

MINUTES of the Special Meeting of the  
City Council of the City of Rye held in City Hall on  
January 27, 2000 at 4:00 P.M.

PRESENT:

STEVEN OTIS, Mayor  
CAROLYN CUNNINGHAM  
ROBERTA DOWNING  
ROBERT H. HUTCHINGS  
ROSAMOND LARR  
DOUGLAS MCKEAN

Councilmen

ABSENT:

ARTHUR STAMPLEMAN

1. Pledge of Allegiance

Mayor Otis lead the council in the Pledge of Allegiance.

2. Roll Call

Mayor Otis called the meeting to order; a quorum was present to conduct official city business. Councilman Stampleman participated in the meeting by telephone conference call.

3A. Presentation of Monroe Telecom Associates and Comi Telecommunication Services regarding the use of the city's rights-of-way

Mr. Lawrence Monroe and Mr. Richard Comi, Monroe Telecom Associates and Comi Telecommunication Services, said that the purpose of this presentation is to enable the council to make an informed decision about the city's rights-of-way.

Topics covered in the presentation and the question and answer period included:

- The 1999 Satellite Home Viewers Act
- Municipal right to compensation for use of the rights-of-way (Section 253 (a) of the 1996 Telecommunication Act)
- Definition of rights-of-way
- Choices for regulating rights-of-way
- Risks involved in not having a rights-of-way law
- Using municipal assets to generate new non-tax revenue
- Increasing number of potential users of the rights-of-way

- Need to protect the current revenue stream
- Need to control who uses/occupies the municipal rights-of-way
- Need to control the terms and conditions for the commercial use of municipal rights-of-way
- Advantages of adopting a rights-of-way law
- Court cases  
Bellsouth Telecommunications, Inc. v. the City of Orangeburgh  
City of Austin v. Southwestern Bell Video Services
- Creating a level playing field for all service providers
- Grandfathering utility companies for original operating authority
- Service providers will offer full communications service
- Regulating the use of wireline services
- Terminology used for compensation of rights-of-way
- Moratorium related to the use of the City's Rights-of-Way

Mayor Otis expressed his appreciation to Mr. Monroe and Mr. Comi for their presentation. He said that the council will have another work session and reminded the council that the moratorium on the use of the City's rights-of-way is scheduled for the February 2, 2000 council meeting.

3B. Resolution in recognition for City Manager Frank Culross

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

**WHEREAS**, the City of Rye has been enriched by the dedication, devotion, and commitment of Frank J. Culross who has served as City Manager for the past twenty-one years; and

**WHEREAS**, Frank has rendered invaluable service to the residents of the City of Rye by his professionalism, integrity, concern, values, knowledge, and inspiration; and

**WHEREAS**, Frank has been a dedicated partner in guiding the City into the twenty-first century by his vision and foresight; and

**WHEREAS**, his accomplishments have ranked him as the Dean of municipal managers and one of the pre-eminent administrators in the field of City government; and

**WHEREAS**, Frank has been instrumental in having the City's credit rating upgraded by Moody's to Triple A, instituting the city's collection of solid waste at a considerable savings to the residents, improving the city's financial management systems, establishing RCTV, initiating computer literacy through instituting a wide area PC network, upgrading the city's infrastructure, constructing a new pool at the Rye Golf Club, a municipal garage and salt storage dome, establishing a police commissioner form of governance, recognizing the need for disaster preparedness, and undertaking the Whitby Restoration Project; and

**WHEREAS**, Frank has earned the respect and admiration of his confreres by being past president of the New State City/County Management Association; president of the Municipal Administrators Association of Metropolitan New York, and a past Regional Vice President and Executive Board Member of the International City/County Management Association (ICMA); and

**WHEREAS**, he was recognized for 35 years of service to local government at the ICMA's Annual Meeting in Portland, Oregon on September 29, 1999 and is currently Chairman of the Board of Directors of the Public Employee Risk Management Association, Inc. (PERMA); and

**WHEREAS**, Frank Culross has been the quintessential City Manager, professional, innovative, and dedicated to the future of our community; and

**WHEREAS**, over the past 21 years, Frank Culross has enabled the City of Rye to maintain what is unique about our community in an always changing world; now, therefore, be it

**RESOLVED**, that the Rye City Council pauses in its deliberations to express its appreciation, and appreciation on behalf of all of the City Councils that have had the honor to serve with Frank Culross for his distinguished service and lasting contributions to the City of Rye; and be it further

**RESOLVED**, that we congratulate Frank Culross for his distinguished service, and wish him and his family much success and happiness in his retirement, especially on the ski slopes.

Signed and sealed this 28th day of January, 2000.

SEAL

\_\_\_\_\_  
Steven Otis  
Mayor

\_\_\_\_\_  
Carolyn Cunningham

\_\_\_\_\_  
Roberta Downing

\_\_\_\_\_  
Robert H. Hutchings

\_\_\_\_\_  
Rosamond Larr

\_\_\_\_\_  
Douglas McKean

\_\_\_\_\_  
Arthur Stampleman

4. Adjournment

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adjourn to executive session at 5:35 P.M. to discuss personnel matters.

The Council reconvened at 6:00 P.M.

There being no further business to discuss, Councilman McKean made a motion, seconded by Councilwoman Downing and unanimously carried, to adjourn the meeting at 6:05 P.M.

Respectfully submitted,

Alice K. Conrad  
City Clerk