

MINUTES of the Regular
Meeting of the City Council of the City of Rye
held in City Hall on November 18, 1998 at
8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
CAROLYN C. CUNNINGHAM
ROBERTA DOWNING
ROBERT H. HUTCHINGS
ROSAMOND LARR
ARTHUR STAMPLEMAN
KATHLEEN E. WALSH
Councilmen

ABSENT: None

1. Roll Call

Mayor Otis called the meeting to order; a quorum was present to conduct official City business. Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to adjourn into executive session to discuss Home Depot litigation at 7:30 P.M.

The Council reconvened at 8:00 P.M.

2. Discussion of the proposed 1999 Annual Budget

Mr. James Shea, president of the Board of Trustees of the Rye Free Reading Room (library), said the library is an essential community service. He explained that in most communities, the library is funded entirely by tax dollars, however, in Rye, it is a private not-for-profit corporation. On average, 75% of the library's operating expenses is provided through tax dollars. The Board of Trustees raises money for capital repairs at no expense to the City. He stated that for the first time in years, the library is requesting more than the customary 3% increase. Mr. Shea explained that expenses have increased and, like the City, personnel costs have increased. Library usage, circulation and the use of information services have increased as well. The library trains patrons in how to use the services, and has become a global resource with global connections. Mr. Shea explained that the library is not a luxury but an essential community service. Rye residents want a first class library with complete resources and services.

Mrs. Betty Teoman, director of the Rye Free Reading Room, provided additional material on the library to the City Clerk for distribution to the Council. Mrs. Teoman explained a chart of cost

increase information, as well as a comparison of expense increase from 1998 to 1999. She also provided an Annual Report for 1997 and a Financial Statement for the library. Mrs. Teoman commented that while attending a Board of Education meeting, she was impressed with the Rye parents' commitment to education. She noted that the quality of life attracts people to Rye. She said that students have school libraries as an introduction to research. However, they will also be using the Rye Free Reading Room which will have to meet their needs. She explained that libraries today use resources of other libraries and other institutions. The Rye Library has begun this process and is continuing. There are many levels of research available currently, especially the Internet. She explained that there is a shortfall in the materials needed to provide the level of service which is necessary. Mrs. Teoman submitted letters from many residents in support of increasing the 1999 library budget.

Mrs. Joyce Rheingold, Manursing Way, reiterated that people choose to live in Rye because of the schools and library. She explained that the library has raised funds for repairs, space, and computers. She asked that the City portion of funds be increased to prevent the library from falling behind in providing service to the community.

Mrs. Barbara Friedman, trustee of the Rye Free Reading Room, also stated that the cost of books and electronic services has increased. She indicated that as a trustee, she would like to see an increase in the amount contributed by the City. She provided the Council with a chart showing municipal dollars spent on library funding in other communities.

Mrs. Constance Macleod, Topsail Lane, indicated that she feels the library is utilized by the entire community and that the burden of raising funds in support of the library should not be the residents' responsibility.

Mayor Otis said that \$619,000 of the \$15,000,000 proposed 1999 Budget is for the library. He stated that as the budget process moves forward, and the Council can analyze the fiscal situation, the Council will determine if the library's budget could be increased. Councilman Stampleman and Councilman Cunningham voiced their support.

Mayor Otis announced that the next budget hearing is scheduled for Tuesday, November 24, 1998.

This agenda item was taken out of order.

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

Jonathan Peters, 85 Ridge Street, who plays on the Rye Rangers Squirrt "A "hockey team, explained that a number of the professional hockey players have symbols representing their hometown on their helmets. He asked permission to place the City of Rye seal on his personal helmet.

Councilman Hutchings indicated that the last time a request of this nature came before the Council, there were concerns regarding copyright infringement. However, he felt that this request was substantially different and supported it.

Councilman Stampleman made a motion, seconded by Councilman Hutchings and unanimously carried, to allow the seal of the City of Rye to be used for the specific purpose of adorning the helmet of Jonathan Peters, during his hockey career with the Rye Rangers.

3. Resolution scheduling a public hearing on the proposed 1999 budget

Councilman Stampleman asked if changes can be made to the proposed budget.

The Mayor explained that changes can be made anytime before the hearing, however, after the hearing date, changes would require an affirmative vote of five members of the Council.

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

**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 2nd day of December, 1998, 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, 1999 to December 31, 1999, 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	\$2,266,402
Public Safety	6,947,772
Community Environment	4,989,822
Culture and Recreation	1,910,679
Other Financing Uses	<u>606,725</u>
Total - General Fund	<u>16,721,400</u>
Rye Cable TV Special Revenue Fund	<u>150,932</u>
Rye Nature Center Special Revenue Fund	<u>307,238</u>
Debt Service Fund	<u>52,536</u>
Capital Projects Fund	<u>1,440,225</u>
Boat Basin Enterprise Fund:	
Operating	368,027
Capital	<u>10,000</u>
Total - Boat Basin Fund	<u>378,027</u>
Rye Golf Club Enterprise Fund:	
Operating	2,944,230
Capital	<u>401,500</u>
Total - Golf Club Fund	<u>3,345,730</u>
Risk Retention Internal Service Fund	<u>460,000</u>
Building and Vehicle Maintenance	
Internal Service Fund	
Operating	1,692,126
Capital	<u>1,306,500</u>
Total - Building and Vehicle Maintenance Fund	<u>2,998,626</u>
TOTAL - All Funds	<u>\$25,854,714</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.

City Clerk

Dated:

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr and Stampleman

NAYS:None

ABSENT: Councilwoman Walsh

The resolution passed.

4. Review of plan to make Council Chambers cable broadcast ready

Mayor Otis acknowledged the November 6, 1998 memo from Mr. James Kenny, Cable Television Coordinator and the November 13, 1998 memo from City Manager Culross recommending that the City Council proceed with the renovation of the Council Chambers to make it cable broadcast ready.

City Manager Culross explained the changes needed to make the Council Chambers cable broadcast ready. He said that this project has been included in the current Capital Projects Fund budget.

A number of the Council members expressed concern about preserving the aesthetics of the Council Chambers.

Councilwoman Cunningham suggested researching the cost of a retractable holder for the front camera shelf.

City Manager Culross reiterated that the money for the equipment and installation is in the budget, however, there is a limited amount of money budgeted. Some of the suggestions could be very expensive.

Since several Council members expressed concerns, the Mayor recommended that comments be submitted to the City Manager. He also requested that the Council suggest the name of any professional who might wish to volunteer his/her services to assist with the project.

5. Authorization for the City Manager to enter into a 1999 Stop-DWI Patrol Project Reimbursement Contract with the County of Westchester for the 1999 calendar year

City Manager Culross explained that the \$8,400 noted on the agreement would be used for Police Department overtime in support of the Westchester County STOP-DWI Patrol Project. A copy of the agreement and a memo for Mrs. Sheryl Kelly DeLeo, Director, STOP-DWI Program, were filed in support of this initiative.

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

RESOLVED, that the City Manager is hereby authorized to enter into a 1999 Stop DWI Patrol Project Reimbursement Contract with the County of Westchester for the 1999 calendar year.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr and Stampleman

NAYS: None

ABSENT: Councilwoman Walsh

The resolution passed.

6. Discussion of opening Council meetings with the Pledge of Allegiance

Mayor Otis stated that Councilman Hutchings has a proposed resolution on beginning the Council meetings with the Pledge of Allegiance.

Councilman Stampleman indicated that he had distributed materials on the Pledge of Allegiance at the last meeting and that it would be more significant for all concerned if the Council was to recite the

Pledge on special occasions rather than at each meeting. But he declined to propose an amendment to that effect because he did not want this issue to be more divisive than it already had been unnecessarily. He questioned if this resolution would be binding on future Councils.

Councilman Hutchings stated that it was his intention to have the resolution specific to this Council and that future Council members could decide for themselves.

Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to amend the last line of the proposed resolution by changing "the" to "this" Council."

Mr. John Rossini, Highland Road, asked if the Pledge would be recited by just the Council or would the audience also participate.

Councilman Hutchings explained that the audience would be invited to join in the Pledge.

Mayor Otis indicated that at the Rye Town Park Commission, the public is invited to join but it is not required. If the resolution passes this evening, the Mayor would probably use the phrase "invite everyone to join".

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

WHEREAS, the American flag symbolizes the history, sacrifice, and traditions of our country and our city and,

WHEREAS, we believe it is our duty to our country to support its Constitution, to obey its laws and to respect its flag, now therefore be it

RESOLVED, that Rye City Council meetings will be preceded by a pledge of allegiance to the flag of the United States of America. The pledge of allegiance will be permanently placed on this council's meeting agenda as item number one.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr and Stampleman

NAYS:None

ABSENT: Councilwoman Walsh

The resolution passed.

8. Draft unapproved minutes of the regular meeting of the City Council held November 4, 1998, and the special meeting held November 9, 1998

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the minutes of the regular meeting of the City Council held November 4, 1998, as amended.

Councilman Stampleman made a motion, seconded by Councilwoman Walsh and unanimously carried, to approve the minutes of the special meeting of the City Council held November 9, 1998, as submitted.

Councilwoman Walsh arrived at this point in the meeting.

9. Miscellaneous communications and reports

A. Councilwoman Downing informed the Council that there may be two vacancies on the Board of Architectural Review.

Mayor Otis has asked the chair of the boards, commissions, and committees to anticipate any vacancies for the January appointments.

B. In response to Councilwoman Downing's question, Corporation Counsel Gardella said he has received changes on the proposed sign legislation from Councilwoman Cunningham and Mr. Nicholas Everett, chair of the Board of Architectural Review. Those revisions have been made to the proposed local law.

C. Councilwoman Downing acknowledged the October 30, 1998 letter from Mr. Claude Amitie opposing the new regulation of having only one license plate on the commuter parking decal. The City Clerk explained the process for obtaining a temporary decal and noted that all commuters will be informed of the procedure.

D. Councilman Stampleman requested the council's input on his survey for senior citizens.

Mayor Otis said he would write a cover letter for the survey. The process for distributing the surveys will be discussed at a future date.

E. Councilwoman Walsh circulated copies of the newsletter, *Westchester Planning* and the Community Needs Assessment Questionnaire to the Council members. This questionnaire is the first step in the planning process for the Westchester Urban County Consortium's Consolidated Plan for the CDBG Program comprised of 39 cities, towns, and villages.

F. Councilwoman Walsh apprised the Council that she attended a joint meeting of the Westchester Putnam School Boards Association and the Westchester Municipal Officials Association on teenagers' problems within the community. She said Rye was well represented at this meeting. Councilwoman Walsh submitted materials obtained at this meeting to Councilwoman Downing who is the liaison for *Rye Cares*.

G. Mayor Otis acknowledged receiving reports from Dr. Edward Shine, Superintendent of the Rye City Schools, on the DARE Program, and on analyzing problems of alcohol, tobacco, and drugs in the schools. The Mayor will circulate copies of these reports to the Council. It is anticipated that there will be a Community Summit on these issues in December.

Discussion focused on the DARE Program, the student population it addresses, possible funding from Rotary for intervention initiatives, expanding the program to older students and alternatives to the DARE Program, i.e. Athletes Helping Athletes.

H. Councilwoman Cunningham suggested asking a small group to work on fence regulations.

Councilwoman Walsh has asked City Planner Frederick Zepf to create a map to identify properties with frontage on two streets.

Discussion ensued on:

- good side of the fence facing outward,
- level of non compliance with the current code regarding vegetation, fences and hedges,
- current law treats fences and hedges the same; possibility of separating these

The Mayor said he will refine his memo on fences.

I. Councilman Stampleman acknowledged Mr. Richard Propper's November 12, 1998 letter regarding 1998 City of Rye Commission on Human Rights Award. This award will be presented to Mr. Donald Dennis for his dedication to the causes of human rights worldwide on Sunday, November 22, 1998 at 3:00 P.M. at the United Methodist Church.

Councilman Stampleman initiated a discussion on increasing the number of members on the Commission on Human Rights. He noted that the January 3, 1996 council resolution changed the number of members, however, the Rye City code indicates that full capacity of the Commission is nine members. After an extensive discussion, it was decided that Councilman Stampleman will ask Mr. Propper, chair of the Commission Rights, to address the Council on the Commission of Human Rights' operation. In response to Councilman Stampleman's question, Corporation Counsel Gardella and Mayor Otis said the code states that the Mayor is entitled to appoint up to 9 members to the Commission on Human Rights. He will also study the 1996 resolution.

This agenda item was taken out of order.

11. New Business

A. Mayor Otis acknowledged the Town of Mamaroneck's November 6, 1998 communication on Long Island Sound Watershed Intermunicipal Council. He said this was one of the results of the Community Leadership Alliance at Pace University. He apprised the Council that the Town of Mamaroneck applied for and received a \$50,000 grant on behalf of 11 municipalities under Title 11 of the Environmental Protection Fund to do a feasibility study of stormwater management resulting from the correction of infiltration and inflow work. The Mayor said the \$50,000, which represents the State Funds share, is only 50% of the total cost. It is anticipated that the participating municipalities will share the other 50% of the cost.

B. Councilman Stampleman acknowledged the November 6, 1998 communication from the Westchester Municipal Officials Association regarding Sewer Remediation/Draft Administrative Orders.

Corporation Counsel Gardella said Westchester County's proposed Infiltration and Inflow Sewer Consent Order has been criticized by a number of communities for its punitive nature. Suggested changes have also been proposed. Mr. Gardella said he would work on a response with the City Manager. The deadline for recommended changes in the Consent Order is November 25, 1998, while the date to answer the charges has been extended to December 21, 1998.

10. Old Business

A. Councilman Stampleman acknowledged the petition for a new sewer district from residents of Kirby Lane, Kirby Lane North and Grace Church Street.

City Manager Culross will consult with the City Engineer, George Mottarella about this project.

B. Mayor Otis asked the City Clerk to introduce Ms. Maryann Cianci, the new Deputy City Clerk, to the City Council. The Mayor, on behalf of the City Council, welcomed Ms. Cianci and wished her success in her new position.

12. Adjournment

There being no further business to discuss, Councilwoman Cunningham made a motion, seconded by Councilwoman Walsh and unanimously carried, to adjourn the meeting at 10:00 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk