

MINUTES of the Regular Meeting of the City
Council of the City of Rye held in City Hall on October
16, 1996 at 8:00 P.M.

PRESENT:

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

ABSENT: KATHLEEN E. WALSH

1. Roll Call

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

2. Old Business

There was no old business to be discussed.

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

Mrs. Susan Fraser, Mrs. Robin Jovanovich, and Mrs. Susan Exum, representing residents of Hillside Avenue, Elizabeth Street, and Evergreen Avenue, approached the Council with their concerns regarding traffic and speeding in that area. Mr. Christopher Bradbury, assistant to the City Manager, reported that he had met with several residents and Mr. Scott Nelson, Headmaster of Rye Country Day School, to review their concerns about traffic safety. In light of the recent near-fatal accident in this neighborhood, the residents have respectfully requested that the City:

erect a four-way stop sign at Hillside and Grandview Avenues,
change Evergreen from Hillside to Grandview to a one-way street, and
change Elizabeth Street to Grandview Avenue to a one-way street.

The residents explained that there have been many accidents in this area because it is heavily trafficked. They voiced their concern for the safety of many children who live in this neighborhood.

City Manager Culross informed the Council that Police Commissioner Pease has increased enforcement and that several recommendations will be made at the next Council meeting.

4. Consideration of proposed local law amending Chapter 170, Subdivision of Land, of the Code of the City of Rye with respect to tree preservation plans

Mayor Dunn acknowledged the October 8, 1996, memo from the Planning Commission which stated that this proposed local law is responsive to the User Friendly Study Group's recommendation to give more responsibility for tree removal to the City staff and at the same time to be consistent with Rye's desire to protect valuable trees from needless removal solely for the purpose of construction convenience.

In response to Councilwoman Cunningham's question, City Manager Culross responded that including items a, b, and c in Section 10 of the proposed law would ensure that certain standards would be met.

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

WHEREAS, a proposed local law entitled, "A local law amending Chapter 170, Subdivision of Land, of the Code of the City of Rye with Respect to Tree Preservation Plans" has 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 law, 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 November 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 law.

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

Notice of Public Hearing on a Proposed Local Law
Amending Chapter 170, Subdivision of Land, of the Code of the City of Rye
with Respect to Tree Preservation Plans

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 6th day of November, 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 a proposed local law entitled "A local law amending Chapter 170, Subdivision of Land, of the Code of the City of Rye with Respect to Tree Preservation Plans". The proposed local law would delegate tree preservation plan modification authority to the City Planner.

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

Dated:

City Clerk

ROLL CALL:

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

NAYS: None

ABSENT: Councilwoman Walsh

The resolution passed.

5. Consideration of request from the United Way of Rye for permission to erect a sign on City property at Theodore Fremd Avenue and Purchase Street)

In an effort to reduce the amount of visual pollution in the City of Rye, Councilman Hutchings suggested that United Way of Rye consider erecting the sign for a shorter period of time instead of the usual seven-month period.

The consensus of the Council was to approve the request from United Way of Rye for permission to erect a sign on City property at Theodore Fremd Avenue and Purchase Street for this year since the campaign would commence within two weeks. For future requests, it was suggested that Councilman Hutchings discuss modifying the length of time for the sign with Mr. Robert Flanagan, president of United Way of Rye.

Councilman Latwin made a motion, seconded by Councilman Burke and unanimously carried, to approve the request of United Way of Rye to erect a fund raiser thermometer on Rye City property on the corner of Theodore Fremd Avenue and Purchase Street from mid-October, 1996 to late May, 1997.

6. Consideration of request from the Westchester County Department of Public Works, in cooperation with the Westchester Arts Council, to install directional guide signs to the Rye Arts Center

Mayor Dunn initiated a Council discussion on signs which had already been installed by the Westchester County Department of Public Works without permission from the City Council. Highlights of this discussion included:

Sending a strong letter of protest to Mr. Anthony Landi,
Commissioner of Public Works, about the installation of the
signs,

the City removing the signs,

that no precedent be established to allow signs between the Square House and Library Lane on the Boston Post Road,

ascertaining the position of the Rye Arts Center about signs for its organization, and

opposing the proliferation of signs.

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

RESOLVED, that the City Council of the City of Rye strongly objects to Westchester County Public Works installing signs without first obtaining permission from the City Council, and that the City of Rye will remove the signs installed by Westchester County, and be it further,

RESOLVED, that the City Manager discuss with Ms. Anne Bradner, Executive Director of the Rye Arts Center, her interest in having signs for the Center.

ROLL CALL:

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

NAYS:None

ABSENT: Councilwoman Walsh

The resolution passed.

7. One appointment to the Conservation Commission/Advisory Council to fill the unexpired term ending January 1, 1998 and one appointment to fill the unexpired term ending January 1, 1999, by the Mayor with Council approval

Councilman Collins made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve Mayor Dunn's appointment of Mr. Edward J. Stein to the Conservation Commission/Advisory Council to fill the unexpired term ending January 1, 1998, and Mayor Dunn's appointment of Mrs. Sheryl Kelly DeLeo to fill the unexpired term ending January 1, 1999.

8. One appointment to the Landmarks Advisory Committee to fill the unexpired term ending January 1, 1999, by the Mayor with Council approval

Councilwoman Cunningham made a motion, seconded by Councilman Collins and unanimously carried to approve Mayor Dunn's appointment of Mr. Eugene McGuire to the Landmarks Advisory Committee to fill the unexpired term ending January 1, 1999.

9. Draft unapproved minutes of the regular meeting of the City Council held October 3, 1996

Councilman Hutchings suggested posting a draft version of the City Council minutes on *Ryberspace*, the City of Rye's Web home page. Councilwoman Cunningham disagreed by stating that the minutes should not be available until they are reviewed and approved by the Council. It was agreed that this matter would be discussed at a future date.

Motion was made by Councilman Collins, seconded by Councilman Burke and unanimously carried, to approve the minutes of the regular meeting of the City Council held September 18, 1996 as submitted.

10. Miscellaneous communications and reports

A. Mayor Dunn acknowledged the October 1, 1996, letter from Mr. Arthur Stampleman regarding the City of Rye's investment policy. Mr. Stampleman's letter suggested that the City should consider limiting its deposits in the Hudson Valley Bank (HVB) and also reconsider the percentage of funds which can be deposited in any one bank.

City Manager Culross clarified that HVB is presently on the bid list and that there are no deposits in this particular bank. However, he explained that HVB is fully collateralized but not rated because it has no debt.

The Council asked the City Manager to review this matter and report back to the Council at the second meeting in January, 1997.

B. Mayor Dunn acknowledged the September 22, 1996, communication from Mr. Arthur Stampleman concerning the City of Rye's Home Page on the Internet.

City Manager Culross suggested that no changes be made to *Ryberspace*, the City's Web home page, until it has been in existence for five to six months.

C. Mayor Dunn apprised the Council that the previously approved payment to Rye Town Park of \$70,000 should have been \$70,467.

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

RESOLVED, that the City Council of the City of Rye hereby amends its previously approved payment of \$70,000 for the 1994 Rye Town Park deficit by an increase of \$467, making the final total \$70,467.

ROLL CALL:

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

NAYS: None

ABSENT: Councilwoman Walsh

The resolution passed.

Mayor Dunn updated the Council on the status of the Rye Town Park Commission. He made the following statements:

The Rye Town Park Commission is making some progress toward realistic budgeting and generating more revenue for Rye Town Park.

The 1995 unaudited deficit was \$75,000.

As of September 30, 1996, there was \$101,000 in capital expenditures. The estimated loss in 1996 is expected to be approximately \$115,000.

If the roof of the concession building is repaired, there would be a further expenditure of approximately \$60,000.

D. Mayor Dunn acknowledged the October 9, 1996 communication from the Village of Port Chester forwarding a resolution adopted by the Village of Port Chester's Board of Trustees concerning commercial fishing on Long Island Sound. This item will be on the November 6, 1996 agenda of the City Council meeting.

11. New Business

There was no new business to be discussed.

12. Adjournment

Councilman Burke made a motion, seconded by Councilman Collins and unanimously carried, to adjourn into executive session to discuss litigation at 9:15 P.M.

The Council reconvened at 10:00 P.M.

There being no further business to discuss, the meeting was adjourned at 10:05 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk