

MINUTES of the Regular Meeting of the City
Council of the City of Rye held in City Hall on May 21,
1997 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
KATHLEEN E. WALSH
Councilmen

ABSENT: None

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.

The following agenda item was taken out of order:

8. Consideration of request for creation of a Special Assessment Sewer District for Rockridge Road

City Manager Culross explained that the City Charter (Section C21-9) sets a limit to the amount of indebtedness that the City can incur without a referendum. He further explained that the City Engineer will review the plans and forward them to the Westchester County Department of Health for approval. In response to an inquiry from Councilman Hutchings, the City Manager explained that Scheme I would incorporate the use of gravity flow from the residences to a single pump station at the end of Rockridge Road, and Scheme II would incorporate the use of individual pumps in lieu of the pump station for those residences which cannot be accommodated by gravity flow. Since these residences are currently utilizing septic systems, it was the consensus of the Council to remove the septic systems and install a sewer system.

Mr. Ty Ralli, 11 Rockridge Road, apprised the Council that the residents in the neighborhood support the least expensive plan.

Councilman Collins made a motion, seconded by Councilman Hutchings and unanimously carried, to authorize the City Manager to take the necessary steps for the creation of a Special Assessment Sewer District for Rockridge Road.

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

Mr. Ti Gaspari, 165 Locust Avenue, suggested that the City seek historical landmark status for Whitby Castle and apply for federal grants to fund the renovation in order to reduce the cost of the proposed project. He expressed concern that a catering facility at Whitby could greatly increase traffic and impact the quality of life in the surrounding community.

Councilwoman Cunningham cited the fact that there are many restrictions involved with accepting grants, such as limitations on the use of the facility, contracts, and contractors.

Councilman Latwin was concerned that reducing the use of the Castle might mean that membership fees could increase dramatically.

Councilwoman Walsh expressed appreciation to Mr. Gaspari for his communication and assured him that she would respond to the details of his letter.

In closing, Mayor Dunn and the Council thanked Mr. Gaspari for his suggestions.

4. Authorization for the City Manager to enter into an agreement for the joint operation of a Cable Television Studio with the Rye City School District and authorization of an advance of \$62,000 from the General Fund to the Rye Community Television (RCTV) Special Revenue Fund and approval of an amendment to the Rye Community Television (RCTV) Special Revenue Fund in that amount

Councilman Hutchings was pleased that the Council is considering the proposed Memorandum of Understanding between the City of Rye and the Rye City School District for an intermunicipal agreement for the joint operation of a Cable Television Studio after seventeen months of research by the RCTV Excellence Committee.

A brief Council discussion focused on the acquisition and replacement of equipment and the necessity to advance funds to the RCTV Special Revenue Fund from the General Fund's unappropriated fund balance to implement this agreement.

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

RESOLVED, that the City Council of the City of Rye hereby authorizes the City Manager to enter into an agreement with the Rye City School District based upon the Memorandum of

Understanding between the City of Rye and the Rye City School District dated May 14, 1997; and be it further

RESOLVED, that the City Council authorizes an advance of \$62,000 from the General Fund to the Rye Community Television (RCTV) Special Revenue Fund to be repaid by May 31, 2000 with interest computed at an annual rate of 5.5%, and be it further

RESOLVED, that the 1997 Rye Community Television (RCTV) Special Revenue Fund be amended as follows:

Increase Revenues:

Advance from General Fund	\$ 62,000
PEG Access Payment	23,000
Appropriation of Fund Balance	<u>23,000</u>
	\$108,000

Increase Expenditures

Equipment	\$108,000
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ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution passed.

5. Endorsement of Memorandum of Understanding between the owners of certain multiple-family dwellings and their tenants for a two-year term expiring on June 30, 1999

City Manager Culross explained that this Memorandum of Understanding between the owners of certain multiple-family dwellings and their tenants authorizes the City Manager to serve as arbitrator, as has been past practice.

Councilman Collins made a motion, seconded by Councilwoman Walsh and unanimously carried, to approve the Endorsement of Memorandum of Understanding between the owners of certain multiple-family dwellings and their tenants for a two-year term expiring on June 30, 1999.

6. Acceptance of a grant to the Rye Police Department in the amount of \$3,500 from the Division of Criminal Justice Services of New York State for the purchase of police surveillance equipment and approval of an amendment to the 1997 Police Department Budget in that amount

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

RESOLVED, that the Council of the City of Rye hereby accepts the Surveillance Equipment Program grant in the amount of \$3,500 from the Division of Criminal Justice Services of New York State for the purchase of police surveillance equipment, and be it further

RESOLVED, that the 1997 fiscal operation budget be amended as follows:

Increase Estimated Revenues:

State Aid, Surveillance Equipment Program	\$3,500
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Increase Appropriations :

Investigation: Equipment	\$3,500
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ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution passed.

7. Authorization for the City Manager to enter into an agreement with Con Edison providing for a contribution from Con Edison to the City in the amount of \$16,000 for the relining of existing Adelaide Street storm drain and approval of an amendment to the 1997 Capital Projects Fund in that amount

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

RESOLVED, that the City Manager be and is hereby authorized to enter into an agreement with Con Edison providing for a contribution from Con

Edison to the City in the amount of \$16,000 for the relining of existing Adelaide Street storm drain, and be it further

RESOLVED, that the 1997 Capital Projects Funds budget be amended as follows:

13. Bids for Alterations to the Kitchen, Lounge and Office Area of the Damiano Recreation Center

The following bids were received:

Contract #9705
Alterations to the Kitchen, Lounge & Office Area
Damiano Recreation Center

NAME OF BIDDER	Security	Total Bid
N. Picco & Sons 154 E. Boston Post Road Mamaroneck, New York 10543	Bid Bond	\$78,700.00
Etre Associates 531 Fayette Avenue Mamaroneck, New York 10543	Bid Bond	\$55,000.00
K-Con 225 Orienta Avenue Mamaroneck, New York 10543	Bid Bond	\$55,079.72

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

RESOLVED, that the bid for Alterations to the Kitchen, Lounge and Office Area of the Damiano Recreation Center is hereby awarded to Etre Associates, lowest bidder meeting specifications, in the amount of \$55,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

14. Draft unapproved minutes of the regular meeting of the City Council held May 7, 1997

Councilman Collins made a motion, seconded by Councilman Burke and unanimously carried, to approve the minutes of the regular meeting of the City Council held May 7, 1997, as amended.

15. Miscellaneous communications and reports

A. Councilmen Collins and Hutchings presented a status report on the Friends of Whitby Castle. The original promotion plan had a budget of \$9,800 which has been reduced to \$4,000. However, an insert for promotion coverage in the Daily Item cost \$550. which has increased the budget to \$4,500. To date, the income is \$3,116. and the expenditures amount to \$533. An in-depth program to urge registered voters to support the June 17th referendum is in place. Councilman Hutchings enumerated several projects to support the referendum, such as:

- Fundraising letter
- Sign at Cross Street
- Thank you notes
- Postcards promoting the vote
- Absentee ballot and voter registration distribution
- Press insertions and releases
- Window posters for Central Business District
- Voter registration forms
- Coverage on RCTV
- Presentation projects to various organizations
- Question and Answer fliers
- Presentations to churches, clubs, etc.
- Phone Banks days (Friday, Saturday, and Monday prior to June 17, 1997)
- Feature articles and advertisements in Rye newspapers

B. Councilwoman Cunningham suggested that the Council ask the Beaver Swamp Brook Inter-Municipal Working Group to give a presentation on its "Beaver Swamp Brook Plan for Restoration and Permanent Protection". Councilwoman Walsh suggested asking the Conservation

Commission/Advisory Council for their comments regarding the Beaver Swamp Brook restoration project.

C. Councilman Latwin asked if the Police Department was now enforcing the no turn for trucks law on Peck Avenue. City Manager apprised the Council that additional signage was erected and the law is being enforced.

D. Councilman Latwin offered the proposed amendment to Chapter 197-47 of the Rye City Code regarding the display of parking decals.

Councilwoman Cunningham suggested changes to the proposed local law. The Corporation Counsel will draft a proposed local law before the next City Council meeting.

Councilwoman Walsh made a motion, seconded by Councilman Hutchings and unanimously carried, to adopt the following resolution:

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 June 18, 1997 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 Proposed Local Law
Amending Section 191-47 of the Rye City Code
to require the proper display of parking tags or licenses**

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 18th day of June, 1997, 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 law entitled "A local law amending Section 191-47 of the Rye City Code to require the proper display of tags or licenses for parking in the City of Rye".

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

Dated:

City Clerk

E. Councilwoman Walsh reported that the Planning Commission discussed the possibility of hiring a consultant to work on a coordinated review of the Village Green issues from the City's perspective. She and the City Planner will work on the scope of services and seek three quotes which will be presented to the City Council at a future Council meeting.

F. Mayor Dunn informed the Council that Mrs. Constance Macleod has received a \$5,000 grant to help fund a First Night New Year's Eve celebration in the City of Rye. She requested that the Mayor write a letter of support to the National First Night. It was decided to discuss the matter with Mrs. Macleod to apprise her about possible expenses which may be incurred by using city services.

G. Mayor Dunn discussed the claim of Mr. Steven Snyder and Mrs. Janet Whitney-Snyder arising from the sale of the Parsons property. The Council and the staff's discussion concluded there was no basis for this claim.

H. Mayor Dunn reported that the Rye Town Park Commission rescinded the proposed \$0.25 fee for senior citizens. He stated that free passes will be issued and that a \$3 parking fee will be charged. Additionally, there will be a review of the 1997 operating budget at the next Rye Town Park Commission meeting.

I. The Council had a discussion with the Corporation Counsel concerning litigation surrounding the gift of a bench at the corner of Purchase Street and Highland Road.

J. Councilwoman Walsh informed the Council that the Black Bass Restaurant will ask the Council's approval for a license for seasonal outdoor seating at the June 18, 1997 Council meeting.

K. In reference to the Boston Post Road Beautification Program, City Manager Culross informed the Council that the Beverage Mart is unhappy with the expense of this project. The consensus of the City Council was that this project will benefit the entire community as well as the Beverage Mart.

16. New Business

There was no new business to be discussed.

17. Adjournment

Councilman Collins made a motion, seconded by Councilwoman Walsh and unanimously carried, to adjourn the meeting at 9:45 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk