

MINUTES of the Regular Meeting of the City  
Council of the City of Rye held in City Hall on February  
21, 1996 at 8:00 P.M.

PRESENT:

JAMES K. BURKE  
EDWARD J. COLLINS  
CAROLYN C. CUNNINGHAM  
ROBERT H. HUTCHINGS  
JOSEPH L. LATWIN  
Councilmen

ABSENT: EDWARD B. DUNN, Mayor  
KATHLEEN E. WALSH, Councilwoman

1. Roll Call

Acting Mayor Collins called the meeting to order; a quorum was present to conduct official City business.

2. Old Business

There was no old business discussed.

3. Residents may be heard who have matters to discuss that do not appear on the agenda

There were no residents present who had matters to discuss that did not appear on the agenda.

4. Report and recommendation of the Fanny Parsons Recognition Committee

Mrs. Edith Read, member of the Fanny Parsons Recognition Committee, said the committee (Mr. Arthur Stampleman, chair, Mrs. Diane Moran, and herself) recommends that the City Council consider replacing a tree on the Village Green on Arbor Day, April, 1996, in honor of Mrs. Fanny Parsons' gift of Lounsberry. She said Mrs. Parsons loved the outdoors and planting a tree would be most appropriate.

Mr. Arthur Stampleman respectfully requested that the City Council adopt a resolution approving the Committee's request.

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

**RESOLVED**, that the City Council authorizes implementation of the February 15, 1996 recommendation from the Fanny Parsons Recognition Committee which includes planting a tree on the Village Green honoring Mrs. Parsons on Arbor Day, 1996 and spending City funds of no more than \$1,000.00 in that connection.

ROLL CALL:

AYES: Councilmen Burke, Collins, Cunningham,  
Hutchings, and Latwin

NAYS:None

ABSENT: Mayor Dunn and Councilwoman Walsh

The resolution passed.

5. Authorization for the City Manager to enter into a contract for food service at the Rye Golf Club Snack Bar

City Manager Culross apprised the Council that the City of Rye received two proposals to operate the snack bar at the Rye Golf Club for the 1996 season. Both Nicholas, Inc. and Westchester Food Service were interviewed by the House Committee of the Rye Golf Club, the Superintendent of Recreation, the Golf Club Manager, and the City Manager. It was the unanimous opinion of the group to recommend that the City Council authorize the City Manager to enter into an agreement with Nicholas, Inc. to operate the snack bar at the Rye Golf Club for the 1996 season.

Councilman Burke made a motion, seconded by Councilman Hutchings, to adopt the following resolution:

**RESOLVED**, that the City Manager be, and is hereby authorized to enter into an agreement with Nicholas, Inc. to operate the snack bar at Rye Golf Club for the 1996 season.

ROLL CALL:

AYES: Councilmen Burke, Collins, Cunningham,  
Hutchings, and Latwin

NAYS:None

ABSENT: Mayor Dunn and Councilwoman Walsh

The resolution passed.

6. Resolution amending the 1996 Rye Nature Center Special Revenue Fund by increasing the revenue account and the expenditure account in the amount of \$7,500.00

Acting Mayor Collins explained that Harrison Central Schools' Agreement with the Rye Nature Center to provide programming for the four Harrison elementary schools was not confirmed prior to the 1996 budget process. Therefore, the City Council is being asked to modify the budget to include an increase in the Rye Nature Center's revenue and expenditure accounts.

Councilwoman Cunningham made a motion, seconded by Councilman Burke, to adopt the following resolution:

**RESOLVED**, that the City Council of the City of Rye hereby amends the 1996 Nature Center Budget as follows:

Increase Appropriation Revenues:

27.4.07.27.7730.2017-	Other Schools	\$7,500.00
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Increase Expenditure Account:

27.5.07.27.7730.1700-	Seasonal Help	\$7,500.00
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ROLL CALL:

AYES: Councilmen Burke, Collins, Cunningham,  
Hutchings, and Latwin

NAYS:None

ABSENT: Mayor Dunn and Councilwoman Walsh

The resolution passed.

Agenda items 7 and 8 were addressed together.

7. Consideration of proposed local law amending Chapter 197, Zoning, of the Code of the City of Rye with respect to increases in site plan modification fees
8. Consideration of proposed local law amending Chapter 170, Subdivision of Land, of the Code of the City of Rye with respect to increases in subdivision modification fees

Councilman Latwin explained that the current fee structure provides for some inequities with respect to applications for modifications. To correct these inequities, the Planning Commission has drafted two local laws. He respectfully requested that the City Council schedule these proposed local laws for a March 6, 1996 public hearing.

Councilman Latwin made a motion, seconded by Councilman Burke, to adopt the following resolution:

**WHEREAS**, proposed local laws entitled "A local law amending Chapter 170, Subdivision of Land, of the Code of the City of Rye, with respect to increases in subdivision modification fees" and "A local law amending Chapter 197, Zoning, of the Code of the City of Rye, with respect to increases in site plan modification fees" have heretofore been introduced at this meeting and placed before the Mayor and each Council Member, and

**WHEREAS**, it is now desired to call a public hearing on such proposed local laws, now, therefore, be it

**RESOLVED**, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on March 6, 1996, at 8:00 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed laws.

Section 2. Such notice of public hearing shall be in substantially the following form:

Notice of Public Hearing on Proposed Local Laws  
Amending Chapter 170 and Chapter 197 of the Code of the City of Rye  
with respect to fees

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 6th day of March, 1996, at 8:00 P.M. at City Hall, Boston Post Road, in said City, at which time interested persons will be afforded an opportunity to be heard concerning the proposed local laws entitled "A local law amending Chapter 170, Subdivision of Land, of the Code of the City of Rye with respect to increases in subdivision modification fees" and "A local law amending Chapter 197, Zoning, of the Code of the City of Rye with respect to increases in site plan modification fees". Said local laws would increase the application fees for extensions or reapprovals that have expired in proportion to the number of years that have elapsed since the approval expired.

Copies of said proposed local laws may be obtained from the office of the City Clerk.

City Clerk

Dated

ROLL CALL:

AYES: Councilmen Burke, Collins, Cunningham,  
Hutchings, and Latwin

NAYS:None

ABSENT: Mayor Dunn and Councilwoman Walsh

The resolution passed.

9. Consideration of the request of the Westchester Triathlon to use city streets for their 13th Westchester Triathlon on Sunday, August 18, 1996

A brief Council discussion focused on the Triathlon route, notifying the public about this event and referring this request to the Rye Fire Department.

Councilwoman Cunningham made a motion, seconded by Councilman Burke and unanimously carried, to approve the request of the Westchester Triathlon to use City streets for their 13th Westchester Triathlon on Sunday, August 18, 1996.

10. Bids for New Comfort Station for Rye Golf Course

City Manager Culross informed the Council that Contract 9510 (Comfort Station for the Rye Golf Club) was awarded to the Scavone Construction Corp. at the December 21, 1995 Council meeting. Although numerous attempts have been made on the part of the City, the contractor has failed to supply the City with the required bonds and insurances. The City Engineer is requesting that the City Council declare the Contractor, Scavone Construction Corporation in default and retain his bid security as liquidated damages. It is also recommended that the bid be awarded to the second lowest bidder P. Corsetti, Inc.

Councilman Burke made a motion, seconded by Councilman Hutchings, to adopt the following resolution:

**RESOLVED**, that the Rye City Council hereby declares the Contractor, Scavone Construction Corporation in default and is hereby retaining the bid security as liquidated damages.

ROLL CALL:

AYES: Councilmen Burke, Collins, Cunningham,  
Hutchings, and Latwin

NAYS:None

ABSENT: Mayor Dunn and Councilwoman Walsh

The resolution passed.

Councilwoman Cunningham made a motion, seconded by Councilman Burke to adopt the following resolution:

**RESOLVED**, that the award of Contract #9510 for the Comfort Station at Rye Golf Club be awarded to P. Corsetti, Inc., the second lowest responsible bidder meeting specifications in the amount of \$34,500.

ROLL CALL:

AYES: Councilmen Burke, Collins, Cunningham,  
Hutchings, and Latwin

NAYS:None

ABSENT: Mayor Dunn and Councilwoman Walsh

The resolution passed.

11. Draft unapproved minutes of the regular meeting held February 7, 1996

Councilman Latwin made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the minutes of the regular meeting of the City Council held February 7, 1996 as submitted.

12. Miscellaneous communications and reports

Councilwoman Cunningham informed the Council that on February 14, 1996, the Whitby Castle Committee televised an update on its progress for RCTV.

13. New Business

In response to Councilman Burke's query, City Manager Culross said the Rye retroactive pay will be finalized by March 26, 1996.

14. Adjournment

Councilman Hutchings made a motion, seconded by Councilman Burke and unanimously carried, to adjourn at 8:35 P.M.

Respectfully submitted,

Alice K. Conrad  
City Clerk