

***APPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held in City Hall on February 6, 2002 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor  
FRANKLIN J. CHU  
CAROLYN CUNNINGHAM  
ROBERT S. CYPHER  
ROBERT H. HUTCHINGS  
ROSAMOND LARR  
DOUGLAS MCKEAN  
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.

The following agenda item was taken out of order:

4. Report and Recommendation of the Special Athletic Fields/Wetlands Committee.

Mayor Otis said that the meeting would begin with a presentation by the Special Athletic Fields/Wetlands Committee which had been formed to develop a viable plan for both the Rye Nursery and Disbrow Park field space. He introduced Steven Meyers, Chairman of the committee who, with vice-Chair Michael Klemens, presented the findings of the committee to the Council and the public. Chairman Meyers said the committee represented a broad spectrum of the community (including, in addition to himself and Dr. Klemens, Mack Cunningham, Brian Dempsey, Bart DiNardo, Nick Hodnett, and Sid Burke) and of the staff (Bill Rodriguez and Sally Rogol from the Recreation Department; City Planner Christian Miller; and City Naturalist Chantal Detlefs). He said they had operated on a condensed schedule, meeting seven times in the last five weeks, including two workshops

and a site walk, all of which were well noticed to the public. He said over a hundred residents had participated over the five meetings and he thanked Staff Member Dawn Nodarse for her excellent minutes. He said he felt that the outcome was a balance between recreational needs; the needs of the community and, at the Rye Nursery site, between environmental and historical needs as well. In all, he said, 27 different schematic plans were considered (16 for the Nursery Site and 11 for Disbrow Park) and the resulting plans, which include only one rectangular field and wetlands at the Nursery and two baseball diamonds (one youth and one modified youth) at Disbrow Park, were reflective of the consensus reached by the committee.

He described the Disbrow Park site first, saying plans for the fields now run East to West; that parking is not adjacent to the fields, but more than enough when the park is considered as a whole; and that the driveway will be changed to enable a larger landscape buffer. The Youth size field will accommodate Little League and the modified youth field, JV leagues so that there is multi-use for the field, albeit not at the same time. Dr. Klemens described the biodiversity and ecological issues, stating that the improved site will continue to house patch animals (such as squirrels), although in lesser numbers. He said that there will be fewer trees, but there will be a better understory (such as rhododendrons) so it will look better. He said the visual impact will need more analysis as plans proceed, and, in terms of flooding, the plans will not cause any increase and may even improve the problem.

Turning to the Rye Nursery site, Mr. Meyers said the site plan has been revised to have one rectangular field running North to South out of concern for noise, historical impact and the flow of the wetlands. He said parking would be in two places (a paved lot in front and a more absorbent gravel lot in back for a total of 66 spaces); that there would be additional screening; that only 0.3 of an acre would be paved; and that once the wetlands were restored, it would be hard to see the field from the street.

Dr. Klemens discussed the plans for the wetlands. He feels the multi-purposes of the site would not impact the wetlands in any way and the design achieves significant environmental improvement over the present situation. He said the Bond Referendum does not cover the cost of wetlands restoration, but that funds are being sought through a \$1.6 million grant from the Water Quality Improvement Fund which will be matched by in-kind City staff time, acquisition costs, and the services and time of the Bronx Zoo-based Wildlife Conservation Society. The wetlands will occupy 2.8 acres at the lower section of the property near Playland Parkway where they may help in flood control. The long-term goal is to have a varied wetland area ranging from brackish (in the tidal area) to fresh, thereby producing different shrubbery. While there is a need for additional hydraulic studies, they plan to take out the underground drain pipe which will be better for drainage to Long Island Sound and lead to less pollution. While major flooding cannot be eliminated in Rye, the restoration of the wetlands will help, and we will have additional wildlife habitat and a reconnected ecosystem. The addition of a boardwalk through the wetlands (perhaps connected to the trail ways system) will increase Rye's passive recreational system. Future SEQRA studies will be necessary, but he feels the notes from the committee will set the foundation for SEQRA.

Both Mr. Meyers and Dr. Klemens agreed that their committee had been great; that they had worked very hard to create something far better than the original concept; and that they have gone a long way in addressing the concerns of neighbors.

Councilwoman Larr questioned if the Council should continue to be lead agency in the SEQRA process. Corporation Counsel Neale said the committee could continue its work, but it will be the Council that makes the decisions so it should conduct the process. Dr. Klemens, speaking as Chairman of the Planning Commission, concurred.

Councilman Cypher asked about the reaction to having only one kind of field at each site and the timetable. Mr. Meyers said there was a favorable reaction to adding two new baseball fields, but that Youth Soccer was a little disappointed. He said that they hoped to complete all necessary analyses as soon as possible and be able to go out to bid in the spring; that the fields could be in place by the end of 2002, but would not be playable for two growing seasons (i.e. 2004) unless there was money for sod, in which case they would be playable in 2003. Councilman Chu asked how the extra funds will be used if the Environmental Facilities Corporation (EFC) does not require the City to purchase the field portion of the Rye Nursery Property. Mr. Meyers said it is hard to know if the EFC will think of the field as a buffer to wetlands, but that if funds are available, the Recreation Commission has proposed that the extra amount be shared with the wetlands restoration and improvement of other fields. Dr. Klemens said that over 700 truckloads of material will have to be cleared from the site so the field will drain well and be vegetated, so there is a chance the EFC will look at the field as an environmentally good thing.

Councilman McKean said he thought the process to achieve the present plans was remarkable and reported that the vote for each site plan was unanimous. He personally is happy with the plan and commended everyone. Mayor Otis added his compliments to the committee and the staff. He said the fields were even bigger than anticipated; that the plans are better; and the needs of the community goals successfully met. He urged the support of the Bond Referendum so the well thought out plans can be implemented.

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

Ellen Milberg, former City Council member, said she was once again impressed with the countless citizen hours which created such a good plan, but, at the risk of being a wet blanket, she wanted citizens to be aware of the financial implications of passing the bond referendum and urged that the dissemination of information concerning future tax implications be widespread so that all voters are informed. She said that it was her understanding that the debt service will add 5% to our property tax bill and the operation increase (of the new building, field upkeep) will add another 2.08% so the minimum result will be an increase of 7%. She reminded everyone that this year's budget is operating with a \$1.3 million deficit, which, to cover, will involve another 12-13% in taxes, and that our collective bargaining fixed expenses add an additional 5-6%, bringing the total to a possible 24-26%. She said these are uncertain economic times with no manna from heaven and voters need to be aware that a vote

in favor of the Recreation Bond Issue must be interpreted as a willingness to pay for these improvements through increased property taxes. Councilman Chu said that a brochure explaining the financial implications in full was about to be sent out and the Mayor concurred that it contained helpful information, which is also on the web site.

Mayor Otis said he had a request from the Campaign for The Westchester Children's Museum, Inc (CWCM) to make a presentation about this project. CWCM president, Laura Lavan and other members of her board presented a history of the project. A decade ago, a children's museum, Scienceport, opened at Playland with little success. In 1998, the Junior League of Westchester on the Sound (JLWOS) had begun a feasibility study to resurrect the idea of a children's museum in Westchester. Surveys indicated positive response and now a non-profit organization, separate from the JLWOS, has been set up to try and establish a children's museum in the bathhouses at Playland. Their museum will focus on the environment, the arts, and diversity for ages 1-10, and they are looking to create partnerships throughout the county, particularly in Rye where they hope to be based. Mayor Otis mentioned that the Council intends to reactivate a Playland Advisory Committee, and he urged the group to meet with this committee. Councilman Cypher looked for reassurances that this museum would fare better than Scienceport and was assured that they are dedicated and professional. Councilman McKean confirmed that the Hudson River Museum was not specifically for children and that this would be unique to Westchester.

Marie Sciraldi-Cattau, working with the Indian Point Safe Energy Coalition, returned to address the Council with new information about the dangers of this facility (terrorists have plans for nuclear plants, current disaster plans are inadequate, the danger zone extends to Rye). She urged that Rye join in a resolution calling for temporary closure until the safety of our area can be secured. Mayor Otis said he personally supported decommissioning of the facility and said the Council will look at all proposals and put the matter on a future agenda. Councilwoman Cunningham said she had attended their last area meeting and had the resolutions distributed at the meeting. In response to a question from Councilman Cypher, Ms. Sciraldi-Cattau said that Indian Point provides only 6% of our energy, usually during peak summer times, and pointed out that the needs for energy are dropping and that new technology is coming. Councilman Cypher said he would be interested to hear from Entergy to obtain another opinion before voting to close the facility. Councilman McKean said with the deregulation of the industry, there are more ways to obtain energy and there was cause for concern. Robert Porto, from the Rye Camera Shop, reiterated the call to close saying insurance does not cover radiation and Indian Point's leakage record is bad.

5. Continuation of public hearing on proposed local law amending Chapter 180, Taxicabs, of the Code of the City of Rye by amending Section 180-14, Payment of fares

Mayor Otis announced the continuation of the public hearing on proposed local law amending Chapter 180, Taxicabs, of the code of the City of Rye by amending Section 180-14, Payment of fares. He referred to a new map of zones which he had proposed recommending only two zones: one for Greenhaven and Milton Point, and the other for the rest of Rye. Councilman McKean and

Councilwoman Cunningham both agreed that there were compelling reasons to keep the 3-zone version discussed at the last meeting. Edmundo Flores, representing the Purchase Street Taxi company, agreed that it was best to keep it simple and confirmed that hardly anyone from the Rye Station takes a cab to the Greenhaven area. There was also discussion about the fare structure, and the Mayor recommended that the top fare be \$5.50 rather than \$6.00. There being no further discussion, the Mayor closed the public hearing.

Councilman McKean made a motion, seconded by Councilman Cypher to adopt the following local law:

**LOCAL LAW  
CITY OF RYE  
LOCAL LAW NO. 2, 2002**

**A local law amending Chapter 180,  
Taxicabs of the Code of the City of Rye  
by amending Section 180-14 Payment of fares.**

Be it enacted by the Council of the City of Rye as follows:

INSERT WHOLE LAW

**Section 1. Section 180-14 of Chapter 180 of the Rye City Code is hereby amended to read as follows:**

**§ 180-14. Payment of fares.**

A. Taxicab zones. The following taxicab Zones A to C are hereby established as shown on the annexed map which is made a part hereof:

<b>Zone</b>	<b>Fare</b>
A	\$4.00
B	\$5.00
C	\$5.50

B. Maximum fares to or from railroad station. The maximum fares for taxicabs between the railroad station and points within the taxicab zones shall be as follows:

<b>Route</b>	<b>Maximum Fare</b>
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Between railroad station and points in Zone A \$4.00

Between railroad station and points in Zone B \$5.00

Between railroad station and points in Zone C \$5.50

C. Maximum fares between points other than to or from railroad station. The maximum fare between points within Zone A other than the railroad station shall be the regular fare of Zone A, plus \$0.50, and between points within other zones or between other zones shall be the regular fare of the highest zone involved, plus \$0.50.

D. Minimum fare. The minimum fare on Saturdays, Sundays and holidays shall be \$4, and on other days between 12:00 a.m. and 6:00 a.m. it shall be \$5.00.

E. Additional passengers. Each additional passenger coming from the same location as the passenger first engaging the taxicab and going to the same destination shall pay \$2.

F. Single passengers. Any single passenger who shall insist upon riding alone to the exclusion of other passengers waiting at the point of origin may be charged two whole fares.

G. Children. Children under six years, when accompanied by an adult, shall not be charged.

H. Rates per hour shall be as follows:

<b>Service</b>	<b>Fee</b>
Waiting time, shopping within the city, touring	\$30

I. Rate card and Taxi Fare Zone Map. A card on which the above taxi fare rates are plainly printed and a copy of the Taxi Fare Zone Map shall be fastened and maintained in a conspicuous place in the taxicab so as to be conveniently read by passengers.

**Section 2. This local law shall take effect immediately on filing in the office of the Secretary of State.**

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cunningham, Cypher, Hutchings,  
Larr and McKean

NAYS:None

ABSENT: None

The new taxicab zone map is on the following page.





6. Post-Acquisition Steps for the Friends Meeting House property

Mayor Otis proposed that the Council have a workshop when members from the Landmarks Advisory Committee and the Conservation Commission/Advisory Council can be invited to discuss the various options associated with the Friends Meeting House property once it is purchased by the City. The Council agreed this was a good idea.

7. Consideration of proposal of Seaside Johnnies for extension of license agreement, rehabilitation of pavilion areas, and expansion of restaurant area

The Mayor introduced John Ambrose, co-owner of Seaside Johnnies, who addressed the Council to request consideration of an extension of his license agreement and approval to rehabilitate the pavilion areas and expand the restaurant. Mr. Ambrose said he and his partner had already spent a lot of money, which he did not begrudge because they want to continue to make the restaurant all it can be. He said he loves this restaurant and wants only the best for it. Rex Gedney, architect for Seaside Johnnies, described the plans to enhance the restaurant this year: 1) on the west side, raise the stone wall to screen the operational part of the restaurant, softening the area with planters; 2) create an upper dining terrace at the old entrance to the beach, extending out the dining part; 3) create a 30' x 40' outdoor concrete terrace on the beach outside the snack bar; and 4) rehabilitate the two pavilions to stabilize them, install new concrete and re-do electrical wiring. Mr. Ambrose confirmed that he would have wait staff service during the day on the beach. Councilman McKean said he thought Rye's Planning Commission should be involved in reviewing these plans, particularly the concrete terrace. Councilwomen Cunningham and Larr agreed, and questioned storm damage, coastal erosion, parkland alienation issues and conformity with the Local Waterfront Revitalization Plan (LWRP). Mayor Otis said Commission President Morabito and Commission Member George Ilse were interested in the views of the Council. The Council, while appreciating Mr. Ambrose's commitment to the project, had reservations not only about the plan for the concrete terrace, but for the length of the requested license extension (12 years). Mayor Otis suggested Mr. Ambrose meet with Friends of Rye Town park to get their feedback.

8. Resolution to reestablish a City of Rye committee to monitor and advise the City Council on issues relating to Playland Amusement Park

Mayor Otis said there appears to be agreement by all members of the City Council to reestablish a Playland Committee to work on issues relating to the County-owned amusement park and its impact on Rye. Councilwoman Cunningham suggested that not all members of the committee be direct neighbors and, after some discussion between the value of nine or seven members, it was decided there was a lot of interest in serving on the committee and the number should remain, as it previously has, at nine members. It was also agreed that establishing staggered terms provided valuable continuity to any committee.

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

**WHEREAS**, the City of Rye and Playland Amusement Park have had a long relationship, and

**WHEREAS**, activities, policies and practices at Playland Amusement Park have a significant impact on the City of Rye; and

**WHEREAS**, the City's ability to identify, coordinate, and communicate Rye's concerns regarding Playland were greatly enhanced by the establishment of the Playland Neighborhood Advisory Council in 1990 and its successor, the Rye Playland Advisory committee, which was disbanded in 1997; and

**WHEREAS**, the City Council seeks to reestablish this advisory committee; and

**WHEREAS**, it is in the best interests of the City to establish a permanent citizens' advisory committee on Playland issues; now, therefore, be it

**RESOLVED**, that a permanent City of Rye Playland Advisory Committee for the City of Rye is hereby established to consist of nine members, all residents of Rye, to serve for three-year terms; and be it further

**RESOLVED**, that the initial appointments shall be staggered with three one-year terms, three two-year terms, and three three-year terms; and be it further

**RESOLVED**, that the members of the City of Rye Playland Advisory Committee shall be appointed by the Mayor, with the approval of the City Council and that one member shall be designated by the Mayor as Chairman; and be it further

**RESOLVED**, that the Committee shall have the following duties:

1. To advise the City Council on issues relating to the operation and management of Playland Amusement Park as they affect the City of Rye.
2. To identify and review neighborhood issues that arise relating to Playland.
3. To maintain communication with the Playland management and the Westchester County Parks Board in order to stay current with policies at Playland.
4. To monitor and anticipate new issues that may arise affecting the quality of life in Rye as they relate to changes in practices, changes in activities, or new uses of Playland Amusement Park.

5. To keep the City Council apprised of issues and activities of concern to Rye.

9. Discussion and instruction to city staff regarding the proposed speed hump policy

The Mayor said the policy statement prepared by the City Staff concerning speed humps was good, but he suggested that perhaps written notice to adjacent neighbors would be good to avoid any post-installation complaints. He agreed that 75% support of the street was a reasonable number. Manager Novak said that the City will have to listen primarily to those on the street requesting the humps because, traditionally, those on adjacent streets will not favor installation. The Mayor said he thought the notice provision was vital, and even though Councilman Cypher pointed out the more people involved, the less chance there was of getting the humps installed, it was suggested that the City Manager add a paragraph to the policy notifying homeowners on adjacent streets offering them "x" days to comment. Councilman Hutchings also suggested a paragraph about how one would go about removing the humps. In response to a question from Councilman McKean, Manager Novak said each hump costs about \$2000 and there was a Traffic and Transportation Fund which has been building up for just such use. The Mayor asked the City Manager to consider these suggested changes and let the Council review a revised policy at the next council meeting.

10. One appointment to the Boat Basin Commission by the Council to fill the term ending January 1, 2003

Mayor Otis reported that Charles Northshield had resigned as a member of the Boat Basin Commission as of November 26, 2001 and that, in accordance with their rules and regulations, the commission is recommending the appointment of William Villanova, who received the next highest number of votes in the last election, to be appointed in his place.

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to appoint William Villanova to the Boat Basin Commission to fill the term ending January 1, 2003.

11. Four appointments to the Commission on Human Rights for three-year terms and one appointment to fill the term ending January 1, 2004, by the Mayor

Councilwoman Cunningham made a motion, seconded by Councilman McKean and unanimously carried, to approve four appointments to the Human Rights Commission as follows: Fred Penichet, Janice Pierce, and Lawrence Forsberg to three-year terms ending January 1, 2005; and Wonda Liu Clyatt to fill a term ending January 1, 2004.

12. Three appointments to the Conservation Commission/Advisory Council for three-year terms and one appointment to fill the term ending January 1, 2004, by the Mayor with Council approval

Councilman McKean made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the reappointment of Richard Horsman and James Nash and the appointment of Evan Heller to three-year terms ending January 1, 2005 and to appoint Lori Junggren to fill a term ending January 1, 2004.

13. Two appointments to the Rye Cable Television Committee for three-year terms and one appointment to fill the term ending January 1, 2004, by the City Council

This item on the agenda was postponed.

14. Appointment of a Council Member as Trustee of the Police Pension Fund, by the Mayor with Council approval, for a one-year term

This item on the agenda was postponed.

15. Designation of the following City Council Liaisons by the Mayor

Mayor Otis stated that there had been a great effort to ensure that Council members were able to be involved in the areas of choice and he thanked everyone for being cooperative in shifting responsibilities around this year. The Council liaisons will be as follows:

Ambulance Corps	Councilwoman Larr
Board of Appeals	Councilwoman Cunningham
Board of Architectural Review	Councilman Cypher
Boat Basin Commission	Councilman Cypher
Commission on Human Rights	Councilwoman Larr
Conservation Commission/ Advisory Council	Councilman McKean
Finance Committee	Councilman Chu
Landmarks Advisory Committee	Councilwoman Larr
Recreation Commission	Councilman McKean
Rye Cable Television Committee	Councilman Hutchings

Rye-CARES Coordinator  
Rye City School Board

Councilwoman Cunningham  
Mayor Otis

Rye Free Reading Room  
Rye Golf Club Commission  
Rye Merchants Association  
Traffic and Transportation Committee

Councilman Cypher  
Councilman Chu  
Councilwoman Cunningham  
Mayor Otis  
Councilman McKean

16. Approval of the election of Brian Keane and Richard Cadigan to the Poningoe Hook & Ladder Company as new members of the Rye Fire Department

Councilman McKean made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the election of Brian Keane and Richard Cadigan to the Poningoe Hook & Ladder Company as new members of the Rye Fire Department.

17. Appointment of one member to the Emergency Medical Services Committee for a three-year term ending June 30, 2005

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr, to reappoint Susan Brown to the Emergency Medical Services Committee for a three-year term ending June 30, 2005.

18. Proposed resolution authorizing the city to collect the maximum fee authorized under the General Obligations Law of the State of New York for a dishonored check

Manager Novak reported that the amount which can legally be charged for a dishonored check has been raised from \$15 to \$20 and requested that the Council authorize the City to charge this new amount.

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

**WHEREAS**, Chapter 474 of the Laws of 2001 for the State of New York amended Section 85 of the General Municipal Law concerning the maximum fee that a municipality may charge for a dishonored check; and

**WHEREAS**, that amendment provides that the governing body of a municipality may adopt a resolution authorizing the maximum fee for a dishonored check to be the amount provided for in Section 5-328 of the General Obligations Law; and

**WHEREAS**, by previous resolution the City Council has authorized that the fee for a dishonored check is fifteen (\$15) dollars; and

**WHEREAS**, the maximum fee currently authorized under Section 5-328 of the General Obligations Law is twenty (\$20) dollars, now, therefore be it

**RESOLVED**, that the fee to be collected for a dishonored check shall be the maximum fee authorized under General Obligations Law.

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cunningham, Cypher, Hutchings,  
Larr and McKean

NAYS:None

ABSENT: None

The resolution passed.

19. Proposed resolution establishing a permit fee for the design, construction, and maintenance of fences and walls

Mayor Otis reported that the local law amending Chapter 90, Fences and Walls, by creating a new section requiring a permit was passed by the Council at its last meeting. He said that Section 90-3 ( C ) states "The application for a permit shall be submitted for review by the Building Inspector upon receipt of payment of such fees as may be required by resolution of the City Council."

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

**RESOLVED**, that the fee schedule established effective January 1, 2002 is hereby amended by adding the following fee:

<i>BUILDING</i>	
Fence Permit	\$25.00

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cunningham, Cypher, Hutchings,  
Larr and McKean

NAYS:None

ABSENT: None

The resolution passed.

20. Authorization for the City Manager to enter into a 2002 Selective Enforcement for Traffic Safety Grant Agreement with the County of Westchester for the period October 1, 2001 to September 30, 2002

At the request of Mayor Otis, City Manager Julia Novak said that annually, in an effort to increase traffic safety enforcement, the County requests municipal participation in the Selective Enforcement for Traffic Safety Grant Program. She said in exchange for the City's participation, the County is offering to reimburse the City in the amount of \$3,000 for traffic safety enforcement such as speeding, occupant protection, bicycle and pedestrian safety, motorists passing stopped school buses, and aggressive/unsafe driving behaviors.

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

**RESOLVED**, the City Council hereby authorizes the City Manager to enter into an agreement with Westchester County to participate in the 2002 Selective Enforcement for Traffic Safety Grant Program for the period October 1, 2001 – September 30, 2002.

21. Consideration of the request of the Rye Free Reading Room to use the Village Green on Saturday afternoon, February 9, 2002, in conjunction with their Chinese New Year Celebration

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to approve the request of the Rye Free Reading Room to use the Village Green on Saturday afternoon, February 9, 2002 in conjunction with their Chinese New Year Celebration. Councilman Chu confirmed there would be a Lion Dance and Councilwoman Larr urged everyone to come and enjoy the celebration.

22. Consideration of request of the Milton School P.T.O. to have Hewlett Avenue posted as a one-way street from 10:00 a.m. to 3:00 p.m. on Saturday, March 16, 2002 in conjunction with the Annual Milton School Fair

Councilman McKean made a motion, seconded by Councilwoman Larr and unanimously carried, to grant the request of the Milton School P.T.O to have Hewlett Avenue posted as a one-way street from 10:00 AM to 3:00 P.M. on Saturday, March 16, 2002, in conjunction with the Milton School Fair.

23. Consideration of the request of the Rye City School District to use the Council Chambers for one meeting per month during April, May, and June, subject to Council Chambers availability, for their Board of Education meetings for the purpose of televising them

Mayor Otis said that the Rye City School District had requested use of Council Chambers for their regular meetings so that they can be televised on Rye Cable TV. Councilman Hutchings said he thought it was a great idea and just the kind of expanded use for RCTV the Rye Cable Television Committee would like to encourage. Manager Novak said there are no conflicts for the times requested.

Councilman Hutchings made a motion, seconded by Councilman McKean and unanimously carried, to approve the request of the Rye City School district to use the Council Chambers for one meeting per month during April, May and June, subject to Council Chambers availability, for their Board of Education meetings for the purpose of televising them.

24. Consideration of the request of the Rye YMCA to use city streets for the 14<sup>th</sup> Annual Rye Derby on Sunday, April 21, 2002, beginning at 1:00 p.m.

Mayor Otis asked the Council to approve a request from the Rye YMCA to hold the 14<sup>th</sup> Annual Rye Derby beginning on Purchase Street at 1:00 PM and ending on Locust Avenue at approximately 1:45 PM. Councilman Cypher made a motion, seconded by Councilman McKean and unanimously carried, to approve the request of the Rye YMCA to use city streets for the 14<sup>th</sup> Annual Rye Derby on Sunday, April 21, 2002.

25. Consideration of the request of the National Multiple Sclerosis Society to use city streets for their 14<sup>th</sup> Annual Walk for Multiple Sclerosis on Sunday, April 21, 2002, from 10:00 a.m. to 1:00 p.m.

Mayor Otis asked the Council to approve a request to allow the National Multiple Sclerosis Society to use city streets on Sunday, April 21. He said that there is no conflict with the Rye YMCA's Annual Derby and also took the opportunity to thank the Rye Police Department, the DPW Department, and all other City staff who help to make these community events possible. Councilman Hutchings urged the City Clerk to remind the Society that permanent markings painted on the street were not acceptable. Rather, he said, the directional arrows should be non-permanent and should be removed after the event.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the request of the National Multiple Sclerosis Society to use city streets on Sunday, April 21, 2002 starting at 10:00 A.M.



26. Consideration of the request of the Rye Little League to use city streets for their Annual Opening Day Parade on Saturday, April 27, 2002, with Sunday, April 28, as a rain date

The Mayor asked the Council to approve a request from the Rye Little League to hold their annual opening day parade on Saturday, April 27, 2002, and Councilwoman Larr reminded the council to put the date on their calendar so they can be present to march.

Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried, to approved the request from the Rye Little League to use the city streets for their opening day parade on April 27, 2002, with a rain date of April 28, 2002.

The following agenda items were taken out of order

28. Resolution consolidating Election Districts 9 and 13 and renaming District 13 to District 9; District 14 to 13 and District 15 to 14

Mayor Otis reported that the City Clerk had proposed that two small election districts (#9 and #13) be consolidated to form a new District #9. He said that the new district would be the largest in the City, but within the limits set by the Board of Elections; that voters in the combined district would all vote in the same place they had before, but that four less inspectors would be required. He said the proposal would also require renaming District #14 to #13, and District #15 to #14. The City Clerk said nothing else would change, but that she would be evaluating more suitable polling places once the Milton Firehouse was finished and the new space could be reviewed.

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

**WHEREAS**, Election Districts 9 and 13 both have a relatively small number of registered voters and

**WHEREAS**, combining the two districts would not create an oversized district, and

**WHEREAS**, voters in both Elections Districts 9 and 13 currently vote in the same place, and

**WHEREAS**, it would be advantageous to have less districts, therefore be it

**RESOLVED**, that Election Districts 9 and 13 be combined into a new Election District, to be known as District 9, and be it further

**RESOLVED**, that Election District 14 be renamed District 13 and Election District 15 be renamed District 14.

29. Miscellaneous communications and reports

Councilwoman Cunningham repeated that she had attended the Indian Point meeting as suggested at the last Council meeting and confirmed that she considered this a very important issue.

Councilman Chu said he was having difficulty finding the perfect date for a joint meeting with the Rye Neck Board of Education and suggested that the Council just pick a date and see who can come. The Mayor said he would contact the Rye Neck School and set up a time.

Councilman McKean reiterated his compliments to the Special Athletic Fields/Wetlands Committee, confirming how well the committee system can work. Following up on comments made during the meetings, he suggested that the City take immediate responsibility for sprucing up the Rye Nursery property (beginning with removal of the Christmas tree lights) so that it looks maintained.

30. Old Business

Councilwoman Larr said that the Council, painful as it will be, needed to respond to the latest report from the Traffic and Transportation Committee concerning Barlow Lane and make a decision about the Barlow Lane light. She suggested getting a third appraisal and adopting the solution that either called for the light, two to one, or didn't. Councilman McKean said he continued to think it was a sightline problem, in addition to a speeding problem, and suggested moving the wall on Barlow Lane. Councilman Chu suggested mirrors. The Mayor agreed that the Council needs to readdress the issue and suggested they look back at old traffic reports (from 1998 or 1999) and compare them with new reports before making any decisions. The City Manager reported that the decision will need to come from the Council as the Traffic and Transportation Committee is standing by their recommendation to install a light.

Councilwoman Cunningham asked Manager Novak if there had been any progress on plans to replace the plaques on the Veterans Memorial at a cost of less than \$20,000, saying she was not in favor of spending that large an amount. Manager Novak said she was looking at other options and would report back.

31. New Business

Councilwoman Cunningham asked about the proposed Fee Study and said she would like to see additional options to spending \$50,000, suggesting that staff or the Finance Committee should review the proposal and see which fees need to be looked at professionally. The Mayor asked if the

study can be done by volunteers as he has some resumes of people with considerable expertise looking for ways to help the City. He suggested that these people meet with the City Manager and see if their expertise can be used as he agrees that less money or no money is preferable to \$50,000. Manager Novak said for some fees it is simply a matter of seeing if we are competitive, but for many of the land use fees, such as street openings, a more scientifically professional review is recommended. Councilman Chu suggested that the City Manager report back with a recommendation of what fees should definitely be studied by professionals and which might be done by volunteers. He agreed that it was important to have a firm schedule and get the job done.

27. Draft unapproved minutes of the regular meeting of the City Council held January 16, 2002

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 January 16, 2002 as amended.

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to adjourn to Executive Session at 12:07 A.M. to discuss a litigation matter.

The Council reconvened at 12: 14 A.M.

32. Adjournment

There being no further business to consider, Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 12:15 A.M.

Respectfully submitted,

Susan A. Morison  
City Clerk