

MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on November 19, 1997 at 8:00 P.M.

PRESENT:

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

ABSENT: EDWARD B. DUNN, Mayor

1. Roll Call

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

2. Old Business

A. Acting Mayor Latwin congratulated Corporation Counsel Gardella for receiving the Outstanding National Public Service by a Local Government Attorney Award presented by the International Municipal Lawyers Association.

B. Acting Mayor Latwin congratulated Assistant to the City Manager, Christopher Bradbury and his wife, Susan, on the birth of their third child, Kathleen Marie, born November 18, 1997.

C. Councilwoman Cunningham requested that the December 2nd budget workshop be scheduled for 8:15 P.M. instead of 8:00 P.M.

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

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

4. Consideration of report on the proposed cable television franchise transfer

Acting Mayor Latwin welcomed and introduced Ms. Emilie Spaulding, director of Government Relations for Cablevision of Westchester.

City Manager Culross summarized his memo dated November 14, 1997. He informed the Council that the City has received a request from Cablevision System Corporation for approval of a transfer of the City of Rye's cable television franchise from TCI Communications, Inc. to themselves. Under federal law, the City of Rye has 120 days to act. Chapter 185-108 of the Code of the City of Rye requires the prior express written approval by the Council before any assignment or transfer of the franchise and establishes certain conditions for approval.

We reviewed the documents submitted and on September 4th met with the Director of Government Relations for Cablevision of Westchester. We gave her copies of Chapter 185 and the franchise and informed her of the additional information and actions which were required prior to submitting the matter to the City Council for action. Several follow-up discussions have occurred.

To date, we have not received satisfactory responses from either TCI or Cablevision.

The November 19th Council meeting is the last regularly scheduled meeting prior to the expiration of the 120-day period on December 1, 1997. It is my further recommendation that the City Council adopt a resolution formally notifying TCI, Cablevision, and the Public Service Commission of their intent to deny the request for transfer at that meeting unless at least the eight conditions outlined in his memo are satisfied.

Ms. Emilie Spaulding, director of Government Relations for Cablevision of Westchester, Mr. Craig Watson, regional vice-president, Cablevision Systems, and Mr. John Urban, vice-president Government Relations expressed their commitment to meeting all the terms and legal technicalities of cable television franchise transfer. They expressed their interest in the vision of technology and their interest in exclusive programming.

The representatives told the Council that Cablevision is committed to meeting all of the details of Rye's ordinance and existing agreement. Upon a request from Councilman Hutchings, Council Liaison to the RCTV Committee, Cablevision offered to assist the Committee when needed.

Councilman Burke made a motion, seconded by Councilman Collins and unanimously carried, to schedule a special meeting of the City Council to discuss the proposed cable television franchise transfer on November 25, 1997 at 7:00 P.M.

The following agenda item was addressed out of order:

10. Presentation by Paula and Bevin Butler of the "SLOW...Please" Program

Acting Mayor Latwin introduced Miss Bevin Butler and congratulated her on being accepted into the National Honor Society.

Miss Bevin Butler, a student at Rye High School, respectfully requested the Council approve the placement of one to two "*Please*" signs for key locations in the City of Rye, mainly in school areas, in order to curb traffic speed and promote safety.

The consensus of the Council was that this was an excellent idea to improve safety and promote a sense of civility and courteousness in the community. The Council commended Miss Butler for all the effort and hard work performed in bringing this program to Rye.

Councilwoman Cunningham strongly endorsed the use of these signs, especially in light of the increased traffic and speeding within the City of Rye.

Councilman Hutchings said he was impressed with Bevin's dedication and commitment to this project. He congratulated her on being the president of the "SLOW...*Please*" Program for New York. He will endorse this program because it is a good idea.

Acting Mayor Latwin suggested Miss Butler work with Christopher Bradbury, Assistant to the City Manager, to decide which locations are appropriate for the signs. He also suggested that they could determine sites where these signs could be useful and erect them on an ongoing basis.

Councilwoman Cunningham made a motion, seconded by Councilman Collins and unanimously carried, to endorse the "SLOW...*Please*" Program in the City of Rye.

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

Councilman Burke made a motion, seconded by Councilman Collins and unanimously carried, to approve the request of the American Legion Rye Post to place a time capsule at the Veterans' Memorial next to City Hall.

6. Discussion of extending the amnesty period for obtaining Building Permits

Councilwoman Cunningham said she had made a small and unscientific survey of resident's knowledge about the local law on the amnesty period regarding the failure to obtain a building permit for construction completed before 1985. She requested that the Council consider a six-month extension of the amnesty period which expires December 31, 1997, to provide more time to publicize it. She told the Council that many residents are unaware of this amnesty period. She said that it would be very user-unfriendly to end this amnesty period on December 31st without making a more concerted effort to publicize the law.

Acting Mayor Latwin said that some people do not come forward because they wish to avoid paying the fees involved in obtaining a building permit. City Manager Culross explained that even with the provision of amnesty, residents must still go through the process for obtaining a building permit; however, the amnesty program would make it less expensive, as the \$300 penalty would be waived, and somewhat simpler.

Councilman Hutchings asked that the amnesty period be identified and defined so that the residents would have a clear understanding of exactly what is entailed.

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

RESOLVED, that the amnesty period be extended beyond its current December 31, 1997 deadline for an additional six-month period and that the Council set a public hearing for this change in the Local Law for the December 17, 1997 Council meeting.

7. Resolution scheduling a public hearing on the proposed 1998 budget

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

RESOLVED, that the City Council of the City of Rye hereby schedules a public hearing on the City Manager's Tentative 1998 Budget for the City of Rye on December 3, 1997, as follows:

CITY OF RYE
PUBLIC NOTICE

PLEASE TAKE NOTICE that a public hearing will be held by the Council of the City of Rye on the 3rd day of December, 1997, at 8:00 p.m. at City Hall, Boston Post Road, in said City, on the Tentative General Fund, Cable TV Special Revenue Fund, Nature Center Special Revenue Fund, Debt Service Fund, Capital Projects Fund, Boat Basin Enterprise Fund, Golf Club Enterprise Fund, Risk Retention Internal Service Fund, and Building and Vehicle Maintenance Internal Service Fund of the City of Rye for the ensuing fiscal year, January 1, 1998 to December 31, 1998, and at such time and place any person interested in said Tentative Budgets will be given an opportunity to provide written and oral comments on any and all of the aforementioned budgets.

CITY OF RYE SUMMARY OF TENTATIVE BUDGETS

<u>Fund/Program</u>	<u>Tentative Budgets</u>
General Fund	
General Government Support	\$1,986,817
Public Safety	6,627,211
Community Environment	4,737,040
Culture and Recreation	1,794,439
Other Financing Uses	<u>823,000</u>

Total - General Fund		<u>15,968,507</u>
<u>Rye Cable TV Special Revenue Fund</u>		<u>130,101</u>
Rye Nature Center Special Revenue Fund		<u>301,516</u>
Debt Service Fund		<u>54,164</u>
Capital Projects Fund		<u>1,543,000</u>
Boat Basin Enterprise Fund:	Operating	369,965
	Capital	<u>10,000</u>
	Total - Boat Basin Fund	<u>379,965</u>
Rye Golf Club Enterprise Fund:	Operating	2,598,053
	Capital	<u>335,900</u>
	Total - Golf Club Fund	<u>2,933,953</u>
Risk Retention Internal Service Fund		<u>470,000</u>
Building and Vehicle Maintenance Internal Service Fund	Operating	1,610,892
	Capital	<u>608,500</u>
	Total - Building and Vehicle Maintenance Fund	<u>2,219,392</u>
	TOTAL - All Funds	<u>\$24,000,598</u>

Copies of the proposed budgets will be available for inspection by the public at the City Clerk's office during the regular business hours of said office and at the Rye Free Reading Room.

Dated: City Clerk

ROLL CALL:

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

NAYS: None

ABSENT: Mayor Dunn

The resolution passed.

8. Consideration of the request of the Rye YMCA to use city streets for the 10th Annual Rye Derby on Sunday, April 26, 1998

Councilman Hutchings suggested the Council approve this request with the provision that the organization is responsible for the clean-up after the event and that a copy of the new *Guidelines for Use of City Streets* be forwarded to the organization.

Councilwoman Walsh made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the request of the Rye YMCA to use city streets for the 10th Annual Rye Derby on Sunday, April 26, 1998.

9. Consideration of the request of the Cystic Fibrosis Foundation to use city streets for their Annual Great Strides Walk on Sunday, May 31, 1998

Councilman Hutchings suggested the Council approve this request with the provision that the organization is responsible for the clean-up after the event and that a copy of the new *Guidelines for Use of City Streets* be forwarded to the organization.

Councilwoman Cunningham made a motion, seconded by Councilwoman Walsh and unanimously carried, to approve the request of the Cystic Fibrosis Foundation to use city streets for their Annual *Great Strides Walk* on Sunday, May 31, 1998.

11. Draft unapproved minutes of the regular meeting of the City Council held November 5, and the special meeting held November 10, 1997

Councilman Collins made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the minutes of the regular meeting of the City Council held November 5, 1997, as amended.

Councilwoman Cunningham made a motion, seconded by Councilman Burke and unanimously carried, to approve the minutes of the special meeting of the City Council held November 10, 1997, as amended.

12. Miscellaneous communications and reports

A. Councilman Hutchings distributed the tentative 1998 schedule for *Eye on Rye*. He asked the Council members for suggestions on programs to be taped for the *Eye on Rye* cable television show for 1998.

B. Councilwoman Walsh apprised the Council that Rye First Night is anxious to publicize its event on *Eye on Rye*.

Councilman Burke volunteered to host this program which will be taped on Tuesday evening.

C. Councilwoman Cunningham commended Councilwoman Walsh and Dr. Michael Klemens for the very productive meeting of the Vision on the Village Green.

Councilman Hutchings said it was a very productive meeting and many good ideas emanated from it.

Councilwoman Walsh was pleased with the turnout and the media coverage. She said it will be helpful in bringing more people to the second session.

13. New Business

There was no new business to be discussed.

14. Adjournment

There being no further business to discuss, Councilman Collins made a motion, seconded by Councilman Burke and unanimously carried, to adjourn the meeting at 8:55 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk