.

Councilman Mecca made a motion, seconded by Councilman McCartney, to set a Public Scoping Meeting for July 12, 2017 on the Crown Castle application pursuant to the New York State Environmental Quality Review Act (SEQRA).

9. Authorization for the City Manager to enter into an agreement with Best, Best & Krieger LLP (BB&K) to participate in the Federal Communications Commission's Infrastructure Dockets.

Roll Call.

Corporation Counsel Wilson stated that the City's telecommunications counsel is heavily involved in a coalition concerning the FCC's Infrastructure Dockets.

Councilwoman Hurd named some of the many municipalities that would also be a part of the coalition.

Councilwoman Hurd made a motion, seconded by Councilman Mecca, to authorize the City Manager to enter into an agreement with Best, Best & Krieger LLP (BB&K) to participate in the Federal Communications Commission's Infrastructure Dockets.

ROLL CALL

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

10. Consideration to set a Public Hearing for July 12, 2017 to amend local law Chapter 161, "Sewers", of the Rye City Code by amending Article II, "Sewer Rents", to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

City Manager Serrano stated that in review of the budget, this would raise fees in order to offset the cost of sewer management, while saving tax payer dollars. There was discussion over sewer districts with regard to the sewer rent fees. Councilwoman Hurd asked for confirmation that Suez and Joint Water Works were on board with this initiative.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein, to set a Public Hearing for July 12, 2017 to amend local law Chapter 161, "Sewers", of the Rye City Code by amending Article II, "Sewer Rents", to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

11. Consideration of a Resolution to petition the Public Service Commission (PSC) to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to set a Public Hearing for July 12, 2017 to consider the following resolution:

**WHEREAS**, Chapter 433 of the laws of 2013 provides that a municipality as defined therein may apply to the Public Service

Commission to have any infrastructure maintenance and access costs it is charged by a water-works corporation to be charged to all customers across all customer classes located in the municipality provided the municipality has held a public hearing with notice on the matter and has adopted a resolution and determined by a majority vote of the total voting strength of its governing body that it is in the overall public interest to have such costs charged to all customers across all customer classes; and

**WHEREAS**, the City of Rye duly held a public hearing with notice on the matter.

**NOW, THEREFORE, BE IT RESOLVED**, after a public hearing, that the City of Rye determines that it is in the overall public interest to have such costs charged to all customers across all customer classes; and

**BE IT FURTHER RESOLVED**, that the City Manager shall make an application to the Public Service Commission by transmittal of this Resolution and any other necessary papers requesting that the costs for infrastructure maintenance and access be included in the rate charges to all customer classes and apportioned amount all customers located in this municipality.

12. Consideration of a Resolution to petition the Westchester Joint Water Works (WJWW) Transportation Corporation Board to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to set a Public Hearing for July 12, 2017 to consider the following resolution:

**WHEREAS**, the City would like to have any infrastructure maintenance and access costs it is charged by a Westchester Joint Water Works to be charged to all customers across all customer classes located in the municipality; and

**WHEREAS**, the City of Rye duly held a public hearing with notice on the matter.

**NOW, THEREFORE, BE IT RESOLVED**, after a public hearing, that the City of Rye determines that it is in the overall public interest to have such costs charged to all customers across all customer classes; and

**BE IT FURTHER RESOLVED**, that the City Manager shall make an application to the Westchester Joint Water Works Board by transmittal of this Resolution and any other necessary papers requesting that the costs for infrastructure maintenance and access be included in the rate charges to all customer classes and apportioned amount all customers located in this municipality.

13. Discussion on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for an investment in downtown parking and an investment in fields.

Mayor Sack stated that lack of downtown parking and lack of field space are two top issues among residents. Both issues require real estate and funding to fix. He felt it was important to consider acquiring land for these items. He discussed the problem in the central business district with regard to parking, which may take some time and discussion. With regard to fields, the NYS Thruway property has been discussed in the past. He felt it important for the Council to discuss this property at this time.

Councilwoman Killian said that she would like to look into the idea of decking next to the police station for parking.

Councilwoman Hurd stated that she looked forward to a vibrant public discussion and the possibility of Rye Country Day purchasing the property, with the City benefitting from the purchase.

Councilman McCartney commented that for many years, he coached sports, spending hundreds of hours at Disbrow Park. He said that a major need would be an overhaul of both the fields and of DPW. He discussed the Disbrow Master Plan consultant and the vast majority of those who have attended the public meeting favored moving DPW, while keeping a beautiful park. He felt it important to at least keep an open mind about the idea until the Council hears from the consultant on July 12, 2017.

Councilman Mecca stated that the current state of Disbrow Park is undesirable with DPW being located within the middle of the park. The City now has an opportunity to fix that issue and house DPW at a perfect location, next to the Thruway.

Councilwoman Killian said she felt the condition of the roads was the most important issue. She was hopeful to bond in the future to secure funding to maintain and improve the roadways.

Councilwoman Tagger-Epstein felt that the conversation was starting late on the issues. However, she felt it was important to have a cost analysis to give the voters tangible information to move forward with a referendum.

Councilwoman Bucci felt the opportunity was too important to miss. She was hopeful to have the issues resolved this summer.

Andrea Sullivan, Board of Trustees President of Rye Country Day School, addressed the Council. She reiterated the school's interest with the plan about possibly purchasing the Thruway property. She stated she opposed moving the DPW to the Thruway property. She asked that communication remain open on the issues. There was general discussion over working together on this endeavor.

Meghan Millowitz, 10 Thistle Lane, said that Loudon Woods residents were hopeful that the development of the Thruway property could be aesthetically pleasing.

Richard Smith, Rye resident, said that the Rye Park neighborhood did not have an opinion on the issue yet, but was concerned primarily with traffic. He said he would be happy to attend the upcoming meetings on the Disbrow Park Master Plan to consider the issues. He said that there had been no discussion on the neighborhood's part on the possibility of the Thruway property being turned into fields.

Councilman McCartney made a motion, seconded by Councilman Mecca, to set a public hearing for July 12, 2017 on the proposal of a Referendum to the qualified voters of the City of Rye a proposition for an investment in investment in fields of the Thruway Authority.

ROLL CALL

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

14. Discussion on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for charitable gaming.

Councilwoman Hurd stated that this issue was brought to her from nonprofit organizations who wanted to pursue raffles and other gaming activity to raise money for charitable purposes. Currently, General Municipal Law does not allow for games of chance, even in the case of charitable purposes. There would need to be a Home Rule adopted.

Corporation Counsel Wilson explained that this issue would require a referendum by state law. There was discussion over the ballot language to be put forth for a resident vote.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein, to set a Public Hearing on July 12, 2017 for the purpose of proposing a Referendum to the qualified voters of the City of Rye a proposition for charitable gaming.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, Killian, McCartney, Mecca and Tagger-Epstein

NAYS: None  
ABSENT: None

15. Home Rule Resolution supporting A07987(Otis)/S6474(Latimer) to authorize the Rye Town Park Commission to extend the lease term for a restaurant located in the park not to exceed twenty years.  
Roll Call.

Corporation Counsel Wilson explained that a Home Rule would be needed to extend the lease term for the restaurant located within Rye Town Park.

Councilwoman Killian made a motion, seconded by Mayor Sack, to support the adoption of a Home Rule, A07987(Otis)/S6474(Latimer) to authorize the Rye Town Park Commission to extend the lease term for a restaurant located in the park not to exceed twenty years.

ROLL CALL

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

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

There was nothing discussed under this agenda item.

17. Resolution to transfer \$200,000 from the Contingent Account to Salaries & Wages for the General Fund, Cable Fund, Boat Fund, Golf Fund, and Building and Vehicle Fund, for the Administrative Pay Group.  
Roll Call.

City Manager Serrano explained that the Administrative Pay Group has not received a raise in over two years, and this would give the City the opportunity to reward the department heads for their hard work.

Mayor Sack, Councilwoman Killian and Councilman McCartney stated they were in favor of this resolution.

Mayor Sack made a motion, seconded by Councilman McCartney and unanimously carried, to adopt the following resolution:

**WHEREAS**, City staff has determined that the amounts required for an increase for the Administrative Pay Group was provided for in the adopted 2017 budget by \$200,000, and;

**WHEREAS**, the funds were provided for in the adopted 2017 budget in the Contingent account to be appropriated for this purpose, now, therefore be it;

**RESOLVED**, that the City Comptroller is authorized to transfer \$200,000 from the Contingent Account to Salaries & Wages for the General Fund, Cable Fund, Boat Fund, Golf Fund, and Building and Vehicle Fund, for the Administrative Pay Group.

ROLL CALL

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

18. Resolution to transfer \$26,615 from the Boat Basin Unrestricted Fund balance to the Boat Basin Operating Budget for the for the dredging project consultant fees.  
Roll Call.

Councilwoman Hurd explained that this funding was associated with the consultant working with the City on dredging at the Boat Basin.

Councilwoman Hurd made a motion, seconded by Mayor Sack, to adopt the following resolution:

**WHEREAS**, City staff has determined that the amounts required for the Boat Basin dredging project consultant fees were not anticipated and were not provided for in the adopted 2017 budget by \$26,615, and;

**WHEREAS**, the Boat Basin Unrestricted Fund balance has enough funds to be appropriated for the dredging project consultant fees, now, therefore be it;

**RESOLVED**, that the City Comptroller is authorized to transfer \$26,615 from the Boat Basin Unrestricted Fund balance to the Boat Basin Operating Budget for the dredging project consultant fees.

ROLL CALL

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

19. Resolution to transfer \$18,060 from the Cable TV Unassigned Fund balance to the Cable TV Operating Budget for the relocation of the RyeTV control room at the Rye High School.  
Roll Call.

City Manager Serrano stated that the school had a need to relocate the nurse's station for ADA compliance purposes to the current Cable TV control room, and therefore the cable TV control room and equipment needed to be moved at the expense of the City.

Councilman McCartney made a motion, seconded by Councilman Mecca and unanimously carried, to adopt the following resolution:

**WHEREAS**, City staff has determined that the amounts required for the relocation of the RyeTV control room at the Rye High School were not anticipated and were not provided for in the adopted 2017 budget by \$18,060, and;

**WHEREAS**, the Cable TV Unassigned Fund balance has enough funds to be appropriated for the relocation of the RyeTV control room at the Rye High School, now, therefore be it;

**RESOLVED**, that the City Comptroller is authorized to transfer \$18,060 from the Cable TV Unassigned Fund balance to the Cable TV Operating Budget for the relocation of the RyeTV control room at the Rye High School.

ROLL CALL

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

20. Resolution to transfer \$1,205.46 from the Police Donations Fund to the Police General Fund Donations reserved for Police Programs for the purchase of items for the Adopt-a-School Program.  
Roll Call.

City Manager Serrano explained that the Adopt-A-School Program with the school district has been very successful. This would allow police donations to be used for the program.

Councilman McCartney made a motion, seconded by Councilwoman Hurd, to adopt the following resolution:

**WHEREAS**, the City Manager and the Public Safety Commissioner have approved a request of the Rye Police Department to purchase items to be used in the Adopt-a-School Program in the amount of \$1,205.46 with funds available in the police donations account, and;

**WHEREAS**, sufficient funds exist in the police donations account to comply with the aforementioned request of the Rye Police Department; now therefore be it;

**RESOLVED**, that \$1,205.46 be appropriated from the police donations account to increase 2017 General Fund Donations Reserved for Police programs.

**ROLL CALL**

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

21. Resolution authorizing the City Manager to enter into an indemnification agreement with the Town of Harrison and the Village of Harrison for the use of the Town of Harrison Police Department Pistol Range.

Councilman McCartney made a motion, seconded by Councilman Mecca and unanimously carried, to authorize the City Manager to enter into an indemnification agreement with the Town of Harrison and the Village of Harrison for the use of the Town of Harrison Police Department Pistol Range.

22. Consideration of a request by Christ's Church for use of City streets on Sunday, June 11, 2017 from 8:30 a.m. to 12:30 p.m. for their semi-annual picnic.

All were in favor of supporting a request by Christ's Church for use of City streets on Sunday, June 11, 2017 from 8:30 a.m. to 12:30 p.m. for their semi-annual picnic.

23. Miscellaneous communications and reports.

Councilman Mecca showed the Council and those in attendance an indoor DAS node.

24. New Business.

Nothing was discussed under this agenda item.

25. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion, seconded by Councilman Mecca, to adjourn the meeting into an attorney-client meeting at 10:12 P.M.

Respectfully submitted,

Carolyn E. D'Andrea  
City Clerk



# CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: July 12, 2017

CONTACT: Mayor Joseph A. Sack

**AGENDA ITEM:** Issues Update/Old Business

**FOR THE MEETING OF:**

July 12, 2017

**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's Office

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Continuation of the Public Hearing to amend the Rye City Code: (a) local law Chapter 133, "Noise", by amending Section §133-4, "Points and method for measuring intensity of sound" to regulate placement and noise of telecommunication devices; (b) local law Chapter 167, "Streets and Sidewalks", to add a new Article IV "Placement of Permanent Facilities in the Rights of Way", Sections §167-66 through §167-71, to regulate placement of devices in the right of way; and (c) local law Chapter 196, "Wireless Telecommunications Facilities", by amending Sections §196-3 through §196-8, §196-14, §196-17, §196-18, and §196-22 to regulate wireless facilities and structures regarding size, visual impact and permit process.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the City Council continue the Public Hearing to approve the changes in the City Code regarding telecommunications devices.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Local law Chapter 196, "Wireless Telecommunications Facilities" was adopted in 1997 with modifications in 2003. Due to the continuing evolution of telecommunications technology and demands, the recommendation is to make changes to Chapters 133, 167 and 196 of the Rye City Code to address telecommunications devices regarding size, visual impact, placement and permit process.

Draft Local Laws revised as of April 3, 2017 are available on the City website.



# CITY COUNCIL AGENDA

NO. 7

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Public Scoping Meeting on the Crown Castle application pursuant to the New York State Environmental Quality Review Act (SEQRA).

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the City Council hold a Public Scoping Meeting on the Crown Castle application pursuant to the New York State Environmental Quality Review Act (SEQRA).

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The City Council issued the SEQRA Notice of Intent to serve as Lead Agency for Crown Castle's request to amend the Right of Way Use Agreement at their at their October 5, 2016 City Council meeting. Crown Castle submitted the Full Environmental Assessment Form (EAF) at the City Council meeting on October 19, 2016. The City Council issued a Positive Determination of Significance under SEQRA relating to Crown Castle's request to modify the existing Right of Way Use Agreement at their April 19, 2017 meeting citing the following reasons: (1) the potential for significant aesthetic/design/visual resource impacts and neighborhood character impacts, (2) the potential for significant impacts related to noise associated with the two and three ion boxes and (3) the potential for significant impacts to the community character and locally designated historic districts and landmarks. A Public Scoping meeting will be held to review these issues and identify mitigation measures and provide the public with an opportunity to participate in the discussion of the impacts.

See attached Draft Scoping document.

**DRAFT SCOPING DOCUMENT FOR THE PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**PROPOSED ACTION:**

Crown Castle’s Request To Amend the Existing Right-of-Way Use Agreement and install Approximately 64 new nodes throughout the City of Rye on Existing Utility Poles and Other City Owned Infrastructure.

**PROJECT LOCATION:**

City of Rye, New York 10580

**SEQRA CLASSIFICATION:**

Unlisted

**LEAD AGENCY AND CONTACT:**

Rye City Council  
Marcus Serrano, City Manager  
Rye City Hall  
1051 Boston Post Road  
Rye, New York 10580

**APPLICANT:**

Crown Castle NG East, LLC

**Description of Proposed Action:**

Crown Castle NG East, LLC (“Crown” or the “Applicant”) seeks to install an additional sixty plus DAS nodes throughout the City of Rye on existing utility poles and other City owned infrastructure. The proposal includes an amendment to the existing Right of Way Use Agreement (“RUA”) to allow for a different size equipment box to house ions provided by the Applicant and/or the Applicant’s wireless client. In addition to the equipment box, an antennae will be located on the top or within the “communication zone” of the utility poles/infrastructure.

**SEQR Process:**

The basic purposes of the State Environmental Quality Review Act (SEQR) is to incorporate the consideration of environmental facts into the existing planning, review and decision-making processes of state, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires a determination of whether a proposed action may have a significant impact on the environment, and if it is determined that the action may have a significant adverse impact, prepare an Environmental Impact Statement (EIS). It is not intention of SEQR that environmental factors be the sole consideration in decision-making.

## Draft Environmental Impact Statement Content

- Introductory Material – Cover Sheet, list of consultants, Table of Contents
- Executive Summary
- Description of Proposed Action – Location and sites, Project Purpose, Need and Benefits, Project Description, Involved Agencies and Required Approvals
- Impact Issues (described below)

### Potential Impacts and Mitigation

#### **I. Areas of Study**

##### **A. Noise**

###### Existing Conditions:

- The DEIS will describe the existing noise levels in areas where no DAS nodes are located and those areas where DAS nodes are currently located.

###### Potential Impacts:

- Sound levels greater than those permitted by the City of Rye City Code

###### Mitigation Measures:

- The DEIS will discuss alternative designs that include potential buffering material that can be used to mitigate the sound from the cooling fans

##### **B. Aesthetic Impacts**

###### Existing Conditions:

- Description of existing visual conditions throughout the City of Rye. Existing conditions will be documented through the use of captioned photographs and an accompanying map.

###### Potential Impacts:

- Description and analysis of the infrastructure within the surrounding residential context and description of any change in the visual character of the area as a result of the project. This analysis will include photographs and graphic depictions showing the proposed deployments from various vantage points (street view and adjoining property), possible use of balloon tests for visual impact comparison.
- Description of the new equipment, illustrating the potential height, design and overall size of the infrastructure.

###### Mitigation Measures:

- Description of measures undertaken to mitigate impacts to residential neighborhoods, historical properties and other areas of public interest (parks,

schools, etc.). Discussion will include use of different architectural features, color, materials, etc.

### C. Community Character

#### Existing Conditions:

- Inventory of existing land uses throughout the various areas of the City and a description of the character of the surrounding community.

#### Potential Impacts:

- Description of the compatibility of the proposed development with adjacent land uses and the effect of the project on the general land use pattern and community character within the study area.
- Discussion of updated/new Comprehensive Plan

#### Mitigation Measures:

- Discussion of any possible measures to mask the appearance of the infrastructure including architectural features, scale, color and use of materials.

### D. Construction

- Description of extent of construction activities, including overall schedule, equipment that would be used to install infrastructure.

### E. Economic Conditions (Impact on Property Values)

#### Existing Conditions:

- Describe the existing demographic and economic conditions that currently exist in the City. Include the current real property valuation.

#### Potential Impacts

- Provide expanded information on the impact on property values for residential properties.

#### Mitigation Measures

- 

## II. Alternatives

SEQRA mandates that environmental impact statements analyze a “range of reasonable alternatives,” including the No Action alternative, to a proposed action that are feasible, considering the objectives and capabilities of the project sponsor (6 NYCRR Part 6717.9(5)(v)).

The alternatives analysis section of the DEIS will examine a number of alternatives for the deployment of DAS, small cells, macro sites (roof top sites and towers) and other forms of infrastructure to provide capacity and coverage of wireless service within the City of Rye. Specifically, the DEIS will examine the following alternatives:

- A. No Action – no new deployments of any infrastructure takes place.
- B. DAS – Plan A deployment as submitted by Crown – with single, double and triple ion equipment boxes.
  - a. With Co-Location impacts
- C. DAS – Plan B deployment as submitted by Crown – with single, double and triple ion equipment boxes.
  - a. With Co-Location impacts
- D. DAS – Plan C deployment as submitted by Crown – with single, double and triple ion equipment boxes.
  - a. With Co-Location impacts
- E. Single monopole alternatives (100’ or taller)
  - Publicly owned land
    - Disbrow Park
    - Rye Golf Club
- F. Macro-site alternatives –
  - Publicly owned structures (roof top)
  - Privately owned structures (roof top)
- G. Stealth monopole alternatives (less than 100’) – including scale and architectural designs (flag pole, spire, or other architectural feature)
- H. Stealth monopole alternatives (less than 70’) - – including scale and architectural designs (flag pole, spire, or other architectural feature)

### **III. Mitigation**

This section will include a summary of all proposed mitigation for significant impacts identified in the DEIS. Because these measures, if practicable, will become part of the Proposed Action, their formulation and analysis of their effectiveness will be undertaken in coordination with the lead, if necessary. Any mitigation measure which the Applicant will not either undertake directly or fund should be clearly identified as such.

#### **IV. Unavoidable Adverse Impacts**

Significant adverse environmental impacts identified in the DEIS that cannot be mitigated will be designated as unavoidable environmental impacts and summarized in this section. Such impacts may be either short-term or long-term in nature.

#### **V. Additional Impact Evaluations**

The DEIS will include analyses of additional potential effects of the Proposed Action on:

- Growth Inducing and Cumulative Aspects – potential impacts related to the growth of the infrastructure in physical dimension and number. This analysis will include how these facilities can expand under the Telecommunications Act without any further approval or review from the City.

#### **VI. Appendices to Accompany DEIS**

The following elements will be included in the Appendices to the DEIS

All SEQRA documentation

References

Maps

Studies

Reports



# CITY COUNCIL AGENDA

NO. 9

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Public Hearing on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for an investment in fields.

**Ministerial Action only; the Hearing will be opened and closed and no action will be taken by the City Council.**

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:**

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The City Council discussed two major needs which have been identified for the community at the June 7, 2017 City Council meeting: (1) an investment in downtown parking as the current parking situation is at a premium and (2) an investment in playing fields for local use.



# CITY COUNCIL AGENDA

NO. 10

DEPT.: City Council

DATE: July 12, 2017

CONTACT: Councilwoman Emily Hurd

**AGENDA ITEM:** Public Hearing on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for charitable gaming.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council discuss the item of charitable gaming for a November, 2017 Referendum.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** In New York it is illegal for any organization to hold any games of chance (raffles, bingo, bell jar games or casino games) for any purpose, including charitable, unless the municipality has a local games of chance ordinance. A proposal has been put forward for the City to enact a Local Law for "Games of Chance".

The City would need to hold a Public Hearing to pass a new Local Law, Chapter 103, "Games of Chance" and it would be subject to the approval of a majority of the qualified voters in a November, 2017 Bond Referendum. The timing for the Referendum would include a decision by the Council on the local law at the July 12, 2017 City Council meeting. The Ballot information will need to be sent to the Board of Elections by September, 2017.

See attached draft Local Law.

**DRAFT**  
**CITY OF RYE**  
**LOCAL LAW NO. 2017**

A local law to create a new Chapter 103, “Games of Chance”, to be added to the City of Rye City Code as follows:

Be it enacted by the City Council of the City of Rye as follows:

**Section 1.**

**§ 103-1. Definitions.**

All terms used herein shall be defined in accordance with Article 9A of the General Municipal Law unless specifically assigned a different meaning.

**§ 103-2. Title; legislative authority.**

It shall be lawful for any authorized organization upon obtaining a license therefor as hereinafter provided to conduct games of chance within the territorial limits of the City of Rye subject to the provisions of this chapter, the provisions of Article 9A of the General Municipal Law and the provisions set forth by the Racing and Wagering Board of the State of New York.

**§ 103-3. License application.**

**A.**

Prior to the conduct of any games of chance, each authorized organization shall obtain an identification number from the Racing and Wagering Board and shall file with the City Clerk of the City of Rye a written application for a license to conduct games of chance in a form prescribed by the Board, duly executed and verified.

**B.**

Each applicant for an authorized game of chance lessor license shall file with the City Clerk of the City of Rye a written application therefor in a form prescribed by the Racing and Wagering Board, duly executed and verified.

**§ 103-4. Investigation.**

The City Clerk shall make or cause to be made an investigation of the qualifications of each applicant and merits of each application with due expedition after the filing of the application.

**§ 103-5. Issuance of license.**

After an investigation has been made and the City Clerk has determined that the applicant is in full conformity with the provisions of Article 9A of the General Municipal Law, the rules and regulations of the State Racing and Wagering Board and this chapter, the City Clerk shall issue a license to conduct games of chance upon payment of a license fee as set forth in the fee schedule of the City of Rye.

**§ 103-6. Issuance of licenses to authorize games of chance lessors.**

If the City Clerk shall determine that an applicant seeking to lease a hall or premises for the conduct of games of chance to an authorized organization is duly qualified to be licensed under Article 9A of the General Municipal Law and the rules and regulations of the Racing and Wagering Board and that there is a public need and that public advantage will be served by the issuance of such a license, then the City Clerk shall issue a license permitting the applicant to lease said premises for the conduct of such games to the authorized organization or organizations so specified for the period therein specified or such shorter period as the City Clerk shall determine, but not to exceed one year.

**§ 103-7. Hearing and amendment of licenses.**

**A.**

No application for the issuance of a license to an authorized organization shall be denied by the City Clerk, until after a hearing held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

**B.**

Any license issued under this section may be amended, upon application made to the City Clerk who issued it, if the subject matter of the proposed amendment could lawfully and properly have been included in the original license and upon obtainment of such additional license fee as would have been payable if it had been so included.

**§ 103-8. Display of license.**

**A.**

Each license issued for the conduct of any games of chance will be conspicuously displayed at the place where the same is to be conducted at all times during the conduct thereof.

**B.**

Each license to lease premises for conducting games of chance shall be conspicuously displayed upon such premises at all times during the conduct of games of chance.

**§ 103-9. Control and supervision of premises.**

The Commissioner of Public Safety shall exercise rigid control and close supervision over all games of chance conducted under such license to ensure that they are conducted in conformity with the provisions of such license, the provisions of the rules and regulations promulgated by the Racing and Wagering Board and the provisions of Article 9A of the General Municipal Law. The Commissioner of Public Safety and the Board shall have the power and authority to temporarily suspend any license issued by the City Clerk pending a hearing, and after notice of hearing, the Board may suspend or revoke the same and additionally impose a fine in amount not exceeding \$1,000 for violations of any such provisions and shall have the right of entry, by their respective officers and agents, at any time into any premises where any game of chance is being conducted, where it is intended that any such games shall be conducted or where any equipment being used or intended to be used in the conduct thereof is found for the purpose of inspecting the same. An agent of the Commissioner of Public Safety shall make an on-site inspection during the conduct of all games of chance licensed pursuant to this chapter.

**§ 103-10. Service of alcoholic beverages.**

Subject to the applicable provisions of the Alcoholic Beverage Control Law, beer may be offered by sale during the conduct of games of chance, but the offering of all other alcoholic beverages is prohibited.

**§ 103-11. Days of conduct; frequency of games.**

No game or games of chance shall be conducted under any license issued under Article 9A of the General Municipal Law more often than 12 times in any calendar year. Games shall be conducted only between the hours of 12:00 noon and 12:00 midnight on Monday, Tuesday, Wednesday and Thursday and only between the hours of 12:00 noon on Friday and 2:00 a.m. Saturday and only between the hours of 12:00 noon on Saturday and 2:00 a.m. Sunday and only between the hours of 2:00 p.m. and 12:00 midnight on Sunday. The 2:00 a.m. closing period shall also apply to legal holidays. No games of chance shall be conducted on any Easter Sunday, Christmas Day or New Year's Eve.

**§103-12. Participation by minors.**

No person under the age of 18 years shall be permitted to play in the game or games of chance conducted pursuant to any license issued hereunder. No person under the age of 18 years shall be permitted to conduct or assist in the conduct of any game of chance conducted pursuant to the license issued hereunder.

**§ 103-13. Person operating and conducting games; equipment; expenses; compensation.**

No person shall hold, operate or conduct any games of chance under any license issued hereunder except an active member of the authorized organization to which the license is issued, and no person shall assist in the holding, operating or conducting of any game of chance under such license except such an active member or a member of an organization or association which is an auxiliary to the licensee or a member of an organization or association of which such licensee is an auxiliary or member of an organization or association which is affiliated with the licensee by being with it auxiliary to another organization. No game of chance shall be conducted with any equipment except such as shall be owned or leased by the authorized organization so licensed or used without payment of any compensation therefor by the licensee. At least two officers, directors, trustees or clergy of the authorized organization shall, upon request, certify under oath that the persons assisting in holding, operating or conducting any game of chance are bona fide members of such authorized organization, auxiliary or affiliated organization. Upon request by the Commissioner of Public Safety, any such person involved in such games of chance shall certify that he or she has no criminal record. No items of expense shall be incurred or paid in connection with any game of chance pursuant to any license issued hereunder except those that are reasonable and are necessarily expended for games of chance, supplies and equipment, prizes, stated rental, if any, bookkeeping or accounting services according to a schedule of compensation prescribed by the Racing and Wagering Board, janitorial services and utilities supplied, if any, and license fees and the cost of bus transportation, if authorized by the Commissioner of Public Safety.

**§ 103-14. Charge for admission; amount of prizes; award of prizes.**

Not more than \$2 shall be charged by any licensee for admission to any room or place in which any game or games of chance are to be conducted under any license issued under this chapter. Every winner shall be determined and every prize shall be awarded and delivered on the same calendar date as that upon which the game was played. No alcoholic beverages shall be offered or given as a prize in any game of chance.

**§ 103-15. Advertising games.**

No game of chance conducted or to be conducted shall be advertised as to its location, the time when it is to be played or has been played or the prizes awarded or to be awarded or transportation facilities to be provided to such games by means of newspapers, radio, television or sound truck or by means of billboards, posters or handbills or any other means addressed to the general public, except that one sign not exceeding 40 square feet in area may be displayed on or adjacent to the premises owned or occupied by a licensed authorized organization, and when an organization is licensed to conduct the games of

chance on the premises of an authorized game of chance lessor, one additional such sign may be displayed on or adjacent to the premises on which the games are to be conducted. Additional signs may be displayed upon any fire-fighting equipment belonging to any licensee which is a volunteer fire company or upon any first aid vehicle for first aid or rescue squad in and throughout the community served by such volunteer fire company or such first aid or rescue squad as the case may be.

**§ 103-16. Statement of receipts; expenses; additional license fees.**

**A.**

Within seven days after the conclusion of any license period, the authorized organization which conducted the same and its members who were in charge thereof and, when applicable, the authorized organization which rented its premises therefor shall each furnish to the City Clerk a statement subscribed by the member in charge and affirmed by him or her as true under the penalties of perjury, showing the amount of the gross receipts derived therefrom and each item of expense incurred or paid and each item of expenditure made or to be made other than prizes, the name and address of each person to whom each item of expense has been paid or is to be paid with a detailed description of the merchandise purchased or the services rendered therefor, the proceeds derived from the conduct of the games of chance during such license period and the use to which such proceeds have been or are to be applied and a list of prizes offered and given with their respective values thereon, and it shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such statement.

**B.**

Upon the filing of such statement of receipts, the authorized organization furnishing the same shall pay to the City Clerk as and for an additional license fee a sum based upon the reported net proceeds, if any, for the licensed period covered by such statement and determined in accordance with such schedule as shall be established from time to time by the Racing and Wagering Board to defray the actual cost of administration to the City of Rye, but such additional fee shall not exceed 5% of the net proceeds for such occasion.

**§ 103-17. Examination of books, records, officers and employees; disclosure of information.**

The City Clerk and the Board shall have the power to examine or cause to be examined the books and records of any authorized organization which is or has been issued a license to conduct games of chance or any authorized games of chance lessor pursuant to the authorization of Article 9A of the General Municipal Law.

**§ 103-18. Appeals.**

Any applicant for or holder of any license issued or to be issued under this chapter aggrieved by any action of the Commissioner of Public Safety or City Clerk to which such application has been made or by which such license has been issued may appeal to the Board from the determination of the Commissioner of Public Safety or City Clerk by filing with the Commissioner of Public Safety or City Clerk a written notice of appeal within 30 days after the determination or action appealed from, and upon the hearing of such appeal, the evidence, if any, taken before the Commissioner of Public Safety or City Clerk and any additional evidence may be produced and shall be considered in arriving at a determination in the matters in issue, and the action of the Racing and Wagering Board upon said appeal shall be binding upon the Commissioner of Public Safety or City Clerk and all parties to said appeal.

**§ 103-19. Exemption from prosecution.**

No person, association, corporation or organization lawfully conducting or participating in the conduct of games of chance or permitting the conduct upon any premises owned or leased by him or her or it, under any license lawfully issued pursuant to this chapter, shall be liable to prosecution or conviction for violation of any provision of Article 225 of the Penal Law or any other law or ordinance to the extent that such conduct is specifically authorized by Article 9A of the General Municipal Law, but this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of games of chance under any license obtained by any false pretense or by any false statement made in any application for license or otherwise or permitting the conduct upon any premises owned or leased by him or her or it of any game of chance conducted under any license known to him or her or it to have been obtained by any such false pretense or statement.

**§ 103-20. Unlawful acts; penalties for offenses.**

**A.**

Any person, association, corporation or organization who or which shall make any material false statement in any application for any license authorized to be issued under Article 9A of the General Municipal Law; pay or receive for the use of any premises for conducting games of chance a rental in excess of the amount specified as a permissible rent in the license provided for in Subdivision 2 of § 193 of Article 9A of the General Municipal Law; fail to keep such books and records as shall fully and truly record all transactions connected with the conducting of games of chance or the leasing of premises to be used for the conducting of games of chance; falsify or make any false entry on the books or records so far as they relate in any manner to the conduct of games of chance, to the disposition of the proceeds thereof and to the application of the rents received by any authorized

organization; or divert or pay any portion of the net proceeds of any game of chance to any person, association or corporation except in furtherance of one or more of the lawful purposes as set forth in Article 9A of the General Municipal Law, shall be guilty of a misdemeanor and shall forfeit any license issued under this chapter and be ineligible to apply for a license under this chapter for at least one year thereafter.

**B.**

In addition to any other remedies set forth herein authorizing the City to enforce the provisions of this chapter, establishing penalties, and setting forth additional remedies, the person charged with the responsibility to enforce the provisions of this chapter may impose a civil fine or agree to a civil fine not to exceed \$1,000 per day for each day of the violation. If said civil fine is imposed, then the alleged violator may appeal to the City Council of the City of Rye.

**§ 103-21. Unlawful games of chance; senior citizen exemption.**

Any person, association, corporation or organization holding, operating or conducting a game or games of chance is guilty of a misdemeanor except when operating, holding or conducting:

**A.**

In accordance with a valid license issued pursuant to this chapter; or

**B.**

On behalf of a bona fide organization of persons 60 years of age or over, commonly referred to as "senior citizens," solely for the purpose of amusement and recreation of its members where:

- (1) The organization has applied for and received an identification number from the Racing and Wagering Board;
- (2) No player or other person furnishes anything of value for the opportunity to participate;
- (3) Prizes awarded or to be awarded are to be nominal;
- (4) No person other than a bona fide active member or the organization participates in the conduct of the games; and
- (5) No person is paid for conducting or assisting in the conduct of the game or games.

**§ 103-22. Referendum.**

**A.**

This chapter shall not become operative or effective unless or until it shall have been approved by a majority of the electors voting on a proposal submitted in a general or special election held within the City of Rye who are qualified to vote for officers of the City of Rye.

**Section 2: Severability.**

If any clause, sentence, paragraph, section or part of any section of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered.

**Section 3: Effective date.**

This local law will take effect immediately on filing in the office of the Secretary of State.



# CITY COUNCIL AGENDA

NO. 11

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Public Hearing to amend local law Chapter 161, "Sewers", of the Rye City Code by amending Article II, "Sewer Rents", to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER	161
SECTION	5-14

**RECOMMENDATION:** That the Council hold a Public Hearing to amend local law Chapter 161, "Sewers", of the Rye City Code by amending Article II, "Sewer Rents", to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** A proposal has been put forward to impose annual charges against properties that utilize the City's sewers. The annual sewer rents as provided in the attached Draft Local Law shall be applied to pay the costs of the operation, maintenance, upkeep, repair and replacement of the sanitary sewer system. The purpose of the local law is to preclude the cost of the sanitary sewer system from being funded solely from the property tax and to more equitably distribute such cost on all properties, including tax exempt properties.

See attached proposed Local Law.

**CITY OF RYE**  
**LOCAL LAW NO. 2017**

A local law to amend Chapter 161, Article II “Sewer Rents” by adding provisions related to the imposition of sewer rents as follows:

Be it enacted by the City Council of the City of Rye as follows:

**Section 1:**

**Article II. Sewer Rents**

**Section 161-5. Imposition of sewer rent.**

- A. Pursuant to Article 14-F of the General Municipal Law, there is hereby established and imposed a plan of sewer rents applicable to the City of Rye’s sanitary sewer system. Such plan shall consist of annual charges against properties that utilize the City’s sewers. The annual sewer rents as provided for in this chapter shall be applied to pay the costs of the operation, maintenance, upkeep, repair and replacement of the sanitary sewer system. The purpose of the local law is to preclude the cost of the sanitary sewer system from being funded solely from the property tax and to more equitably distribute such cost on all properties, including tax exempt properties.
- B. In addition to any charges provided by law, the owner of any real property within the City of Rye served by a sewer system maintained by a municipality other than the City of Rye shall pay to the City of Rye a sewer rent for the use of such sewer system. Such sewer rent shall be at the rate of \$210 per connection thereto or shall be such pro rata amount allocable to such property as the City of Rye shall be required to pay for the use of such sewer system.

**Section 161--6. Definitions**

**For the purpose of this Section, the definitions set forth herein shall be controlling:**

**SANITARY SEWER SYSTEM – The system for the collection of sewage, including all sewer mains, pumping stations, appurtenances or other facilities, which are owned, operated and maintained by the City of Rye, whether in or outside the City.**

**SEWER RENTS – A schedule of annual charges established and imposed by the City of Rye for the use of the sanitary sewer system.**

**SYSTEM USERS – The record owners of real properties that have sanitary facilities which discharge into the sanitary sewer system, whether the properties are located in or outside of the City of Rye.**

**TOTAL WATER CONSUMPTION – Shall mean the total volume of water delivered to a property by the water source for which a sewer user is responsible. The total volume of water shall be the sum of the volume of water metered by, or otherwise calculated by, the water source.**

**WATER CONSUMPTION – The consumption of water, measured in hundreds of cubic feet (“CCF”); one CCF equals 748 gallons.**

**WATER SOURCE – Shall mean any entity that delivers water to a property such as United Water Westchester or its’ successors in interest or assigns**

**Section 161--7. Collection of sewer rent; lien.**

**[renumbered from existing law as § 161-6 will now become § 161-7]**

All sewer rents imposed hereunder shall be levied, connected and enforced in the same manner and at the same time as provided for the collection and enforcement of city taxes. If such sewer rents are not paid when due, it shall be the duty of the City Comptroller to charge and collect interest thereon at the same rates specified for the collection of city taxes. Such sewer rents shall constitute a lien upon the real property served by such sewer system, and such lien shall be prior and superior to every other lien or claim except the lien of an existing tax, assessment or other lawful charge.

**Section 161-8. Sewer rent; adjustments; changes**

- A. Sewer Rent. System users shall pay an amount based on the actual water consumption as determined by the water source using a water meter or other measuring device, or an estimated amount if the water source is unable to obtain a reading.**
- B. Adjustment. System users may apply to the City Manager for an adjustment of the amount of water consumption. Such application shall in writing, accompanied by any prescribed filing fee, and include all evidence to support the degree and amount of water usage that is claimed to be applied for uses that do not result in discharges into the sanitary sewer system. The Manager may grant an adjustment on an appeal as provided hereinafter, but in no event shall such adjustment exceed ten (10) percent of the water consumption.**
- C. Changes. The initial rate of the sewer rent shall be established by resolution of the City Council after public hearing on five days’ notice. Subsequent changes to the rate of the sewer rent and amount of penalty shall be made in the same manner.**

**Section 161-9. Annual costs of the sanitary sewer system**

**The annual operation and maintenance costs of the sanitary sewer system shall be determined as part of the City' budget process. The annual costs shall include, but not be limited to:**

- A. Personnel services, including salaries and fringe benefits**
- B. Contractual services**
- C. Repairs and replacement to the sanitary sewer system**
- D. Materials and supplies**
- E. Utilities**
- F. Building repair and maintenance**
- G. Equipment**
- H. Testing and sampling**
- I. Insurance**
- J. Indebtedness**
- K. Auditor's Fees**
- L. Reserve Fund**
- M. Contingency**

**Section 161-10. Billing and payments.**

- A. System users shall be billed by the City or entity to which billing authority has been designated on a frequency established by the City.**
- B. Sewer rents shall be paid to the City of Rye.**
- C. Sewer rent bills shall be sent to system users to the address to which real estate bills would be sent.**
  - (1) The failure of a system owner to receive a bill shall not excuse non-payment thereof, nor shall it act as a waiver of a penalty imposed herein prescribed.**
  - (2) A system user that intends to convey property shall notify the City or entity to which billing authority has been delegated sufficiently in**

**advance of the closing title for a final reading and new ownership information.**

**D. System users may be afforded the option of receiving e-bills or direct deposit of payments. System users may request that a tenant receive bills, and such additional notice may be given as an accommodation.**

**E. Any adjustments granted, issued or agreed upon with regard to actual water consumption shall be indicated to system users and reflected in the next succeeding bill.**

#### **Section 161--11. Disposition of sewer rents.**

[renumbered from existing law as § 161-7 will now become § 161-11]

Revenues derived from sewer rents, including interest, shall be credited to a special fund to be known as the "Sewer Rent Fund." Moneys in such fund shall be used for the payment of charges the City of Rye shall be required to pay for the use of such system.

#### **Section 161--12. Exemption**

**The property of the City of Rye is solely exempt from the obligation to pay sewer rent.**

#### **Section 161-13. Agreement with water sources**

**Together with United Water Westchester, the City of Rye has petitioned the New York State Public Service Commission for authorization to contract with the water company to utilize its water consumption data, perform billing functions, as well as provide any other services necessary to administer this chapter. Similarly, the City of Rye has petitioned the Westchester Joint Water Works Board to utilize its water consumption data, perform billing functions, as well as provide any other services necessary to administer this chapter for those users receiving water from Westchester Joint Water Works.**

#### **Section 161-14. Applicable rules and regulations**

[renumbered from existing law as § 161-8 will now become § 161-14]

The owner and occupant of real property served by such sewer system shall be subjected to the rules and regulations of the City of Rye and the municipality maintaining ushc sewer sytem relating to the use of such sewer sytem, insofar as applicable.

#### **Section 2: Severability.**

If any clause, sentence, paragraph, section or part of any section of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or

part thereof directly involved in the controversy and in which such judgment shall have been rendered.

**Section 3:     Effective date.**

This local law will take effect immediately on filing in the office of the Secretary of State.



# CITY COUNCIL AGENDA

NO. 12

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Consideration of a Resolution to petition the Public Service Commission (PSC) to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council consider the Resolution to petition the Public Service Commission (PSC) to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** A proposal has been put forward to apply to the Public Service Commission to have any infrastructure maintenance and access costs it is charged by a water-works corporation to be charged to all customers across all customer classes located in the municipality. This would apply to all residences who receive their water from SUEZ water.

See attached Resolution to the Public Service Commission (PSC).

**CITY OF RYE**

**RESOLUTION IN SUPPORT OF CHAPTER 433 OF THE LAWS OF NEW YORK, 2013 AUTHORIZING THE PUBLIC SERVICE COMMISSION, UPON APPLICATION BY THE CITY OF RYE, TO ORDER COSTS FOR INFRASTRUCTURE MAINTENANCE AND ACCESS TO BE CHARGED TO ALL CUSTOMER CLASSES LOCATED IN SUCH MUNICIPALITY**

WHEREAS, Chapter 433 of the laws of 2013 provides that a municipality as defined therein may apply to the Public Service Commission to have any infrastructure maintenance and access costs it is charged by a water-works corporation to be charged to all customers across all customer classes located in the municipality provided the municipality has held a public hearing with notice on the matter and has adopted a resolution and determined by a majority vote of the total voting strength of its governing body that it is in the overall public interest to have such costs charged to all customers across all customer classes; and

WHEREAS, the City of Rye duly held a public hearing with notice on the matter.

NOW, THEREFORE, BE IT RESOLVED, after a public hearing, that the City of Rye determines that it is in the overall public interest to have such costs charged to all customers across all customer classes; and

BE IT FURTHER RESOLVED, that the City Manager shall make an application to the Public Service Commission by transmittal of this Resolution and any other necessary papers requesting that the costs for infrastructure maintenance and access be included in the rate charges to all customer classes and apportioned amount all customers located in this municipality.



# CITY COUNCIL AGENDA

NO. 13

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Consideration of a Resolution to petition the Westchester Joint Water Works (WJWW) Transportation Corporation Board to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council consider the Resolution to petition the Westchester Joint Water Works (WJWW) Transportation Corporation Board to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** A proposal has been put forward to petition the Westchester Joint Water Works (WJWW) Transportation Corporation Board to have any infrastructure maintenance and access costs it is charged by a water-works corporation to be charged to all customers across all customer classes located in the municipality. This would apply to all residences who receive their water from Westchester Joint Water Works.

See attached Resolution to the Westchester Joint Water Works (WJWW) Transportation Corporation Board.

**CITY OF RYE**

**RESOLUTION IN SUPPORT OF PETITION TO  
WESTCHESTER JOINT WATER WORKS TO ORDER  
COSTS FOR INFRASTRUCTURE MAINTENANCE AND  
ACCESS TO BE CHARGED TO ALL CUSTOMER  
CLASSES LOCATED IN SUCH MUNICIPALITY**

WHEREAS, the City would like to have any infrastructure maintenance and access costs it is charged by a Westchester Joint Water Works to be charged to all customers across all customer classes located in the municipality; and

WHEREAS, the City of Rye duly held a public hearing with notice on the matter.

NOW, THEREFORE, BE IT RESOLVED, after a public hearing, that the City of Rye determines that it is in the overall public interest to have such costs charged to all customers across all customer classes; and

BE IT FURTHER RESOLVED, that the City Manager shall make an application to the Westchester Joint Water Works Board by transmittal of this Resolution and any other necessary papers requesting that the costs for infrastructure maintenance and access be included in the rate charges to all customer classes and apportioned amount all customers located in this municipality.



# CITY COUNCIL AGENDA

NO. 14      DEPT.: Police      DATE: July 12, 2017  
CONTACT: Michael C. Corcoran, Jr., Commissioner of Public Safety

**AGENDA ITEM:** Consideration of the proposed addition to the Rules and Regulations of the City of Rye Police Department General Order #113.21 regarding an Immigration Enforcement Policy.

**FOR THE MEETING OF:**

July 12, 2017  
**RYE CITY CODE,**  
CHAPTER  
SECTION

**RECOMMENDATION:** Approval of the addition of General Order #113.21, "Immigration Enforcement", which establishes the Police Department's procedures to be followed by Sworn Members of the City of Rye Police Department when encountering persons who actually or are suspected to have entered or remained in the United States unlawfully.

**IMPACT:**    Environmental    Fiscal    Neighborhood    Other:  
Enhancement of the operational effectiveness of the Department.

**BACKGROUND:**

A copy of the new proposed order has been provided to the Rye Police Association for review pursuant to the provisions of the collective bargaining agreement.

# CITY OF RYE POLICE DEPARTMENT

General Order #	New [ x ]	Revised [ ]
Supersedes:		
Subject: Immigration Enforcement		
Date Issued	Date Effective	Page 1 of 3
Issuing Authority: Michael C. Corcoran, Jr., Commissioner of Public Safety		

## I. PURPOSE

To establish procedures to be followed by Sworn Members of the City of Rye Police Department when encountering persons who actually or are suspected to have entered or remained in the United States unlawfully.

## II. POLICY

Members of the City of Rye Police Department shall not engage in enforcement activities solely for the purpose of enforcing federal immigration law nor detain persons based solely upon the suspicion that such person has entered or remained in the United States unlawfully except as provided for herein.

## III. PROCEDURE

### A. Enforcement actions and community interactions.

1. Members shall not stop, question, interrogate, investigate, or arrest an individual based solely on any of the following:
  - a. Actual or suspected immigration or citizenship status; or
  - b. A "civil immigration warrant," administrative warrant, or an immigration detainer (collectively, "Immigration Detainers) in the individual's name, including those identified in the National Crime Information Center (NCIC) database.

**NOTE: Immigration Detainers are not criminal warrants issued by a judge and may not provide sufficient basis to detain an individual or to prolong the detention of an individual detained for other reasons.**

2. Members shall not inquire about the immigration status of an individual, including a crime victim, a witness, or a person who calls or approaches the police seeking assistance, unless necessary to investigate criminal activity by that individual.
3. Members shall not perform the functions of a federal immigration officer or otherwise engage in the enforcement of federal immigration law-- whether pursuant to Section 1357(g) of Title 8 of the United States Code or under any other law, regulation, or policy.

**B. U.S. Immigration and Customs Enforcement (“ICE”) or Customs and Border Protection (“CBP”) detainer requests.**

The City of Rye Police will not detain individuals for extended periods of time. To the extent any request is made regarding an individual in the custody of the City of Rye Police, our officers may respond affirmatively to a "civil immigration detainer" from ICE or CBP to detain or transfer an individual for immigration enforcement or investigation purposes for a reasonable period ONLY IF:

- a. the request is accompanied by a judicial warrant,
- b. there is probable cause to believe that the individual has illegally re-entered the country after a previous removal or return as defined by 8 U.S.C. § 1326 or
- c. there is probable cause to believe that the individual has or is engaged in terrorist activity

**C. ICE or CBP requests for certain non-public, sensitive information or CBP detainer requests.**

1. The City of Rye Police may respond affirmatively to an ICE or CBP request for non-public information about an individual- including but not limited to non-public information about an individual's release, home address, or work address-- ONLY IF the request is accompanied by a judicial subpoena or judicial warrant:

EXCEPT THAT nothing in this order prohibits City of Rye Police Command Level staff (Commissioner of Public Safety, Patrol Commander, Detective Division and Special Investigations Commander) in coordination with Corporation Counsel:

1. sending to or receiving from any local, state, or federal agency- as per 8 U.S.C. § 1373-(i) information regarding an individual's country of citizenship or (ii) a statement of the individual's immigration status; or
2. disclosing information about an individual's criminal arrests or convictions, where disclosure of such information about the individual is otherwise permitted by state law or required pursuant to subpoena or court order; or
3. disclosing information about an individual's juvenile arrests or delinquency or youthful offender adjudications, where disclosure of such information about the individual is otherwise permitted by state law or required pursuant to subpoena or court order.

All review and response to requests for information from ICE or CBP shall be handled by Command Level personnel in coordination with Corporation Counsel.

#### **IV. SEVERABILITY**

If any clause, sentence, paragraph, section or part of any section of this General Order shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered.



# CITY COUNCIL AGENDA

NO. 15

DEPT.: Finance

DATE: July 12, 2017

CONTACT: Joseph S. Fazzino, Deputy City Comptroller

**AGENDA ITEM:** Resolution to transfer \$50,000 from the Contingency Account to the Legal Department to fund legal services.

**FOR THE MEETING OF:**  
July 12, 2017

**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 and on-going for various legal cases were not anticipated and were not provided for in the adopted 2017 budget, and;

WHEREAS, the General Fund Contingent Account has a balance of \$283,559, now therefore be it;

RESOLVED, that the City Comptroller is authorized to transfer \$50,000 from the General Fund Contingent Account to the City Legal Services Account.

**IMPACT:**    Environmental    Fiscal    Neighborhood    Other:

**BACKGROUND:**

Use and status of the Contingent Account:

01/01/2017 Beginning balance	\$523,559
01/25/2017 Transfer to Capital Projects Fund, Dearborn Ave Seawall	(40,000)
06/07/2017 Transfer to Administrative Pay Group	(200,000)
07/12/2017 Transfer to Legal Fees	<u>(50,000)</u>
07/12/2017 Balance	<u>\$233,559</u>



# CITY COUNCIL AGENDA

NO. 16

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Resolution to amend the 2017 Adopted Fees and Charges for the Rye Golf Club to add a pilot program for a new limited membership category, "Early Morning Swim".

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE:**

CHAPTER  
SECTION

**RECOMMENDATION:** That the Council amend the 2017 Adopted Fees and Charges for the Rye Golf Club Enterprise Fund.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The Rye Golf Club Commission is requesting that the City Council amend the 2017 Adopted Fees and Charges to add a pilot program for a new limited membership category, "Early Morning Swim". This category has been available as an add-on for existing resident members during the last five seasons for a fee of \$200. Thanks to the success of the program, the RGC Commission would like to make this category available to non-members of the club in hopes of enticing them to join RGC and also to increase revenue. The fees for this category for resident and non-resident are as follows:

Early Morning Lap Swim Membership

Resident \$400

Non-Resident \$550

Eligibility Requirements:

- Must not have maintained membership at Rye Golf Club within the last three years
- May only join under this category for one season

See attached memo from the Rye Golf Club Manager Jim Buonaiuto.

# Memo

**To:** Rye City Council  
**From:** Jim Buonaiuto – Golf Club GM  
**Re:** Early Morning Swim Pilot Program  
**Date:** June 30, 2017  
**CC:** Marcus Serrano – City Manager

---

Over the last five seasons Rye Golf Club has offered a well-received add-on membership to full members of the club called the “Early Morning Lap Swim” add-on. This add-on is available to existing members for a fee of \$200. Thanks to the success of this program members of the club have requested that management of the club consider making this membership category available to non-members of the club in hopes of enticing them to join RGC and also to increase revenue.

Recently, I have discussed the possibility of adding this membership with the club’s finance committee and the golf club commission. As a result of these discussions I am proposing that the following pilot-program for this new membership category be made available immediately through September of 2018 at which point management of the club will decide whether or not to make this a permanent category.

The purpose of this category will be to serve as an introduction to the enjoyable experiences that our club provides to swimmers. The eligibility requirements will prevent the club from having existing individual swim member’s downgrade from a full membership to an early morning swim only.



**RYE GOLF CLUB**

330 BOSTON POST ROAD

RYE, NEW YORK 10580

T 914-835-3200

F 914-835-3229

## Early Morning Lap Swim Membership

Resident	\$400
Non-Resident	\$550

## Eligibility Requirements

- Must not have maintained membership at Rye Golf Club within the last three years
- May only join under this category for one season.



# CITY COUNCIL AGENDA

NO. 17

DEPT.: Public Works

DATE: July 12, 2017

CONTACT: Ryan X. Coyne, City Engineer

**AGENDA ITEM:** Bid Award for the Kirby Lane Culvert and Guiderail Replacement contract (Contract #2017-03).

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That Contract #2017-03 be awarded to the low bidder, Con-Tech Construction Technology, Inc., in the amount of Ninety Nine Thousand, Two Hundred Sixty Three dollars and ninety cents (\$99,263.90) as recommended by the City Engineer.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The project includes replacement of an existing damaged 18" reinforced concrete pipe/culvert crossing on Kirby Lane as well as replacing the existing guiderail. The damage was incurred during Hurricane Sandy and the project is partially funded through storm damage monies provided by FEMA.

See attached recommendation and bid results.



**CITY OF RYE**  
**Engineering Department**

**Interoffice Memorandum**

---

To: Marcus Serrano, City Manager  
From: Ryan Coyne, PE, City Engineer   
Date: July 6, 2017  
Subject: **Kirby Lane Culvert & Guiderail Replacement**  
**Contract 2017-03**

---

We have checked and tabulated the nine bids we received at the bid opening on July 5, 2017 for the above-named contract.

Peter J. Landi, Inc. is the apparent low bidder with a contract price of \$58,980.00. However, there were several mathematical errors in the bid submission prepared by Landi, resulting in an effective bid price of \$29,365.00. After discussion with Mr. Landi about the errors, he agreed to withdraw his bid.

Con-Tech Construction Technology, of Carmel, NY, is the next lowest responsive and responsible bidder with a contract price of \$99,263.90. Con-Tech has done satisfactory work for the City of Rye in the past and I recommend that Con-Tech be awarded a Contract for the work.

**Kirby Lane Culvert Guiderail Replacement - Contract 2017-03  
Bid Tabulation**



Item Number	Item	Quantity	Unit	1. Peter J. Landi, Inc.		2. Con-Tech Construction Technology, Inc.		3. Montesano Bros.		4. R. Pagni & Sons		5. ELQ Industries		6. Nicky Diggs Excavation		7. Kenlar Electric, Inc.		8. Legacy Supply		9. Joken	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Installation of guide railing wood, guide post wood, stainless steel bolts as shown on the drawings	1	LS	\$75.00	<b>\$75.00</b>	\$20,460.00	\$20,460.00	\$33,170.00	\$33,170.00	\$35,000.00	\$35,000.00	\$54,000.00	\$54,000.00	\$55,242.00	\$55,242.00	\$74,949.00	\$74,949.00	\$63,311.00	\$63,311.00	\$57,000.00	\$57,000.00
2	Removal and offsite disposal of existing guiderail & posts and removal of existing pip & end sections, sawcutting and cold milling of existing pavement, unclassified excavation & disposal	1	LS	\$6,000.00	\$6,000.00	\$18,848.50	\$18,848.50	\$14,000.00	\$14,000.00	\$5,000.00	\$5,000.00	\$12,000.00	\$12,000.00	\$16,754.00	\$16,754.00	\$42,440.00	\$42,440.00	\$44,580.00	\$44,580.00	\$55,500.00	\$55,500.00
3	Installation of clean crushed stone, piping, excavation, CLSM, bedding material, subgrade preparation and compaction.	1	LS	\$140.00	<b>\$140.00</b>	\$8,789.00	\$8,789.00	\$34,500.00	\$34,500.00	\$59,990.00	\$59,990.00	\$25,000.00	\$25,000.00	\$24,726.00	\$24,726.00	\$33,288.00	\$33,288.00	\$79,298.00	\$79,298.00	\$75,000.00	\$75,000.00
4	Installation of rip-rap and fine still stone apron, geotextile, and reset existing rip-rap stone.	1	LS	\$2,000.00	\$2,000.00	\$5,500.00	\$5,500.00	\$11,700.00	\$11,700.00	\$2,000.00	\$2,000.00	\$8,000.00	\$8,000.00	\$3,109.00	\$3,109.00	\$12,000.00	\$12,000.00	\$8,561.00	\$8,561.00	\$14,500.00	\$14,500.00
5	Concrete top course, tack coat, bituminous stabilized course, prepare subgrade, controlled low strength material.	1	LS	\$4,200.00	\$4,200.00	\$10,945.00	\$10,945.00	\$3,150.00	\$3,150.00	\$2,000.00	\$2,000.00	\$6,000.00	\$6,000.00	\$3,645.00	\$3,645.00	\$18,007.00	\$18,007.00	\$10,013.00	\$10,013.00	\$25,000.00	\$25,000.00
6	Installation of reinforced concrete and sections with trash guard.	1	LS	\$2,500.00	\$2,500.00	\$16,471.40	\$16,471.40	\$6,500.00	\$6,500.00	\$5,000.00	\$5,000.00	\$3,800.00	\$3,800.00	\$5,821.00	\$5,821.00	\$0.00	\$0.00	\$19,282.00	\$19,282.00	\$30,000.00	\$30,000.00
7	Excavation and off-site removal of any material classified as rock excavation.	10	CY	\$70.00	\$700.00	\$495.00	\$4,950.00	\$75.00	\$750.00	\$1.00	<b>\$10.00</b>	\$200.00	\$2,000.00	\$275.50	\$2,755.00	\$7,000.00	\$70,000.00	\$125.00	\$1,250.00	\$275.00	\$2,750.00
8	Additional installation of guide railing wood, guide post wood, stainless steel bolts at Owner's discretion.	50	LF	\$75.00	\$3,750.00	\$66.00	\$3,300.00	\$107.00	\$5,350.00	\$90.00	\$4,500.00	\$174.00	\$8,700.00	\$178.20	\$8,910.00	\$12,088.00	<b>\$604,400.00</b>	\$100.00	\$5,000.00	\$182.00	\$9,100.00
9	Miscellaneous additional work authorized by Owner.	1	LS	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
<b>Engineer's Total</b>				<b>\$29,365.00</b>		<b>\$99,263.90</b>		<b>\$119,120.00</b>		<b>\$123,500.00</b>		<b>\$129,500.00</b>		<b>\$130,962.00</b>		<b>\$865,084.00</b>		<b>\$241,295.00</b>		<b>\$278,850.00</b>	
Contractor's Total				\$58,980.00		\$99,263.90		\$119,120.00		\$123,500.00		\$129,500.00		\$130,962.00		<b>\$200,772.00</b>		\$241,295.00		\$278,850.00	

BOLD indicates that the contractor's number differs from the Engineer's number. Number presented is the Engineer's number.



# CITY COUNCIL AGENDA

NO. 17A

DEPT.: Rye Golf Club

DATE: July 12, 2017

CONTACT: Jim Buonaiuto, Rye Golf Club Manager

**AGENDA ITEM:** Bid Award for the Rye Golf Club Greens Renovation Phase I contract (Contract #2017-02).

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That Contract #2017-02 be awarded to the low bidder, XGD Systems, in the amount of Three Hundred Twenty Thousand, Six Hundred Sixty One dollars and seventy six cents (\$320,661.76) as recommended by the Rye Golf Club Manager.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The Rye Golf Club project is for the next phase of the greens expansion and drainage project. The responsive low bidder is highly qualified to perform the work and have successfully completed similar projects for the Golf Club as recently as 2016. The Rye Golf Club Commission has reviewed the project and has unanimous support for the project. The City Council is asked to approve the Bid Award as recommended by the Rye Golf Club Manager.

See attached recommendation and bid results.



**CITY OF RYE**  
Golf Club

**Interoffice Memorandum**

---

To: Marcus A. Serrano, City Manager  
From: Jim Buonaiuto, Club Manager  
Cc: Joseph Fazzino, Deputy City Comptroller  
Date: July 11<sup>th</sup>, 2017  
Subject: **Contract 2017-02 Golf Club Greens Renovation Phase I**

---

I have checked and tabulated the two bids received on July 11<sup>th</sup>, 2017 for the above contract. A copy of the bid results is attached. After reviewing the bids and receiving a recommendation from our contracted Golf Course Architect, Todd Quitno, I recommend the bid be awarded to the low bidder, XGD Systems, in the amount of \$320,661.76

XGD Systems is the lowest responsive and responsible bidder. This work will be funded from the Golf Club's project fund. XGD has ample experience performing this scope of work. In 2016 XGD completed similar work on three of our putting greens. This year's work will include greens expansion and internal drainage installation on 8 additional greens.

Please feel free to contact me should you need additional information.

**2017-02 Golf Club Greens  
Renovation Phase I**

		XGD Systems		Turco Golf	
Item Number	Item	Unite Price	Total Price	Unit Price By Day	Total Price
1	Base Bid (1,2,4,6,7,9,11, & 15 green)	N/A	\$ 320,661.76	N/A	\$ 324,500.00
Total Bid With Options		\$320,661.76		\$324,500.00	



# Golf Club Greens Renovation Project

## PHASE 1 - Holes 1,2,4,6,7,9,11,15



**Rye Golf Club**  
City of Rye, New York

Prepared by:



18250 Beck Road  
Marengo, IL 60152  
815.923.3400  
www.lohmann.com

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PHASE 1 - IMPROVEMENT PLAN (1,2,4,6)	2
PHASE 1 - IMPROVEMENT PLAN (7,9,11,15)	3



**NOTES:**

Contractor to haul sod and trench spoils to designated on-site dump area(s), which will be in the general areas shown, but ultimately determined by the Owner.

Contractor shall grade and/or locate stockpiled material so that it does not inhibit drainage and is not subject to erosion.

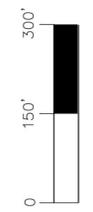
Haul road locations shall be verified by the Owner prior to their use, but in general and where available, existing paths shall be used for hauling purposes. Contractor shall use appropriate (Owner-approved) equipment and vehicles to minimize damage when hauling (e.g. low ground pressure tracks or float tires).

Contractor shall repair all haul road damage, including restoration of surfaces to original grade and/or condition (sod in turf areas, asphalt where applicable).

Existing conditions in haul road areas shall be documented by the Contractor prior to their use. Any existing damage that is not documented will be deemed the Contractor's responsibility to repair.

**LEGEND:**

- STAGING AREA 
- SPOIL STOCKPILE AREA 
- PHASE 1 WORK AREA 

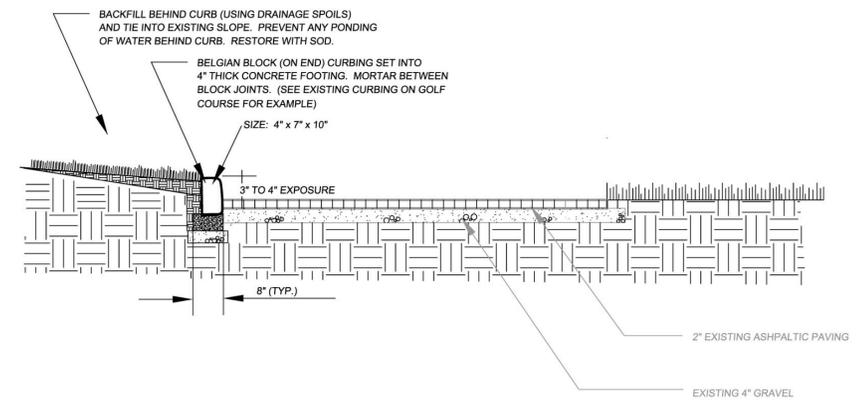


**PHASE 1 - SITE CONTEXT PLAN**  
**Golf Club Greens Expansion and Drainage Project**

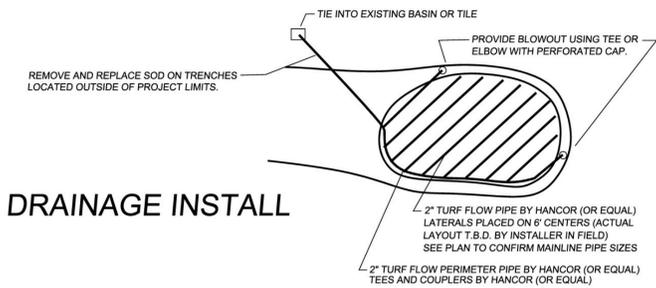
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 T. QUITNO 6-13-17

**SHEET**

**1**



**BLOCK CURBING (ON EXISTING PATHS)**



**TYPICAL DRAINAGE INSTALL**

**LEGEND:**

- EXISTING BASIN □
- 2" TURF FLOW PIPE ———
- VENT/FLUSHOUT ▲
- GRADING LIMITS [---]
- BLOCK CURB [-----]
- BLUE SOD [|||||]

**NOTES:**

All greens shall be equipped with a slit drainage system. Final layout of slit drainage shall be completed in the field by Contractor and approved by Owner.

Slit drainage trenches shall be 6' on center, and generally 3" wide by 14" - 16" deep, unless otherwise approved. A smile tile shall be placed at the low point(s) of the green. Smile tiles and mainlines shall have flushouts at their high end. Outlet pipe(s) shall tie in to existing tile as shown or as otherwise approved by the Owner.

Contractor shall import specified mix for drainage backfill at an estimated rate of 4 tons per 1,000 sf.

The contractor shall be responsible for lifting and replacing of sod in locations where drainage is being installed. Spoils generated from drainage excavation shall be used to backfill behind new path curbing or hauled to the designated stockpile areas as indicated on the Site Context Plan.

All tile in greens shall be perforated (sizes as indicated). All 2" outlet pipe extending outside of greens shall also be perforated. All other tile to be solid. All solid drain tile pipe shall have a minimum 18" soil cover over top of pipes unless otherwise shown, and a minimum 0.5% pitch toward the outlet, with a 1% or greater pitch being desirable.

All existing functional drain tile encountered during construction shall be repaired by contractor and/or tied into the new drainage system. See Construction Details for new catch basin construction.

In the event that underlying bedrock is encountered during trench excavation, Contractor shall notify Golf Course Architect and/or City Engineer immediately so as to determine if trench lines might be adjusted to avoid rock removal or if contract must be amended to allow for removal expenses. Failure to notify said parties and acquire written approval for rock removal will nullify any requests by the Contractor for additional compensation.

Tees to be built with a 4" mix cap, and surfaces to be sloped at 1% from front to back or back to front, depending on adjacent drainage patterns. All irrigation updates to be completed by the Owner.

Contractor to remove (and dispose of) all existing asphalt curbs in locations where new curbs to be installed.



Rye Golf Club  
City of Rye, New York



PHASE 1 - IMPROVEMENT PLAN (1,2,4,6)

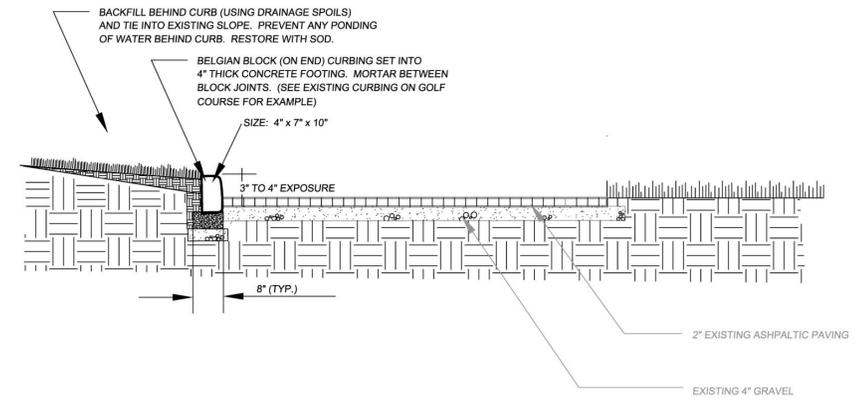
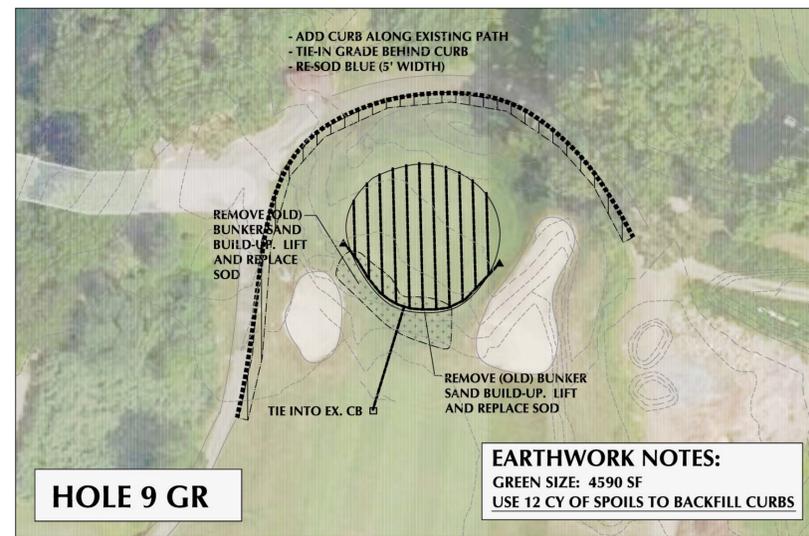
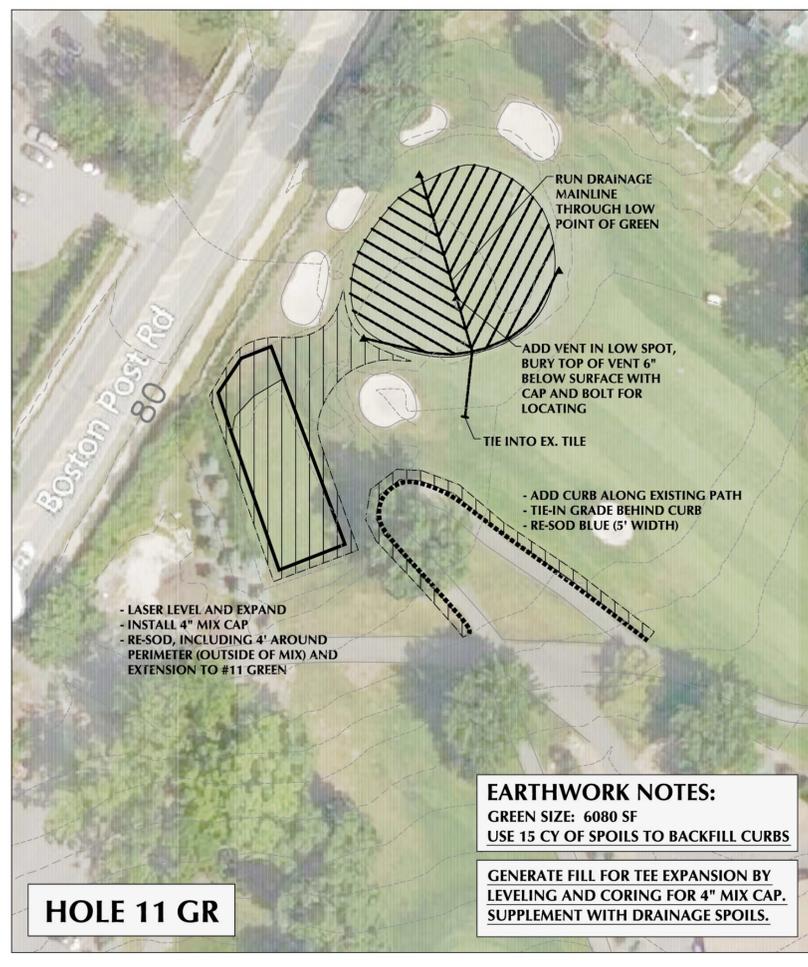
Golf Club Greens Expansion and Drainage Project

T. QUITNO 4-12-17

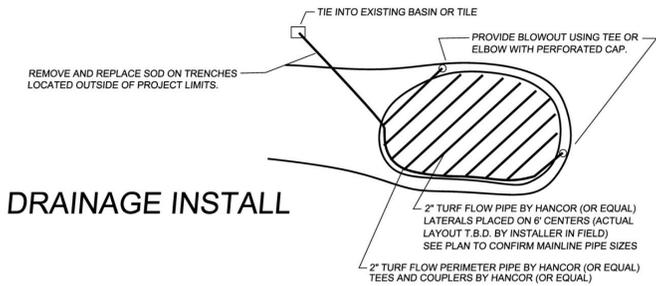
T. QUITNO 6-13-17

SHEET

2



**BLOCK CURBING (ON EXISTING PATHS)**



**TYPICAL DRAINAGE INSTALL**

**LEGEND:**

- EXISTING BASIN □
- 2" TURF FLOW PIPE ———
- VENT/FLUSHOUT ▲
- GRADING LIMITS [---]
- BLOCK CURB [-----]
- BLUE SOD [|||||]

**NOTES:**

All greens shall be equipped with a slit drainage system. Final layout of slit drainage shall be completed in the field by Contractor and approved by Owner.

Slit drainage trenches shall be 6' on center, and generally 3" wide by 14" - 16" deep, unless otherwise approved. A smile tile shall be placed at the low point(s) of the green. Smile tiles and mainlines shall have flushouts at their high end. Outlet pipe(s) shall tie in to existing tile as shown or as otherwise approved by the Owner.

Contractor shall import specified mix for drainage backfill at an estimated rate of 4 tons per 1,000 sf.

The contractor shall be responsible for lifting and replacing of sod in locations where drainage is being installed. Spoils generated from drainage excavation shall be used to backfill behind new path curbing or hauled to the designated stockpile areas as indicated on the Site Context Plan.

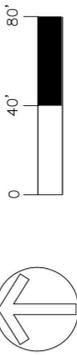
All tile in greens shall be perforated (sizes as indicated). All 2" outlet pipe extending outside of greens shall also be perforated. All other tile to be solid. All solid drain tile pipe shall have a minimum 18" soil cover over top of pipes unless otherwise shown, and a minimum 0.5% pitch toward the outlet, with a 1% or greater pitch being desirable.

All existing functional drain tile encountered during construction shall be repaired by contractor and/or tied into the new drainage system. See Construction Details for new catch basin construction.

In the event that underlying bedrock is encountered during trench excavation, Contractor shall notify Golf Course Architect and/or City Engineer immediately so as to determine if trench lines might be adjusted to avoid rock removal or if contract must be amended to allow for removal expenses. Failure to notify said parties and acquire written approval for rock removal will nullify any requests by the Contractor for additional compensation.

Tees to be built with a 4" mix cap, and surfaces to be sloped at 1% from front to back or back to front, depending on adjacent drainage patterns. All irrigation updates to be completed by the Owner.

Contractor to remove (and dispose of) all existing asphalt curbs in locations where new curbs to be installed.



PHASE 1 - IMPROVEMENT PLAN (7,9,11,15)  
**Golf Club Greens Expansion and Drainage Project**

T. QUITNO 4-12-17  
 T. QUITNO 6-13-17

**SHEET**  
**3**



# CITY COUNCIL AGENDA

NO. 18      DEPT.: Police Department      DATE: July 12, 2017  
CONTACT: Michael C. Corcoran, Jr., Commissioner of Public Safety

**AGENDA ITEM:** Acceptance of donation to the Rye Fire Department from The Woman's Club of Rye, Inc. in the amount of Two Hundred (\$200.00) Dollars.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council adopt the following resolution:

Whereas, The Woman's Club of Rye, Inc. desires to donate Two Hundred (\$200) Dollars to the Rye Fire Department; and

Whereas, the fiscal 2017 General Fund budget did not anticipate these donations; now, therefore be it

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

Resolved that the City Comptroller is authorized to amend the fiscal 2017 General Fund budget as follows:

Increase Designated Fire Donations by \$200.00

**IMPACT:**     Environmental     Fiscal     Neighborhood     Other:

**BACKGROUND:**

The Woman's Club of Rye, Inc., by letter dated May 31, 2017, advised the Fire Department that they would like to make a donation of \$200.00 in recognition of the Fire Department's dedication to the Rye community. The Commissioner of Public Safety recommends acceptance of this donation.



**THE WOMAN'S CLUB OF RYE, INC.**

P.O. Box 106  
RYE, NEW YORK 10580

FEDERAL TAX I.D. #13-6128581

May 31, 2017

Mr. Michael Corcoran  
Commissioner of Public Safety  
City of Rye  
21 McCullough Place  
Rye, NY 10580

Dear Mr. Corcoran,

On behalf of The Woman's Club of Rye, we are pleased to enclose a check for \$200 representing our grant to help support the City of Rye Fire Department.

The Woman's Club of Rye is delighted to be able to support the City of Rye Fire Department. We are deeply grateful for the invaluable service you provide our community. Your dedication, professionalism and heroism is inspiring and we thank you for keeping us safe.

Best Regards,

*Carolyn McGinnis + Anne O'Connell*

Carolyn McGinnis and Anne O'Connell  
Co-Presidents  
The Woman's Club of Rye, Inc.



# CITY COUNCIL AGENDA

NO. 19      DEPT.: City Manager      DATE: July 12, 2017  
CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Acceptance of donation to the Rye Senior Advocacy Committee from The Woman's Club of Rye, Inc. in the amount of Two Hundred Fifty (\$250.00) Dollars.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the Council adopt the following resolution:

Whereas, The Woman's Club of Rye, Inc. desires to donate Two Hundred Fifty (\$250) Dollars to the Senior Advocacy Committee; and

Whereas, the fiscal 2017 General Fund budget did not anticipate these donations; now, therefore be it

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

Resolved that the City Comptroller is authorized to amend the fiscal 2017 General Fund budget as follows:

Increase Designated Senior Advocacy Donations by \$250.00

**IMPACT:**     Environmental     Fiscal     Neighborhood     Other:

**BACKGROUND:**

The Woman's Club of Rye, Inc., by letter dated May 31, 2017, advised Mr. Joseph Murphy, Chairman of the Senior Advocacy Committee, that they would like to make a donation of \$250.00 in recognition of the Senior Advocacy Committee's dedication to the Rye community. The City Manager recommends acceptance of this donation.



**THE WOMAN'S CLUB OF RYE, INC.**

P.O. Box 106  
RYE, NEW YORK 10580

FEDERAL TAX I.D. #13-6128581

May 31, 2017

Mr. Joseph Murphy, Chairman  
Rye Seniors Advocacy Committee  
Rye City Hall  
1051 Boston Post Road  
Rye, NY 10580

Dear Mr. Murphy,

On behalf of The Woman's Club of Rye, we are pleased to enclose a check for \$250 representing our grant to help fund the Rye Seniors Advocacy Committee.

The Woman's Club of Rye is delighted to be able to continue to support the Rye Seniors Advocacy Committee and we appreciate all of the work you do to help enhance and enrich the lives of our senior citizens. We wish you continued success with the invaluable services you provide in Rye.

Best Regards,

Carolyn McGinnis and Anne O'Connell  
Co-Presidents  
The Woman's Club of Rye, Inc.



# CITY COUNCIL AGENDA

NO. 20

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Acceptance of the donation of a boat to the Rye Boat Basin Marina.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council adopt the following resolution:

Whereas, an anonymous donor desires to donate a 20-foot Continental boat to the Rye Boat Basin Marina; and

Whereas, the Marina staff has been without a work boat since the last one was approved for surplus at the July 13, 2016 City Council meeting; and

Whereas, the 20-foot Continental boat has an estimated value of \$2,500; 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 add the boat to the list of City assets.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** An anonymous donor has offered to donate a 20-foot Continental center console boat to the Rye Boat Basin Marina. The boat is without a motor; the Boat Basin staff will install the motor and controls from the previous work boat that was approved for surplus at the July 13, 2016 City Council meeting. The donation boat is equipped with a dual axle e-z loader roller trailer which will enable the boat to be used for marina operations such as moving floats and towing boats. The boat will also be utilized for oversight and management of the moorings in the outer harbor. The Marina staff has been without a work boat since the surplus of the previous boat. This donation will fill the current void as an overall work boat for the marina and outer harbor. The Marina staff would like to acknowledge the donation, despite the fact that the owner does not want any recognition for the gift, as it will be an asset in their work at the Marina.



# CITY COUNCIL AGENDA

NO. 21

DEPT.: Mayor

DATE: July 12, 2017

CONTACT: Mayor Joseph A. Sack

**AGENDA ITEM:** Six appointments to the Commission of Human Rights for a three-year term, by the Mayor with Council approval.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the appointments.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The following members are to be appointed to the Commission of Human Rights:

Emily Dorin

Kelly Grayer

Robert Marrow

Adrienne Mecca

Alison Cupp Relyea

Judith Secon



# CITY COUNCIL AGENDA

NO. 22

DEPT.: City Manager's Office

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Consideration of request to close a section of Purchase Street on Sunday, October 15, 2017 (rain date October 22), for events to be held in conjunction with the 65<sup>th</sup> Annual Halloween Window Painting Contest.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the City Council approve the request.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

Closing a section of Purchase Street for activities related to the Halloween Window Painting Contest will have minimal effect on the area.

**BACKGROUND:** The City Manager's Office received a request from the Recreation Department asking that Purchase Street, from the Square House (Boston Post Road) to Purdy Avenue, be closed from 8:00 am to 3:00 pm on Sunday, October 15, 2017 for the Annual Halloween Window Painting Contest. Special activities, including street entertainment from 10:00 am to 2:30 pm have been planned on Purchase Street during the day.

See attached.

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INTEROFFICE MEMORANDUM

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**TO:** MARCUS SERRANO, CITY MANAGER  
**FROM:** ERIN MANTZ  
**SUBJECT:** HALLOWEEN WINDOW PAINTING 2017  
**DATE:** JULY 5, 2017  
**CC:** SALLY ROGOL, SUPERINTENDENT

---

Rye Recreation would like to request closing of Purchase Street for the 65<sup>th</sup> Annual Celebration of the Halloween Window Painting Event. This year's event will take place on Sunday, October 15, 2017 with a rain date of Sunday, October 22, 2017.

- Closing of Purchase Street from the Square House (Boston Post Road) to Purdy Ave from 8:00 – 3:00 p.m. This will provide a safe place for the more than 1,200 youngsters and their families who participate in this event throughout the day.
- The closing of the street will be coordinated with the Rye Police Department so that all safety issues are taken into account. Rye/Port Chester EMS will be on stand-by during the day as well.
- On street entertainment will be performed between 10:00 – 2:30 p.m.

If you have any questions or concerns, please let me know.

Erin Mantz  
281 Midland Ave.  
Rye, NY 10580  
(914)967-2535  
emantz@ryeny.gov



# CITY COUNCIL AGENDA

NO. 23

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Consideration of a request by the Rye YMCA for the use of City streets for the 30<sup>th</sup> Annual Rye Derby on Sunday, April 28, 2018 from 9:00 a.m. to 2:00 p.m.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council consider granting the request.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**

The Rye YMCA is requesting the Council approve their use of City streets for the 30<sup>th</sup> Annual Rye Derby on Sunday, April 28, 2017 from 9:00 a.m. to 2:00 p.m.

See attached letter from Gregg Howells, YMCA Executive Director



FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

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President

Courtney Bennett  
Vice President

Patty Mosher  
Vice President

Lewis Nash  
Vice President

Frances A. DeThomas, Esq.  
Secretary

Caroline Scully  
Treasurer

Gregg R. Howells  
Executive Director

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#### TRUSTEE EMERITUS

Michael T. Tokarz

June 29, 2017

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

Dear Ms. D'Andrea:

We are writing to request permission from the City of Rye for use of city streets on Sunday, April 29, 2018 for the 30th Anniversary of the Rye YMCA Derby.

The five-mile run and 5K will start at 9:15 am and the one-mile "Family Fun Run" will begin at 11:15 pm, using the same course used last year. As always, the Rye Y will be the focal point of festivities before and after the race. This is a community event that attracts as many as 800 participants and several hundred spectators. The racecourse map from last year is enclosed.

Prior to race day, the Rye Y will provide a certificate of insurance naming the City of Rye as additionally insured for that day. We also have instructed our race advisors not to use paint or chalk on city streets and we will follow the course that has been agreed upon with the Rye City Police department for this race. Margaret Mead, our Race Director, will be coordinating her efforts with Lt. Scott Craig.

We would also like permission to restrict parking on Purchase Street between Purdy Avenue and Locust Avenue the morning of April 29 until 9:30am. Signs will be placed along Purchase Street to advise drivers. The safety of our runners is paramount and the beginning of the race is crowded, especially when there are cars parked on Purchase. The recent narrowing of Purchase Street will exacerbate this issue.

Thank you in advance for your consideration.

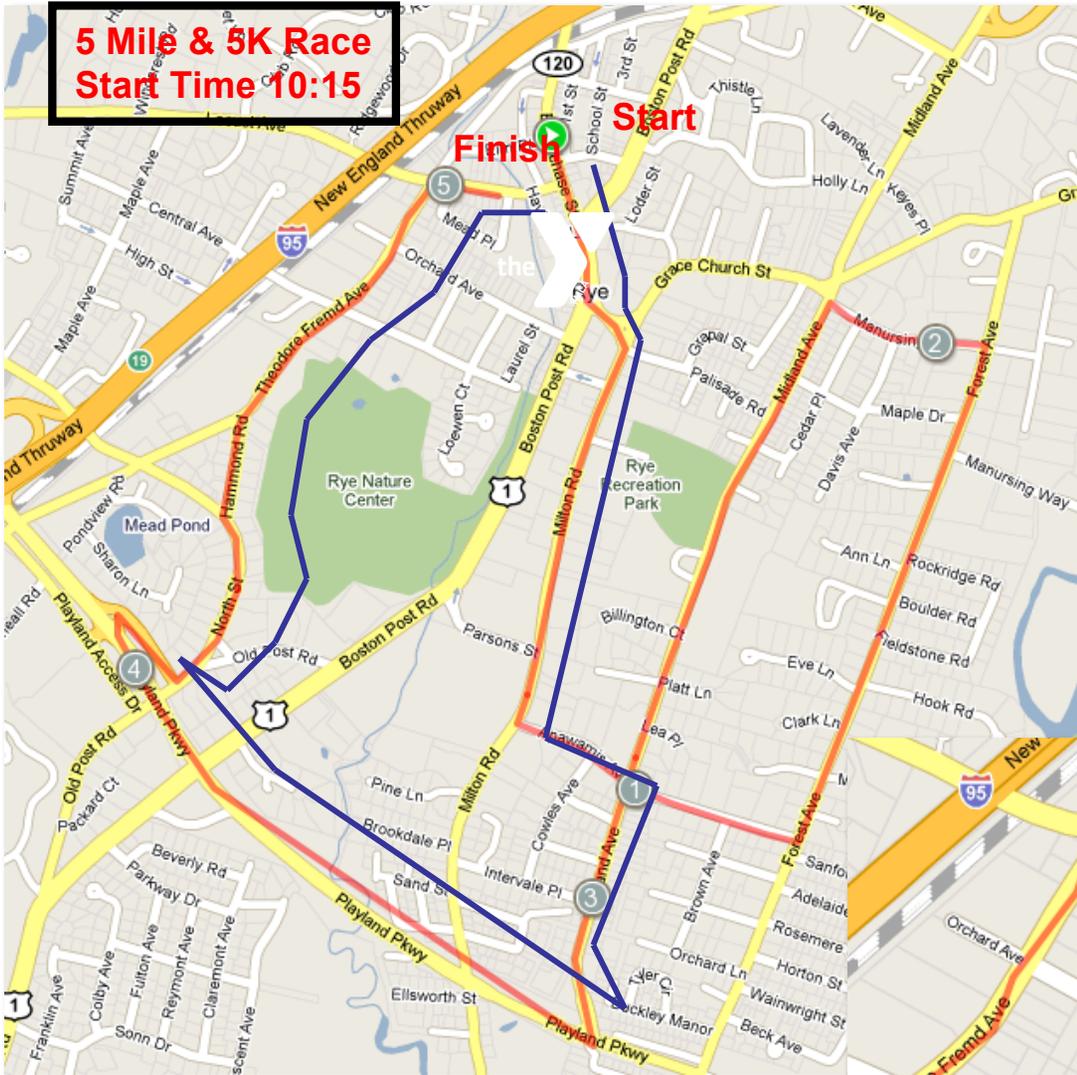
Sincerely,

Gregg Howells  
Executive Director

cc: Lt. Scott Craig, Eleanor Militana

GRH:mm

The Rye YMCA is a 501 c3 non-profit organization dedicated to strengthening the foundation of families and community.



**5 Mile & 5K Race**  
**Start Time 10:15**



**RYE YMCA**  
 21 Locust Avenue  
 Rye, NY  
 914-967-6363  
[www.ryeymca.org](http://www.ryeymca.org)



**Family Fun Race**  
**Start Time 12:15**

# The Rye Derby

- 5 Mile Race
- 5K Race



# CITY COUNCIL AGENDA

NO. 24

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Consideration of a request by Ivy Rehab Physical Therapy for the use of the Village Green for free yoga classes.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the City Council approve the request for use of the Village Green.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Debbie Bisaccia, the Director of Rehabilitation for IVY REHAB, has requested the use of the Village Green to hold a series of free yoga classes on the following dates:

Thursday August 17<sup>th</sup> from 6:00 to 7:00 p.m.

Thursday September 21<sup>st</sup> from 6:00 to 7:00 p.m.

Thursday October 19<sup>th</sup> from 6:00 to 7:00 p.m.

See attached request.

-----Original Message-----

From: Debra Bisaccia [mailto:dbisaccia@ivyrehab.com]

Sent: Friday, July 07, 2017 9:51 AM

To: Militana, Eleanor M. <emilitana@ryeny.gov>

Subject: Free POP UP YOGA EVENT series

Dear Mayor Sack:

I am writing to you to request permission to conduct a FREE yoga class for our community members on the Village Lawn on the following dates:

Thursday August 17<sup>th</sup> from 6:00 to 7:00 p.m.

Thursday September 21<sup>st</sup> from 6:00 to 7:00 p.m.

Thursday October 19<sup>th</sup> from 6:00 to 7:00 p.m.

The classes will enhance the well-being of our community and give people a positive movement experience with IVY REHAB.

All students will sign a waiver and class will be cancelled if there is inclement weather. I will provide extra yoga mats and compile a flyer if I have your approval.

I am excited to bring this FREE yoga wellness series to our community and truly appreciate your support with my endeavor.

Please contact me if you have any questions, comments or concerns at (914)844-8186.

Thank you!

Sincerely,

Debbie Bisaccia MSPT

Director of Rehabilitation IVY REHAB

SUP OM YOGA



# CITY COUNCIL AGENDA

NO. 25

DEPT.: City Manager

DATE: July 12, 2017

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Resolution to declare certain City of Rye vehicles and equipment as surplus.

**FOR THE MEETING OF:**

July 12, 2017

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the City Council adopt the following resolution:

WHEREAS, the City has been provided with a list of City equipment identified as being obsolete or will become obsolete during 2017, and,

WHEREAS, the City Engineer has recommended that said equipment from the departments of Public Works, Police, Recreation, and Fire be declared surplus, now, therefore, be it

RESOLVED, that said equipment are declared surplus, and, be it further

RESOLVED, that authorization is given to the City Comptroller to sell or dispose of said equipment in a manner that will serve in the best interests of the City.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other

**BACKGROUND:** The City Engineer has provided a list of vehicles and motorized equipment that is either currently obsolete or will become obsolete during calendar year 2017. This list is inclusive of the Departments of Public Works, Police, Recreation, Fire Department and Staff vehicles and equipment. The City Council is asked to approve that this equipment be declared as surplus.

See attached.

**CITY OF RYE, NY**  
**Department of Public Works**  
**Memorandum**

DATE: July 6, 2017  
TO: Marcus Serrano , City Manager  
FROM: Ryan Coyne, City Engineer  
RE: Surplus Vehicles and Equipment

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As discussed, we have developed a list of vehicles and motorized equipment that are no longer useful to City departments. This list is inclusive of the Departments of Public Works, Police, Recreation, Fire Department and Staff vehicles and equipment . We are requesting that the council deem these items as "surplus" so that we can proceed to auction.

Should you need additional information, please feel free to call me.

---

*Public Works*  
*141 Oakland Beach Avenue*  
*Rye, NY 10580*

*(914) 967-7464 phone*

*(914) 967-4107 fax*

**DPW:**

1998 chevy 2500 pickup 4x4 vin# 1GCGK24R7WE217585, mileage 92,847 (old tk22)  
1998 chevy 3500 pickup 2WD utility vin # 1GBGC34R9WE214551, mileage 113,250 (old tk23)  
1991 GMC top kick diesel vin# 1GDM7H1J5MJ500413, mileage 27,801 (old tk32)  
2001 Chevy 2500 HD pickup 4x4 vin# 1GCHK24U71E280901, mileage 118,608 (old tk14)  
2004 Chevy 2500 HD pickup 4x4 dump vin# 1GHK24U44E326074, mileage 87905 (old TK16)  
2005 International 4200 SAB LP 4x2 vin # 1HTMLAFL26H239966, mileage 47,782 (R-1)  
2003 Ford Crown Vic vin # 2FAFP71W93X137581, Mileage 120,330  
1992 Dynapac Roller CC101 Ser# 6131078, hours 1874  
1992 Eager Beaver trailer R6 vin # 122TAF145NL038914  
1988 Case Loader W20C, Ser# JAK0019355, hours 421  
Hobart Welder  
1993 Brush Bandit Model 200T Ser# F152252, hours 2469  
Coats 700 computerized tire balancer  
Toro mower 328D groundmaster 4wd, 577 hours  
Toro Aerator kohler 16 hp

**PD:**

2001 Ford Crown Vic vin # 2FABP7BVXBX156157, mileage 83130 (old car 16)  
2008 Ford Crown Vic vin# 2FAHGP71V18X131104, mileage 83,213 (old car 14)  
Rubber raft  
Mercury (old PB3)

**FD:**

2006 Chevy Tahoe 4x4 vin# 1GNEK13Z06R115788, mileage 151,535 (car2422)

**STAFF:**

1997 Chevy S-10 2wd pickup vin# 1GCCS1946V8183433, mileage 36,314 (mis)

**REC**

1998 Toro Cyclone 100 debris blower, S/N# 08857-80292  
2002 Dr. Chipper wood chipper 18 hp, S/N# 138530  
1990 Troy-bilt econo-horse tiller, S/N# 1136-D  
1991 Lesco Aertor-30, Mod# 008900 / briggs & Stratton 5hp eng S/N# AEG1770  
Meyer Nite Saber & Meyer E47 electro lift snow plow control system  
2003 Toro Sandpro 5020, S/N# 08886-230000245- Hrs 1365  
Sanborn Co. Air compressor, Mod# 84A100 S/N 52683 1hp  
1996 Yazoo SV30K1-2 30" walk behind mower, S/N 4F911142  
2002 Lok Box LB2T Enclosure (ASSE 1060) Class II  
Speedaire Sandblasting kit  
Pioneer athletics brite striper 1500 (paint machine), S/N 08025