

MINUTES of the Regular Meeting of
the City Council of the City of Rye held in
City Hall on March 1, 2000 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
CAROLYN CUNNINGHAM
ROBERT H. HUTCHINGS
ROSAMOND LARR
DOUGLAS MCKEAN
ARTHUR STAMPLEMAN
Councilmen

ABSENT:

ROBERTA DOWNING

1. Pledge of Allegiance

Mayor Otis invited the audience to join 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.

Mayor Otis made the following announcements:

- There will be a meeting of the Whitby Castle Committee on Thursday, March 2, 2000 at 7:30 P.M. in the Council Chambers. At this meeting, there will be an update on the construction at the Castle and the schedule for opening the restaurant.
- The first meeting of the Parking Working Group will be held on Monday, March 6, 2000 at 8:00 P.M. in City Hall. The group, formed at the direction of the City Council, will analyze commuter parking, parking in the city's Central Business District and any other related matters. This meeting is open to anyone interested.

Mayor Otis paid tribute to Judge Isaac Rubin who died recently. On behalf of the City Council, the Mayor expressed sympathy to the Rubin Family. The Mayor noted Judge Rubin's extraordinary contributions to the judicial system.

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

Councilman Stampleman informed the Council that a resident questioned whether or not the elimination of the 4% New York State sales tax on clothing under \$110 would affect the City of Rye. The Interim City Manager explained that the City of Rye did not receive monies from the State portion. Since the county portion of the sales tax will continue, the city will be unaffected.

4. Discussion of right-of-way law

Mayor Otis acknowledged the February 25, 2000 memo from Corporation Counsel Neale regarding the right-of-way ordinances received from the Village of Buchanan and the Town of Woodburgh and the excerpt from the ICMA publication entitled, *Telecommunications: Local Options, Local Action*. The Mayor referenced his February 25, 2000 memo which outlined different approaches that can be taken regarding a right-of-way ordinance.

A council discussion focused on:

- the need to draft legislation for the use of the right-of -way,
- the Monroe Telecom Associates and Comi Telecommunication Services' proposal,
- fee structure of the proposed contract, and
- Councilwoman Cunningham's suggestion to request a few hours of consultation as part of the base fee for the proposed contract with Monroe Telecom Associates and Comi Telecommunication Services.

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

RESOLVED, that the City Council hereby authorizes Interim City Manager Christopher J. Bradbury to negotiate a contract with Monroe Telecom Associates and Comi Telecommunication Services for consulting services regarding the right-of-way law.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham,

Hutchings, Larr, McKean, and Stampleman

NAYS: None
ABSENT: Councilwoman Downing

The resolution passed.

5. Authorization for the Interim City Manager to sign applications for modification of the Preliminary Site Plan, Preliminary Subdivision, Wetland and Watercourses Permit, and the Use Permitted Subject to Additional Standards and Requirements for the Rye Free Reading Room project

Mayor Otis acknowledged the February 24, 2000 letter from Mrs. Betty Gay Teoman, Director of the Rye Free Reading Room, regarding the need for the Interim City Manager to sign the library's application as a prerequisite for processing with the Planning Commission.

Councilman Hutchings noted that by signing the application, the Council, out of fairness, would be implying permission for the project to move ahead.

Corporation Counsel Neale clarified that the council is only authorizing the Rye Free Reading Room to make an application at this time. He said that the city is reserving all its rights regarding the transfer of land.

Several council members confirmed this was their understanding too.

Councilman McKean expressed concern that there are some inconsistencies in the drawings. He said that the configuration between the plan and elevation is unclear.

Mayor Otis said that the plans will be thoroughly reviewed by the Planning Commission and said that the city is well represented by Councilman McKean being on the Planning Commission.

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

RESOLVED, that the City Council hereby authorizes Interim City Manager Christopher J. Bradbury to sign applications for modification of the Preliminary Site Plan, Preliminary Subdivision, Wetland and Watercourses Permit, and the Use Permitted Subject to Additional Standards and Requirements for the Rye Free Reading Room project.

ROLL CALL:

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

NAYS: None
ABSENT: Councilwoman Downing

The resolution passed.

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

Mayor Otis acknowledged the February 16, 2000 memo from Fire Chief George Ballantoni regarding membership in the Poningoe Engine and Hose Company.

Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the appointment of Mr. Seth Weingarten for membership in the Poningoe Engine and Hose Company.

7. Bids for Sand Trap Renovation at Rye Golf Club

Mayor Otis acknowledged the February 24, 2000 memo from Rye Golf Club Manager Terri Silverman-Jessen recommending that the Council reject both bids received and rebid in the summer.

The following bids were received for the Sand Trap Renovation at Rye Golf Club:

BID #1-00

SAND TRAP RENOVATION

NAME OF BIDDER	SECURITY	AMOUNT BID
Realife Land Improvement P.O. Box 177 Katonah, New York 10536	Bid Bond	\$26,600.00
Turco Renovations, Inc. 212 Orange Avenue Suffern, New York 10901	Bid Bond	\$39,604.50

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

RESOLVED, that the City Council hereby rejects both bids for the Sand Trap Renovation at Rye Golf Club, Bid #1-00.

ROLL CALL:

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

NAYS: None
ABSENT: Councilwoman Downing

The resolution passed.

8. Bids for One 5 Gang Rotary Mower

Mayor Otis acknowledged the February 23, 2000 memorandum from Golf Club Manager Terri Silverman-Jessen recommending the award of the bid for one (1) 5 Gang Rotary Mower.

In response to Councilman Stampleman's question, the Interim City Manager confirmed others were invited to bid. This was the only bid received and was in line with cost expectations.

The following bid was received:

BID #3-00

ONE (1) 5 GANG ROTARY MOWER

NAME OF BIDDER	SECURITY	AMOUNT BID
Steven Willard Inc. 4 Production Drive Brookfield, Connecticut 06840	Bid Bond	\$33,127.00

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

RESOLVED, that the City Council hereby awards Bid #3-00 for one (1) 5 Gang Rotary Mower to Steven Willard, Inc. in the amount of \$33,127.00, the sole responsible bidder, meeting specifications.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham,
Hutchings, Larr, McKean, and Stampleman
NAYS: None
ABSENT: Councilwoman Downing

The resolution passed.

9. Draft unapproved minutes of the regular meeting of the City Council held February 16, 2000

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 February 16, 2000, as amended.

10. Miscellaneous communications and reports

A. Councilwoman Cunningham informed the council that the senior pastor at Rye Presbyterian Church has requested to be involved and consulted on the Rye City and Rye City School's joint traffic study since his parish is directly impacted by the traffic.

B. Councilman McKean reported that the Rye Town Park Commission has received proposals for the concession. He said one concessionaire has been selected and negotiations will commence.

C. Mayor Otis was pleased to announce that the Rye Town Park was awarded a grant of approximately \$500,000 through the Clean Water/Clean Air Bond Act to restore the duck pond. This project will improve the water quality of Long Island Sound. There was a discussion on wetland plantings which will be placed within the duck pond area to make the water cleaner and on the local contribution for this project which will be shared between the Rye Town Park Commission and the Friends of Rye Town Park. He commended the Friends of Rye Town Park who worked so diligently for this grant.

D. Councilman Stampleman acknowledged the February 23, 2000 letter from Mr. Ted Francis regarding the proposed stadium lighting at Rye High School.

Mayor Otis said he would respond to Mr. Francis' communication.

There was a brief discussion on the fact that the Rye City School District is exempt from municipal approvals. However, the Short Environmental Quality Review (SEQR) is required for the proposed stadium lighting.

11. Old Business

Councilman Stampleman initiated a discussion on signage at the traffic circle around the Firemen's Monument by asking whether or not Councilwoman Downing's suggestion about stop lines at the traffic circle had been referred to the Traffic and Transportation Committee. Several council members made different suggestions for signage around the circle.

Mayor Otis said that current sign configuration complies with New York State Law. He suggested that the individual council member discuss his/her ideas directly with the Traffic and Transportation Committee.

12. New Business

Councilman Hutchings expressed concern about Cablevision's reassigning public access channels without consulting or communicating with cable subscribers. The only rationale given

was to make public access channels compatible with New York City. He said that this decision will adversely affect City of Rye residents. He will meet with Eastchester Town Supervisor James Cavanaugh in an attempt to have Cablevision reverse its decision. Also, the Rye Cable Television Committee has invited Ms. Emilie Spaulding, Regional Director, Governmental Relations, to address this issue at its March 8, 2000 meeting. Councilman Hutchings respectfully requested that the Council pass a resolution expressing the city's discontent with this change and requesting that Cablevision reverse its decision.

The Mayor concurred with Councilman Hutchings that this issue is most disturbing. He said the city has invested much in informing the citizenry about the city's public access channels and now all that is lost with one change.

Councilman Stampleman said all these issues should be in the resolution and suggested that the resolution be forwarded to the Federal Communications Commission.

Mayor Otis will write a strongly worded letter about the city's concerns immediately and a proposed resolution will be prepared for the March 15, 2000 regular council meeting. He also requested that the Corporation Counsel review the city's franchise agreement prior to the next Council meeting.

13. Adjournment

There being no further business to discuss, Councilwoman Cunningham made a motion, seconded by Councilman Hutchings and unanimously carried, to adjourn the meeting at 9:05 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk