

***APPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held in City Hall on March 20, 2002 at 8:00 P.M.

PRESENT:

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

ABSENT:

FRANKLIN J. CHU

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.

Mayor Otis congratulated Rye Cable and the City's Rye Cable Television Committee (RCTV) for initiating and hosting an excellent and informative forum for other public access cable groups in the County on Thursday, March 14th. Councilman Hutchings joined the Mayor in his congratulations, saying he was very proud of our RCTV staff and committee.

The Mayor announced that an agreement in principal with Seaside Johnnie's has been reached to extend the lease for ten years in exchange for having Seaside Johnnie's make improvements to the restaurant and to restore (with the help of a restoration architect) both pavilions. Once the agreements are officially drafted, they will be presented to the Council for approval.

3. Presentation by the Rye Senior Project Committee

Marion Shea, on behalf of the Rye Senior Project Committee, presented a proposal to the Council to form a Rye Senior Advocacy Committee. She said that in 1978, the late Anne Pastor had

been appointed as chairperson of such a committee but that at some point in time, the committee had become less visible and Mrs. Pastor had been appointed as the Senior Advocate, working effectively and tirelessly on behalf of Rye's seniors until her death. Mrs. Shea said according to the 2000 census, 17% of Rye's population is over 60; that this number will increase as the population ages; and there is a continuing need for an individual or an organization to assist our seniors in many ways, including intervening when there is a need and working together with local available resources to meet particular and general needs.

Mrs. Shea reported that the Rye Citizens Advocacy Committee (involving many different groups and organizations, including local houses of worship, The Osborn, NY-United Medical Center, Rye Senior Citizens Club, the County Office for Senior Programs and Services, medical professionals and members of City Council) had met several times, and there was a strong consensus that the role of Senior Advocate cannot be filled by just one individual in these complex times. Therefore, the committee is proposing that the City Council establish a Rye Senior Advocacy Committee with one staff member, all serving on a voluntary basis. The focus would be on addressing senior needs in areas of health, housing, transportation, legal and financial services, care management services, and other issues as the individual need arises. She said the following people, mostly professionals, had volunteered to serve on the Committee to get it started:

Ellen D'Angelo  
Josephine DelMonte  
Joni Ehrlich  
Kathleen Lonergan  
Julia Schwartz-Leeper  
Marian Shea, Chairperson  
Arthur Stampleman  
Margaret Trahar  
Joseph P. Murphy, Pro Bono Staff member

Councilwoman Larr wondered if the committee should be larger and include some more non-professionals, but Mr. Murphy said they preferred a professional committee at this time to help create structure and the make seniors more comfortable with the services they hope to provide. He said in two years they hope to be ready to proceed with the normal nomination process. In response to a question from Councilman Hutchings, he confirmed that while they were very grateful for their \$1,500 seed money, they were not seeking funds but simply approval by the Council so the committee can be a viable part of the community. He said the first goal is to provide access to information and they will start by having a notebook in the Library where they will be meeting. The Council was impressed with the plan and applauded both the efforts of the committee and the proposal.

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

**WHEREAS** the mission of the Rye Senior Advocacy Committee is “to enhance the quality of life of Rye’s senior residents by offering information, guidance, and assistance for services on an as needed basis, and

**WHEREAS**, the vision statement states the committee will achieve its mission by:

1. Building its knowledge base and personal contacts with service providers and experts who focus on senior citizen needs in HEALTH and MEDICAL SERVICES, INSURANCE, HOUSING, TRANSPORTATION, LEGAL and GERIATRIC SERVICES.
2. Establishing a RESOURCE CENTER with reference information located principally in the Rye Free Reading Room with satellite locations in the Damiano Center and on the city’s Web site.
3. Establishing a system for PERSONAL CONTACTS with the Committee or its staff.
4. Assisting seniors to gain ACCESS to the appropriate services.
5. Developing a list of VOLUNTEERS who are willing and able to provide personal assistance as appropriate.

Therefore be it

**RESOLVED**, that the City Council establishes the Rye Senior Advocacy Committee for the City of Rye in place of the position of Senior Advocate.

**ROLL CALL:**

**AYES:** Mayor Otis, Councilmen Cunningham, Cypher, Hutchings, Larr and McKean  
**NAYS:** None  
**ABSENT:** Councilman Chu

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

Lauren McGowan, 44 Cedar Place (at the corner of Sylvan Place), asked the Council to see if they could help in taking care of some of the problems existing in her neighborhood which has many children. She said there are many cars, busses, and trucks and also much traffic, blindspots and drainage problems. She has been to the Traffic and Transportation (T&T) Committee and the staff; everyone has been very nice, but she wanted to bring it to the Council’s attention as well, saying that, as a taxpayer, she feels her street should be paved as well as some others in less need. The Mayor said

the parking problems (with cars all over the newly redone sidewalk) need to be looked at from an enforcement point of view and he asked City Manager Novak to find out when the area is scheduled for repaving. She reported that staff is aware of the problems; that some can be fixed; others are not so easy, but they will continue to work with Mrs. McGowan. Councilwoman Larr suggested making the road one way.

5. Further discussion and consideration of proposed resolution regarding the Indian Point Nuclear Power Plants

Mayor Otis reported that he and Councilwoman Cunningham had attended the meeting in White Plains discussing some of the dangers of Indian Point. Councilwoman Cunningham said she was sorry more of the Council had not been able to attend the meeting as it presented another point of view and increased her concerns about the plant, already heightened by the events of September 11<sup>th</sup>. She presented a resolution for the Council's consideration that did not call for a complete shutdown of the facility, although she feels such an action would be safer. She said a major concern was the Evacuation Plan, developed in 1980 so the assumptions are way off base today, and pointed out that this plant is the only one in such a densely populated area. The Mayor said he concurred with Councilwoman Cunningham that Indian Point presented a serious and grave problem and that our area was very vulnerable, especially in regards to the nuclear waste. Councilman Hutchings, who had presented his resolution at the last regular Council Meeting, said he could agree with Councilwoman Cunningham's resolution except for her call to decommission the facility. After some discussion, including the fact that the plant is scheduled for decommissioning in 2015; that considerations of alternative energy sources are important; and that safety measures should continue to be implemented, the Council reached a compromise position by agreeing to ask for an investigation into the orderly decommissioning of the facility.

Councilwoman Cunningham made a motion, seconded by Councilman McKean, to adopt the following resolution as an addendum to the resolution proposed by Councilman Hutchings and adopted at the regular Council Meeting held on March 6, 2002:

**Resolution on Indian Point**

**WHEREAS**, after the attacks of September 11, 2001, the entire nation is reevaluating risks and threats of terrorism to our country; and

**WHEREAS**, President Bush has stated that the United States government has found plans for American nuclear power plants in the possession of the al Qaeda organization; and

**WHEREAS**, the Nuclear Regulatory Commission (NRC) has acknowledged that nuclear facilities and their safety control mechanisms, including those at Indian Point, were not designed to withstand or repel a substantial terrorist attack; and

**WHEREAS**, with 21 million people living within the 50 mile fall-out zone in the greater New York metropolitan area, the gravity of harm to our country physically and financially because of the location of this facility cannot be underestimated; and

**WHEREAS**, Indian Point's Emergency Response Plan and the Radiological Emergency Response Plan for the 10-mile emergency planning zone are known to be inadequate in their ability to evacuate area residents; and

**WHEREAS**, Governor Pataki has asked the federal government to review their standards for such evacuation plans; and

**WHEREAS**, there exists no Radiological Emergency Response Plan for evacuation of Westchester County communities outside of the 10-mile zone; and

**WHEREAS**, no adequate solution exists for the permanent disposal of spent nuclear fuel rods; and

**WHEREAS**, the NRC and other federal officials should investigate a phased and orderly decommissioning of the Indian Point facility in combination with the availability of increased energy supply from new, natural gas powered plants, increased energy efficiency, improved conservation, and new energy supply routing capabilities for statewide energy distribution;

**BE IT HEREBY RESOLVED**, that the City of Rye calls upon federal, state, and county officials to:

- (1) immediately improve security measures at Indian Point sufficient to repel a terrorist attack on the reactors, spent fuel pools, control room or electrical equipment; and
- (2) improve the safety and security of spent fuel and radioactive material associated with Indian Point as soon as reasonably possible; and
- (3) research and implement additional alternative means of providing our region with sufficient supply of power, including enhanced energy efficiency and conservation measures and the feasibility of converting the Indian Point site to an alternatively- powered electric generating facility.

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

NAYS: None  
ABSENT: Councilman Chu

6. Scheduling of a public hearing on the Special Use Permit Application TC 006 by Nextel of New York, Inc., d/b/a Nextel Communications to locate a wireless telecommunication facility at 32 Elm Place

David Snyder, of Snyder and Snyder, representing Nextel of New York, Inc, d/b/a Nextel Communications, applying to locate a wireless telecommunication facility at 32 Elm Place, reported that the application had undergone quite an evolution as a result of a very helpful pre-application meeting. Changes include: 1) moving the outdoor cabinetry indoors; 2) mounting the antennae flush to the building rather than adding to the height of the building; and 3) reducing the size of the antennae to about 24". He said he considers it an excellent site on the tallest building in the area and as close to the Thruway as they can get (even though it will not help Milton Point), and requested that a public hearing be set.

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

**WHEREAS**, a special use permit application (TC006) for permission to locate a telecommunications facility at 32 Elm Place has heretofore been introduced at this meeting and placed before the Mayor and each Councilman; and

**WHEREAS**, it is now desired to call a public hearing on such proposed application, now, therefore, be it

**RESOLVED**, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City, on May 1, 2002 at 8:00 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such application.

Section 2. Such notice of public hearing shall be in substantially the following form:

**CITY OF RYE**

**Notice of Public Hearing on a special use permit application by Nextel of New York, Inc. ("Nextel") to locate a telecommunications facility at 32 Elm Place**

PLEASE TAKE NOTICE that, pursuant to Chapter 196 of the Code of the City of Rye (Wireless Telecommunications), the Rye City Council has scheduled a public

hearing for Wednesday evening 8:00 P.M., May 1, 2002 in the Council Room of the Rye City Hall on the following matter:

Nextel of New York, Inc. has applied for special permit approval for the purpose of installing a wireless telecommunications facility on a property located at 32 Elm Place. The property is known on the Rye City Tax Map as Sheet 146.07, Block 1, Lot 56, and is located in the B-2 Central Building District. All information pertaining to this matter is available at the City Clerk's Office in Rye City Hall. Contact Christian K. Miller, (967-7167) if you require assistance in reviewing this matter. Any person interested or affected will be given an opportunity to be heard.

March 21, 2002

Rye City Planner

7. Resolution amending the fiscal 2002 Risk Retention Fund budget to provide for increases in insurance costs

City Manager Novak explained that the 2002 Risk Retention Fund budget was prepared assuming an insurance premium increase of approximately 7.5% over fiscal 2001, but the actual bill came in a little higher so the budget needs to be amended. She said there were adequate funds in the Risk Retention Fund to cover the increase.

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

**WHEREAS**, the fiscal 2002 budget for the Risk Retention Fund provided for liability insurance premium costs totaling \$271,100, and,

**WHEREAS**, the City has been advised that the actual rates for liability insurance will total approximately \$327,200, and

**WHEREAS**, the City Comptroller has advised that there are sufficient funds in the Risk Retention Fund retained earnings to provide for the unanticipated increases, now, therefore, be it

**RESOLVED**, that the City Comptroller is authorized to increase the Risk Retention Fund budget by \$56,100, using Risk Retention Fund retained earnings as the source of funds.

ROLL CALL:

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

NAYS: None

ABSENT: Councilman Chu

8. Resolution amending the fiscal 2001 General Fund budget to reflect an increase in state aid for the Rye Youth Council

Manager Novak said that the 2001 Budget needed to be amended to reflect the higher than anticipated state aid for the Rye Youth Council. She said the amount of aid is not directly related to the amount of support provided to the Youth Council each year by the City Council.

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

**WHEREAS**, the fiscal 2001 General Fund budget provided \$4,253 in state aid for the Rye Youth Council; and

**WHEREAS**, the County of Westchester has advised the City Comptroller that the approved amount of 2001 state aid for the Rye Youth Council is \$4,450; now, therefore, be it

**RESOLVED**, that the fiscal 2001 General Fund budget is hereby amended as follows:

Increase Rye Youth Council State Aid \$197; and  
Increase Rye Youth Council Appropriations \$197.

ROLL CALL:

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

NAYS: None

ABSENT: Councilman Chu

9. Resolution amending the fiscal 2002 General Fund budget to reflect an increase in state aid for Rye Recreation and the Rye Youth Council

Manager Novak reported that unanticipated state aid for the Rye Youth Council was received for fiscal 2002 so that budget needs to be amended to reflect the aid.

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

**WHEREAS**, the fiscal 2002 General Fund budget provided for \$4,804 in state aid for the Rye Recreation Department and zero in state aid for the Rye Youth Council; and

**WHEREAS**, the County of Westchester has advised the City Comptroller that the approved amount of 2002 state aid for Rye Recreation is \$5,303 and the approved amount of 2002 state aid for the Rye Youth council is \$4,693; now, therefore, be it

**RESOLVED**, that the fiscal 2002 General Fund budget is hereby amended as follows:

Increase Rye Recreation Department State Aid \$499  
Increase Rye Youth Council State Aid \$4,693; and  
Increase Rye Youth Council Appropriations \$4,693.

**ROLL CALL:**

**AYES:** Mayor Otis, Councilmen Cunningham, Cypher, Hutchings, Larr  
and McKean  
**NAYS:** None  
**ABSENT:** Councilman Chu

10. Authorization for the City Manager to enter into a renewal agreement with the County of Westchester for a five-year period ending February 28, 2007 for participation in the Composting Equipment Circulation Program

Manager Novak said the City has been participating in the Westchester County Composting Equipment Circulation Program on a limited basis for five years and recommends that the City continue to participate.

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

**RESOLVED**, that the City Manager is hereby authorized to enter into a renewal agreement with the County of Westchester for a five-year period ending February 28, 2007 for participation in the Composting Equipment Circulation Program.

11. Authorization for the City Manager to enter into a cooperation agreement with the County of Westchester for Phase II of a Park Improvement Project at Gagliardo Park under the Community Development Block Grant program

Manager Novak explained that Gagliardo Park is in a neighborhood that meets the federal guidelines for Community Development Block Grants; the City has been fortunate to have been able to

make improvements to the park with the help of these grants; and it is time to enter into an agreement to accept Phase II of a Park Improvement Project Grant. Councilwoman Larr asked if there is any way to obtain permission to use the empty lot next door to the field and obtain a grant to clear it of poison ivy, rodents, etc. and use it for parking. Manager Novak will investigate.

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

**RESOLVED** that the City Manager is hereby authorized to enter into a cooperative agreement with the County of Westchester for Phase II of a Park Improvement Project at Gagliardo Park under the Community Development Block Grant Program.

12. Schedule regular meeting of the City Council held annually at the Square House for May 1, 2002

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to schedule the regular meeting of the City Council held annually at the Square House for May 1, 2002.

13. Bids for Nature Center Apartment

City Manager Novak explained that the renovation for the Nature Center apartment was authorized in 1997; that additional funds were appropriated in 2001; and the project was sent out to bid asking for a base construction cost and several alternatives. She said the bidding was very competitive, with a close to \$100,000 spread, and that the City Engineer met with the low bidder to make sure they can deliver at the bid price. She said the City has been assured this is the case, the correct bonds are posted, and the references are good, so she urged the Council to accept the recommendation from the City Engineer to accept the low bidder. She said the amount of money authorized allows the City to include five alternatives as follows: 1) laundry renovation relocation; 2) cabinets in bedroom two; 3) cabinets in bedroom three; 4) roof deck door replacement; and 5) stair storage area and shelving. The bid tabulation is as follows:

**Nature Center Apartment**

**Contract # 2002-02**

Contractor's Name	Torlina Construction, Inc.	Alfred Services, Inc.	Seabury Enterprises, LLC
-------------------	-------------------------------	-----------------------	-----------------------------

Bid Security	Cert Check \$2,700	Cert Check \$4,000	Bid Bond
--------------	--------------------	--------------------	----------

<b>Base Bid</b>			
Contractor's Estimate	\$54,000.00	\$77,400.00	\$87,150.00
Engineer's Estimate	\$54,000.00	\$77,400.00	\$87,150.00
<b>Alternate #1</b>			
Renovate Laundry Room			
Contractor's Estimate	\$5,200.00	\$4,750.00	\$7,950.00
Engineer's Estimate	\$5,200.00	\$4,750.00	\$7,950.00

<b>Alternate #2</b>			
Cabinets in Bedroom #2			
Contractor's Estimate	\$5,100.00	\$4,800.00	\$7,500.00
Engineer's Estimate	\$5,100.00	\$4,800.00	\$7,500.00

<b>Alternate #3</b>			
Cabinets in Bedroom #3			
Contractor's Estimate	\$5,100.00	\$4,800.00	\$7,500.00
Engineer's Estimate	\$5,100.00	\$4,800.00	\$7,500.00

<b>Alternate #4</b>			
Replace Door to Roof Deck			
Contractor's Estimate	\$1,000.00	\$2,100.00	\$2,400.00
Engineer's Estimate	\$1,000.00	\$2,100.00	\$2,400.00

<b>Alternate #5</b>			
Provide Space for and Install Shelves below Stairway			
Contractor's Estimate	\$800.00	\$1,600.00	\$2,625.00
Engineer's Estimate	\$800.00	\$1,600.00	\$2,625.00

<b>Total With Alternates Chosen</b>			
Percent Difference	0%		
Position	1	2	3

## Nature Center Apartment (Continued)

Contract # 2002-02

Contractor's Name	Wager Contracting	N. Picco & Sons	
-------------------	-------------------	-----------------	--

	Co., Inc.	Contacting Co., Inc.	
Bid Security	Bid Bond	Bid Bond	
<b>Base Bid</b>			
Contractor's Estimate	\$108,066.00	\$145,000.00	
Engineer's Estimate	\$108,066.00	\$145,000.00	
<b>Alternate #1</b>			
Renovate Laundry Room			
Contractor's Estimate	\$14,374.00	\$12,000.00	
Engineer's Estimate	\$14,374.00	\$12,000.00	
<b>Alternate #2</b>			
Cabinets in Bedroom #2			
Contractor's Estimate	\$6,040.00	\$12,000.00	
Engineer's Estimate	\$6,040.00	\$12,000.00	
<b>Alternate #3</b>			
Cabinets in Bedroom #3			
Contractor's Estimate	\$6,040.00	\$10,000.00	
Engineer's Estimate	\$6,040.00	\$10,000.00	
<b>Alternate #4</b>			
Replace Door to Roof Deck			
Contractor's Estimate	\$3,645.00	\$2,800.00	
Engineer's Estimate	\$3,645.00	\$2,800.00	
<b>Alternate #5</b>			
Provide Space for and Install Shelves below Stairway			
Contractor's Estimate	\$3,645.00	\$7,000.00	
Engineer's Estimate	\$3,645.00	\$7,000.00	
<b>Total With Alternates Chosen</b>			
Percent Difference			
Position	4	5	

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

**RESOLVED**, that Contract #2002-02, "Nature Center Apartment" be and is hereby awarded in the amount of \$71,200, which includes all five alternatives, to the low bidder meeting specifications, Torlina Construction Company, in accordance with the recommendation of the City Engineer.

**ROLL CALL:**

**AYES:** Mayor Otis, Councilmen Cunningham, Cypher, Hutchings, Larr and McKean  
**NAYS:** None  
**ABSENT:** Councilman Chu

14. Bids for Street Materials

At the request of the Mayor, City Manager Novak said the following bids had been received, that the results were straightforward and self-explanatory, and she recommended the Council accept the recommendations of the City Engineer.

The bid tabulation is on page 14.

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

**RESOLVED**, that Bid #2-02 "Street Materials" be and is hereby awarded as follows to the following companies, being the lowest bidder meeting specifications:

John Gozo, Jr. Contractors:

Road Sand	\$14.42 per Cu. Yd. (Delivered)
-----------	---------------------------------

Peckham Materials, Inc.:

¾ Crushed Stone	\$17.00 per ton (Delivered)
1 ½ Crushed Stone	\$17.00 per ton (Delivered)
Graded Processed Stone NYS304.02	\$16.50 per ton (Delivered)
Binder Course Type 3	\$35.00/37.13* per Cu. Yd. (FOB)

Binder Course Type 4	\$35.00/37.13* per Cu. Yd. (FOB)
Binder Course Type 5	\$36.00/38.13* per Cu. Yd. (FOB)
Top Course Type 6F	\$35.00/37.13* per Cu. Yd. (FOB)
Top Course type 7F	\$36.00/38.13* per Cu. Yd. (FOB)
Asphaltic Concrete Curb	\$41.00/43.13* per Cu. Yd (FOB)

\*Mileage adjustment as per bid specifications.

ROLL CALL:

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

NAYS: None

ABSENT: Councilman Chu

**STREET MATERIALS**

**Bid #2-02**

NAME OF BIDDER		Islip Business II Corporation (John Gozo, Jr. Contractors, Inc.) Bid Bond		Peckham Materials Corporation Certified Check \$100.00		RCA Asphalt LLC Certified Check \$100.00	
SECURITY							
#	Item	PER TON		PER TON		PER TON	
		F.O.B.	Delivered	F.O.B.	Delivered	F.O.B.	Delivered
	Crushed Stone ¾	No Bid	\$17.22	\$17.40	\$17.00	\$24.25	No Bid
	Crushed Stone 1 ½	No Bid	\$17.22	\$17.95	\$17.00	\$24.00	No Bid
	Graded Processed Stone NYS 304.03	No Bid	\$16.72	No Bid	\$16.50	No Bid	No Bid
		PER CU YD		PER CU YD		PER CU YD	
		F.O.B.	Delivered	F.O.B.	Delivered	F.O.B.	Delivered
	Road Sand	\$8.42	\$14.42	No Bid	No Bid	No Bid	No Bid
		PER NET TON		PER NET TON		PER NET TON	
#	Item	F.O.B. Bidder's Plant		F.O.B. Bidder's Plant		F.O.B. Bidder's Plant	
403.13	Binder Course Type 3 3.5%	No Bid		\$35.00/37.13*		\$35.90/41.39*	
403.14	Binder Course Type 4 4.0%	No Bid		\$35.00/37.13*		\$35.90/41.39*	
403.15	Shim Course Type 5 8.25%	No Bid		\$36.00/38.13*		\$36.90/42.39*	
403.17	Top Course Type 6F 6.4%	No Bid		\$35.00/37.13*		\$35.90/41.39*	
403.19	Top Course Type 7F 7.0%	No Bid		\$36.00/38.13*		\$36.90/42.39*	
714.06	Asphaltic Concrete Curb Mix 7.5%	No Bid		\$41.00/43.13*		\$42.90/48.39*	
		PER CU YD		PER CU YD		PER CU YD	
		F.O.B. Delivered		F.O.B. Delivered		F.O.B. Delivered	
502.2	Class "A" Concrete	No Bid		No Bid		No Bid	

\* Mileage Price Adjustment

15. Miscellaneous communications and reports

Councilwoman Cunningham discussed the Skate Park which the Recreation Department had run last June and in the Fall and asked about the requested new equipment. The City Manager said the report was primarily informational and merely mentioned that they would like to have an additional ¼ pipe so they can have a total of a pipe. Councilman Cypher said the park was great for younger kids, but that the older ones would need something a bit more challenging. Manager Novak said it would not be possible to have larger material unless a permanent site could be set up.

16. Old Business

Councilman Cypher asked if the City had been able to obtain insurance for the Zen Group for use of the Friends Meeting House. Manager Novak said they were in the process of getting it and they are still using the building for their evening meditation classes.

17. New Business

Councilman Hutchings brought up the subject of the unsightly empty gas stations at the entrance to the City and asked if there is anything the City can do to improve the matter. The Mayor said there have been periodic investigations of possible code violations by the Building Inspector, but leaving it unused is not a violation, if the building is sound and there are no environmental concerns. He said the owner is a widow who chooses not to sell, and the environmental problems with the oil tanks had been taken care of years ago. Robin Jovanovich, Rye resident, said she was encouraged that some of the old cars had recently disappeared and wondered how that had come about. Manager Novak said she will get a current report, and Councilman Hutchings asked if there is any provision in our code to be able to take action against an unattractive nuisance such as graffiti on the walls and if not, if such verbiage could be added. Corporation Counsel Neale said he would look into the matter.

18. Draft unapproved minutes of the regular meeting of the City Council held March 6 and the City Council Workshop held March 13, 2002

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to accept the minutes of the regular meeting of the City Council held March 6, 2002 as amended.

Councilman McKean made a motion, seconded by Councilman Cypher and unanimously carried, to accept the minutes of the City Council Workshop held March 13, 2002, as amended.

Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried, to adjourn to Executive Session at 9:58 P.M. to discuss a real estate matter and a personnel matter.

The Council reconvened at 10:21 P.M.

19. Adjournment

There being no further business to discuss, Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 10:22 P.M.

Respectfully submitted,

Susan A. Morison  
City Clerk