

APPROVED MINUTES of the Regular
Meeting of the City Council of the City of Rye held in
City Hall on April 18, 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. Residents may be heard who have matters to discuss that do not appear on the agenda

There were no residents who wished to be heard.

The following agenda item was taken out of order

14. Approval of the election of the Fire Chief, 1st Assistant Fire Chief, 2nd Assistant Fire Chief

Mayor Otis announced that the approval of the election of the Fire Chiefs was moved up to the start of the meeting because their presence was needed at a training session. He said last week had been a very busy, hard week for the Fire Department and thanked everyone for their much appreciated efforts. He announced the election results as follows: Fire Chief, Walter Roode; 1st Assistant Fire Chief,

George Hogben; and 2nd Assistant Fire Chief, John Wickham. Chief Roode thanked the Council and all citizens for their support.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the results of the election of Fire Chief, 1st Assistant Fire Chief, 2nd Assistant Fire Chief.

4. Resolution proclaiming April 27, 2001 as Arbor Day in the City of Rye

Mayor Otis announced that the City of Rye National Arbor Day Tree Planting Ceremony will be held on Friday, April 27, 2001 at 10:00 A.M. at the corner of Grandview Avenue and Hillside Road.

Councilwoman Cunningham made a motion, seconded by Councilman McKean and unanimously carried, to approve the following proclamation:

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce soil erosion, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees are a source of joy and spiritual renewal, and

WHEREAS, the City of Rye has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting ways,

NOW, THEREFORE, I, Steven Otis, Mayor of the City of Rye, do hereby proclaim April 27, 2001 as ARBOR DAY in the City of Rye, and I urge all citizens to support efforts to care for our trees and woodlands, and to support our City's community forestry program, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

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

SEAL

Steven Otis
Mayor

5. Presentation by the Shenorock Shore Club of a proposal to restore the Rye Town Dock

Mayor Otis said that Shenorock Shore Club (SSC) has asked to formally present to the Council a proposal to restore the Rye Town Dock. He introduced Joe McBrien, former president of SSC, who began by thanking the Council for giving Shenorock the opportunity to make the presentation which proposes an alternative solution to the proposed land swap between the American Yacht Club's (AYC) Gibbons Property and the Town Dock.

Mr. McBrien said that SSC had looked for a solution which might be a good compromise for everyone, by addressing the condition of the dock, and the traffic, safety and security issues. He said that the dock, while in disrepair, is much more than a pile of rocks as it has historic significance to many and is unique in providing the only deep water access to Milton Point harbor. He pointed out that the petition, while it was developed and circulated by a Shenorock member, garnered 244 signatures from residents throughout Rye, with only 13 being Shenorock members. He reported that the presentation of the proposal to Rye Town the previous night had been favorably received.

Mr. McBrien told the Council that Shenorock had asked the engineering firm of Allee King Rosen & Fleming, Inc. (AKRF Engineers, P.C.) to look at the structure of the dock and also to address the issues of traffic, safety and security. He said that the suggested improvements could be made at quite a reasonable cost. He said he would hope that people would contribute to that cost, but if not Shenorock was prepared to fund it so that the dock could be saved and used as originally intended. He then introduced Peter Liebowitz from AKRF.

Mr. Liebowitz reviewed the findings in the proposal, saying that the report had been refined since it was first presented based on some excellent suggestions from the City's Planning, Recreation, and Conservation Commissions as well as the Town of Rye. He said he felt that fixing up the dock would make it an even better public resource than the Gibbons property, especially as the AYC proposal would use the best part of the land for parking. He also mentioned that the approval process for the AYC proposal would be longer.

Mr. Liebowitz reported that the rocks are in sound shape. The proposal would raise the jetty above high tide level, buttress it, cap it with concrete and provide a rail so that access would be easy and safe and also allow for lighting. He said the launch ramp would be constructed in stepping stone fashion for easy water access; there would be benches and bollards at the entrance to prevent cars from driving onto the dock. He said that the parking area would be a bit more formal and could have security cameras and regulation signs. He estimated that the cost, including contingency, would be less than \$130,000. In response to a question from Councilman McKean, SSC said they would be prepared to absorb the engineering costs as well. Councilman McKean clarified that this was in essence

a different proposal from the land swap but the Mayor added that it is being presented to offer an alternative.

Councilman Stampleman said that he thought AYC should be invited to comment on the proposal and asked how the security issues were going to be helped. Mr. McBrien said that one can't prevent cars from parking but that the lights would be more revealing than the present ones. Councilman McKean reiterated that policing of the area is Rye's job. Councilman Stampleman asked if the State does own the dock, how this fact would impact the proposal. Mr. McBrien said that if it was agreed to improve the dock, the State has indicated it would be a relatively simple matter to obtain approvals, perhaps just by a letter. He said that the benefits of the proposal are that it can be done simply and quickly, with relatively low cost, and addresses everyone's concerns.

There being no further questions or comments from the Council, the Mayor thanked Mr. McBrien and said that the Council will continue to weigh the information and issues. He also invited AYC to address the Council again.

6. Discussion of the proposed traffic signal on the Boston Post Road at Johnson Place/Barlow Lane

Mayor Otis introduced Salvatore Samperi, chairman of the City's Traffic and Transportation (T&T) Committee who recapped the history of the project for those present:

- At the first public forum concerning traffic safety, there was a request by Greenhaven residents to replace the light which had been knocked down.
- The result of the first base line data study indicated that the Barlow Lane/Boston Post Road intersection was either first or second worst in terms of personal injury reports and ambulance response so the City's Consultant, Berger Lehman Associates, added this issue to their study with no specific recommendation about what to do.
- Berger Lehman, after studying all aspects, decided the signal would be a good idea and conducted a warrant study. They presented the report to the City and, after review by the City Engineer, City Manager, and the T&T Committee, it was decided to propose the installation of the light to the City Council who agreed to the proposal and budgeted for it.
- Just prior to going to bid, comments began to be received from the residents opposing the light. In light of the arguments presented opposing the signal, the T&T Committee consulted the County which said (verbally) it would recommend the light; met frequently with The Preserve group, made site visits, took three votes, with each being unanimous in favor of the installation of the light as an effective means of enforcing traffic safety.

Mr. Samperi said that the T & T Committee has members with extensive public safety and traffic experience plus other members representing a good cross section of the community, that the staff is in favor and so he is making the committee's final recommendation to the Council in favor of proceeding with the installation. In response to a question by Councilman Stampleman, Mr. Samperi

said that the results of a warrant do not create a legal mandate to install a signal, but a decision not to install a signal despite warrant could raise a liability issue.

The Mayor thanked Mr. Samperi and then recognized Thierry Haase, President of the Homeowners Association of The Preserve, who told the Council that their presentation would be in three parts beginning with a presentation from Anthony Russo of AKRF Engineers, P.C. who reported on the study of the site they had conducted as follows:

- Their study included a volume count which shows that the criteria for all warrants was not met. In fact, he said that recent vehicular observations show that not only was warrant 2 not satisfied, but that the experience was rather good.
- The exit delays from the side streets show no delays above the acceptable time allowed.
- He presented accident diagrams based on police data which indicated there were no accidents on minor streets; no ambulance requests and in general over the years failed to meet the five accidents necessary to meet the warrant. Councilwoman Cunningham pointed out that there have been unreported accidents, which would not be able to be plotted, and that she believed there were five accidents in 2000 so the analysis is a little misleading.
- He said that they found no accidents attributable to glare and felt that the bigger issue would be having to look up into the sun to see the light.
- He said that they don't agree with the T&T Committee's assessment that the signal is in the gray area but do agree with the speeding issue and have, in fact, made recommendations.
- He read from the NYS MUCTD manual stating that meeting the warrant doesn't necessarily mean one has to install a light, but rather information should be obtained by an engineering study and should also be viewed from a safety point of view.

Councilwoman Larr asked Mr. Russo if he is familiar with the "Road Diet" option, brought to their attention by the City Manager, which narrows the road to two lanes allowing bicycle paths, etc. on the sides and has the effect of slowing the traffic. Councilman Hutchings said he thought it was a good idea and would like to look at it more carefully. Mr. Samperi said he had presented the idea to the T & T Committee and they thought such a plan would cause severe safety problems and cost many millions of dollars even if the approvals could be obtained, so they didn't pursue the idea. Mrs. Simon, Greenhaven resident, said she would like to see the light put back.

Lawrence Lehman, a partner of Berger Lehman Associates, assured the Council their report showed that both warrant 2 and the required number of vehicles on the side roads had been met and that statements saying they were "barely met" were inaccurate. He also said that having the two studies conducted at two different times of the year resulted, in his opinion, in a comparison of apples and oranges. Mr. Russo said he felt his count was fine and the seasonal adjustment factor wouldn't make that much difference.

Robert Koenigsberger, Devereaux Court, gave his reasons for not wanting a light and said he hoped the Council would analyze the facts, appeal to common sense, and vote no.

- Berger Lehman study is less than convincing.
- The AKRF study indicates the signal is not necessary.

- Signal introduces more dangers (speeding/glare, etc.).
- Other controls (no speed signs, removal of stone wall structure) not yet implemented to address the speeding issue which is the major culprit.
- No citizen support, especially from the area.
- Waste of precious money which could be better spent elsewhere.

Marcia Kapilow, Greenhaven resident, read a statement opposing the light, including the following points:

- AKRF has an incredible resume of accomplishments and does excellent work, but they are not inexpensive so the fact that Rye citizens paid for the report indicates how strongly they feel about the issue.
- The City professionals actually recommended not replacing the old light.
- Having a light makes you have to stop and become a "sitting duck" with potential to be hit from behind, particularly in the winter when the sun is low.
- The T&T Committee is not full of traffic experts, but has rejected having a third study conducted.
- A traffic light doesn't necessarily slow traffic.
- Greenhaven residents are young enough to negotiate onto the Boston Post Road.
- If this is a "gray" area and the light is put up and then doesn't solve the problem, the city has wasted a lot of money
- If the theory is that the light will serve the greater good, the majority of the people who will use it live in the area and they don't want it.
- The glare issue is made infinitely worse if you have to look up at a light, or think you have a green light and you proceed without care only to be hit by someone who didn't see the red light.

Mr. Lehman, 10 Chester Drive (a member of the Planning Commission and liaison to the T&T Committee) said his study in no way tried to sugarcoat the issue. He said they merely reported the warrants were met. He said it was clear that there is more traffic today than in the past, not only at the intersection but up and down the road. He said they are aware of the glare issue, but noted the improvement in materials. He said that the Committee does consider this a gray area because engineering is not an exact science. He pointed out that controlling the speed is important but needs manpower. He pointed out that the Mamaroneck police confirm that speeding is an issue at the town line and urged the Council to stop delaying. As to the "Road Diet" idea, he said the City is responsible for maintaining the road, but does not have actual jurisdiction so implementing the idea will be hard. He confirmed that his interest in the matter was primarily as a citizen who lives in the area.

Robert Gaulin, Keane Court, said he wished to make three points. 1) The area should not be considered the trigger to the issue; 2) lights stop traffic, but don't slow it down so the installation of the light will not solve the issue; and 3) he wanted to know if any of the parties who reported on the issue would be bidding on the light as he is concerned with any potential conflicts of interest. Mark Kapilow, an optical engineer, said, in his opinion one will not see the light because of the glare and that the Mamaroneck Police did not have a total handle on the situation.

Mr. Samperi replied in support of the T&T Committee saying that there are two professional engineers on it (Mr. Dempsey and Mr. Greechan); that Mr. DeFilippo does analyze accidents each month; that the committee has had extensive dialogue with The Preserve and it is important not to take comments out of context. He also said that he feels lights do improve traffic safety where warranted and they think this is a case where it is. He said that they consider all requests carefully and that the choice to install a light is certainly not automatic.

Councilman Stampleman said we have diligent volunteers on the T&T Committee and Planning Commission, that no one should question motives and that there was not conflict of interest in listening to what anyone has had to say. Councilwoman Downing said there was no intention of impugning, but it is important for the Council to be sensitive to any potential conflicts. Councilman Stampleman continued by saying that he couldn't imagine making the Post Road two lanes or getting permission, but Councilman Hutchings said he would like to study it. Councilwoman Cunningham said that she too was interested in learning more as Manager Novak is the second city manager to bring it up. She said the T&T committee is doing a great job and while lights are not aesthetically pleasing, the Council needs to consider the matter from a safety issue, particularly in regards to traffic calming on all streets. Councilwoman Larr said that we have five new policemen, all of whom will be on board this summer and suggested we give it a chance to see if the city can enforce the speed and analyze the "Road Diet" idea. The Mayor said that the Council has done and will continue to do things which enforce speed limits. Councilman McKean concurred that the Council must address the speeding issue, regardless of whether or not there is a light. Councilman Stampleman wanted to know if the staff has changed its mind on this issue. Manager Novak said staff will be comfortable with either position and will follow whatever direction the Council sets. Councilman Hutchings stated that the debate had gone on long enough and suggested it was time to vote. Councilwoman Cunningham said that if the Council votes against the light, she would like the issue to be reviewed again in 6 months to a year. Councilman Stampleman warned of the potential liability should there be no light and should there be a serious accident.

Councilwoman Downing made a motion, seconded by Councilwoman Larr, to direct the staff not to proceed with bids at this time, but to review the situation in six months and examine other traffic calming devices in the meantime.

ROLL CALL:

AYES: Councilmen Cunningham, Downing, Hutchings, Larr,
McKean and Stampleman

NAYS: None

ABSENT: None

ABSTAIN: Mayor Otis

The motion carried. The Mayor said that the issues had been carefully considered and thanked the T&T Committee for the efforts they have put into the matter.

7. Proposed resolution finding that various capital projects are not subject to review under the New York Statement Environmental Quality Review Act

At the request of Mayor Otis, City Manager Novak explained that the Council needs to fund the following capital improvement projects: traffic signals; drainage improvements; recreation park lighting; City Hall improvements; and the police front desk. She said pursuant to the requirements of the State Environmental Quality Review (SEQR), the funding of these capital projects is considered a Type II Action and not subject to environmental review.

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

WHEREAS, the Rye City Council proposes to fund the following capital improvement projects:

Traffic Signals
Drainage Improvements
Recreation Park Lighting
City Hall Improvements
Damiano Center Improvements
Police Front Desk

WHEREAS, the Rye City Council has reviewed the proposed action pursuant to the criteria provided in Section 617.5 of the State Environmental Quality Review (SEQR), now, therefore, be it

RESOLVED, that the Rye City Council finds that the proposed action is a Type II Action pursuant to Section 617.5 (c) (25) of SEQR and therefore not subject to environmental review.

8. Resolutions authorizing the issuance of \$765,000 serial bonds of the City of Rye to pay the cost of various capital projects in and for said city

Mayor Otis asked the City Manager if she had any comments on the four separate resolutions. She said they authorized the issuance of \$765,000 serial bonds of the City of Rye (probably not until next Fall, depending on the bond market) to pay for the cost of various capital projects as listed below:

Resolution #1. Traffic Signals \$205,000

Resolution #1 Drainage \$195,000

Resolution #3 Recreation Park Lighting \$95,000

Resolution #4 Various including:

- City Hall improvements \$150,000 (council chambers, 3rd Floor conference room, MIS office expansion)

- Damiano Center Improvements \$50,000
- Police Front Desk \$70,000

In response to a question from Councilwoman Cunningham, the Mayor said that none of these projects will require further Board of Architecture Review approvals.

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

RESOLUTION #1 AUTHORIZING THE ISSUANCE OF \$205,000 SERIAL BONDS OF THE CITY OF RYE, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE AND INSTALLATION OF TRAFFIC SIGNALS IN AND FOR SAID CITY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of said capital project; now therefore be it

RESOLVED, by the City Council of the City of Rye, Westchester County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the purchase and installation of traffic signals, including incidental improvements and expenses, at a maximum estimated cost of \$205,000, there are hereby authorized to be issued \$205,000 serial bonds of the City of Rye, Westchester County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid class of objects or purposes shall consist of the issuance of the \$205,000 serial bonds of said City authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision 72 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Rye, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not available from other sources, there shall annually be levied on all the taxable real property in said City a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Rye, Westchester County, New York, by the manual or facsimile signature the City Comptroller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no

monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. Upon this resolution taking effect, the same shall be published in full in *The Journal News*, the official newspaper, together with a notice of the City

Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is hereby adopted subject to a permissive referendum in accordance with paragraph B Section C21-9 of the City of Rye Charter.

ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution carried.

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

RESOLUTION #2 AUTHORIZING THE ISSUANCE OF \$195,000 SERIAL BONDS OF THE CITY OF RYE, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OR REPLACEMENT OF STORM DRAINS IN AND FOR SAID CITY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of said capital project; now therefore be it

RESOLVED, by the City Council of the City of Rye, Westchester County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the reconstruction or replacement of storm drains, including incidental improvements and expenses, at a maximum estimated cost of \$195,000, there are hereby authorized to be issued \$195,000 serial bonds of the City of Rye, Westchester County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid class of objects or purposes shall consist of the issuance of the \$195,000 serial bonds of said City authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision 3 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Rye, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not available from other sources, there shall annually be levied on all the taxable real property in said City a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Rye, Westchester County, New York, by the manual or facsimile signature the City Comptroller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual

debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, pursuant to paragraph C of Section C21-9 of the City Charter, shall be published in full in *The Journal News*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution carried.

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

RESOLUTION #3 AUTHORIZING THE ISSUANCE OF \$95,000 SERIAL BONDS OF THE CITY OF RYE, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE INSTALLATION OF LIGHTING AT RECREATION PARK IN AND FOR SAID CITY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of said capital project; now therefore be it

RESOLVED, by the City Council of the City of Rye, Westchester County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the installation of lighting at Recreation Park, including incidental improvements and expenses, at a maximum estimated cost of \$95,000, there are hereby authorized to be issued \$95,000 serial bonds of the City of Rye, Westchester County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid specific object or purpose shall consist of the issuance of the \$95,000 serial bonds of said City authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(b) of paragraph a of Section 11.00 of the Local Finance Law. .

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Rye, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not available from other sources, there shall annually be levied on all the taxable real property in said City a

tax sufficient to pay the principal of and interest on such bonds as the same become due and payable

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Rye, Westchester County, New York, by the manual or facsimile signature the City Comptroller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, pursuant to paragraph C of Section C21-9 of the City Charter, shall be published in full in *The Journal News*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution carried.

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

RESOLUTION #4 AUTHORIZING THE ISSUANCE OF \$270,000 SERIAL BONDS OF THE CITY OF RYE, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF VARIOUS CITY-OWNED BUILDINGS IN AND FOR SAID CITY.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of said capital project; now therefore be it

RESOLVED, by the City Council of the City of Rye, Westchester County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the reconstruction of various City-owned buildings, such buildings being class "A" buildings within the meaning of subdivision 11 of said paragraph, including incidental improvements and expenses, at a maximum estimated cost of \$270,000, there are hereby authorized to be

issued \$270,000 serial bonds of the City of Rye, Westchester County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of the aforesaid class of objects or purposes shall consist of the issuance of the \$270,000 serial bonds of said City authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision 12(a) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Rye, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not available from other sources, there shall annually be levied on all the taxable real property in said City a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Rye, Westchester County, New York, by the manual or facsimile signature the City Comptroller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the

manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, pursuant to paragraph C of Section C21-9 of the City Charter, shall be published in full in *The Journal News*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution carried.

9. Proposed resolution approving a draft negative declaration of environmental significance and completing the New York State Environmental Quality Review Act requirements in connection with the proposed purchase of land for recreation and environmental purposes

Mayor Otis asked the Council to review the Short Environmental Assessment Form and negative declaration and resolution of SEQR Determination of Significance prepared in connection with the proposed authorization of bonding for the purchase of land in accordance with the City's approved Capital Improvements Program. The properties would be used for preservation, recreation and environmental protection purposes and the total acquisition costs are anticipated to be approximately \$3.1 million. Funding assistance would come from various Federal, State and Local grants.

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

WHEREAS, the Rye City Council proposes to authorize bonding for the purchase of properties within the City for preservation, recreation and environmental protection purposes, and

WHEREAS, the Rye City Council has reviewed the Environmental Assessment Form (EAF) prepared in connection with the proposed action, now, therefore, be it

RESOLVED, that the Rye City Council finds that the proposed action is an unlisted action and therefore not subject to a coordinated review pursuant to the requirements of the State Environmental Quality Review (SEQR), and be it further

RESOLVED, that based on the review of the Environmental Assessment Form and the criteria set forth in Section 617.7 of SEQR,. The Rye City Council finds that the proposed action will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared, and, be it further

RESOLVED, that the Rye City Council has prepared a Negative Declaration for the proposed action, containing a written statement in support of the determination of significance, and, be it further

RESOLVED, that the City Clerk and City Planner are hereby authorized and directed to circulate and provide notification of said Negative Declaration as required by law.

ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution carried.

10. Proposed resolution making a determination that the proposed purchase of land is consistent with the Rye City Local Waterfront Revitalization Program and completing the Coastal Zone Management Consistency Review requirements

Mayor Otis said that he was deferring making a determination that the proposed purchase of land is consistent with the Rye City Local Waterfront Revitalization Program as it is being referred back to the Planning Commission for review. He said that it was not necessary to pass this resolution prior to approval of the authorization to purchase land parcels.

11. Resolution authorizing the increase in Capital Projects for land acquisition

Mayor Otis said that in order to purchase several parcels of land for land preservation and/or recreation purposes, for a total of \$3.1 million, a resolution providing authorization to increase the capital project for land acquisition and properly account for the project revenues and expenditures is necessary. Councilwoman Downing thanked the Mayor on behalf of the Council for all he has done on this issue.

Councilwoman Cunningham made a motion, seconded by Councilwoman Downing, to approve the following resolution:

WHEREAS, the city desires to purchase certain parcels of land within the city for preservation and recreation purposes, and,

WHEREAS, the estimated purchase price of the parcels is estimated to be \$3,100,000, and

WHEREAS, the funding sources for the purchase are estimated to be \$2,300,000 from federal, state and local grants and aid, with the remaining \$800,000 being obtained through the issuance of debt, now therefore be it

RESOLVED, that the city comptroller be authorized to increase the capital project for land acquisition in the amount of \$3,100,000 with sources for funding being intergovernmental aid in the amount of \$2,300,000 and debt in the amount of \$800,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution carried

12. Resolution authorizing the issuance of \$800,000 serial bonds of the City of Rye for the purpose of property acquisition in and for said city

Councilman Stampleman made a motion, seconded by Councilman McKean, to adopt the following resolution authorizing the issuance of \$800,000 serial bonds of the City of Rye, Westchester County, New York, to pay part of the cost of the acquisition of various parcels of land for preservation or recreation purposes in and for said city:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of said capital project; now therefore be it

RESOLVED, by the City Council of the City of Rye, Westchester County, New York, as follows:

Section 1. There are hereby authorized to be issued \$800,000 serial bonds of the City of Rye, Westchester County, New York, pursuant to the provisions of the Local Finance Law, to pay part of the cost of the acquisition of various parcels of land within the City for preservation or recreational purposes, including incidental improvement and expenses in connection therewith, constituting a class of objects or purposes with a maximum estimated cost of \$3,600,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid class of objects or purposes shall consist of the issuance of the \$800,000 serial bonds of said City authorized to be issued pursuant to this bond resolution, together with \$2,800,000 expected to be received from a combination of federal, New York State and local aid therefor.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision 21 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Rye, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not available from other sources, there shall annually be levied on all the taxable real property in said City a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Rye, Westchester County, New York, by the manual or facsimile signature the City Comptroller and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain

substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. Upon this resolution taking effect, the same shall be published in full in *The Journal News*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is hereby adopted subject to a permissive referendum in accordance with paragraph B of Section C21-9 of the City of Rye Charter.

ROLL CALL:

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

NAYS:None

ABSENT: None

The resolution carried.

13. Consideration of proposed local law requiring dog owners to pick up after their dogs

Mayor Otis asked the Council to review the proposed draft of new legislation requiring the removal of feces left by dogs. The Council agreed that it was important. Corporation Counsel Neale suggested that the provisions requiring jail terms might be eliminated and the Council concurred. Mr. Neale will draft a revised law for review at the next meeting.

14. Approval of the election of the Fire Chief, 1st Assistant Fire Chief, 2nd Assistant Fire Chief

This agenda item was moved to the start of the meeting. (See page 1)

15. Resolution declaring two pieces of equipment, the hull of Police Boat 1 and Vac-con Truck 8, obsolete and authorizing the City Manager to arrange for its disposal

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

RESOLVED, that the City Council declares the hull of Police Boat 1, and Vac-con Truck number 8, as obsolete, and be it further

RESOLVED, that the City Manager is authorized to arrange for the disposal of these items.

16. Authorization for the City Manager to enter into an agreement with the County of Westchester for the 2001-2002 calendar years for the reimbursement of prisoner transportation services

Mayor Otis asked the Council to authorize the City Manager to enter into an agreement with the County of Westchester for the 2001-2002 calendar years for the reimbursement of prisoner transportation services. In exchange for this service, the County is offering to reimburse the City in the amount of \$115.50 in 2001 and \$121.25 in 2002, per transport. Manager Novak said these figures are prescribed by the County and can be considered "ballpark" and generally in line.

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

RESOLVED, that the City Manager enter into a Prisoner Transportation agreement with Westchester County for the period of January 1, 2001 through December 31, 2002.

17. Consideration of the request of the School of the Holy Child to use city streets for a three-mile fun run, the "Spring Sprint for Charity" on Tuesday, May 1, with a rain date of Thursday, May 3, 2001

Mayor Otis asked the Council to consider the request for this annual event which has been reviewed and approved by the Police Department.

Councilman Stampleman made a motion, seconded by Councilman Hutchings and unanimously carried, to grant the request of the School of the Holy Child to use city streets for a three mile fun run, the "Spring Sprint for Charity" on Tuesday, May 1, with a rain date of Thursday, May 3, 2001.

18. Consideration of request of Christ's Church to close Rectory Street to traffic on Sunday, May 20, 2001, between the hours of 9:00 a.m. and 3:00 p.m. for its Annual Spring Picnic

Mayor Otis asked the Council to consider the request for this annual event which has been reviewed and approved by the Police Department.

Councilman McKean made a motion, seconded by Councilwoman Downing and unanimously carried, to grant the request of Christ's Church to close Rectory Street to traffic on Sunday, May 20, 2001, between the hours of 9:00 AM and 3:00 P.M. for its Annual Spring Picnic.

19. Miscellaneous communications and reports

Councilman McKean said he thought Councilwoman Downing's idea of having a tour to see what aesthetic improvements might easily be made was a good one. Manager Novak suggested the Council meet at 3:30 P.M. prior to the Knapp House tour on Sunday, April 29, 2001.

Manager Novak reported for Councilwoman Larr on the Emergency Medical Services (EMS) meeting. Manager Novak said they are doing a great job; they met the new member; and it was a short meeting.

Councilwoman Cunningham urged both public employees and members of the community to support County Executive Spano's boycott of early Westchester Airport Flights by not booking seats on flights which depart before 7:00 AM.

Councilwoman Downing brought up her idea that the staff play a larger role in the City's Newsletter. Councilwoman Cunningham said that it was traditionally done by the Council and that many of the departments already have their own newsletters. The Mayor said he always requests input from the staff and the City Manager said they are happy to provide it. He said right now it is time to tell citizens about mosquito controls and leaf blower laws. Councilman Hutchings said all the money from the cable company had been used.

Councilwoman Downing asked how everyone felt about dining at Whitby and Councilman McKean said that he noticed there were several items on the punch list yet to be completed.

Councilman Stampleman said he had received the quarterly report from the DEC on ground water at the Theodore Fremd Avenue property owned by the County and agreed that it appears to be getting worse, maybe from one of the gas stations. He asked if anyone knew what is happening, if the reports could be created with more of a layman's approach, and who on the staff is following the situation so that the City might proceed with the idea to use this site for low cost housing. Councilwoman Cunningham said that in the past it was the City Planner's responsibility. She agreed that we should get another update from DEC and that we need to stay on top of this situation.

Councilman Stampleman asked if anything had progressed with the suit against Con Edison being spearheaded by White Plains. Corporation Counsel Neale said nothing had been done, that Rye is the only municipality who joined with White Plains and if appropriate, he will submit reply papers. Mayor Otis said he would call the Mayor of White Plains.

Councilman Stampleman asked for more information about the Metro-North Urbitran report concerning station signs. Manager Novak said this is a company-wide plan to place directional signs prominently to all stations, but that the City is trying to discourage the program in Rye as there really isn't any place to park when you get here. The Mayor asked that copies of proposed signs be distributed to the Council.

Councilman Stampleman urged the Council to refrain from making personal criticisms. Mayor Otis asked everyone to stay with the issues.

20. Old Business

There was no old business brought before the Council.

21. New Business

There was no new business brought before the Council.

22. Draft unapproved minutes of the regular meeting of the City Council held April 4, 2001

Councilwoman Downing made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the minutes of the regular meeting of the City Council held on April 4, 2001 as amended.

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to adjourn to executive session at 10:45 P.M. to discuss a land acquisition matter.

The council reconvened at 11:04 P.M.

23. Adjournment

There being no further business to discuss, Councilwoman Downing made a motion, seconded by Councilman Stampleman and unanimously carried, to adjourn the meeting at 11:05 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk