

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on March 5, 2003 at 8:00 P.M.

PRESENT:

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

ABSENT: ROBERT S. CYPHER

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official city business.

Mayor Otis congratulated the Rye Girls' basketball team on their outstanding record this year with 23 consecutive wins before losing in the County finals.

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

There were no residents wishing to be heard.

4. Proposed resolution amending the 2003 General Fund Recreation Fee Schedule to impose a \$5 per person, per program surcharge for use of City of Rye athletic fields

Steve Meyers, Chair of the Recreation Commission, made a proposal to the Council to impose a \$5 per person, per program surcharge for use of City of Rye athletic fields. He said Rye residents are fortunate to have high quality recreational facilities and they expect and deserve a high degree of maintenance, renovation and appropriate capital upgrades. He said in this economy having adequate funds is difficult and no funds were appropriated for 2003; that with such high usage there is constant wear and tear on the facilities; and deferring capital needs generally results in even higher costs in the long run. Therefore, the Commission is proposing a \$5 surcharge for Rye Little League, Rye Babe Ruth, Rye Girls Sports, Rye Youth soccer, adult

softball, sports camps, tournament play, field rentals and other programs that use the fields. He said the Rye City School District and those portions of the youth athletic programs that exclusively use the Rye City School District's fields would not be subject to the surcharge which is expected to generate about \$15,000 annually. Funds would not be part of the City's annual operating budget, but would be earmarked specifically for capital improvements to the fields. He said all affected organizations support the idea as long as the funds are kept separated, and concluded by saying the Recreation Commission had adopted the following resolution at their February 13, 2003 meeting:

Be it Resolved: that due to budget limitations a surcharge of \$5 per person/per program shall be charged to all recreation, community and private use programs that take place on City of Rye athletic fields. Funds will be earmarked to cover cost of specialized field renovation and repair as determined by Rye Recreation staff not currently funded. School District use will be exempt from the surcharge as outlined in the Inter-Agency Facility Use Agreement. Rye Recreation will reserve the right to adjust fees to accommodate special use or use that contains substantial variations in scope and nature. The surcharge will be reviewed annually by the Recreation Commission as part of the budget process along with a full accounting and report by the Recreation Superintendent. Rye Recreation will continue to seek and obtain funds for these costs by other means including funding through the normal budget process.

Councilwoman Larr asked if there were groups of non-Rye residents who used the fields who might be charged \$7.50/per person. Mr. Meyers said this type of use was very limited, but the Commission would look into it. In response to a question from Councilman Chu, Mr. Meyers said there was not much capacity at either Rye Neck or Rye Country Day School for additional field use. Councilman Hutchings, applauding the user fee concept, was told by the City Manager that the funds will be held in the General Fund, but under a separate account so they can be carried over each year.

Councilwoman Cunningham made a motion, seconded by Councilman McKean, to adopt the following resolution amending the 2003 General Fund Fee Schedule with respect to the Recreation Program by imposing a surcharge on use of athletic fields:

WHEREAS, the Recreation Commission adopted an Athletic Field Surcharge Proposal at its February 13, 2003 commission meeting; and

WHEREAS, the Recreation Commission requests authorization to implement this policy and recommends amendment of the 2003 General Fund Recreation Fee Schedule to impose such surcharge on the use of athletic fields to provide a source of funds for needed specialized maintenance and renovation to City of Rye athletic fields; now, therefore, be it

RESOLVED, that the 2003 General Fund Fee Schedule is hereby amended as follows:

RECREATION:

ATHLETIC FIELD USE SURCHARGE \$5.00/per person/per program

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

and be it further

RESOLVED, that the Athletic Field Use Surcharge Fee collected by the Rye Recreation Department will be earmarked to cover cost not currently funded of specialized field renovation and repair as determined by Rye Recreation staff.

ROLL CALL

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

NAYS: None

ABSENT: Councilman Cypher

The resolution passed.

5. Discussion and direction to the City Manager regarding authorizing the hiring of an additional firefighter

City Manager Julia Novak reviewed that the Council had authorized the hiring of a 16th firefighter and that Andrew Northshield has been hired as of February 24, 2003, but had, on February 26th, been called to active duty in the Marines. Therefore, she was asking the Council for approval to “overhire” an additional firefighter to fill the vacant position. She said Mr. Northshield would only be paid for 30 days, but technically 17 firefighters would be on staff

until 2004 when there would be a mandatory (at 62) retirement of another firefighter. John Castelhana, President of the Firefighters, said the expenditures would probably work out to the same amount because of the training schedule, reduced overtime, etc. and that even if Mr. Northshield returned in exactly 12 months and there was a four month overlap, the extra money would only amount to about \$20,000. Chief George Hogben assured the Council the Fire Department would find a way to absorb this into their budget. Councilman Hutchings said he was concerned the Council was not following their desire to be lean, but he was assured that the ability to train a new man now, to be ready to take over when there was a retirement, would ultimately be cost effective and that it was important to maintain a level of service.

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

RESOLVED: That an additional firefighter be hired to replace the recently hired additional firefighter who had been called up to serve in the Marines.

ROLL CALL

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

The resolution passed.

Councilman McKean left the meeting at this point.

6. Acceptance of a donation to the Rye Senior Advocacy Committee in the amount of Fifty (\$50) Dollars

Councilman Chu made a motion, seconded by Councilwoman Cunningham, and unanimously carried, to adopt the following resolution to accept the donation to the Rye Senior Advocacy Committee in the amount of \$50 from a “satisfied customer:”

WHEREAS, the fiscal 2003 General Fund budget did not anticipate this donation; 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 2003 General Fund budget as follows:

Increase Revenues – Personnel-Gifts & Donations \$50.00

7. Approval of a supplemental appropriation of \$30,000 from the 2003 General Fund Contingent Account to Snow Removal Deicing Supplies (\$15,000) for the purpose of purchasing additional salt and Snow Removal Overtime (\$15,000)

Mayor Otis congratulated the Public Works Department for their unbelievable job of clearing Rye's streets during the continuous and massive amounts of snow on February 17, 2003 and thanked them on behalf of everyone in Rye. However, Manager Novak reported, the salt levels are now low and the overtime budget nearly depleted, so additional funds from the Contingent Account are necessary.

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

WHEREAS, the city Engineer has advised that severe winter weather is rapidly depleting the fiscal 2003 Snow Removal budget; and

WHEREAS, the City Engineer has requested \$30,000 supplemental funding in the fiscal 2003 Snow Removal budget to provide funding for the purchase of additional de-icing (road salt, calcium, etc.) supplies and to provide funds for overtime expenses; and

WHEREAS, sufficient funds exist in the Contingent Account for transfer to the Snow Removal budget; now, therefore, be it

RESOLVED, that the fiscal 2003 General Fund budget be amended as follows:

Increase Snow Removal-Deicing Supplies \$15,000, and
Increase Snow Removal – Overtime \$15,000, and
Decrease Contingent Account \$30,000

ROLL CALL

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

NAYS: None

ABSENT: Councilmen Cypher and McKean

The resolution passed.

8. Authorization for the City Manager to enter into a Stop-DWI Patrol/Datamaster Project and Training Reimbursement Contract with the County of Westchester for the 2003 calendar year

Mayor Otis asked the Council to authorize the City Manager to renew an annual contract which is required for Rye's Police Department to participate in the 2003 STOP-DWI Patrol/Datamaster Project and be eligible for reimbursement. Manager Novak said it was a great program and creates good public awareness.

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

RESOLVED, that the City Manager be authorized to enter into a 2003 Stop-DWI Patrol/Datamaster Project Agreement with the County of Westchester for the 2003 calendar year.

ROLL CALL

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

The resolution passed.

9. Authorization for the City Manager to enter into a Prisoner Transportation Intermunicipal Agreement with the County of Westchester for the 2003-2004 calendar years

Mayor Otis asked the Council to authorize the City Manager to enter into an agreement with the County of Westchester for the 2003-2004 calendar years for the reimbursement of prisoner transportation services. In exchange for this service, the County is offering to reimburse the City in the amount of \$127.35 in 2003 and \$133.70 in 2004, per transport. Manager Novak said these figures are prescribed by the County and can be considered "ballpark" and generally in line.

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

RESOLVED, that the City Manager be authorized to enter into a Prisoner Transportation agreement with Westchester County for the period of January 1, 2003 through December 31, 2004.

ROLL CALL

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

The resolution passed.

10. One appointment to the Commission on Human Rights to fill the term ending January 1, 2005, by the Mayor

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the appointment of Linda Fallo-Mitchell, Ph.D. to the Commission on Human Rights to fill the term ending January 1, 2005.

11. Miscellaneous communications and reports

Mayor Otis reported on the large increase in the estimated amount required for the State Retirement System and said a number of alternatives are being looked at, including extending the time of the contributions, different calculations, etc. He said the State was placing a high priority on mitigating this situation, as it affects all municipalities.

Councilman Chu remarked that he is pleased to see Rye ranks #2 as the best recycling community and was assured the City breaks even in these efforts. Mayor Otis suggested we work to be #1; that Rye has always been a leader in recycling efforts; and said the more we recycle, the better it is.

Councilwoman Cunningham was urged by the Mayor to attend a hearing on the repeal of the Wicks Law (which requires separate contractors for municipal jobs) if she wished, and said perhaps the Council would want to pass a resolution in support of repeal as they have in the past. Manager Novak said this issue was on NYCOM's agenda, as it has been for many years. The Mayor said Albany would probably concentrate more on fixing the retirement system situation.

Councilwoman Larr thanked the Traffic and Transportation Committee for their review of her "30 MPR on the 30th." She said although the Committee was not so interested in this idea, she hoped they would consider something else to reduce speeding and get citizens involved. The Mayor said they were working on a safety plan and considered it a high priority.

Councilwoman Cunningham reported the City has submitted a required Notice of Intent (NOI) for Stormwater Phase II and this is an important step in efforts to make sure our stormwater run off is improved. She thanked City Planner Christian Miller for his efforts. The Mayor suggested both the Planning Commission and the Conservation Commission/Advisory Committee develop plans to educate the public.

12. Old Business

Mayor Otis reported that several communities have adopted resolutions in favor of forming a stormwater district, as proposed by the Long Island Sound Watershed Intermunicipal

Council (LISWIC). He requested input on the idea from City staff, especially City Engineer George Mottarella.

Councilman Hutchings expressed frustration that the graffiti is still on the gas station at the intersection of Wappanocca and Purchase Streets. Manager Novak said the Building Department is working with the Corporation Counsel to get to the point where the City can legally remove it.

13. New Business

There was no new business to discuss.

14. Draft unapproved minutes of the regular meeting of the City Council held on February 5, and the special meeting held February 13, 2003

Councilman Chu made a motion, seconded by Councilwoman Cunningham and unanimously carried, to accept the minutes of the regular meeting of the City Council held on February 5 as amended.

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham and unanimously carried, to accept the minutes of the special meeting of the City Council held on February 13 as amended.

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried, to adjourn to Executive Session to discuss a personnel matter at 8:50 P.M.

The Council reconvened at 9:30 P.M.

15. Adjournment

There being no further business to discuss, Councilman Hutchings made a motion, seconded by Councilman Chu and unanimously carried, to adjourn the meeting at 9:31 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk