

MINUTES of the Special Meeting of the City
Council of the City of Rye held in City Hall on January
24, 2001 at 8:00 P.M.

PRESENT:

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

ABSENT:

NONE

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official city business.

3. Approval Proclamations honoring Fred Zepf upon his retirement and Cheryl Flood upon being the Rye Youth Council 2001 honoree

Mayor Otis asked the Council to review the two proclamations before them. Councilman Stampleman made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the following proclamations:

Proclamation for Frederick E. Zepf

WHEREAS, Frederick E. Zepf has been the City Planner of the City of Rye, New York for 30 years and one month, and

***WHEREAS,** Fred came to Rye just after graduating with a bachelors degree in architecture and a masters degree in urban and regional planning and starting job in Smithtown, Long Island, and*

***WHEREAS,** Fred immediately fell in love with the charm and presence of the Village Green and the City of Rye and has worked day and night to help preserve that feeling for over three decades, and*

***WHEREAS,** Fred has, as professional advisor to the Rye Planning Commission, served under no less than 10 Planning Commission Chairs including Warren Fenzi, Melba Silver, Alfred Ash, John Carolin, Richard Magro, Paul Rheingold, William Dunne, Joe Cox, Paul Benowitz and Michael Klemens, and*

***WHEREAS,** Fred has seen the Planning Commission's duties expanded to include wetlands and coastal concerns under the Local Waterfront Revitalization Program; has integrated the City's natural resources maps into the planning process; has overseen the rewriting of the Master Plan for the City of Rye in 1985 and is centrally involved in a current update, and*

***WHEREAS,** as Rye's City Planner, he has kept the City focused, provided historical perspective in looking at how current and past developments continue to provide Rye with a sense of community, and guided the planning process to discourage those projects which fail to maintain that continuity, and*

***WHEREAS,** the residents of the City of Rye appreciate the beauty, character, and appearance of our community, and*

***WHEREAS,** those special qualities would not exist today with the tireless dedication and commitment of Fred Zepf over the past thirty years,*

***THEREFORE, BE IT RESOLVED,** that the Rye City Council pauses in its deliberations to recognize and commend Fred Zepf for his many years of service to the City of Rye as City Planner, and congratulate him on his lasting contributions to our community, and*

***BE IT FURTHER RESOLVED,** that the City Council wish Fred and his wife Julie many happy and well deserved years of retirement as they begin their new life in their house in Florida, and*

***BE IT FURTHER RESOLVED,** that this resolution be presented to Fred. Zepf as an expression of the City of Rye's appreciation on behalf of the entire City for his accomplishments as City Planner.*

Signed and sealed this 26th day of January, 2001.

SEAL

*Steven Otis
Mayor*

Carolyn Cunningham

Roberta Downing

Robert H. Hutchings

Rosamond Larr

Douglas McKean

Arthur Stampleman

Proclamation for Cheryl Flood

***WHEREAS,** Cheryl Flood has been a citizen of the City of Rye since 1977, and*

***WHEREAS,** Cherie has concentrated her efforts on the education of our youngest citizens in her role as Director of the Rye Presbyterian Nursery School for the past 18 years, giving thousands of youngsters a foundation of values and the educational skills and knowledge to prepare them for future educational success, and*

***WHEREAS,** as Director of the Rye Presbyterian Nursery School she has extended her knowledge and expertise beyond one nursery school to co-found the Westchester Nursery School Directors Group, a forum for nursery school directors to discuss common interests, and*

***WHEREAS,** she has further demonstrated her interest in the youth of our community by being an active member of the Rye Youth Council Board of Directors from 1992-1996 and has been a continuous and ardent supporter of the Rye Youth Council programs including oversight of the Deane Flood Spirit Award, and*

***WHEREAS,** as wife, mother, volunteer, and professional educator Cherie Flood has given continuous and caring service to her community, and*

***WHEREAS,** the Rye City Council greatly recognizes the tremendous service and contribution Cherie Flood has provided the City of Rye and applauds here on the occasion of her recognition by the Rye Youth Council,*

NOW, THEREFORE BE IT RESOLVED, the Rye City Council pauses in its deliberations to express its appreciation, love, and gratitude on behalf of the people of the City of Rye, and does hereby congratulate Cherie Flood for her distinguished service and wish her continued success and happiness in making a difference for the children of Rye.

Signed and sealed this 27th day of January, 2001.

SEAL

*Steve Otis
Mayor*

4. Status Report on Department of State-sponsored meeting on Friday, January 19, 2001 regarding School Lights Issue

Mayor Otis reported that he and Councilwoman Downing (representing the City Council); Michael Klemens and Philip DeCaro (representing the Planning Commission); Cathleen Morgan, Linda Grant, and Susie Sayle (representing the Board of Education); Edward Shine, Superintendent of Schools; Fred Zepf and Christian Miller (City Planners); and, from the Department of State, Charles McCaffrey and Bill Sharp (NYSDOS Counsel's Office) met to discuss the school lights issue. The Mayor presented a brief summary of the meeting reporting that Mr. McCaffrey and Mr. Sharp talked about a few legal tools they recommended could be used to set conditions or use rules which would be binding for future school boards. He said that one of the topics was the possibility of continued dialogue in terms of conditions and mechanisms for establishing those rules.

Councilwoman Downing added that Mr. McCaffrey, who was running the meeting, had arrived with three main objectives: 1) to understand the points of view of the Planning Commission and the Board of Education; 2) to explain the consistency process and 3) to see, in the end, what accommodations could be made and what might be binding. She said the presentation of the two points of view was extremely important in terms of what was understood, or not, on both sides.

The Mayor said that it was a good meeting; that the discussion was held on target; and that the discussion at the end focused on setting up next steps. He asked if anyone in the audience had any comments to add.

Dr. Klemens reported that he had already sent a letter to Dr. Shine with a copy to the Department of State asking for next dates to meet so that he was assured that the process would continue. He also mentioned that the meeting was valuable from his point of view as it gave everyone a

chance to ask questions. He also noted that although not relevant to the Local Waterfront Revitalization Program process he was interested to learn how the lights fitted into the overall facilities program and program priorities set by the school board and to establish that the lights were not part of a long-range plan by the Board of Education, but were donor-driven (i.e. an idea triggered by the getting of a gift).

Councilman McKean made a motion, in conformance with the NYS Open Meeting Law, seconded by Councilman Stampleman and unanimously carried, to adjourn to closed session at 8:10 P.M. to discuss legal issues raised at the Department of State meeting and to receive advice from the Corporation Counsel regarding those issues. At the request of the Planning Commission and Councilman Stampleman, the Commission was included in the consultation with the Corporation Counsel.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to follow the closed session with an executive session to discuss pending litigation as it relates to Home Depot and to discuss a personnel matter.

Councilwoman Downing made a motion, seconded by Councilman McKean to end the closed session at 10:08 P.M. and return to open session.

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

RESOLVED, that the City retain the outside legal counsel of Michael Gerrard to advise on issues related to the School Lights project regarding covenants and legal issues raised in the meeting conducted by the Department of State.

ROLL CALL:

AYES: Councilmen Downing, Larr, McKean and Stampleman

NAYS: Mayor Otis, Councilmen Cunningham and Hutchings

ABSENT: NONE

The resolution carried.

Councilman McKean made a motion, seconded by Councilwoman Downing and unanimously carried, to adjourn to executive session at 10:10 P.M. to discuss pending litigation.

The Council reconvened at 10:14 P.M.

5. Adjournment

There being no further business to discuss, Councilman McKean made a motion, seconded by Councilwoman Cunningham and unanimously carried, to adjourn the meeting at 10:15 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk