

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

PRESENT:

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

Mayor Otis said the City Manager would present the results of the 2002 Survey (Agenda Item 4) before the Council addressed budget issues.

4. Presentation by the City Manager of the results of the 2002 Citizens Survey

City Manager Julia Novak said she was pleased to be able to present the results of the Citizen Survey 2002 to the Council and audience, saying it would provide a good point of reference as the Council considers the tentative budget. She said when she was hired she was asked to take service in Rye to the next level and she believes you need data to tell you how you are doing. Staff has been tracking performance measures since 2001; this survey is a report card from our customers and will help us to set goals and raise the bar on our own performance. The Survey was conducted by the National Research Center which has a database of 300 communities so Rye can be compared to other similar communities. It also makes the cost of such a survey reasonable. The response rate was 49% with a margin of error +/-4% (vs. a typical

response of 25-40%. Her power point presentation presented the following statistics and results (poor listings of over 10% only are listed):

Rye as a Place to Live	97% said good or excellent
Rye as a Place to Raise Children	94% said good or excellent
Rye as a Place to Retire	49% said good or excellent; 24%, poor
Quality of Life in Rye	93% said good or excellent;
Sense of Community	81% said good or excellent
Overall Appearance of Rye	89% said good or excellent
Shopping Opportunities	50% said good or excellent, 11% poor
Recreational Opportunities	83% said good or excellent

Perceptions of Safety should make our police, fire and EMS personnel very proud: 91% said they were very or somewhat safe from violent crime; 76% from property crimes, 78% from fire; 98% feel very or somewhat safe in their neighborhood during the day; 90% after dark; 99% in downtown during the day; and 91% after dark. 96% feel safe in the parks during the day; 59% after dark.

4 out of 5 responders feel they receive a good value for the taxes they pay and are pleased with the overall direction that the City of Rye is taking. Only 11% feel the City doesn't welcome citizen involvement and only 17% feel the City government doesn't listen.

Overall quality of City Services	88% said good or excellent
Police Services	90% said good or better
Fire Services	94% said good or better
EMS	89% said good or better
Fire Prevention	85% said good or better
Traffic Enforcement	65% said good or better
Street Repair	53% said good or better; 15% poor
Street Cleaning	68% said good or better; 10% poor
Street Lighting	69% said good or better
Snow Removal	78% said good or better
Services to Seniors	71% said good or better
Services to Youth	75% said good or better
City Parks	85% said good or better
Recreation Programs/Classes	83% said good or better
Garbage Collection	91% said good or better
Recycling	94% said good or better
Yard Waste Pick up	80% said good or better
Storm Drainage	49% said good or better; 13% poor
Sewer Services	64% said good or better;
Sidewalk Maintenance	45% said good or better; 24% poor
Parking	20% said good or better; 49% poor
Land Use Planning	47% said good or better; 21% poor
Code Enforcement	45% said good or better; 19% poor
Animal Control	65% said good or better; 10% poor

Of those who had had contact with City employees over the past year, 90% rated knowledge as good or better; 83% rated responsiveness and courtesy as good or better; and 85% said the overall impression was good or better.

How does Rye compare to other comparable cities? We were above the norm as a place to live, place to raise children, overall quality of life, sense of community, overall appearance, recreational opportunities, safety from violent and property crime and fire. Rye ranked #1 in the percentage feeling safe in our neighborhoods, downtown, and in the parks (day or night). The only areas where Rye ranked below the norm were: sidewalk maintenance, amount of public parking, storm drainage and sewer systems. In terms of City Services, Rye ranked #1 in the range/variety of recreational programs and our accessibility of parks and was above the norm in terms of police, services to youth, recreation programs/classes, accessibility of recreation centers/facilities, garbage collection, recycling, yard waste pick-up, snow removal, cable TV, and overall quality of services provided. The knowledge, courtesy, and overall impression of City employees was also above the norm. Rye ranked #1 in how well they thought Rye government welcomes citizen involvement and #2 in how well government listens.

So what? If we don't know how we are doing, we won't know if we are doing any better. How can we set the bar and measure against this in the future. We are doing a good job and it is a fabulous report card, but remember, "success is the enemy." We can't rest on our achievements, so we will continue to raise that bar higher and constantly improve and be even better, so that the 15% of people who were not satisfied with their contact with City employees is reduced to zero!

The survey results were greeted with a round of applause from the audience.

3. Presentation of the Finance Committee Report on the tentative 2003 Budget

Duncan Hennes, Chairman of the Finance Committee, reported on the results of a meeting of the committee held on November 11, 2002 to discuss the tentative 2003 budget. He said their recommendations, if accepted in full, would reduce the property tax increase down to 18.3%. Reviewing the situation, he reiterated that the fund balance had been used to balance the budget for the last two years, and by not using fund balance this year, the property tax needs to increase by 10.1%. The balance of the increase is 4.5% for salaries, 5.6% for benefit increases, and 4.2% for debt increases. The interest due when all authorized debt is floated will continue to have a big effect on future budgets.

The committee agreed on the following policies:

1. Balance the operating budget.
2. Increase undesignated fund balance to between 7.5% and 10%.
3. Reduce the City's reliance on property taxes, increasing reliance on user fees.
4. Allow details to be worked out by staff and boards.
5. Do multi-year forecasting to allow Council to focus on the future impact of floating debt when considering capital expenditures.
6. Do not employ overly aggressive revenue assumptions.

Based on these policies, the committee made the following recommendations:

To enhance revenue:

1. Charge Mooring Fees (except for Durland Scout Center)(\$50,000)
2. Charge Non-Resident Golf Club and Boat Basin Members an extra \$75.00 per membership, to be applied to the General Fund
3. Adopt Maximus Recreation Fees phased in over two years (\$180,000)

To reduce expenditures:

1. Reduce contribution to Rye Town Park (\$30,000). [The Council should obtain more information on a regular basis from the Rye Town Park Commission concerning their operating and capital budgets.]
2. Continue the hiring freeze through 2003 (\$215,000)
3. Adopt the Job Reduction Review Program
4. Reduce Administrative pay raises (\$45,000)
5. Reduce refuse collection to once/week (\$225,000)
6. Do not purchase Hybrid cars (\$44,000)

He concluded by saying that while there may be some evidence of economic recovery, the financial industry (which employs many Rye residents) has not, and he urged a fiscally conservative approach.

5. Citizen Comment and Council Amendments to the 2003 Tentative Budget

The Mayor said he would try and to group the comments and urged everyone to be brief and, if possible, not redundant. Comments on the tentative budget followed:

The Nature Center: *Nick Hodnett*, Chairman, Conservation Commission Advisory Committee (CCAC), demonstrated with a series of charts showing the number of sessions/number of naturalists, number of participants/number of naturalists, the serious impact the loss of one, and then two naturalists would have on the school programs, the biggest impact being on children. *Monty Stubbs*, Friends of Rye Nature Center (FRNC), used budget figures to show that the salary savings would not overcome the loss of program revenue and that even though FRNC would be contributing \$20K, losing two naturalists would have a net negative impact of \$1.2K. *Michael Pesner*, a volunteer at the Nature Center, testified that no time was ever wasted by any employee. *James McGee*, CCAC member, said the Nature Center Director was already working at full capacity and the loss of even one naturalist would give her less time to review wetlands determinations, as required by law, and that this would leave the job of wetlands review to either the Building Department or to expensive consultants. *Bergit Townley* and *Courtney Bennett*, both mothers of small children, testified to the wonderful, high quality and personalized service pre-schoolers receive and their desire to keep these standards in place. *Emily Edmund-Langham*, a Junior at Rye High School, student member on FRNC, former camper and long-time nature center volunteer, said it is a great place which costs a mere \$13 per capita which she would like to contribute to the budget process (she handed the Mayor \$13).

Finally, *Judy Murdoch*, former teacher, testified to the need for professional environmental specialists who can provide valuable education to our children helping them to become responsible citizens. She said the Council members were stewards of both finances and resources, and how they treat the Rye Nature Center will demonstrate whether or not they really care about the environment.

Solid Waste Issues: *Lawrence "Chip" Rigano*, Vice-President of CSEA Public Works, said he understood the problem, but the garbage collectors are a well organized great team which does a great job, and he urged the Council to find other ways to eliminate costs. He said no other Sound Shore community collects refuse at curbside; the empty trash cans are ugly; and he is not sure the savings are really there. Currently, it costs \$29/month/residence and if four men are laid off, it would mean breaking up the trained team. He added that sanitation workers are called in to work in snow and other emergencies and then report for their regular jobs and pointed out that the Management Partners report even recommended adding a worker. He urged the Council to "Keep Rye Rye." Other sanitation workers, including *Dominick Vitiello*, *John Coppolo* and *Matt Apostolou*, all spoke saying that less than 10% of the trash is currently at curbside; that apartment houses would have a big problem; and that if each truck had to collect 30%, the trucks would wear out more quickly. Mayor Otis took an informal show of hands from those in the audience and learned that the majority were in favor of retaining the status quo.

Theall Road Plans. *Sol Himmelman*, representing the 270 responsible independent residents of The Osborn said the issue was about saving lives. He said the road in its current condition is a threat to all; most likely fails to meet Department of Transportation standards; had been scheduled for rebuilding since 2001; and it is time to start now. *Arthur Jacobs*, agreed, saying it is probably one of the busiest roads in Rye.

Rye Free Reading Room: *Betty Teoman*, Director, spoke of the extraordinary partnership the Library has with the City, of her wonderful volunteers, and excellent staff. She pointed out that most libraries are funded 100% by the municipalities and that Rye is funded at only \$50/capita while Chappaqua, for example, is funded at \$100/capita. She pointed out that the addition, with 40% more space, will cost 25% more to operate and concluded by saying she was proud of the library services and of being a part of one of Rye's core services. *Winthrop Watson*, Trustee of the Library and co-chair of the membership committee, spoke of his passion for the library and emphasized the large number of members (750-1000 per year) who support it. *Marty Edelman*, President of the Board, made an emotional plea for support saying all City Councils have difficult decisions, and he hoped this one would make the difficult decision to say "yes" to maintaining the quality of life in Rye as we know it. The City is blessed to have resources to support most of what we want and we should all sacrifice to maintain what we have.

Rye Historical Society *Elizabeth Reynolds*, trustee, thanked the Council for maintaining their support. She said the Society has not requested additional funding because they knew it was a hard year, but wanted to assure the Council that the needs were just as great, as the cost of maintaining Rye's treasures was definitely not decreasing.

Recreation Department: *Steven Meyers*, Chairman of the Recreation Commission, presented a full and comprehensive report about the commission's review of the Maximus Fee

Study and their recommendations about raising fees, particularly for Day Camp. He said there was concern about the adverse effect raising the fees too much would have on both day camp and senior citizen programs, saying they were highly elastic in demand and if raised too high, people would go elsewhere. He compared Rye's camp fees as follows: Briarcliff \$620 (including three trips); Rye \$535 (trips extra); Rye Brook \$530; Scarsdale \$525 and Eastchester \$520 (all with trips extra). He said if Rye followed the Maximus suggestion, the rate would be \$701 making it the most expensive in the County and 30-40% above our peer groups. Many range between \$250 and \$450, clearly with a greater municipal subsidy. He said many send their children to the Recreation Day Camp because it is the one they can afford and many will not apply for scholarships out of pride. He recalled that when the last big raise was put in in 1988, there were 140 less campers the next summer. Doug Carey, commission member and volunteer head of Leaders for Tomorrow, said the Recreation camp is inclusionary, serving all children of Rye, as it has for years.

Skate Park: *Louise Sullivan*, mother of 4, said there is nothing for teenagers, especially those who are not particularly athletic, and she wants to see the Council match funds raised by the children for a skate park. She said if they are working toward something, it will give them something to do which is better than drugs and drinking. The park would be social, outside, and "cool" and she hopes it will work. Councilman Cypher confirmed the crying need.

Kirby Lane/Grace Church Project. *Darcy Gibson*, resident, wanted to make sure the Council heard the cries of the 46 families involved and said he was glad the City had worked out a way to reduce their immediate costs so the project could be started.

Rye Youth Council: *Lauren Miscamarra*, President, thanked the Council for their past support and presented an eloquent description of the role of the Rye Youth Council (RYC). They touch the life of every child in Rye and, far more than a cultural enrichment group, their mission is "to address identified needs of school-aged youth...by working collaboratively to sponsor school and community based programs designed to prevent at-risk behaviors and foster the healthy physical, social and emotional development of our young people." They run advocate programs, diversity workshops, employment services, Wildside and the Youth Council Players. New this year is "Facts and Chat." She said there is a cry from teens looking for more to do and the community also wants more from the RYC but there is only so much they can do with both giving and grants down due to the economy. Problems for our youth are increasing, pressures are incredible; sips of beer have given way to binge drinking; and we can't give up on our youth now. She pleaded with the Council for an additional \$5K which would bring the City contribution up to \$30,000 - only 10% of their whole budget. *Denise Cypher*, Treasurer, reminded the Council that their first contribution to the RYC was for \$13K back in 1980 and that with inflation, this year's amount of \$25K is actually less. She said over the years the Rye Youth Council had done a good job of becoming self-sufficient, but the additional \$5K requested was much needed.

Golf Club Non-Resident Fees. *Bruce Boehmke*, Golf Club Commission, said the extra fee would be like the commuter tax and might possibly be illegal and people might actually sue over it. He reminded the Council the Golf Club already gives back \$300K to the City and

requested this fee not be imposed. Corporation Counsel Kevin Plunkett said he did not think the imposition of such a fee was illegal.

Fire Department Overtime: *Chief George Hogben* told the Council the department wants to maintain the current level of staffing and turned the podium over the *John Castehlano*, representative of the career firefighters, to explain the overtime figures. Mr. Castehlano said most of the hours were for training, including for Certified First Response (CFR) training which is necessary especially when on the Thruway. He said the hours couldn't be helped because people were out on sick leave but having the 17th person would help and they would be able to plan. He said it is hard to put a dollar amount on Fire Safety.

Rye Senior Advocacy Committee: *Joe Murphy* thanked the Council for the continuing support of \$1500.

No one appeared to discuss either Boat Basin or Mooring Fees.

After a five minute recess, The Council proceeded to make amendments to the Tentative Budget as follows:

The following three resolutions resulted in an expense reduction of \$215,000:

Mayor Otis made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED that the hiring Freeze be extended to the end of 2003.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

After discussion concerning whether or not hiring an extra firefighter would save overtime and hearing from the City Manager that the department is not run by anyone directly accountable to the City Manager, Mayor Otis made a motion, seconded by Councilman McKean, to adopt the following resolution:

RESOLVED, that the hiring Freeze and Job Reduction Review exempt the 17th firefighter.

ROLL CALL:

AYES: Mayor Otis, Cunningham, and McKean

NAYS: Councilmen Chu, Cypher, Hutchings and Larr

ABSENT: None

The resolution failed to pass by a vote of 3-4. The Council agreed that they should set up a joint meeting with the Board of Wardens.

Mayor Otis then made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that the Hiring Freeze through 2003 and Job Reduction Review be adopted with no exemptions.

ROLL CALL:

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

NAYS: None

ABSENT: None

Mayor Otis made a motion, seconded by Councilwoman Cunningham, to adopt a Job Reduction Review Policy. Councilman Hutchings said he would like to have a chance to review the wording of the proposed policy prior to approving it. The matter was deferred to the December 2nd Council meeting.

A discussion concerning pay raises for the Administrative Pay Group (APG) ensued. Councilwoman Cunningham said she was in favor of no raises, but it was no reflection on the good job being done by the team. The Mayor said no raises were given County administrators; Councilman McKean pointed out that many were losing jobs and maybe raises could be tied to the Consumer Price Index. Councilman Chu said it was important to recognize the people who are in charge of motivating others and who are asked to put in long un-reimbursed hours and proposed that the pool available for APG raises be reduced by only \$20K and become, in effect, a bonus pool for the City Manager to distribute as she feels appropriate.

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

RESOLVED, that the salary increases for the APG be reduced by \$20,000, leaving \$70,000 in a bonus pool.

ROLL CALL:

AYES: Councilmen Chu, Cypher, Hutchings, and Larr

NAYS: Mayor Otis, Councilmen Cunningham and McKean

ABSENT: None

The resolution passed by a vote of 4-3.

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

RESOLVED, that the amount of the subsidy to Rye Town Park be reduced by \$30,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

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

RESOLVED, that the amount reserved for Dental Insurance be reduced by \$20,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

A discussion followed on what changes, if any, to make in the area of refuse collection. There was no support for reducing the collection to once a week so the discussion centered on the curbside only option. Areas of concern included the unsightly appearance of garbage cans at the curb, the hardship on senior citizens and those infirm to get the refuse to the curb, the security issue, and the lack of a guarantee that instituting such a plan would create enough savings.

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

RESOLVED that Refuse Collection be made only at curbside, resulting in a potential savings of \$75,000.

ROLL CALL:

AYES: Councilmen Chu, Cypher, and Hutchings,

NAYS: Mayor Otis, Councilmen Cunningham, Larr and McKean

ABSENT: None

The resolution failed to pass by a vote of 3-4. The City Manager was urged by the Council to explore ways of saving money in this area during 2003.

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

RESOLVED, that the Elections Budget be reduced by \$3,969.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

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

RESOLVED, that \$44,000 to purchase two "hybrid" automobiles be eliminated from the budget.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

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

RESOLVED, that the donation to the Rye Free Reading Room be increase by \$15,787 (based on a 2% CPI)

ROLL CALL:

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

NAYS: Councilman Hutchings

ABSENT: None

The resolution passed 6-1. The Mayor indicated he would like to consider an additional donation should the county institute the additional sales tax.

Mayor Otis made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that the Risk Retention Fund be increased by \$56,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

After a discussion about the estimated sales tax and a statement from the City Manager that the staff estimate last year was very close to the original estimate and her recommendation that it is better to be too low rather than too high, Mayor Otis made a motion, seconded by Councilwoman Cunningham to adopt the following resolution:

RESOLVED, that the sales tax projections be increased by \$22,000.

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cunningham, and McKean

NAYS: Councilmen Cypher, Hutchings and Larr

ABSENT: None

The resolution passed by a vote of 4-3.

Mayor Otis made a motion, seconded by Councilman McKean, to adopt the following resolution to supercede the previous motion:

RESOLVED, that the sales tax projections be increased by \$57,000.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, and McKean

NAYS: Councilmen Chu, Cypher, Hutchings and Larr

ABSENT: None

The resolution failed to pass by a vote of 3-4.

Mayor Otis made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that the Recreation Department Fees be increased by \$24,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

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

RESOLVED, that the Recreation Department Fees be increased by \$46,300.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

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

RESOLVED, that the Recreation Department Budget be increased by \$10,000 as per agreement reached by adopting the Recreation Cost Recovery Policy (see Agenda Item 7 below for Roll Call vote on adoption of the policy).

ROLL CALL:

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

NAYS: Mayor Otis

ABSENT: None

The resolution passed 6-1.

Mayor Otis made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that the fees at the Rye Nature Center be increased by \$6,930.

ROLL CALL:

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

NAYS: Councilman Cypher
ABSENT: None

The resolution passed 6-1.

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

RESOLVED, that the Rye Nature Center be required to meet the same 40% level of cost recovery established for the Recreation Department within the next two years.

ROLL CALL:

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

The resolution passed 4-3.

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

RESOLVED, that the Non-Resident members of both the Rye Golf Club and the Boat Basin be charged a surcharge of \$75 per membership; which will be collected by both enterprise funds and credited back to the General Fund in the total amount of \$45,000

ROLL CALL:

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

The resolution passed 6-1.

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

RESOLVED, that the policy of charging Non-Resident memberships at both the Rye Golf Club and the Boat Basin a \$75 surcharge be re-evaluated at the end of 2003

ROLL CALL:

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

The resolution passed 4-3.

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

RESOLVED, that a mooring fee be charged all boats in Rye waters, according to size and excepting those at Durland Scout Center, and that the general fund be increased in the amount of \$50,000.

ROLL CALL:

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

ONAYS: None

ABSENT: None

The resolution passed 7-0.

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

RESOLVED, that parking revenue be increased in the amount of \$12,768.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

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

RESOLVED, that the City Manager, at her discretion, reduce discretionary spending (\$2,065,591) by 1.5% or \$30,953.

ROLL CALL:

AYES: Mayor Otis, Councilmen and McKean

NAYS: Councilmen Chu and Cypher

ABSENT: None

ABSTAIN: Councilmen Hutchings and Larr

The resolution passed 3-2.

Councilman Cypher made a motion, seconded by Mayor Otis, to adopt the following resolution:

RESOLVED, that demolition fees for complete tear-down applications be raised from \$75 to \$1000.

ROLL CALL:

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

The resolution passed 6-1.

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

RESOLVED, that the purchase of the Fuel Management System be postponed at a savings of \$50,000 to the Building and Vehicle Fund.

ROLL CALL:

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

The resolution passed 5-2.

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

RESOLVED, that the foundation work on the Friends Meeting House be deferred t a savings of \$40,000 to the Building and Vehicle Fund.

ROLL CALL:

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

The resolution passed 7-0.

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

RESOLVED, that \$37,500 be added to the Building and Vehicle Fund to provide matching funds for a skate park

ROLL CALL:

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

The resolution failed to pass by a vote of 3-4. Those not in favor of providing the funds were concerned that a skate park was not ranked high on the Recreation Department list of priorities and that the plan should be better thought out.

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

RESOLVED, that \$60,000 be added to the Capital Budget for a Theall Road Design

ROLL CALL:

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

The resolution passed 6-1.

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

RESOLVED, that the Capital Budget be reduced by \$400,000 by deferring work on the Kirby Lane Drainage project.

ROLL CALL:

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

The resolution passed 7-0.

Councilman Cypher made a motion to increase the donation to the Rye Youth Council by \$5,000. There was no second to the motion so no action was taken.

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

There were no members of the audience left in the room who wished to address the Council.

7. Proposed resolution amending the Rye Recreation Cost Recovery Policy

Councilman Chu complimented the Recreation Commission on a great report and agreed that fees should be set by the Commission and Staff, but he suggested that the goals should be established in a policy approved by the Council. He recognized that many programs are for children and the elderly but feels it's better to keep taxes lower and increase fees for those who use the services. He suggested that the goal for the percent of services covered by fees should be raised from 35% to 42.5%. Councilman McKean said if that logic was followed, school taxes should only be charged to those with children in schools; Councilwoman Cunningham said the points were well taken, but in this transitional year (the construction of Damiano, new fields, etc.) perhaps it is not the right time. After considerable conversation and negotiation between Councilman Cypher and Commission Chairman Steve Meyers, the percentage was established at 40% and it was agreed that the Recreation Commission would commit to adding an additional \$10,000 to the budget in 2003 and strive for an added \$10,000 in 2004.

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

WHEREAS, the current financial policy of the City of Rye states that the Recreation Department will strive to return 35% of its operational costs through revenue and user fees; and

WHEREAS, the Rye Recreation Department stated policy puts forth “**a strong desire for user fees to be a primary revenue source for the recreation function, especially as an alternative to increased property taxes**”; and its stated mission is to “**shift the burden from the tax base to the user and the contributor;**” and

WHEREAS, such stated policy further states that recreation “**user fees allow for greater accountability and higher level of service;** and

WHEREAS, the Rye Recreation Commission has already adopted a policy that adult programs should be subject to user fees that incorporates all costs but that this policy has not been implemented; and

WHEREAS, in addition to its long-standing General Fund tax subsidy, the City of Rye has demonstrated its substantial incremental financial commitment to the recreation function in Rye through its funding of the \$2.3 MM Rye Nursery property in 2001 and the \$4.4 MM Rye Recreation Bond in 2002; and

WHEREAS, in furtherance of an equitable sharing of the tax burden and the principle that taxpayers (exclusive of core areas such as public safety and public health) should pay for the direct benefit of services that they receive whenever possible; now, therefore, be it

RESOLVED, that the City of Rye amend its Recreation Cost Recovery Policy (exclusive of the operations of the Rye Nature Center) to strive to return *Forty percent (40%)* or more of the "*total costs of user fee services*" that it provides; and it is hereby further

RESOLVED that the Rye Recreation Commission reaffirm its current Scholarship Policy that no Rye resident shall be denied participation in a recreation program because of a demonstrated inability to pay.

ROLL CALL:

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

NAYS: Mayor Otis

ABSENT: None

The resolution passed 6-1.

8. Resolution scheduling a public hearing on the tentative 2003 budget

Mayor Otis said it was time to set the public hearing and reminded everyone that changes to the budget can be made by simple majority up until the public hearing and that a super majority vote is required only if revenue assumptions are changed after the date of the public hearing.

Councilwoman Larr made a motion, seconded by Councilman Hutchings and unanimously carried, to adopt the following resolution setting the public hearing on the proposed 2003 budget:

WHEREAS, it is now desired to call a public hearing on the proposed 2003 budget, 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 December 2, 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 budget.

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

**CITY OF RYE
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held by the Council of the City of Rye on Monday, the 2nd day of December, 2002 at 8:00 p.m. at City Hall, 1051 Boston Post Road, in said City, on the Tentative Budgets of the General Fund, Cable TV Special Revenue Fund, Nature Center Special Revenue Fund, Debt Service Fund, Capital Projects Fund, Boat Basin Enterprise Fund, Golf Club Enterprise Fund, Risk Retention Internal Service Fund, and Building and Vehicle Maintenance Internal Service Fund of the City of Rye for the ensuing fiscal year, January 1, 2003 through December 31, 2003, and at such time and place any person interested in said Tentative Budgets will be given an opportunity to provide written and oral comments on any and all of the aforementioned budgets.

CITY OF RYE SUMMARY OF TENTATIVE BUDGETS

<u>Fund/Program</u>	<u>Tentative Budgets</u>
General Fund	<u>21,717,641</u>
Rye Cable TV Special Revenue Fund <u>173,960</u>	
Rye Nature Center Special Revenue Fund	<u>354,575</u>
Debt Service Fund	<u>144,057</u>
Capital Projects Fund	<u>1,900,500</u>
Boat Basin Enterprise Fund:	
Operating	411,867
Capital	<u>-0-</u>
Total - Boat Basin Fund	<u>411,867</u>
Rye Golf Club Enterprise Fund:	
Operating	3,862,012
Capital	<u>275,000</u>
Total - Golf Club Fund	<u>4,137,012</u>
Risk Retention Internal Service Fund	<u>582,000</u>
Building and Vehicle Maintenance Internal Service Fund	
Operating	2,672,275

Capital	<u>592,000</u>
Total - Building and Vehicle Maintenance Fund	<u>3,264,275</u>
 TOTAL - All Funds	 \$ <u>32,685,887</u>

Copies of the proposed budgets will be available for inspection by the public at the City Clerk's office during the regular business hours of said office and at the Rye Free Reading Room.

City Clerk

9. Consideration of request for creation of a Special Assessment Sewer District for Greenleaf Street

Mayor Otis recognized Greg Fell, resident of Greenleaf Street, who explained that the residents of Greenleaf Street (a private street) need to replace the sewer line. They recognize that it is their responsibility to pay for the new line, but would prefer that the City of Rye take over the sewer line and cause the construction to be done through a special assessment district. City Manager Novak explained that there are lots of private roads and sewers in Rye, each one the responsibility of the individuals involved and she recommended that the council deny the request. She said there is no public benefit because they are not going off a septic system, that the City would own (for the first time) a sewer under a private road and would ultimately, down the line, bear an additional financial burden for this sewer. Both Tom Weekley and Ken McKline spoke on behalf of the Greenleaf Street proposal but the Council said they were sorry, but could not grant the request.

10. Authorization for the City Manager to fill the Accountant position in the Finance Department and the General Foreman position in the Department of Public Works

City Manager Novak asked authorization from the council to begin the search to fill the vacant Accountant position in the Finance Department and the General Foreman position in the Department of Public Works, soon to be vacant upon the retirement of Joseph Carlucci.

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

RESOLVED that the City Manager be and hereby is authorized to fill one vacant position in the Finance Department and the General Foreman position in the Department of Public Works.

ROLL CALL:

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

The resolution passed 5-2.

11. Consideration of the request of the Rye Town Park Commission that the permit fees for the rebuilding of the Rye Town Park Pavilions be waived

This agenda item was deferred.

12. Proposed resolution on Enhanced Environmental Protection

This agenda item was deferred.

13. Proposed resolution requiring the distribution to the City Council of any written communications addressed in the name of the City

This agenda item was deferred.

14. Acceptance of a donation from the Rye City Lions Club to the City of Rye of two hundred fifty dollars (\$250) as a contribution towards the production costs of the Rye Senior Advocacy Manual and approval of an amendment to the 2002 General Fund budget in that amount to provide for the unanticipated revenue and the appropriation of funds for the purpose specified by the donor

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

WHEREAS, The Rye City Lions have offered to donate two hundred fifty dollars to the City of Rye as a contribution towards the production costs of the Rye Senior Advocacy Manual; and

WHEREAS, the fiscal 2002 General Fund budget did not anticipate this donation or the specific request as to how the funds should be spent: now, therefore, be it

RESOLVED, that the City Council of the City of Rye accepts the aforementioned donation; and be it further

RESOLVED, that the City Comptroller is authorized to amend the fiscal 2002 General Fund budget in that amount to provide for the unanticipated revenue and the appropriation of funds for the purpose specified by the donor.

ROLL CALL:

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

NAYS: None

ABSENT None

The resolution passed.

15. Approval of an application for a partial refund of 2002 real estate taxes for property located at 11 Halls Lane and authorization to refund the overpaid tax amounts

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

WHEREAS the owner of 11 Halls Lane has applied for a partial refund of 2002 real estate taxes in the amount of \$925.89 in City Taxes, \$3,517.50 in Rye City School Tax, and \$1,251.18 in County Taxes, and

WHEREAS the Director of the Westchester County Tax Commission has denied the request, despite the fact that the City Assessor recognizes an error made by the City of Rye and agrees with the request for a refund, now, therefore be it

RESOLVED that the City Council approve the request and urge Westchester County to also refund the taxes due to the error made by the City of Rye.

ROLL CALL:

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

NAYS: None

ABSENT None

The resolution passed.

15A. Consideration of the request by the Rye Merchants Association for use of the City streets and to close Purchase Street on December 1, 2002 from 1:00 to 3:00 P.M. for an "Old Fashioned Holiday Afternoon"

Mayor Otis presented a letter from the Rye Merchants Association requesting that Purchase Street be closed on Sunday, December 1, 2002 from 1-3 P.M. for various street entertainment and to encourage shoppers to shop in Rye. Oren Beach, a member of the audience, said it was good to support the merchants and hoped the Council would approve the

request. Police Commissioner Connors said it would probably cost the City almost \$1000 in police overtime, and it was suggested the merchants be asked to make a donation.

Councilman Hutchings made a motion, seconded by Councilwoman Larr and unanimously approved, to close Purchase Street on Sunday, December 1, 2002 from 1-3 PM and to request a donation from the Rye merchants, if possible.

15B. Approval of the election of John Wickham as 2nd Assistant Chief of the Rye Fire Department

The Council decided to defer this item in anticipation of meeting with the Board of Fire Wardens.

16. One appointment to the Rye Golf Club Commission to fill an existing vacancy until the 2003 Golf Club Commission elections

This agenda item was deferred.

17. One appointment to the Planning Commission to fill the term ending January 1, 2004, by the Mayor with Council approval

This agenda item was deferred.

18. Miscellaneous communications and reports

There were no miscellaneous communications and reports.

19. Old Business

There was no old business discussed.

20. New Business

There was no new business discussed.

21. Draft unapproved minutes of the regular meeting of the City Council held November 6, 2002, and the Budget Workshops held November 12 and November 13, 2002

This agenda item was deferred.

22. Adjournment

There being no further business to discuss, Mayor Otis made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 2:25 A.M.

Respectfully submitted,

Susan A. Morison
City Clerk