

MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on August 13, 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. Presentation of Distinguished Service Awards

Mayor Dunn commended the members of the RCTV Commission for their efforts, both in protecting the City's interests during franchise negotiations and in promoting cable television in Rye.

Mayor Dunn presented Distinguished Service Awards to the following members of the RCTV Commission:

Mr. John Gregg, Chairman
Mrs. Marjorie Bancel
Mrs. Doris Blank

Mr. Mark Jamison
Mr. Robert Connor

2a. Presentation of the City of Rye's Hurricane Coastal Storm Emergency Response Plan

Mr. H. Kennedy Bergmann informed the Council that the City of Rye's Hurricane/Coastal Storm Emergency Response Plan (The Plan) represents over a year's preparation with the assistance of the New York State Emergency Management Office (SEMO), the Westchester County Office of Disaster and Emergency Services, and various City agencies. Mr. Edward Jacoby, Director of SEMO, explained that the formulation of this Plan is a very important step in protecting the community in times of disaster. Mr. Jacoby thanked City Manager Culross, Police Commissioner Pease, Mr. Bergmann, Bay Constable Robert Chittenden, and all others involved for their efforts.

Mr. Bergmann explained that the Plan has been reviewed by all involved groups and was the subject of a "table top" exercise at Fire Headquarters on July 12, 1997. He told the Council that all agencies worked together to achieve a high level of disaster preparedness in the community, adding that Rye's plan can serve as a prototype for other Sound Shore Communities. The Plan, he said, is not confined to weather emergencies.

The Mayor and members of the Council expressed their appreciation to everyone and commended the City Manager, Mr. Bergmann, Mr. Jacoby, and Mr. Liam Murphy, representative of the Westchester County Office of Disaster and Emergency Services, for their interest in the City of Rye and their expertise in mitigating disaster.

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

RESOLVED, that the City Council of the City of Rye hereby endorses the City of Rye Hurricane/Coastal Storm Emergency Response Plan dated August, 1997.

3. Old Business

Councilman Latwin expressed regret that Rye has been the subject of a partisan political attack that the City of Rye is not in compliance with the laws regulating sewage. Councilman Latwin acknowledged receipt of the August 12, 1997 letter from the New York State Department of Environmental Conservation stating that the City of Rye is not in violation of any laws regarding the treatment or disposal of sewage. Councilman Latwin added that Rye has a long-standing commitment to the environment.

The following agenda items were addressed simultaneously:

4. Public hearing on proposed local law amending Chapter 170, Subdivision of Land, of the Code of the City of Rye with respect to consulting fees
5. Public hearing on proposed local law amending Chapter 195, Wetlands and Watercourses, of the Code of the City of Rye with respect to consulting fees
6. Public hearing on proposed local law amending Chapter 197, Zoning, of the Code of the City of Rye with respect to consulting fees

7. Public hearing on proposed local law amending Chapter 73, Coastal Zone Management, of the Code of the City of Rye with respect to consulting fees

Mayor Dunn opened the public hearings.

In response to an inquiry from Mr. James Ford, 360 Midland Avenue, Councilwoman Walsh explained that the purpose of the proposed local laws is to establish a procedure for the Planning Commission to have applicants pay the cost of necessary reviews in order for the Commission to arrive at a determination. This would remove the cost from the taxpayers and place it on the applicant.

Mayor Dunn adjourned the public hearings to the September 10, 1997 Council meeting since the Corporation Counsel did not have an opportunity to review the amendments to the draft local laws proposed by Councilwoman Cunningham.

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

Mrs. Gretchen Pulverman, 15 Purchase Street, expressed concern for pedestrian safety at the Metro North railroad station. She added that sidewalks could be constructed from the station to Purchase Street. Additionally, Mrs. Pulverman asked if the potholes on Purchase Street could be repaired.

Mayor Dunn referred Mrs. Pulverman's concerns to the City Manager for review and recommendations.

9. Discussion of proposed Rockridge Road sanitary sewer

City Manager Culross explained that eight resident property owners of Rockridge Road requested the creation of a special assessment district for the purpose of installing a sanitary sewer to serve their properties. Previously, the Council referred this matter to the City staff for a report and recommendation.

The City Manager, City Engineer, and Corporation Counsel reviewed this matter. The City Manager and City Engineer have met with Mr. Rudolph Petruccelli of Petruccelli Engineering, who prepared preliminary cost estimates and sketches for the residents.

The City Manager recommended the following:

1. The eight property owners should be asked to confirm their continuing interest by executing a petition in a format approved by the Corporation Counsel acknowledging the information contained in this report and any action taken by the City Council.
2. If such continued interest exists, a special assessment sewer district should be created including the eight properties on Rockridge Road that would share equally in the cost of the improvements within the City's right-of-way based upon the actual cost of such improvements.

3. The City of Rye should engage Petruccelli Engineering to proceed with the sewer design and construction plans based upon Scheme II (no pump station). The preliminary engineer's estimate prepared by Petruccelli Engineering indicates a total cost of \$220,475 of which approximately \$63,750 is for house services and sewage ejection pumps. The sewer district would only include work done within the street right-of-way. Consequently, a substantial portion of the house service costs and the ejector pumps would not be included. The sewer district costs would be approximately \$180,000 based upon these preliminary estimates. The balance of the work would be the direct responsibility of the affected property owner.
4. Payment for the cost of the improvements undertaken by the Special Assessment Sewer District should be payable in up to ten (10) equal annual installments at an interest rate to be determined by the City Council. Section 165-57 of the Code of the City of Rye establishes ten (10) years as the maximum period for such payments and establishes an interest rate of 6% or such other rate as the City Council may determine. Depending upon actual costs and the interest rate established, it is estimated that the cost to each property owner of the improvements made by the sewer district to be \$22,500 or approximately \$3,100 per year.
5. The City Council should establish a project budget of \$180,000 in the Capital Projects Fund and transfer \$180,000 from the General Fund's fund balance for this purpose.

Mrs. Susan Bragg, Mrs. Mary Partington, and Mr. Ty Ralli, residents of Rockridge Road, requested that the payment terms be extended to twenty annual payments.

The City Council discussed legal issues surrounding extending the payment terms.

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

WHEREAS, residents of Rockridge Road have petitioned the City Council for the formation of a Special Assessment District to provide a branch sewer improvement, and

WHEREAS, the proposed district would include eight residential properties on Rockridge Road as benefited properties to be assessed for the proposed improvement, and

WHEREAS, the proposed improvement would include construction of a branch sewer line in Rockridge Road at an estimated cost of approximately \$180,000.00, which cost would be assessed against the eight benefited properties, and

WHEREAS, it is desired to call a public hearing on the proposal to form such Special Assessment District, now, therefore, be it

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

Section 1. Pursuant to applicable State and local law, a public hearing will be held by the Council of said City on September 10, 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 the proposal to form a Special Assessment District to fund the construction of a sewer line improvement in Rockridge Road.

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

**Notice of Public Hearing on Proposal to create
a Special Assessment District to provide public sewer facilities for residences**

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 10th day of September, 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 proposal to create a Special Assessment District to provide public sewer facilities for eight residences on Rockridge Road.

Copies of said proposal with accompanying maps may be obtained from the office of the City Clerk.

Dated:

City Clerk

The following agenda item was taken out of order:

11. Authorization to expend \$50,000 from the Building and Vehicle Maintenance Internal Service Fund to undertake a Public Safety Facility Master Plan

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

RESOLVED, that the City Council of the City of Rye hereby closes the 1996 Locust Avenue Firehouse Stabilization project, and be it further

RESOLVED, that the available appropriation of \$50,000 from said project be transferred to fund a new project entitled the 1997 Public Safety Facility Master Plan, and be it further

RESOLVED, that the City Manager be and is hereby authorized to expend \$50,000 to undertake a Public Safety Facility Master Plan as outlined in his memo dated August 7, 1997.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

10. Consideration of proposed local law amending the Charter of the City of Rye to provide a special assessment district exception to debt limits contained in Section C21-9

Corporation Counsel Gardella said that under State law, this proposed local law is subject to a permissive referendum.

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

WHEREAS, a proposed local law entitled "A local law amending the Charter of the City of Rye to provide a special assessment district exception to debt limits contained in Section C21-9" has heretofore been introduced at this meeting and placed before the Mayor and each Councilman, 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 Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on September 10, 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 the Charter of the City of Rye to provide a special assessment
district exception to debt limits contained in Section C21-9**

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 10th day of September, 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 the Charter of the City of Rye to provide a special assessment district exception to debt limits contained in Section C21-9.

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

Dated: City Clerk

12. Consideration of proposed local law adding a new Chapter, Chapter 196, Wireless Telecommunications Facilities, to the Code of the City of Rye for the purpose of permitting and regulating wireless telecommunications

Councilman Latwin explained that this new chapter would establish a procedure to regulate cellular antennae in certain areas. Such structures would be subject to BAR review so that they are not substantially visible from neighboring properties, and would be subject to site plan approval for certain facilities in B-4 and B-5 zones. Councilman Latwin added that, in general, this chapter would regulate the location and aesthetics of these antennae.

Mr. James Ford, 360 Midland Avenue, commented on the current plan in New York City. Councilman Latwin explained that this proposal is quite similar.

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

WHEREAS, a proposed local law entitled "A local law adding a new Chapter, Chapter 196, Wireless Telecommunications Facilities, to the Code of the City of Rye for the purpose of permitting and regulating wireless telecommunications" has heretofore been introduced at this meeting and placed before the Mayor and each Councilman, 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 September 10, 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
adding a new Chapter, Chapter 196, Wireless Telecommunications Facilities, to the Code
of the City of Rye for the purpose of permitting and regulating wireless
telecommunications**

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 10th day of September, 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 adding a new Chapter, Chapter 196, Wireless Telecommunications Facilities, to the Code of the City of Rye for the purpose of permitting and regulating wireless telecommunications."

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

Dated:

City Clerk

13. Consideration of proposed local law amending Chapter 197, Zoning, of the Code of the City of Rye for the purpose of including provisions relating to wireless communications

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

WHEREAS, a proposed local law entitled "A local law amending Chapter 197, Zoning, of the Code of the City of Rye for the purpose of including provisions relating to wireless communications" has heretofore been introduced at this meeting and placed before the Mayor and each Councilman, 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 Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on September 10, 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 Chapter 197, Zoning, of the Code of the City of Rye
for the purpose of including provisions relating to wireless communications**

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 10th day of September, 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 Chapter 197, Zoning, of the Code of the City of Rye, for the purpose of including provisions relating to wireless communications".

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

Dated: City Clerk

14. Consideration of proposed local law amending Article 10, Department of Finance, of the Charter of the City of Rye to provide for a Deputy Comptroller

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

WHEREAS, a proposed local law entitled "A local law amending Article 10, Department of Finance, of the Charter of the City of Rye to provide for a Deputy Comptroller" has heretofore been introduced at this meeting and placed before the Mayor and each Councilman, 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 September 10, 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 Article 10, Department of Finance, of the Charter of the City of Rye
to provide for a Deputy Comptroller**

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 10th day of September, 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 Article 10, Department of Finance, of the Charter of the City of Rye to provide for a Deputy Comptroller."

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

Dated:

City Clerk

15. Consideration of proposed local law amending Chapter 191 of the Code of the City of Rye for the purpose of establishing certain no left-hand turn restrictions from the Osborn School driveway onto the Boston Post Road

City Manager Culross reported that the Superintendent of Schools has requested that left hand turns be prohibited from the Osborn School driveway exit on the Boston Post Road on Monday through Friday during the school year. It is recommended that Section 191-9, Left Turns, of the Code of the City of Rye be amended to prohibit left turns from the Osborn School driveway exit on the Boston Post Road from 8:00 a.m. to 9:00 a.m. and from 2:30 p.m. to 3:30 p.m. when school is in session.

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

WHEREAS, a proposed local law entitled "A local law amending Chapter 191 of the Code of the City of Rye for the purpose of establishing certain no left-hand turn restrictions from the Osborn School driveway onto the Boston Post Road" has heretofore been introduced at this meeting and placed before the Mayor and each Councilman, 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 Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on September 10, 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 Chapter 191, of the Code of the City of Rye
for the purpose of establishing certain no left-hand turn restrictions from the
Osborn School driveway onto the Boston Post Road**

Notice is hereby given that a public hearing will be held by the Council of the City of Rye on the 10th day of September, 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 Chapter 191, of the Code of the City of Rye for the purpose of establishing certain no left-hand turn restrictions from the Osborn School driveway onto the Boston Post Road"

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

Dated: City Clerk

City Manager Culross added that the sign would be posted in time for the September 2, 1997 opening of school, but that this traffic rule would not be enforceable until after the local law is adopted.

16. Approval of an amendment to Section 191-14 of the Code of the City of Rye to prohibit parking on the south side of Parsons Street between the Middle School and High School driveways from 7:30 a.m. to 8:30 a.m.

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

RESOLVED, that the City Manager be and is hereby authorized to amend Section 191-14 of the Code of the City of Rye to prohibit parking on the south side of Parsons Street between the Middle School and High School driveways from 7:30 a.m. to 8:30 a.m.

City Manager Culross added this amendment would have no impact on the church, as there is no parking allowed there except on Sundays.

17. Acceptance of a New York City Environmental Fund Grant to the Rye Nature Center in the amount of \$12,500 to construct a boardwalk and teaching platform on the Center's Nanderwhere Pond

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

RESOLVED, that the Council of the City of Rye accepts the New York City Environmental Fund Grant to the Rye Nature Center in the amount of \$12,500 to construct a boardwalk and teaching platform on the Center's Nanderwhere Pond and amends the 1997 Budget as follows:

Increase Estimated Revenues	27.4.07.27.7730.2707
Increase Appropriations	27.5.07.27.7730.2650

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

18. Appointment of one member to the Emergency Medical Services Committee for a three-year term ending June 30, 2000

Councilman Latwin made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the appointment of Mr. John W. Reavis, Jr., to the Emergency Medical Services Committee for a three-year term ending June 30, 2000.

19. Adoption of corrected 1997/1998 tax levy for the Rye Neck Union Free School District

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

WARRANT FOR SCHOOL TAXES
RYE NECK UNION FREE SCHOOL DISTRICT

TO: Michael A. Genito, Comptroller of the City of Rye

WHEREAS, the lawful authorities of the Rye Neck Union Free School District have fixed the amount of taxes to be raised for said district for the fiscal year beginning July 1, 1997 and ending June 30, 1998, in the amount of \$12,370,767.00 and have duly apportioned to the parts of said district lying within the City of Rye the amount of \$3,071,493.00 and they have established a tax rate in the amount of \$247.097 per \$1,000 of assessed value, for the levy of the aforesaid School District taxes for the parts of said district lying within the City of Rye.

NOW, THEREFORE, in pursuance with the relevant provisions of the City Charter, you are hereby commanded to collect the taxes in the amount of \$3,071,493.00 from the part of Rye Neck Union Free School District lying within said City, at the rate of \$247.097 per \$1,000 of assessed value as fixed by the City Council.

IN WITNESS WHEREOF, the Council of the City of Rye has caused this warrant to be signed by its Mayor and the corporate seal of the City to be affixed hereto this 14th day of August, 1997.

MAYOR, CITY OF RYE

Attest:

City Clerk

ROLL CALL:

AYES: Mayor Dunn, Councilmen Burke, Collins, Cunningham,
Hutchings, Latwin, and Walsh
NAYS: None
ABSENT: None

The resolution passed.

20. Consideration of request from residents of Overlook and Hayward Place for controlled traffic on Saturday, September 6, with a rain date of Sunday, September 7, 1997

Councilman Latwin made a motion, seconded by Councilwoman Walsh and unanimously carried, to approve the request from residents of Overlook and Hayward Place for controlled traffic on Saturday, September 6, 1997, with a rain date of Sunday, September 7, 1997.

21. Consideration of the request of the American Diabetes Association to use city streets for their Walktoberfest on Sunday, October 5, 1997

Councilwoman Cunningham made a motion, seconded by Councilman Burke and unanimously carried, to approve the request of the American Diabetes Association to use city streets for their Walktoberfest on Sunday, October 5, 1997.

22. Consideration of the request of the Midland School PTO to use city streets for their Midland School Parade on Saturday, April 4, 1998

Due to a potential program conflict, the Council did not vote on this agenda item.

23. Bids for Street Resurfacing

The following bids were received:

STREET RESURFACING

Contract No. 9703

NAME OF BIDDER	BID SECURITY	AMOUNT BID
ELQ Industries, Inc. 531 Fayette Avenue Mamaroneck, NY 10543	Bid Bond	\$261,437.00
Columbus Construction Corp. 711 So. Columbus Avenue Mt. Vernon, NY 10550	Bid Bond	\$294,600.00
Bilotta Construction Corp. 162 Crotona Avenue Harrison, NY 10528	Bid Bond	\$283,180.00

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

RESOLVED, that the City Council hereby awards Contract #9703, Street Resurfacing, to ELQ Industries, Inc., the low bidder in the amount of \$261,437.00.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

24. Bids for Cured-in-Place Lining of Storm Drain on Adelaide Street

City Manager Culross requested to defer action on this item pending additional review.

25. Bids for Midland Avenue Tennis Court Resurfacing on Courts #1 and #2 at Rye Recreation Park

The following bids were received:

**Midland Avenue Tennis Courts
 #1 & #2 Resurfacing**

Contract No. 9710

NAME OF BIDDER	BID SECURITY	AMOUNT BID
Oval Tennis, Inc. PO Box 189 Somers, New York 10589	Certified Check \$1,650.00	\$32,200.00
DeRosa Tennis Contractors, Inc. PO Box 430 Mamaroneck, New York 10543	Bid Bond	\$25,700.00
Peter J. Landi, Inc. 249 Main Street Eastchester, New York 10709	Bid Bond	\$33,500.00

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

RESOLVED, that the City Council hereby awards Contract #97-10, Midland Avenue Tennis Court Resurfacing on Courts #1 and #2 at Rye Recreation Park to DeRosa Tennis Contractors, Inc., the low bidder in the amount of \$25,700.00.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

26. Draft unapproved minutes of the regular meeting of the City Council held July 16, 1997

Motion was made by Councilman Collins, seconded by Councilwoman Walsh and unanimously carried, to approve the minutes of the regular meeting of the City Council held July 16, 1997 as amended.

27. Miscellaneous communications and reports

A. Councilwoman Cunningham referenced the June 22, 1997 article in the Gannett Suburban Newspapers entitled Car theft soars in village; residents urged to join CAT. City Manager Culross said that the Police Department is researching the many different aspects of this type of program

B. Councilwoman Walsh informed the Council that she contacted Mr. George Raymond who will address the City Council on affordable housing allocations at a future Council meeting.

C. Councilman Hutchings commended the City Manager for following up on the repairs of the police booth at Cross Street and Boston Post Road.

D. In response to Mayor Dunn's inquiry on the status of High Point Village Planned Unit Development, Councilwoman Cunningham said a public hearing has been scheduled for August 19, 1997 at 7:30 P.M. in the Rye Brook Village Hall. City Manager Culross apprised the Council that Rye Brook has accepted the City Council's concerns and incorporated them into the documents.

E. Mayor Dunn acknowledged the receipt of the management letter from the City auditors. City Manager Culross reported that an Audit Committee meeting with the City auditors is scheduled for August 21, 1997.

F. Mayor Dunn thanked the City Manager for the timely submission of the Interim Financial Report.

G. Councilwoman Cunningham reported that there have been many complaints from residents about the noise of the fireworks at Playland Park. Mr. Christopher Bradbury, Assistant to the City Manager, told the Council that in previous meetings, Playland seemed receptive to moving the fireworks back to 9:30 P.M. next season to mitigate the adverse noise impact on the community. Councilwoman Cunningham made a motion, seconded by Councilman Hutchings and unanimously carried, to adopt the following resolution:

RESOLVED, that the City Council respectfully requests that Playland Amusement Park begin all fireworks displays no later than 9:30 P.M. rather than 10:00 P.M., and be it further

RESOLVED, that Playland take any additional actions to help mitigate the noise impacts to Rye residents.

28. New Business

There was no new business to be discussed.

29. Adjournment

There being no further business to discuss, Councilman Burke made a motion, seconded by Councilman Collins and unanimously carried, to adjourn the meeting at 10:10 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk