

MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on October 22, 1997 at 8:00 P.M.

PRESENT:

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

ABSENT: EDWARD B. DUNN, Mayor

1. Roll Call

In the absence of Mayor Dunn, Councilman Latwin served as Acting Mayor.

Acting Mayor Latwin called the meeting to order; a quorum was present to conduct official City business. Acting Mayor Latwin welcomed employees from the Public Works, Police, and Fire Departments.

2. Old Business

Councilman Hutchings reported that he is still trying to recruit candidates for the Rye Cable Television Committee. He said that attention is being focused on Rye residents who have expertise in the television industry. Prior to the meeting, he circulated biographies of those who have expressed interest in the committee and indicated that all have some experience in the television industry. He added that the main objective of this Committee would be to improve programming rather than working in a managerial capacity. He expressed the hope that appointments to this committee would be placed on the agenda for the next City Council meeting.

Councilwoman Cunningham suggested that it might be feasible to recruit members of the former RCTV Commission who are interested and have expertise in franchise and management aspects.

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

There were no residents who wished to be heard.

4. Approval of a supplemental appropriation of \$43,155 in the DePauw Municipal Boat Basin Fund for engineering services to evaluate and design a sediment control system for the Boat Basin and authorization for the City Manager to enter into an agreement with Ocean and Coastal Consultants Inc. to provide engineering services related to the design of a sediment control system and preparation of required regulatory permits for the installation of that system at an estimated cost of \$43,155

Mr. Peter Fox, Supervisor of the DePauw Municipal Boat Basin, explained that there is an ongoing siltation problem at the Boat Basin. During the past eight months, there has been a number of engineering professionals studying the problem, all of whom indicated that some type of viable alternative to dredging could be done. He respectfully requested approval to use retained earning funds for the consultants who will provide professional engineering services related to the Sediment Control Project. It is the Boat Basin Commission's recommendation to secure the services of Ocean and Coastal Consultants, Inc., a firm that comes highly recommended.

City Manager Culross explained that the project will be done in incremental steps and there is a possibility that the total cost could be less than projected.

Councilman Burke commended Mr. Fox and the Boat Basin Commission for taking this proactive step. He said it is unfortunate that there is a great amount of pollution in Blind Brook.

Councilman Collins commended the Commission for taking fiscal responsibility for this project.

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

RESOLVED, that the 1997 Boat Basin budget be amended by increasing appropriations in the Boat Basin dredging Project, account 61.5.07.61.6110.2055 in the amount of \$43,155, to provide for engineering services related to the design for installation of a sediment control system for the Boat Basin, and be it further

RESOLVED, that this increase in appropriations be funded by the use of Boat Basin Fund retained earnings, and be it further

RESOLVED, that the City Manager is hereby authorized to enter into an agreement with Ocean and Coastal Consultants, Inc., to provide engineering services related to the design of a sediment control system and preparation of required regulatory permits for the installation of that system at an estimated cost of \$43,155.

ROLL CALL:

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

The resolution passed.

5. Consideration of request of the American Legion Rye Post to place a time capsule at the Veterans' Memorial next to City Hall

Acting Mayor Latwin described the Veterans' memorial time capsule in Stamford, Connecticut. He explained that each Memorial Day, relatives of local veterans who had died in the past year and/or veterans who had not been previously honored, will place their loved one's dog tags or replicas into the capsule. The American Legion Rye Post is requesting that Rye consider a similar time capsule for its veterans.

Councilman Hutchings had no objections to having a time capsule, however, he expressed concern about the aesthetic impact at the City of Rye War Memorial. He recommended seeing a drawing of what is being proposed for the City of Rye before making a decision.

City Manager Culross said this type of memorial would have little aesthetic impact because it would be underground with only a tablet visible above ground.

Acting Mayor Latwin will continue to research this matter and try to submit a rendering of the proposed capsule for the Council's review.

6. Consideration of revised Guidelines for Use of City Streets

Councilman Hutchings acknowledged the receipt of the revised "Guidelines for Use of City Streets" which incorporated the changes suggested at the October 8, 1997, Council meeting. These changes included using children's chalk instead of aerosol chalk, cleaning-up immediately after an event, imposing a penalty for failure to do so, and not nailing or tacking any signs to trees.

Councilwoman Cunningham made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the amended Guidelines for use of City streets:

GUIDELINES FOR USE OF CITY STREETS

The City annually receives several requests from various not-for-profit organizations wishing to use City streets for events. These events usually take place on weekends. While all of the requests are for worthy causes, the City has developed the following guidelines to maintain the quality of life for Rye residents.

1. Organizations interested in using City streets shall send a letter to the City Manager requesting the event date, starting and ending time, a description of the course to be followed, the exact streets which will be used, and the anticipated attendance.
2. The organization's letter will be forwarded to the Police Department who will make any comments or recommendations, and will indicate the amount of police coverage needed to maintain a safe event.
3. The organization's request and the Police Department's recommendation will be provided to the City Council who will consider authorizing the use of the City streets.
4. For organizations not located in Rye, all costs relating to police coverage will be absorbed by the organization based upon the Police Department's recommendation.
5. All organizations may not begin an event prior to 9:00 a.m. and must conclude any event by 4:00 p.m.
6. All organizations must provide a certificate evidencing \$1,000,000 liability coverage with the City named as an additionally insured and a hold harmless clause indemnifying the City of Rye against claims and judgments resulting from the use of City property for the event.

7. All organizations must assume responsibility for the clean-up immediately following the event. No aerosol chalk, or paint, either temporary or permanent may be used on the street surface to indicate the course to be followed. If City properties are not cleaned, immediately after the event, to the City's satisfaction, the City will arrange for the clean-up and charge the organization holding the event for the full cost of this service. Failure to comply with this section, could result in not being permitted to use City streets for the following year.
8. No signs are to be nailed, tacked or stapled to trees. Signs may be tied to trees and then removed immediately after the event.
9. In the interest of safety, all organizations must make arrangements to keep at least one traffic lane open on each street throughout the event for the use of emergency vehicles.
10. The use of sidewalks should be required whenever possible.

7. Consideration of proposed amendments to Rules of the Building Inspector

Acting Mayor Latwin acknowledged the October 9, 1997 memo from Building Inspector, Vincenzo Tamburro, proposing amendments to the Building Inspector's Rules by adding two new subsections to A201-6. These changes in the rules of the Building Inspector require the approval of the City Council. The proposed two new sections would require (if the Building Inspector deems necessary) a survey showing the true location of foundation walls with respect to the lot lines of the lot and top of foundation elevation in respect to mean sea level, and a copy of such survey will be filed with the building inspector before construction is continued. Prior to the issuance of a Certificate of Occupancy, the owner may be requested to provide a final survey of the true location of the structure with respect to the lot lines, if required by the Building Inspector.

City Manager Culross explained that the proposed changes are basically no different from the current practice; this has been standard practice.

Acting Mayor Latwin said that the intention is not to require a survey except to determine elevation and distance from lot lines.

Councilwoman Cunningham made a motion, seconded by Councilwoman Walsh and unanimously carried, to approve the following resolution:

RESOLVED, that the Building Inspector is hereby authorized to promulgate the following amendments to Section A201-6 of the Rules of the Building Inspector:

(h) After the completion of footings and establishing forms' first course of the foundation walls or equivalent structure, the owner shall notify the Building Department. If required by the Building Inspector, the owner shall cause a survey to be made by a licensed land surveyor, show true location of such foundation walls with respect to the lot lines of the lot and top of foundation elevation in respect to mean sea level, and a copy of such survey shall be filed with the building inspector before construction is continued.

(I) Prior to the issuance of a Certificate of Occupancy the owner shall provide a final survey in regards to the true location of structure with respect to the lot lines, if required by the Building Inspector.

8. Approval of the election of a new member to the Rye Fire Department

Councilman Burke made a motion, seconded by Councilman Collins and unanimously carried, to approve the appointment of Mr. Andrew Northshield to the Milton Point Engine & Hose Company.

9. Authorization for the City Manager to enter into a contract with the County of Westchester for the 1998 STOP-DWI Patrol Project

City Manager Culross explained that Westchester County provides funding for extraordinary costs associated with non-usual police patrols, such as overtime costs for DWI roadblocks. Councilman Hutchings suggested preparing a press release regarding this matter.

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

RESOLVED, that the City Manager be and is hereby authorized to enter into a contract with the County of Westchester for the 1998 STOP-DWI Patrol Project

ROLL CALL:

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

NAYS: None

ABSENT: Mayor Dunn

The resolution passed.

10. Draft unapproved minutes the regular meeting of the City Council held October 8, 1997

Councilwoman Walsh made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the minutes of the regular meeting of the City Council held October 8, 1997 as amended.

11. Miscellaneous communications and reports

There were no miscellaneous communications and reports to be discussed.

12. New Business

There was no new business to be discussed.

13. Adjournment

There being no further business to discuss, Councilman Collins made a motion, seconded by Councilman Hutchings and unanimously carried, to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Alice K. Conrad
City Clerk