

APPROVED MINUTES of the Regular
Meeting of the City Council of the City of Rye held
in City Hall on December 18, 2002 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
FRANKLIN J. CHU
CAROLYN CUNNINGHAM
ROBERT S. CYPHER
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.

The Mayor said he had two pieces of good news to announce:

- The City's Aaa bond rating has been reconfirmed by Moody's indicating their confidence in the City's financial condition. The Rye Neck School District's rating has been raised from A1 to AA3 which is also good news for City tax payers.
- The City has received a \$1.6 million State grant to be used toward creating a wetlands area at the former Rye Nursery site.

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

Mary Louise Murray-Johnson, Ridgewood Drive, said she was concerned about a five-year plan to replace sidewalks and cut down some of Rye's oak trees. She said she didn't want Rye to look like a mall.

4. Discussion of Rye Nature Center and
- 4A. Discussion and Instruction to staff regarding draft operating agreement for the Rye Nature Center

Mayor Otis began the discussion on the proposal to cut all but the City Naturalist from the Rye Nature Center (RNC) staff by saying he objected to the process; that this is not how important decisions are made; that traditionally decisions are done in advance and involve input from various boards and commissions and many in person conversations. He said the Council should be going in a more coordinated direction and an open planning process would be a good opportunity to think about what is the right kind of model for the Nature Center. He said a bigger role for the Friends of Rye Nature Center (FRNC) is not new which is why City support stayed steady for so many years. He said he had a proposal that would temporarily restore money for educational programs, balancing these increases with cuts in other areas.

Councilman Hutchings said the decision was based on the budget analysis and approval process, that the Council has been looking at how to reduce the tax rate; and that this proposal seemed to be the right thing for the majority of people who live in Rye. He said that there had been concerns about the cost of the RNC from the beginning and the cuts should not have come as such a surprise. Councilman McKean said he was concerned with the elimination of the RNC programs (which resulted in a net gain of only \$37K) and with the secretive process, overridden by politics, which has led to such a huge citizen response and he wants to work out a better way. Councilwoman Cunningham said the drastic cuts did come as a surprise as some on the Council only got a memo on the subject late in the afternoon, but she hopes the savings proposed by the Mayor will allow the Council to undo this bad deed. Councilman Cypher said the Council was faced with a difficult and draining set of choices and he asked people to respect them for making hard choices to keep the tax rate as low as possible so senior citizens will continue to be able to live in Rye. Councilman Chu reminded everyone they are looking at plans that will enable programs to continue and he is looking forward to hearing from both the FRNC and the Rye YMCA.

Mayor Otis invited comments from the Public

Nick Hodnett, 115 Crescent Avenue, Chairman of the Conservation Commission/Advisory Committee (CC/AC) outlined the history of the RNC (1945 - Purchase of the land to stop development plans; 1956 - Designation as Nature Area; 1958 - Article 17 of City Charter creates Conservation Commission to control use and develop plans for future use; 1959 - Purchase of Carriage House and creation of Rye Nature Center; 1964 - Park grant and citizen donations allow purchase of last of the 47 acres and creation of Rye Conservation Society; 1993 - Name of Rye Conservation Society changed to Friends of Rye Nature Center but with same mission statement; 1994 - The Butterfly House; 1997 - a new director leading to more programs and staff). He said the decade of the 1960's saw the first director; the "green" decade of the '70s led to such increased demand for services that money was raised for a new facility; the decade of the '80s was one of reaping many awards and recognition; and the '90s saw continued demand for the excellent services of the RNC. Now, he said, we are back to the 1960s. He read a letter, signed on behalf of all members of the CC/AC asking that the funds to continue the Nature Center activities be restored.

Chet Coddington, 8 Vale Place, Rye resident for more than 50 years said his move to Rye was the best he ever made; that when there is a need citizens are asked to vote on it and pay for it, but during hard times it is hard to see some given more while others are laid off. *Marge Bancel*, 700 Forest Avenue, former 10 year member of FRNC said the center is a gem and hoped it would be restored. She said, however, she was appalled at the Council's vindictiveness toward each other, that there was no reason for it in such a small community.

Jack Stavrides, 25 Palisades Road, born in Rye 75 years ago, asked what is saved by dismantling the RNC which is an important part of Rye? He said savings of less than 1% is chicken feed and urged the Council to rethink its position. *Ken Cook*, 79 Fairway Avenue., a long-time Rye volunteer, said Rye was a big, little city and we can't afford to lose what we have in the RNC. *Jan Hodnett*, 115 Crescent Avenue and former FRNC member, urged everyone to remember it is a nature center, not a passive park, and it should remain so.

Joe Murphy, 60 Glendale Avenue., said his heart is heavy, but it is a good thing to discuss what is essential and what is discretionary. He said discretionary services are enriching the community and this city is in chaos because of this decision. He said they should have asked the CC/AC or the FRNC to help develop a plan rather than drop an ax and place this unbearable burden upon the people of Rye.

Matt Fahey, 36 Franklin Avenue, said the decision was made to get the City's finances in order; that it was a hard one, but it is better to spend energy on reorganizing the RNC rather than complaining. He said he was encouraged by the progress already of the FRNC and urged creativity in fundraising so the center will not have to depend on the city. (The Mayor reiterated the solid state of the City's finances.) *Bob Schubert*, 980 Forest Ave., said it was time for Rye to have an economic wakeup as we are getting mired in deficit financing. He pointed out the growth of the debt from \$1M to \$13M (and growing) and said the schools are part of the problem. He urged the City and the School to get together and suggested maybe some of the planned expansions be delayed. *Kay Bayha*, 2 Natoma Street, suggested deferring the Damiano renovations saying that we already have the "Milton Hilton" and we don't need a "Tajmahal" on Midland Avenue. *Denver Boston*, Indian Hill Road, said he thinks the budget process has been mismanaged since 2000 – that it is bad to raise revenue rather than cut expenses and even worse to use General Fund surplus to balance an operating budget. He urged the Council to find other cuts across the board and said it was time for them to stop arguing with and ridiculing each other. *Linda Lefkowitz* 38 Oakwood Ave., was also dissatisfied with the proposed budget and urged more cuts, including recycling programs and staff. She said Westchester County has good programs that the City should take advantage of and commented on the inherent meanness of some of the Council members that serves to the detriment of our beloved city. *Sis D'Angelo*, Wappanocca Ave, reiterated her suggestion for cuts across the board (including cuts in "freebies" to employees) and urged the city to raise funds by such things as meters.

Gerry Seitz, 141 Kirby Lane, recognizes how hard the process is and assumes good faith on both sides, but said it was unreasonable to cut the RNC so sharply. He favors reinstating costs, taking four months to develop a good long-term solution. He urged the Council to preserve the RNC now because it will be difficult to "put Humpty Dumpty together again."

Ann Edmunds, 82 Central Avenue, read a letter urging restoration of full funding of the RNC, expressing her surprise to hear that the RNC is non-essential (if so, is not the Recreation Department or the Library similarly non-essential?) She said the RNC was not chartered to be self-sustaining and certainly, as a passive park never will be. She said the programs are nationally recognized for the value to environmental education and objected to the inequity of the cuts (all employees from one department and all women). She said the FRNC has looked into being more like the Art Center, but there were fiscal drawbacks then, as now, and the FRNC can't step into the breach right away, so restore the funds now. She said any plan conceived in haste would be risky and questioned if there was any preplanning which enabled the Rye Y to be so prepared to jump in to help.

Jean Sinnott, 131 Purchase St., former school board member, commented on the non-partisan nature of that board and said it made decision making easier. Concerning the RNC, she asked how many non-Rye citizens use it and whether or not the non-resident fees could be raised.

David Parsons, 110 Evergreen Ave., Board Member of the FRNC, said the process has been eye-opening and told the Council the way they interact is an embarrassment and they should work together to work things out by setting both long term and short term goals. He said the City's budget has been a mess for a long time and the Council needs to look across the board because what they have cut is "only a little better than nothing." He said this is a family community and it should keep the things we have for families; that a Request for Proposal (RFP) is fine, but not as a last minute, behind closed door process. Any plan has to be thought through. The greatest draw to Rye is its non-essential services that lead to community spirit and pride. He said to remember that the FRNC are just "plain folk," rather than high-powered "Type A" people.

Kathleen Walsh, 110 Drake Smith Lane, former City Council member and incoming president of the Rye YMCA, dispelled any thought that the Y was in any way conspiring to benefit from the RNC situation. She said the Y's director, Greg Howells, read about the cuts in the paper and suggested the Y might be a resource. She said the Y is fortunate to be in a strong position and able to help, and they have worked hard to come up with a plan which might help the FRNC. She said they have the same mission ("to help to build body, mind and spirit") and they have no wish to compete or be drawn into any controversy. *Gregg Howells*, Director of the YMCA, outlined the basics of their plan (to run programs, lease the RNC facility for \$1; to work with the Friends; and to coordinate in ways such as having a member from each board on each other's board). He reiterated a desire to help, but if it is not needed, they already have a full plate. (The Mayor congratulated them on their capital project and the completion of the new facility.)

Steve Meyers, 10 Roger Sherman Place, supported the Mayor's "fair and reasonable" plan for a three-month transition saying the joint committee set up to work out a plan for the Rye Nursery Property has been very effective. He said the business model set forth by the way could work, but so could others and it would be good to hear from everyone (Marshlands, Edith Read Sanctuary, anyone) and remember that the City should get some return.

Arthur Stampleman, 140 Grace Church Street, said both proposals were good but flawed – with the Y you would lose continuity; with the Mayor's, there is no long-term solution. He suggested the Council approve both plans.

Bob Clyatt, 189 Milton Rd, President of FRNC, says the answer lies in the Mayor's proposal as he feels the FRNC can come up with a plan if given time, but if everything is cut now they will be in a hole from which they can never escape. He said the Y's proposal is interesting, but they need time to get to know each other and develop an agreement. He said it appears they have the same goal but finding solutions to such items as who carries insurance will take time. In response to Councilman Chu's question, he said the FRNC's proposed Plan B would have to be revised. He said they have \$75K in unrestricted funds, but there is no way the FRNC can rehire the curators.

Mayor Otis reiterated that the process has not been open and an RFP should be at the end of the process so all details get addressed. He said he is looking for a fresh model and the draft RFP before the Council is not acceptable. Councilwoman Cunningham she was in despair concerning the layoffs and felt there could be a consensus with a new model, so she urged again to consider the Mayor's proposal to reinstate \$37K in the budget (which would reinstate the naturalists and the revenue they can bring in). The Mayor said he was linking his proposal to reinstate money to the Rye Nature Center budget with cuts to the General Fund so that the net would be a reduction, therefore requiring only a simple majority vote. City Manager Novak said it appeared to her that the reinstatement of \$37K to the Nature Center Fund would require a super majority, because this amount was being reinstated into a fund separate from the General Fund. There was discussion about separating the vote into parts and limiting the amount of time to develop the plan.

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

RESOLVED, that the Travel and Transportation funds in the General Fund be reduced by \$25,000 with determination on which conferences to attend determined by the City Manager; and be it further

RESOLVED that the Planning Department Consulting Budget in the General Fund be reduced by \$15,000 for a total reduction of \$40,000 from the General Fund, and be it further

RESOLVED, that \$37,000 be restored to the Rye Nature Center budget to cover the cost of reinstating three curators (resulting in a corresponding increase in revenues), and be it further

RESOLVED, that this temporary restoration will take place until a planning process to determine a model for future operation of the Nature Center can be concluded, at which time the portion of the restored funds no longer needed from the City will be transferred back to the General Fund.

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.

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

RESOLVED, that \$37,000 be reinstated to the Rye Nature Center to cover the cost of reinstating three curators (resulting in a corresponding increase in revenues), and be it further

RESOLVED, that any remaining funds be transferred back to the General Fund when a plan for the RNC is developed; and be it further

RESOLVED, that a committee will receive written submissions for any new plan for the RNC from any interested parties.

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.

Councilman Chu suggested that the Council authorize the preparation of a Request for Proposal (RFP). The Mayor took this opportunity to discuss again why the RFP process is not appropriate in this case and why the current RFP draft before the Council is unacceptable. A summary of his remarks follows. The RFP process is not a planning process (it involves the submission of written, non-interactive proposals so the applicant does not benefit from discussion regarding the benefits and failings of different approaches). The RFP is not a public process where experienced parties can assemble to walk through what the structure should be (such as was done with the fields committee). The RFP process is selective and one you use when you know what model you need and want. The existing RFP draft asks "how do we eliminate the City involvement with RNC programs" rather than "how do we provide these programs in the most efficient, cost effective way while transitioning to greater not-for-profit financial participation and maintaining continuity?" This RFP assumes policy decisions about structure, financial and organizational goals not yet discussed by Council or by a planning process. It divides the school and non-school educational programs; does not require a background in environmental programming; focuses on the building and the property rather than the programs; and there is no detail on the existing mission of the Nature Center, programs or history. It is not clear what the role and responsibilities of the City Naturalist would be or how not-for-profit and City activities and management would be separated. Will there be one director

or two? He concluded by saying, yet again, that we need an open-minded planning process that maintains existing programs while trying to find a new model to provide those services; we need to take advantage of this crisis and take a fresh look at what is a workable structure and model that makes sense. Many complex issues need to be vetted by discussion and meetings.

At the end of these comments, Councilman Chu made an official motion, seconded by Councilman Hutchings, to adopt the following resolution:

RESOLVED, that an RFP be developed by the City Staff by Monday, December 23, 2002 with proposals due by Saturday, January 4, 2003.

ROLL CALL:

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

The resolution passed by a vote of 4 to 3.

Councilman Chu said he recognized the value of the Nature Center and said it would continue to be a nature preserve, that the City will preserve the building, but will not ask taxpayers to support the programs and have their taxes raised. He said they asked for help and have gotten proposals, so he feels they will be able to reduce taxes and continue the programs. He said there had been lots of negative campaigning to create bad feeling and as they move forward, the Council does need to pull together and not place personal agendas on the table. He urged the Council to lead the citizens of Rye rather than divide them. Mayor Otis responded that the Council had never authorized anything and the process was not as it should be.

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

RESOLVED, that the Council establish a planning process to develop a revised model for the Nature Center involving increased not-for-profit financial responsibility and that this process be open, public, and include representation from the CC/AC, the FRNC, the City Council and Staff and any other interested parties, and be it further

RESOLVED, that a deadline of six to eight weeks should be established for this work and that this process allow for written submissions of proposals for review in the planning process.

ROLL CALL:

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

The resolution passed by a vote of 6-1.

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

RESOLVED, that the Travel and Transportation budget lines in the General Fund be reduced by \$25,000 with determination on which conferences to attend determined by the City Manager; and be it further

RESOLVED that the Planning Department Consulting Budget in the General Fund be reduced by \$15,000 for a total reduction of \$40,000 from the General Fund.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

Councilman Chu reported that he had requested that the City Manager make some cuts from the Department of Public Works budget which would involve no lay-offs and not be visible to the public. He said he had discovered that there was no “fluff” in the budget; that it was more difficult than he anticipated; and became more a case of deferred spending rather than correcting any inefficiencies. George Mottarella, City Engineer, said there were no “fluff” items; that each line was there for a reason (in some cases, “just in case” there is more than average snow, an old truck breaks down, etc.). He said if we have a good year it will be fine; if it snows a lot, if the price of fuel rises, etc., then the Council should expect him to come before them asking for contingency funds.

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

RESOLVED, that the Department of Public Works budget in the General Fund be reduced by \$81,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

After a five-minute break, the Mayor reconvened the meeting and announced that there would be one public hearing for agenda items 5-10 and time for discussion about agenda items 11-22 (with the exception of agenda item 12).

The Mayor opened the public hearings.

5. Public hearing on proposed local law amending Chapter 46, Alarm Systems, of the Code of the City of Rye with respect to fees

As no changes were recommended, Councilman McKean made a motion, seconded by Councilwoman Larr, to adopt the following local law:

CITY OF RYE

PROPOSED LOCAL LAW NO. 8 - 2002

**A local law amending Chapter 46,
Alarm Systems,
of the Code of the City of Rye
with respect to fees.**

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

Section 1. Subsection C(1) of Section 46-8, License fees and use charges, is hereby amended to read as follows:

C. Emergency alarms and charges.

- (1) any owner or lessee of property having a fire or police alarm device or system of fire or police alarm devices on his premises on the effective date of this chapter, and any user of services or equipment furnished by a licensee under this chapter, shall pay to the City Comptroller a charge for each and every emergency alarm to which the Police or Fire Department responds, in each calendar year, as follows:

Number of Emergency Alarms Each Year	Charge
First	No charge
Second	No charge
Third and fourth (each)	\$100.00
Over 4 (each)	\$200.00

Section 2. This local law shall take effect immediately upon 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 local law was adopted.

6. Public hearing on proposed local law amending Chapter 64, Boats and Harbors, of the Code of the City of Rye with respect to mooring fees

John Rossini, Highland Road, asked why the Council was adding these additional charges and why it supports other interest groups, and keeps raising fees for the Boat Basin. He questioned why other areas of City government were not asked to become Enterprise Funds. *Doug Carey*, 131 Purchase Street, questioned many areas of the proposed local law. How much are you charging? What is the definition of a mooring? Will it cost the same for a float as a boat? (*Yes, and the charge will be \$75 for less than 18' and \$150 for more than 18'*). To what extent do Rye waters extend? Will there be a charge for boats from the Port Chester Yacht Club? (*Yes, if the mooring is in Rye waters*). What is the reason? Is it to create revenue? Do the boat owners get more service? Does the City have additional liability? What do we do concerning abandoned moorings? How does the City get a list of boats? Is the charge more for non-residents? Many questions remained unanswered as the issue to be discussed was limited to whether or not to add the fee.

Following discussion, Councilwoman Larr made a motion, seconded by Councilman McKean, to adopt the following local law:

**PROPOSED LOCAL LAW
CITY OF RYE
LOCAL LAW NO. 9 2002**

**A local law amending Chapter 64,
Boats and Harbors, of the Code of the City of Rye
by amending Section 64-10, Moorings and Floats,
with respect to fees.**

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

Section 1. Section 64-10 of Chapter 64 of the Code of the City of Rye is hereby amended to read as follows:

§ 64-10. Moorings and floats.

Within the jurisdictional area provided by § 46-a of the Navigation Law and § 64-3 of this chapter, the following restrictions apply:

A. No boat shall be moored within the lines of any channel.

34. No boat shall be moored in such a manner as to interfere with the use of a preexisting mooring. The right to use a mooring space shall be based on a first-come first-served basis. A neighborhood association, yacht club or other entity administering the moorings of its membership may maintain lists identifying its owners and may file copies of this information with the city. In addition, others may register the placement of their moorings with the Bay Constable.

35. Moorings must be serviced each year, including the use of a winter stick during winter and a clearly visible float or buoy at all other times in accordance with the Uniform State Waterway Marking System.

36. Moorings anchoring rafts and/or floats, except those governed by upland owners' property rights, must be assigned a permit number by the Bay Constable. The number must be permanently affixed to said raft and/or float. The Bay Constable may promulgate regulations governing rafts and floats subject to the approval of the State Commissioner of Parks, Recreation and Historic Preservation and the City Council.

37. Unsafe moorings or abandoned moorings, which represent a hazard to navigation, may be removed by the enforcement officers if their owners fail to take corrective action following notification. The notification and removal procedures shall be promulgated by the City Police Department using the procedures established under § 1224 of the State Vehicle and Traffic Law as a model.

F. An annual permit fee will be imposed on all privately owned boats having moorings in Rye waters, with the exception of the Durland Scout Center, a non-profit organization. Said fee will be set annually by the City Council before adoption of the budget for the following year.

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 local law was adopted.

7. Public hearing on proposed local law amending Chapter 93, Filming, of the Code of the City of Rye with respect to fees

As no changes were recommended during the public hearing, Councilwoman Larr made a motion, seconded by Councilman McKean, to adopt the following local law:

**CITY OF RYE
PROPOSED LOCAL LAW NO. 10 - 2002**

**A local law amending Chapter 93,
Filming,
of the Code of the City of Rye
with respect to fees.**

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

Section 1. Subsection B of Section 93-6, is hereby amended to read as follows:

- B. License fee for use of private property. The fee for filming on private property shall be three hundred fifty (\$350.) dollars per day.

Section 2. This local law shall take effect immediately upon 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 local law was adopted.

8. Public hearing on proposed local law amending Chapter 167, Streets and Sidewalks, of the Code of the City of Rye with respect to fees

As no changes were recommended during the public hearing, Councilman McKean made a motion, seconded by Councilwoman Larr, to adopt the following local law:

CITY OF RYE

PROPOSED LOCAL LAW 11-2002

**A local law amending Chapter 167,
Streets and Sidewalks, of the
Code of the City of Rye
with respect to fees**

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

Section 1. Subsection D of Section 167-9, Procedures for street openings, is hereby amended to read as follows:

- D. Fees. No permit for a street opening shall be issued by the City Clerk until the applicant shall have first paid to the city clerk, in cash or by check payable to the City of Rye:
- (1) A deposit to be determined as provided hereunder and to be furnished by the applicant; and
 - (2) A fee of \$180 or 10% of the amount of the deposit, whichever shall be greater, except that whenever a permittee has filed a bond in lieu of a deposit, in accordance with Subsection F of this section, said fee shall be \$2.50 per linear foot of street opening measured along the length of the street opening or \$180, whichever shall be greater, except that no fee shall be charged to a public service corporation for the installation or relocation of poles. Said fee is to cover the cost of issuing and recording the permit and the supervision and inspection of the work done in connection therewith, and
 - (3) A surcharge of \$175 for each street opening permit and.
 - (4) Test holes (keyhole method). The fee for test holes shall be a minimum of \$60 per hole.

Section 2. Subsection E(1) of Section 167-9, Procedures for street openings, is hereby amended to read as follows:

E. Deposits.

- (1) The amount of deposit for street openings shall be computed in accordance with the following unit prices for pavements or other areas to be disturbed or work to be done, as determined by the City Engineer, except that no deposit shall be required in the case of an opening made in an area other than a sidewalk, located within the

limits of a county road under the jurisdiction of the County Commission of Public Works, or within the limits of a state highway under the jurisdiction of the State Commissioner of Transportation, nor shall a deposit be required for connecting to a stormwater drain or other structure under the jurisdiction of said County Commissioner of Public Works or State Commissioner of Transportation:

- (a) Concrete or reinforced concrete pavement to be disturbed, for each square yard: \$200.
- (b) Asphalt surfaced pavement to be disturbed, for each square yard: \$120.
- (c) Sidewalks, asphalt, to be disturbed, for each square foot: \$5.
- (d) Sidewalks, other types, to be disturbed, other than for the installation of underground storage tanks, for each square foot: \$5.
- (e) Curbing, asphalt, to be disturbed, for each linear foot: \$10.
- (f) Curbing, other types, to be disturbed, for each linear foot: \$10.
- (g) All other types of pavement to be disturbed, for each square yard: \$75.
- (h) Unpaved surfaces, of any type, to be disturbed, for each square yard: \$50.
- (i) Structures. Connection to an existing manhole, catch basin or other structure, for each separate connection: \$150.
- (j) Structures. Construction of new manhole, catch basin or other structure, for each separate structure: \$1,000.
- (k) Test borings on any public street or other public area, for each boring hole: \$25.
- (l) Connection of sewer or drainage service line to sanitary sewer or storm water drain, for each separate connection: \$250.
- (m) Installation of underground storage tanks or vaults in sidewalk area_in an amount to be recommended by the City Engineer and set annually by the City Council before adoption of the budget for the following year.
- (n) Driving small pipes under pavements or sidewalks (amount of deposit to be based on area which would have been disturbed if work had been performed by open-cut trenching method) minimum amount of deposit for each street opening: \$500.

Section 3. This local law shall take effect immediately upon 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 local law was adopted.

9. Public hearing on proposed local law amending Chapter 173, Surface Water, Erosion and Sediment Control, of the Code of the City of Rye with respect to fees

As no changes were recommended during the public hearing, Councilwoman Larr made a motion, seconded by Councilman McKean, to adopt the following local law:

**CITY OF RYE
PROPOSED LOCAL LAW NO. 12 -2002**

**A local law amending Chapter 173,
Surface Water, Erosion and Sediment Control,
of the Code of the City of Rye
with respect to fees.**

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

Section 1. Subsection A of Section 173-9, Fees, is hereby amended to read as follows:

- A. Upon the filing of an application for a surface water, erosion and sediment control permit, the following fees shall be payable, except that no fee shall be required when the separate permit requirement has been waived by the City Engineer:
- (1) Application fee: \$120.00
 - (2) Inspection fee if cost is in excess of two thousand dollars (\$2,000.): two percent (2%).
 - (3) Modification fee: ten dollars (\$10), provided that no work has commenced.

Section 2. This local law shall take effect immediately upon 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 local law was adopted.

10. Public hearing on proposed local law amending Chapter 191, Vehicles and Traffic, of the Code of the City of Rye with respect to fees

As no changes were recommended during the public hearing, Councilwoman Larr made a motion, seconded by Councilman McKean to adopt the following local law:

**CITY OF RYE
PROPOSED LOCAL LAW NO. 13- 2002**

**A local law amending Chapter 191,
Vehicles and Traffic,
of the Code of the City of Rye
with respect to fines and fees.**

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

Section 1. Subsection C of Section 191-38.1 of Part 2, Article VII of Chapter 191, Vehicles and Traffic, of the Code of the City of Rye is hereby amended to read as follows:

§ 191-38.1 Resident meter parking permit zone.

C. Any resident of the City of Rye desiring a resident meter parking permit shall, upon application to the City Clerk and payment of an annual fee to be set annually by the City Council before adoption of the budget for the following year, receive a tag or license entitling that person to park an automobile or other vehicle in the location and places specifically designated for resident meter parking.

Section 2. This local law shall take effect immediately upon 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 local law was adopted.

The Mayor closed the public hearings.

11. Resolution establishing certain General Fund fees, effective January 1, 2003

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

RESOLVED, that the following fees are hereby established, effective January 1, 2003

ASSESSOR'S OFFICE

GENERAL

Standard Photocopy Fee	
Letter/Legal per page	0.25

MAPS

City Maps 3'x5"	15.00
Aerial Map	15.00
Drain & Sewer map from blueprints (blue on white)	60.00
Standard Tax Map	15.00
Tax index map (40"x64")	15.00
Topographical maps	60.00
Zoning maps (3'x5')	15.00

BOARD OF APPEALS

GENERAL

Multi & Commercial Appeals	300.00
Single Family Appeals	115.00
Adjourned Applications	100.00

BUILDING

ELECTRICAL

Electrical permits in existing building where a building permit is not required: for multiple residences, commercial or industrial buildings	65.00
Electrical Permits in existing buildings where a building permit is not required: for one & two family dwellings with contracts valued at \$500 or more	30.00

GENERAL

Building Permits (1) - minimum fee	50.00
Building Permits (2) - add'l charge per \$1,000 est. work	13.00
Building Permit (3) - penalty for work begun without permit	1,000.00
Certificate for Commercial Buildings	150.00

Certificate of Occupancy: to be paid with application for building permit	75.00
Changes in Approved Plans	75.00
Demolition Permits	1,000.00
New Certificate for old buildings	75.00
Search for Municipal Records / Pre-date letters	75.00

PLUMBING

Oil or gas heating permits in existing building w/o building permit required:	
New heating equipment installation or replacement	65.00
Plumbing - No building permit required (min)	30.00
Plumbing - for each fixture above 5	2.00
Sewer or storm drain connection (per)	30.00

CITY CLERK

ALARMS

Alarms permit - Fire/Burglar	30.00
False alarm: 2nd call per annum	- -
False alarm: 3rd, 4th call each per annum	100.00
False alarm: over 4 per annum (each)	200.00

FIRE PREVENTION

Explosive Inspection Fee	110.00
Fireworks Display (each)	250.00
Installation of liquefied petroleum gas	55.00
Place of assembly 100 or more people	110.00
Storage of Flammable liquids (permits & insp.)	110.00
Storage of lumber (in excess of 100,000 bd. ft.)	55.00
Storage of underground tanks <1100 gal.(permits & insp.)	55.00
Storage of underground tanks >1100 gal. (permits & insp.)	110.00
Welding & cutting	55.00

GENERAL

Auctioneer	100.00
Birth Certificate	10.00
Blasting Permit	105.00
Cabaret	85.00
Christmas Tree Sale Refundable Bond	45.00
Christmas Tree Sales: Inspection	100.00
Code of the City of Rye	250.00
Codes: Zoning	25.00
Coin operated Dry Cleaning Establishment	85.00
Coin operated Laundry: Establishment	85.00
Death Transcript	10.00
Dog License: add'l City fee	10.00

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Dog License: Neutered	2.50
Dog License: Un-neutered	10.50
Dog Redemption: with current license	10.00
Dog Redemption: without current license	25.00
Dry Cleaning Establishment	85.00
Debris Collection Container:	40.00
Filing Fee (claims, liens, against city)	20.00
Filming: Private Property	350.00
Filming: Public Property (Maximum)	16,000.00
Filming: Public Property (Minimum)	1,600.00
Junk Merchant: Establish place of business	265.00
Junk Peddler	55.00
Laundromat	145.00
Marriage License	25.00
Marriage Transcript	10.00
Non-refundable Bid fee (per every \$50 of bid)	15.00-100.00
Other Pamphlet Codes	8.00
Peddler, Hawker, Solicitor	265.00
Sign posting @ Boston Post Road & Cross Street	20.00
Tourist Park or Camp App. 5 units or less	50.00
Tourist Park or Camp App. 6 units or less	10.00
Tourist Park or Camp license (per unit)	60.00
Tree Removal Permit	15.00

MECHANICAL INSTALLATION LICENSE

Gas Heat	100.00
Oil Heat	100.00

MISCELLANEOUS LICENSES

Bowling Alleys	85.00
Circus	85.00
Driving Range	85.00
Miniature Golf	85.00
Moving Picture House	85.00
Public Exhibition	45.00
Public Hall	85.00
Shooting Gallery	85.00
Skating Rink	60.00
Taxi Cab License	115.00
Taxi Driver License	60.00
Theater	85.00

PARKING

Guest Parking Overnight (max. 14 days per night)	5.00
Merchant (all day)	324.00
Non-Resident Commuter	550.00

Replacement Sticker (without old sticker)	55.00
Replacement Sticker (with old sticker)	5.00
Resident All Day/All Night	504.00
Resident All Night	252.00
Resident Commuter	336.00
Special Permits (Theo. Fremd Lot)	96.00
Taxi Stall Rental	600.00

ENGINEERING

GENERAL

Constructed or Replaced Curb	30.00
Constructed or Replaced Depressed Curb (min)	30.00
Constructed or Replaced Driveway (min)	30.00
Constructed or Replaced Sidewalks (min)	30.00
Construction Debris Containers (per day)	50.00
Street Obstructions, Storage of Materials, Operating Machinery, loading & unloading, scaffolding & bridging	100.00
Street Opening: Curbing-Asphalt/Concrete/Flag	180.00
Street Opening: Sidewalk Area-Asphalt/Concrete/Flag	180.00
Street Opening: Street Area-Asphalt	180.00
Street Opening: Street Area-Concrete	180.00
Street Opening: Test Holes - keyhole method (each) (min)	60.00
Street Opening: Unpaved Areas	180.00
Street Opening: Utility Company (min)	180.00
Street Opening Permit Surcharge	175.00
Surface Water Control Application fee	120.00

STREETS/SIDEWALKS

Construction Manhole/Catch Basin (min)	100.00
Driving Pipes (min)	50.00
Install Underground Tank/Vault (min)	100.00
Plumbing Connection to Structures: Manholes/Catch Basin (min)	30.00
Plumbing Connection to Structures: Sewer or Drain Line (min)	25.00

FIRE

GENERAL

Inspection Fee (per inspection)	110.00
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PLANNING

COASTAL ZONE MANAGEMENT

Waterfront Consistency Review Application	750.00
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GENERAL

Copies of Subdivision or site plans - complete sets only (per sheet) 10.00

SITE PLAN REVIEW

Informal review 600.00
 Preliminary Application (up to 10 parking spaces) 900.00
 Preliminary Application - Add'l charge per required parking space over 10 spaces 25.00
 Modification or Extension of Preliminary Application 750.00
 Final Application (up to 10 parking spaces) 1,125.00
 Final Application - Add'l charge per required parking space over 10 25.00
 Modification or Extension of Final Application 825.00
 Inspection Fee (Fee + 7.0% cost of improvement) 500.00
 Construction and Use without prior approval 2,500.00
 Modification of Tree Preservation Plan by the City Planner 450.00
 Tree Replacement, fee in lieu of 1,700.00

SUBDIVISION REVIEW

Informal Review 400.00
 Preliminary Application 750.00
 Preliminary Application - Add'l charge per lot 350.00
 Waiver of Preliminary Application - Add'l charge per lot 325.00
 Modification or Extension of Preliminary Application 600.00
 Final Application 1,000.00
 Final Application - Add'l charge per lot 350.00
 Modification or Extension of Final Application 600.00
 Waiver of Penalty Application 500.00
 Inspection Fee - 7% of cost of improvement plus \$50 per lot, or \$500, whichever is greater 500.00
 Modification of Tree Preservation Plan by City Planner 450.00
 Tree Replacement, fee in lieu of 1,700.00
 Fee in lieu of Parkland - In trust-minimum (cents per square foot of lot area) \$0.11 to 0.50
 Apportionment Application 550.00
 Construction and Use without prior approval 2,500.00

RE-ZONING APPLICATIONS 1,000.00

WETLANDS/WATER COURSES

Application Fee 900.00
 Inspection Fee 500.00
 Appeal of Determination 500.00
 Extension of Prior Approval 500.00

POLICE

GENERAL

Auxiliary Police Services Event Fee	100.00
Defensive Driving Course	45.00
Fingerprinting Fees	10.00
Good Conduct Certificates	30.00
Mooring fees: up to 18 feet	75.00
over 18 feet	150.00
Police report copies (per copy)	0.25
Redemption of Shopping Carts	5.00
Reprints of Photographs	10.00
Subpoena Fees for Records (min)	15.00

PUBLIC WORKS

GENERAL

Collection of bulky metals at curbside (minimum)	30.00
Collection of bulky waste in excess of 2 cubic yards (min)	30.00
Penalty for amounts not paid within 60 days	25.00
Penalty for amounts not paid within 90 days	25.00
Add'l penalty for amounts not paid if collection by levy is required	25.00

RECREATION

BUILDING FEES

Auditorium (per hour)	105.00
Auditorium: Non-Profit/Co-Sponsor Rate	65.00
Birthday Party: Basic Program (one and one-half hours)	125.00/225.00
Maintenance Coverage (per hour) Full-time	37.50
Maintenance Coverage (per hour) Part-time	25.00
Other rooms (per hour)	70.00
Other rooms: Non-Profit/Co-Sponsor Rate	45.00
Private Party: Auditorium	375.00/415.00
Private Party: Other rooms (each)	295.00/360.00

DAY CAMP

Day Camp - 1/2 day program (resident)	400.00
Day Camp - 2 week session (non-resident)	535.00
Day Camp - 2 week session (resident)	360.00
Day Camp - 6 week basic (non-resident)	920.00
Day Camp - 6 week basic (resident)	510.00
Day Camp - 6 week extended program (non-resident)	390.00
Day Camp - 6 week extended program (resident)	300.00
Day Camp - Additional child discount	--
Day Camp - Swim group (2 times per week)	60.00
Day Camp - Swim lessons (with group) (2 times per week)	80.00

Kiddy Camp (non-resident)	995.00
Kiddy Camp (resident)	470.00
Kiddy Camp - 2 week session (resident)	330.00
Registration fee after deadline	210.00

INDOOR RECREATION

Badminton (1 night per week for 12 weeks)	55.00
Basketball (1 night per week for 15 weeks)	70.00
Volleyball (1 night per week for 10 weeks)	45.00

OUTDOOR RECREATION

All day field permit (10am-6pm)	525.00
Field permit (2 hrs.)	110.00
Field/Facility Use - Basketball - Outdoor lights (2hrs)	125.00
Softball - Men's Adult (per team)	275.00
Softball - Woman's Adult (per team)	230.00

PICNIC

Resident: 0-20 (reservation)	60.00
Resident: 21-40	105.00
Resident: 41-50	190.00
Resident: 51-75	315.00
Resident: 76-100	385.00
Resident: 101-125	510.00
Resident: 126-150	585.00
Weekday Discount	10%

TENNIS

Permit - 3 mo. College (18-25)	60.00
Permit - Adult (weekday)	60.00
Permit - Adult (19 & over)	80.00
Permit - Family (max. 5)	225.00
Permit - Individual (non-resident)	250.00
Permit - Junior (6-18 years)	38.00
Permit - Senior (60+)	55.00
Clinic - Adult Tennis (4 classes)	75.00
Clinic - Youth Tennis (4 classes)	55.00
Daily Fee (resident only)	10.00
Guest of Permit Holder - Ticket book (10 hourly fees)	75.00
Guest of Permit Holder - Hourly fee	10.00
Private lessons: Per half hour	22.00
Private lessons: Per hour	37.00
Daily Fee (Senior Adult)	5.00

ROLL CALL

AYES: Mayor Otis, Councilmen Chu, Cunningham, Cypher, Hutchings,

Larr and McKean

NAYS: None
ABSENT: None

The resolution was adopted.

12. Resolution adopting the General Fund Budget as amended and establishing the real estate tax rate for the 2003 fiscal year

City Manager Novak said that with the changes made this evening, the property tax rate has been reduced to 17.43%

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

RESOLVED, that the proposed General Fund budget, as amended, be and the same is hereby adopted as the Annual Budget for the City of Rye for the fiscal year beginning January 1, 2003, and that the City Council does hereby levy the sum of \$13,894,248 for city taxes and determines the city tax rate to be \$103.55 per \$1,000 assessed valuation, and it is further

RESOLVED, that the City Council does hereby certify to the City Comptroller the above stated levies and tax rates for city taxes, and the City Comptroller is hereby directed to apportion and extend against each taxable property listed upon the assessment roll of the City of Rye for 2003, at the rates specified, the amount of taxes required to produce the total sums certified and to render tax notices for, and receive and collect, the several sums so computed and determined, and it is further

RESOLVED, that the tax warrant of the City of Rye be signed by the Mayor and directed to the City Comptroller to collect the amount of said taxes with interest as provided by law and any special assessment heretofore authorized and approved, and it is further

RESOLVED, that the said assessment roll, together with the aforesaid taxes so levied, together with said warrant, be and the same are hereby fixed and confirmed as the tax roll and warrant of the City of Rye for the fiscal year 2003 and the City Clerk is directed to forthwith deliver the same to the City Comptroller for the collection of taxes for the fiscal year 2003, as hereinbefore provided.

ROLL CALL:

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

ABSENT: None

The resolution passed 6 to 1.

13. Resolution adopting the Rye Community (RCTV) Television Special Revenue Fund Budget as amended and Fee Schedule for the 2003 fiscal year

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

RESOLVED, that the Rye Community (RCTV) Television Special Revenue Fund Budget and Fee Schedule, as amended, be and the same is hereby adopted as the Rye Community (RCTV) Television Special Revenue Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

14. Resolution adopting the Rye Nature Center Special Revenue Fund Budget and Fee Schedule as amended for the 2003 fiscal year

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

RESOLVED, that the Rye Nature Center Special Revenue Fund Budget and Fee Schedule, as amended, be and the same is hereby adopted as the Rye Nature Center Special Revenue Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

The resolution passed 6 to 1.

15. Resolution adopting the Debt Service Fund for the 2003 fiscal year

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

RESOLVED, that the Debt Service Fund Budget, as proposed, be and the same is hereby adopted as the Debt Service Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

The resolution passed 7-0.

16. Resolution adopting the Capital Projects Fund Budget as amended for the 2003 fiscal year

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

RESOLVED, that the Capital Projects Fund Budget, as amended, be and the same is hereby adopted as the Capital Projects Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

NAYS: None
ABSENT: None

The resolution passed 7-0.

17. Resolution adopting the 2003 DePauw Municipal Boat Basin Fee Schedule, as amended

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

RESOLVED, that the following DePauw Municipal Boat Basin fees are hereby established, effective January 1, 2003:

Non-resident - Up to 8 Feet	454.00
Non-resident - 8.1 Feet to 9 Feet	511.00
Non-resident - 9.1 Feet to 10 Feet	568.00
Non-resident - 10.1 Feet to 11 Feet	624.00
Non-resident - 11.1 Feet to 12 Feet	693.00
Non-resident - 12.1 Feet to 13 Feet	788.00
Non-resident - 13.1 Feet to 14 Feet	833.00
Non-resident - 14.1 Feet to 15 Feet	887.00
Non-resident - 15.1 Feet to 16 Feet	932.00
Non-resident - 16.1 Feet to 17 Feet	976.00
Non-resident - 17.1 Feet to 18 Feet	1,100.00
Non-resident - 18.1 Feet to 19 Feet	1,163.00
Non-resident - 19.1 Feet to 20 Feet	1,215.00
Non-resident - 20.1 Feet to 21 Feet	1,266.00
Non-resident - 21.1 Feet to 22 Feet	1,799.00
Non-resident - 22.1 Feet to 23 Feet	1,872.00
Non-resident - 23.1 Feet to 24 Feet	1,946.00
Non-resident - 24.1 Feet to 25 Feet	2,026.00
Non-resident - 25.1 Feet to 26 Feet	2,097.00
Non-resident - 26.1 Feet to 27 Feet	2,172.00
Non-resident - 27.1 Feet to 28 Feet	2,244.00
Non-resident - 28.1 Feet to 29 Feet	2,325.00
Non-resident - 29.1 Feet to 30 Feet	2,395.00
Non-resident - 30.1 Feet to 31 Feet	2,470.00
Non-resident - 31.1 Feet to 32 Feet	2,543.00
Non-resident - 32.1 Feet to 33 Feet	3,249.00
Non-resident - 33.1 Feet to 34 Feet	3,344.00
Non-resident - 34.1 Feet to 35 Feet	3,437.00
Non-resident - 35.1 Feet to 36 Feet	3,535.00
Non-resident - 36.1 Feet to 37 Feet	3,625.00
Resident - Up to 8 Feet	292.00
Resident - 8.1 Feet to 9 Feet	329.00

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Resident - 9.1 Feet to 10 Feet	365.00
Resident - 10.1 Feet to 11 Feet	402.00
Resident - 12 Feet or Less	437.00
Resident - 12.1 Feet to 13 Feet	497.00
Resident - 13.1 Feet to 14 Feet	524.00
Resident - 14.1 Feet to 15 Feet	559.00
Resident - 15.1 Feet to 16 Feet	586.00
Resident - 16.1 Feet to 17 Feet	616.00
Resident - 17.1 Feet to 18 Feet	648.00
Resident - 18.1 Feet to 19 Feet	685.00
Resident - 19.1 Feet to 20 Feet	716.00
Resident - 20.1 Feet to 21 Feet	745.00
Resident - 21.1 Feet to 22 Feet	1,061.00
Resident - 22.1 Feet to 23 Feet	1,104.00
Resident - 23.1 Feet to 24 Feet	1,150.00
Resident - 24.1 Feet to 25 Feet	1,195.00
Resident - 25.1 Feet to 26 Feet	1,239.00
Resident - 26.1 Feet to 27 Feet	1,285.00
Resident - 27.1 Feet to 28 Feet	1,328.00
Resident - 28.1 Feet to 29 Feet	1,374.00
Resident - 29.1 Feet to 30 Feet	1,418.00
Resident - 30.1 Feet to 31 Feet	1,463.00
Resident - 31.1 Feet to 32 Feet	1,505.00
Resident - 32.1 Feet to 33 Feet	1,923.00
Resident - 33.1 Feet to 34 Feet	1,981.00
Resident - 34.1 Feet to 35 Feet	2,033.00
Resident - 35.1 Feet to 36 Feet	2,092.00
Resident - 36.1 Feet to 37 Feet	2,145.00
Finger Slip - If Assigned	140.00
Non-resident Slip Surcharge	75.00
Kayak Storage Wet/Dry - Per Season	200.00 + tax
Labor Rate - Per Hour (Min. ½ Hour)	50.00 + tax
Late Fine For Overdue Storage/Docking Area (Per Day)	10.00 + tax
Launching Ramp - Each Way	13.00
Launching Ramp - Seasonal Permit	145.00
Overnight Tie-Up (Per Foot - Per Day)	1.00
Parking Fee - Additional Parking Permit or Replacement	40.00
Parking Fee - One Day Permit	7.00
Summer Trailer Storage - Limited Availability	175.00 + tax
Use of Work Space - Non-permit Holders (Per Day)	10.00 + tax
Resident / Winter Storage - In Water - Per Foot	23.00 + tax
Resident / Winter Storage - On Land - Per Foot	21.00 + tax
Non-Resident / Winter Storage - In Water - Per Foot	34.00 + tax
Non-Resident / Winter Storage - On Land - Per Foot	32.00 + tax
New York State/ Westchester County Tax Rate	6.75%

and it is further

RESOLVED, that the Non-resident Slip Surcharge Fee collected by the DePauw Municipal Boat Basin Enterprise Fund be remitted to the General Fund as inter fund revenues of the General Fund and expensed in the DePauw Municipal Boat Basin Enterprise Fund inter fund service charges.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

18. Resolution adopting the DePauw Municipal Boat Basin Enterprise Fund Budget as amended for the 2003 fiscal year

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

RESOLVED, that the DePauw Municipal Boat Basin Enterprise Fund Budget, as amended, be and the same is hereby adopted as the DePauw Municipal Boat Basin Enterprise Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

19. Resolution adopting the 2003 Rye Golf Club Fee Schedule, as amended

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

RESOLVED, that the following Rye Golf Club fees are hereby established, effective January 1, 2003:

GOLF:

Cart - Electric - 12 Holes	25.00
Cart - Electric - 18 Holes	30.00
Cart - Electric - Golf Outing (per Person)	105.00
Cart - Electric - Senior (Daily Per Senior) see below	*
Cart - Electric - Twilight (Weekdays Only)	23.00
Cart - Handheld - 18 Holes	5.00
Daily Members - Weekday	25.00
Daily Members - Weekend	35.00
Guest Fee - Weekday	45.00
Guest Fee - Weekday (from 5/11/01-9/7/01 and on Fridays)	65.00
Guest Fee - Weekend & Holidays	65.00
Junior Fee - Weekday	15.00
Junior Fee - Weekend	20.00
Senior 1 & 1 - regular 18 hole, members only	28.00
1 or 2 senior members - 18 hole, Sat & Sun	26.00
1 senior single - 12 hole cart rate *	21.00
2 senior members - 12 hole cart rate *	21.00
1 senior member - twilight	19.00
2 senior members - twilight	19.00

MEMBERSHIP: - Resident Discount Available Only If Membership
Is Paid Prior To 3/15/03 for Golf or 5/2/03 for Pool

Non-resident - Comprehensive	5,447.00
Non-resident - Golf - Individual Daily	4,083.00
Non-resident - Golf - Individual Weekday	2,718.00
Non-Resident - Pool - Family	2,140.00
Non-Resident - Pool For Two	1,418.00
Non-Resident - Pool Individual	1,070.00
Resident - Comprehensive - Discount	2,269.00
Resident - Comprehensive - Regular	2,338.00
Resident - Golf - Individual Daily - Discount	1,306.00
Resident - Golf - Individual Daily - Regular	1,343.00
Resident - Golf - Individual Weekday - Discount	953.00
Resident - Golf - Individual Weekday - Regular	980.00
Resident - Golf - Junior - Discount	370.00
Resident - Golf - Junior - Regular	380.00
Resident - Individual Daily Fee - Discount	637.00
Resident - Individual Daily Fee - Regular	659.00
Resident - Pool - Family - Discount	749.00
Resident - Pool - Family - Regular	771.00
Resident - Pool - Junior - Discount	252.00
Resident - Pool - Junior - Regular	263.00
Resident - Pool For Two - Discount	568.00

Resident - Pool For Two - Regular	584.00
Resident - Pool Individual - Discount	423.00
Resident - Pool Individual - Regular	434.00
Special - Add'l Adult Child (22-25y/o)	214.00
Services - Child Care (per Season)	267.00

POOL:

Daily Members - Weekday	7.00
Daily Members - Weekend	10.00
Group Swim	140.00
Guest Fee - Adult - Weekday	10.00
Guest Fee - Adult - Weekend	15.00
Guest Fee - Child - Weekday	5.00
Guest Fee - Child - Weekend	7.00
Other - Goggles - Sale	15.00
Other - YMCA Flootation Vest - Rental	5.00
Other - YMCA Flootation Vest - Sale	15.00
Other Fee - Seniors' Day (Wed. & Thu. No Holidays)	1.00
Other Fee - Twilight Swim (No Weekend/Holiday)	50% off
Services - Child Playgroup	160.00
Services - Swim Lessons - Private	20.00
Tennis 1st Child	100.00
Tennis 2nd Child	50.00

TOURNAMENT:

Association Fee - Weekday	22.50
Association Fee - Weekend	32.50

MISC:

Non-resident Membership Surcharge Fee	75.00
Charge For Refund	100.00
Lockers - Golf & Pool (Maximum)	75.00
Lockers - Golf & Pool (Minimum)	30.00
Lockers - Key Replacement	10.00
Photo ID Card Replacement	10.00
Returned Check Fee - Rye City Fee	20.00
Returned Check Fee - Rye Golf Club Fee	25.00

and it is further

RESOLVED, that the Non-resident Membership Surcharge Fee collected by the Rye Golf Club Enterprise Fund be remitted to the General Fund as inter fund revenues of the General Fund and expensed in the Rye Golf Club Enterprise Fund inter fund service charges.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

20. Resolution adopting the Rye Golf Club Enterprise Fund Budget as amended for the 2003 fiscal year

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

RESOLVED, that the Rye Golf Club Enterprise Fund Budget, as amended, be and the same is hereby adopted as the Rye Golf Club Enterprise Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

21. Resolution adopting the Risk Retention Internal Service Fund Budget as amended for the 2003 fiscal year

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

RESOLVED, that the Risk Retention Internal Service Fund Budget, as amended, be and the same is hereby adopted as the Risk Retention Internal Service Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

NAYS: None
ABSENT: None

The resolution passed 7-0.

22. Resolution adopting the Building and Vehicle Maintenance Internal Service Fund Budget as amended for the 2003 fiscal year

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

RESOLVED, that the Building and Vehicle Internal Service Fund Budget, as amended, be and the same is hereby adopted as the Building and Vehicle Internal Service Fund Budget of the City of Rye for the fiscal year beginning January 1, 2003.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed.

23. Resolution authorizing the City Comptroller to make the necessary year-end closing transfers

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

RESOLVED, that the City Comptroller is hereby authorized to make the necessary closing transfers in city accounts, provided a list of such closing transfers is furnished to the City Council at the next meeting after completion of such transfers

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

24. Resolution fixing January 8, 2003 as the first regular meeting and the organizational meeting of the City Council for 2003

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

RESOLVED, that January 8, 2003 is hereby fixed as the first regular and the organizational meeting of the City Council.

25. Resolution authorizing the Mayor to execute an agreement with the Rye Free Reading Room to furnish library services for 2003

Councilman McKean asked if there was any further input from the representatives from the Rye Free Reading Room, as he had requested at the prior meeting. There being none, Councilwoman Larr made a motion, seconded by Councilman Hutchings, to adopt the following resolution:

RESOLVED, that the Mayor be and hereby is authorized to execute an agreement with the Rye Free Reading Room to furnish library services for 2003.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed. 7-0.

Resignation of City Manager

At this point in the meeting, City Manager Julia D. Novak said she had announced her resignation as City Manager to the Council at an Executive Session just prior to the Council Meeting, effective in three months, as per the terms and conditions of Section 3-B of her employment agreement. She said it was a difficult decision for her and her family as they had very much enjoyed living in the community for the past two and a half years, but there was a need for the community to come together and perhaps her resignation to start a new career would help. She said it had been a privilege to lead the 174 hard-working employees who guard, protect, maintain and serve our residents and she will miss them.

Councilman Hutchings said he had always been in Julia's camp and this was a very sad day for many. He wished her the best of luck wherever she went and said he was sorry

circumstances in Rye had led her to this decision. Councilwoman Cunningham also wished her much success and said she was sorry to see her go. Mayor Otis said he appreciated all her hard work and wished her luck. Councilwoman Larr said nowhere in the country would she find a tougher group than this Council and she was afraid it was because of the Council that Julia was leaving. Councilman Cypher said he would try and talk her out of it if he thought he could. Councilman McKean thanked her for the 2 ½ years. Joe Murphy, still in the audience, said he knew many in the community would be disappointed; that she had been terrific in dealing with whatever group he was involved in (The American Legion, Sr. Citizens) and he was truly sorry to see her go.

26. Authorization for the City Manager to fill the Firefighter position in the Fire Department

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

RESOLVED, that the City Manager is hereby authorized to fill a one vacant Firefighter position in the Fire Department subject to successful negotiations and obtaining certain concessions from the Rye Professional Firefighters, ensuring that there is zero financial impact on the 2003 Fire Department Budget.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution passed 7-0.

27. Approval of amendment of Section 191-19 of the Rye City Code, No Parking Any Time, to prohibit parking on the both sides of Grapal Street from Grace Church Street to a point 30 feet southwest of its intersection with Grace Church Street

The City Manager reported that the City Engineer has recommended that parking be prohibited at the corners on both sides of Grapal Street at its intersection with Grace Church Street and she recommended the promulgation by the City Manager of a No Parking Any Time restriction.

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, that the following resolution be adopted:

RESOLVED, the Section 191-19 of the Code of the City of Rye, No Parking Any Time, be amended to prohibit parking on both sides of Grapal Street from Grace Church Street to a point 30 feet southwest of its intersection with Grace Church Street.

28. Bids for Rye City Hall Office Renovations, General Contracting

City Manager Novak said the City Engineer has recommended that that bid for Rye City hall Office Renovations – General Construction be awarded to Fourmen Construction, Inc. The bid tabulation follows:

**Contract # 2002-16
Rye City Hall Office Renovations
General Construction**

Contractor's Name	Contractor's Bid Price	Percent Above Low Bidder	Position
Fourmen Construction, Inc.	\$54,000.00	N/A	1
K-Con Site Developers, Inc.	\$82,500.00	52.8%	2
N. Picco & Sons Contracting, Inc.	\$85,000.00	57.4%	3
Diontech Consulting, Inc.	\$86,900.00	60.9%	4

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

RESOLVED, that Contract 2002-16, bids for the construction of Rye City Hall Office Renovations – General Contracting be awarded to Fourmen Construction, Inc., the lowest bidder meeting specifications, in the amount of \$54,000.

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution was adopted.

29. Bids for Rye City Hall Office Renovations, Electrical

City Manager Novak said the City Engineer has recommended that the bid for Rye City hall Office Renovations – Electric be awarded to Anderson Electric, Inc. The bid tabulation follows:

**Contract # 2002-17
Rye City Hall Renovations
Electric**

Contractor's Name	Contractor's Bid Price	Percent Above Low Bidder	Position
Anderson Electric, Inc.	\$16,750.00	N/A	1
Ampul Electric, Inc.	\$21,000.00	25.4	2
Hammond Electrical Corp.	\$21,950.00	31.0%	3
Pinto Electric, Inc.	\$22,980.00	37.2%	4

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

RESOLVED, that Contract 2002-17, bids for the construction of Rye City Hall Office Renovations – Electric be awarded to Anderson Electric, Inc., the lowest bidder meeting specifications, in the amount of \$16,750

ROLL CALL:

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

NAYS: None

ABSENT: None

The resolution was adopted.

30. Miscellaneous communications and reports

There were no miscellaneous communications and reports to be considered.

31. Old Business

Councilman McKean mentioned the County was considering not funding the purchase of the land for the Cottage Street affordable housing project and wondered if the Council should take some action. Councilman Chu said that the Republican council members had been asked to write to the Republican County Legislators on this subject and had done so. Councilman McKean suggested a unanimous follow-up recommendation from the Council and the Commission on Human Rights be sent on Rye City letterhead to the County.

32. New Business

There was no new business to be considered.

33. Draft unapproved minutes of the Special Council Meeting/Budget Workshop held November 20, 2002, the regular meetings of the City Council held November 20 and December 2, and the special meeting held with the Board of Fire Wardens on December 9, 2002

Councilwoman Cunningham made a motion, seconded by Mayor Otis and unanimously carried, to approve the minutes of the special council meeting/budget workshop of the City Council held November 20, 2002 as submitted.

Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried, to approve the minutes of the regular meeting of the City Council held November 20, 2002 as submitted.

Councilwoman Cunningham made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the minutes of the regular meeting of the City Council held December 2, 2002 as amended.

Councilwoman Larr made a motion, seconded by Councilman McKean and unanimously carried, to approve the minutes of the special joint meeting of the City Council with the Board of Fire Wardens held December 9 2002 as submitted.

34. Adjournment

Prior to adjournment, members of the City staff still in the audience (Police Commissioner Connors, Engineer George Mottarella, Comptroller Mike Genito, Recreation Director Bill Rodriguez, Clerk Susan Morison, and City Manager Assistants Julie Schmitter and Casey Liebst) expressed their surprise, shock, sadness and distress over the resignation of City Manager Julia Novak. Speaking on behalf of the whole staff, they said she would be a hard act to follow; that she exemplified the highest professional character; that she is an absolutely terrific boss and mentor; and that it has been a pleasure to have had the opportunity to work for her. They wished her well wherever her new career leads her, but said she will be truly missed by the City's staff.

There being no further business to come before the meeting, Councilman McKean made a motion, seconded by Councilwoman Larr and unanimously carried, to adjourn the meeting at 12:30 A.M.

Respectfully submitted,

Susan A. Morison
City Clerk