

***APPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held in City Hall on November 19, 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:

Councilman: ROBERT S. CYPHER

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the Council and public 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 High School Girls Field Hockey Team for winning the State Championship and extended a message of good luck to the Rye High School Football Team as they advanced in the State Playoffs.

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

There were no residents in the audience wishing to be heard.

At this time Mayor Otis offered the floor to City Manager Shew for comments regarding some of the material he shared with the Council that day. The City Manager stated that both the Tentative Budget and Preliminary Budget are basically discussion platform documents and asked the Council to adopt the 2004 Tentative Budget as the 2004 Preliminary Budget. This will allow the Council to publish this document, for the purpose of the public hearing, while still maintaining enough time for ample discussion without going to reprints which cost both time and money. City Manager Shew stated that the Council will have the opportunity to do everything they need to do at the December 3, 2003 public hearing. City Manager Shew then yielded the floor to Comptroller Michael Genito.

Comptroller Genito addressed the issue of how much flexibility there is in the budget and how much discretionary spending is available for adjustments. The increase between the 2003 to 2004 General Fund budget amounts to \$2.5 million, distributed as follows:

- \$1.9 million represents contracted increases in salaries and benefits, with no increase in staffing levels.
- Contractual costs represent \$306,000 of the increase, with \$220,000 of that amount required for the building and vehicle maintenance of the City; an additional \$57,000 representing increases to contract agencies (\$40,000 to Rye Free Reading Room and \$16,000 for Rye Town Park), and \$135,000 for contingency in accordance with the City's financial policies. The difference between the \$412,000 that these items total and the \$306,000 of the actual increase represents \$106,000 of reductions in discretionary items that department managers made in order to do more with less.
- \$84,000 of the increase is in equipment funded by the available fund balance: \$40,000 of it targeted for the challenge grants proposed by the City Manager; \$21,000 for the replacement of copiers and high speed duplicating machines, and \$21,000 for firefighting equipment.
- Materials and supplies represent a \$56,000 increase, with \$111,000 budgeted for an increase in certiorari (tax challenge) payments. Like the contractual costs, the difference of \$55,000 between the increase in tax certiorari costs alone and the overall increase of \$56,000 is a reduction in discretionary items proposed by the department managers.
- The remaining \$126,000 of increase is found in the transfers to others funds for capital items.

Comptroller Genito noted that the Council had asked in the budget workshop of November 17<sup>th</sup> if he could bring a laptop computer to future budget workshops, to perform a running total of changes to the tax rate and fund balance as amendments to the budget were proposed. He noted that he and City Manager Shew did not agree with this practice due to the complex spending and program relationships found in the budget and the importance of accuracy. However, the Council could consider that a change in revenues and/or expenditures of approximately \$139,000 represents a 1% change in the proposed tax rate, and a change in the use of available fund balance of approximately \$246,000 represents a 1% change in available fund balance. Comptroller Genito then yielded the floor back to City Manager Shew.

City Manager Shew said that the City Council has another month in which to make decisions; recommended the tentative budget be adopted as the preliminary budget for purposes of the public hearing and reiterated that there is no need to rush the decisions.

Mayor Otis stated that there have been two workshops since the 2004 Tentative Budget was presented at the City Council meeting on November 5, 2003. The Council has sought to find areas in the budget where they could make cuts to reduce costs, most of which were in the area of capital projects or building and vehicle funds. While able to identify some of these areas, these cuts may help to decrease future debt and increase the undesignated fund balance. However ways to further reduce the tax rate increase have not yet been found nor have any funds that would allow for some increase spending where needed.

The Mayor said that he felt there was a consensus from the Council that the hiring freeze and the job reduction review policy continue. Mayor Otis also said that the \$1.9 million increase for contracted salaries and benefits mentioned by the City Comptroller contains one large single item, namely, the \$1 million to the retirement system that will be paid to the State for municipal employees. This is the piece of the budget that is driving the increase in costs and increase in taxes. Mayor Otis also said that the City Manager's budget proposes to use a portion (about \$370,000) of the undesignated fund balance to buffer some of the retirement system payment. The other portions of the fund balance would be used for capital projects and debt payment for 2004. The Mayor said his goals are: to lower the tax rate, maintain undesignated fund balance at a healthy level (perhaps 10%), and find some additional money for the Rye Free Reading Room. He noted that in 2003 the Rye Free Reading Room received \$803,000 from the City; that the 2004 Tentative Budget provides for a \$40,000 (5%) increase, but that they had requested a \$270,000 increase for 2004. He noted that the RFRR's retirement payment increase alone exceeded the amount in the proposed budget and highlighted the need for additional funding.

Councilman Chu agreed with the Mayor's goals and felt there was a consensus by the Council. He expressed concern about the City Manager's request to adopt the 2004 Tentative Budget as the Preliminary Budget feeling there would not be enough time to make all the necessary changes, that it was becoming a one step process instead of a two step and that it would be difficult keeping the public well informed. Councilman Hutchings agreed stating that he had come prepared to discuss the issues they had worked through at prior budget workshops. Councilwoman Larr said she was prepared to look for cuts. Councilwoman Cunningham felt the City Manager's proposal would not preclude these things as discussions would continue, and it would prevent the redoing of the budget if no changes in the figures were formalized. Councilman McKean pointed out that if more time were needed the public hearing scheduled for December 3, 2003 could be continued to the December 17, 2003 Council meeting, giving the Council more time to continue to work with the public and get more clarifications. Councilman McKean added that he feels that the City is not addressing deferred maintenance issues (roads, buildings, etc.) as it should be.

The Council members decided to defer presenting their lists of questions, and comments until the residents and organizations had an opportunity to be heard. (See agenda item #6)

5. Citizen and Organization Comment and Council Amendments to the 2004 Tentative Budget. Presentation by the Rye Free Reading Room

*Rye Youth Council:* **George Cady**, President, stated that for the past two years they have annually received \$25,000, understanding last year that the City could not meet their request for \$32,500. After September 11<sup>th</sup>, they have experienced significant increases in insurance payments, health benefits, and a modest 2% increase in salaries and program costs. They can no longer afford to remain flat and have requested \$32,500 for 2004. Historically the City has paid a higher percentage of their budget. Ten to fifteen years ago the City paid about 40% of their budget, but now it is down to 8%. They feel a 10% share by the City is an appropriate amount. The organization holds two fundraisers annually and received over \$52,000 from the community last year. Mr. Cady

explained that they received \$4,900 last year from New York State, which was paid to them through the City.

Rye Free Reading Room: **John Fullerton**, president of the Board of Trustees, thanked the Mayor for the support reflected in his opening remarks. He said that every year is a tough year for the library, which was evident in the reduction of hours (almost 20% last year), employee layoffs, the continued need for collection enhancement and demands for new technology. The library raised \$4 million during the capital campaign representing over 2000 donors. Mr. Fullerton said that their strategic goal is to redefine their partnership with the City to create a consistent financial foundation for the library. It has been a “private association library” whose capital needs are met through donations and support from the community. They raise over \$150,000 each year to buy books and pay for programming. He cited this as a great example of a public/private partnership. He said the Rye Free Reading Room would like to reposition itself as a “core service” because it is the center of the community both culturally and geographically. The library is asking for a one-time basis adjustment of \$270,000 that would restore hours to previous levels, increase funding for books and computers, and establish a capital repairs line in their budget. Mr. Fullerton demonstrated that during a ten year period budget expenditures for the Fire Department increased by 116% (\$1.9 million); the Police Department by 60% (\$2.6 million); the Recreation Department by 103% (\$634,000) and the Rye Free Reading Room by 54% (\$295,000). He stated that the municipal per capita funding for the library is lower than many other communities as well as the amount of service hours they are able to provide due to budget constraints.

Rye Free Reading Room: **Betty Teoman**: Director of the Rye Free Reading Room, asked the Council to commit substantially more of the City’s resources to the library stating that it is an essential service which is central to the community. She presented an overview of the community usage reporting that it is a widely used facility; more than half the residents have library cards and use the library; 75% of the children under the age of 12 have library cards and that the library loans over 200,000 items every year to more than 155,000 patrons. It makes available technology and computers for residents who don’t have access to them at home and provides academic support to the children of Rye. She added that in 2002 more than 26,660 people attended 809 programs. Ms. Teoman asked the Council to redirect their priorities and provide solid support for the library. **Harvey Kelsey**, resident, suggested that the priorities of spending need to be renegotiated and that the lack of increased funding for the library compared to other services is poor business planning. He asked that the library’s needs be readdressed and the priorities in the budget reexamined. **Vickie Cox**, resident and Rye realtor, read a statement from the managing broker of Julia B. Fee Realty urging the Council to help restore full service hours and to continue to recognize its importance to the community. **Gail Pullman**, resident and Osborn School librarian, said she considers the library a partner in promoting literacy for the students. **Barbara Minerva** co-chair of the library Auxiliary Board, ask the Council to recognize the library and continue support so that the Auxiliary can continue to maintain the enthusiasm of the volunteers who are an integral part of the library programming and services. **Peggy Peters**, president and co-chair of the library’s capital campaign, said the library has experienced a tremendous renaissance over the past ten years and is a source of information for all

readers. She asked the Council to support the library on the level it needs in order to continue to provide excellent library services.

Rye Historical Society: **Eugene McGuire**, President, expressed support for the tentative budget as it pertains to the Square House. They understand the city's limitations and thanked the City.

Rye Recreation Committee: **Steven Meyers**, President Rye Recreation Commission, expressed his support for the library but was concerned with the library's approach of comparing their funding against the City's internal departments. He said that in recreation in 2002 there were approximately 50,000 program registrants with 3,800 children participating in the various baseball, soccer and softball programs. Mr. Meyers added that since 1994 participation in youth sports services increased by 80%; other use programs have increased by 44%, and senior/adult programs by 67%. The Recreation Department has also assumed over the years the maintenance and responsibility of five additional playing fields; the renovation of Gagliardo Park through Community Development Block Grants; the expansion of three playgrounds, and various other capital projects. During the past ten years the Recreation Commission has established and raised user fees from approximately \$200,000-\$300,000 to over \$700,000. The 2004 recreation budget covers approximately 43% of its costs through user fees, which is above the City's stated policy to "recover at least 35% and to strive to recover 40%". He said the budget has increased by 22%, but of the cost increase of \$198,000, all but \$50,000 was either mandated or non-discretionary. Salaries and wages accounted for an increase of \$16,000; employee benefits \$42,000, and \$69,000 for building and vehicle maintenance. He noted that the new fields increased operating costs by only \$12,000.

At the conclusion of the organization and residents comments (agenda item #5) the Mayor offered the floor to the City Council members for their comments. (agenda item #4)

4. City Council Comment on tentative 2004 budget

Councilman Chu presented the following comments:

1. **Head count**: Asked for clarification of number of employees indicated on p. 12-2 of the 2004 budget. City Manager Shew and City Comptroller Genito said that as of today in 2003 there are 173 filled positions, one them being filled today. The net difference of one position between the 2003 filled and 2004 budgeted represents the reduction of one overstaffed position in the fire department offset by one vacant position in Finance and one vacant position in golf. Councilman Chu asked for the amount budgeted for the finance position in 2004, including salaries and benefits. Comptroller Genito responded that while he did not have those figures immediately available, he would estimate the amount to be \$62,000.
2. **Recreation budget**: Said in 2003 cost recovery of services is forecast to be 47%, which is above the 2004 projected amount (43%). He asked if they can try to do that again for 2004 through a combination of increased fees or decreased

expenditures. If so, it will yield an additional \$70,000 that would be available in the General Fund.

3. **Rye Free Reading Room**: requested that the City increase the funding by \$95,000 above the \$40,000 provided for in the Tentative Budget, bringing the total appropriated to \$135,000.
4. **Theall Rd**: would like to see this funded partially through a challenge grant.
5. **Central Business District Study**: suggested that the allocation of \$140,000 be deferred.
6. **DPW Fuel Management Program**: proposed that the Council approve the \$22,000 to meet requirements rather than \$80,000 for a new system.

Councilman Chu proposed that we not fill the seventh position in Finance and that we increase the Recreation cost recovery program to 47%, which should yield approximately \$132,000. We can then take \$90,000 of that and give it to the library. Mayor Otis said he hoped the City could do better than that for the library and expressed reservation about not filling the Finance Department's position. He added that perhaps by combining some of Councilman Chu's suggestions with others the Council could come up with additional solutions regarding these issues while still holding on to the idea of lowering the tax increase. Councilwoman Cunningham agreed with the Mayor regarding the Finance position and felt the reliance on \$70,000 from cost recovery was very speculative.

Councilman-elect Duncan Hennes/Finance Committee Chair, discussed with the Council some of the methodologies used in the budget and stated said that the Finance Committee should further develop the fund balance policy so that the use of fund balance is clearly understood.

Councilman Hutchings said he shares some of the same goals as the Mayor and presented the following comments:

1. **Traffic signal at Forest Ave and Grace Church St**: we should defer this project and move the \$90,000 allocated in the budget for it to undesignated surplus.
2. **Police Impound Facility**: suggested that the \$103,000 allocated in budget be moved to the undesignated surplus.
3. **Police Headquarters Addition**: \$560,000 should be deferred because it may be replaced at some point with a new facility.
4. **Fire Pumper**: suggested that the \$395,000 allocated for new fire pumper truck be deferred for the next two years if possible.
5. **Skate Board Park**: \$37,500 should be issued as a challenge grant to find out if there is enough public interest in this project with a time limit of six months to ascertain the level of interest. Also asked that the annual operating costs associated with a skateboard park be defined.

Councilwoman Cunningham said she agreed with many of the ideas of the Council members and presented the following comments:

1. **Police Headquarters Addition**: entire project should not be deferred, but that a smaller addition might be able to address some of the more necessary issues such as booking.

2. **Morehead Footbridge**: suggested that the smaller bridge not be done this year, which would put \$20,000 back towards operating, and perhaps given to the library.
3. **National League of Cities Membership Fee**: proposed that this fee of \$1200 be eliminated from the City Manager's budget

Mayor Otis presented the following list of comments and questions:

1. **Traffic Signal**: questioned whether the traffic light at Forest and Grace Church Streets was most important and felt that there are pedestrian safety issues at the intersections of Purchase St and Smith St. and Purchase St and Elm St. Suggested that the \$90,000 (allocated for light at Forest & Grace Church St.) be moved to cover those intersections.
2. **Central Business District Plan**: suggested that part of the \$140,000 appropriated for this item be used for the traffic light situation
3. **Morehead Footbridge**: \$20,000 appropriated in last year's budget is a liquid asset and could be used to lower the tax increase or for additional spending.
4. **Annual Street Resurfacing**: suggested the \$300,000 allocated in budget should remain
5. **Annual Sidewalk Program**: proposed the elimination of \$50,000, which is an increase over last year's budgeted amount and return it to the fund balance.
6. **Police Impound Facility and Police Headquarters Addition**: suggested getting more information. He said that a new headquarters is not happening in the foreseeable future and that a significant capital expenditure will have to be made to deal with some of the unmet space needs of the Police Department. He asked for more information regarding the addition and impound facility from the Police Department
7. **DPW Fuel Management Program**: said there seemed to be a consensus to use the alternative amount of \$22,000, which saves \$58,000.
8. **Friends Meeting House**: eliminate the \$25,000 challenge grant, and replace that funding with the State grant of \$50,000 which has been awarded to the City by Senator Tocci. The Landmarks Committee and the Friends of the Meeting House will make a presentation at the December 3, 2003 meeting regarding fundraising efforts and grant opportunities.
8. **Fees**: are an opportunity to raise revenues. He asked the Comptroller to establish a "COLA" (across the board cost of living increase) for all fees that we have the legal right to increase. (2% would increase revenues approximately \$15,000)
9. **Rye Youth Council**: asked that the requested \$7,500 increase be factored into the deliberations.
10. **Challenge Grants**: proposed to eliminate \$40,000 in the City Manager's budget

Councilwoman Larr presented the following list of comments:

1. **Annual Road Resurfacing**: suggested it be brought down to the CHIP amount of \$215,000, which puts \$85,000 back into the surplus account. Also, eliminate \$50,000 for curbing, returning it to the surplus account
2. **Highland Road Sewer Drain**: leave it as it is.
3. **DPW**: Vehicles-suggested that the loader (\$90,000), street sweeper (\$150,000) and recycling truck (\$78,000) be deferred. Total savings in debt is \$318,000.

4. **Fees:** suggested increasing the street opening fees
5. **Retirement Benefits:** clarified that the retirement benefits are paid for by the Enterprise Funds for their employees.

Mayor Otis noted that in order to raise the undesignated fund balance to 10% the Council needs to find an additional \$433,000.

Councilman McKean presented the following comments:

1. **Central Business District Study:** should be deferred.
  2. **Recreation Fields:** \$12,000 used for sod vs. seed was fully funded at a cost that was beneficial to the City, and allows the fields to use be one growing season earlier than seed would have allowed.
  3. **Job Reduction Review Policy:** asked City Manager Shew to take a proactive look at how some positions could be consolidated prior to waiting for vacancies after budget season.
6. Resolution scheduling a public hearing on the tentative 2004 budget

Councilwoman Cunningham made a motion, seconded by Councilwoman Larr and unanimously carried to adopt the 2004 Tentative Budget as the 2004 Preliminary Budget and to adopt the following resolution setting the public hearing on December 3, 2003.

**WHEREAS**, it is now desired to call a public hearing on the proposed 2004 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 3, 2003 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 3rd day of December, 2003, at 8:00 p.m. at City Hall, 1051 Boston Post Road, in said City, on the Proposed Budgets of the General Fund, Cable TV Special

Revenue Fund, K.T. Woods Permanent 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, 2004 through December 31, 2004, and at such time and place any person interested in said Proposed 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 PROPOSED BUDGETS

<u>Fund/Program</u>	<u>Proposed Budgets</u>
General Fund	<u>24,159,589</u>
Rye Cable TV Special Revenue Fund	<u>214,698</u>
K.T. Woods Permanent Fund	<u>4,000</u>
Debt Service Fund	<u>130,461</u>
Capital Projects Fund	<u>2,360,000</u>
Boat Basin Enterprise Fund:	
Operating	485,579
Capital	<u>-0-</u>
Total - Boat Basin Fund	<u>485,579</u>
Rye Golf Club Enterprise Fund:	
Operating	4,230,697
Capital	<u>250,000</u>
Total - Golf Club Fund	<u>4,480,697</u>
Risk Retention Internal Service Fund	<u>639,850</u>
Building and Vehicle Maintenance	
Internal Service Fund	
Operating	2,773,116
Capital	<u>1,882,000</u>
Total - Building and Vehicle Maintenance Fund	<u>4,655,116</u>
TOTAL - All Funds	\$ <u>37,129,990</u>

7. Consideration of a proposal by T-Mobile USA to lease ground space for the construction of a wireless communications facility at Milton Firehouse or the City of Rye Marina

Corporation Counsel Kevin Plunkett said that he had put together a memo with the assistance of the City Manager and staff as to the steps that would be taken under the new Wireless Communications Law, but preliminary to that is whether or not the City wants to

engage T-Mobile in either licensing or leasing the property (250 sq. ft.) in either location. Mayor Otis said that the City has a Wireless Communications Law that has a priority/preference list based on locations in the community and the preferred locations are existing tall structures, colocations and commercial properties that abut the highways. In this instance the City owns the property and should comply with its own policy. The Mayor reminded everyone of the opposition years ago regarding the installation of a cell tower at Disbrow Park. Councilman Hutchings clarified that this installation was a flagpole not a tower. Councilman McKean asked if there could be co-locations with this flagpole which is more in compliance with our law, and expressed concern that this site is in a floodplain. Councilwoman Larr added that the boxing for it may be waterproof and said that added revenue generated by this is needed. Mayor Otis said that very often these flagpoles are out of proportion for the scale of the buildings and reiterated that he is against violating our preference policy. Council Chu suggested that the City invite T-Mobile to make a presentation with the most realistic simulation possible before a decision is made. After continued discussion, and at the Mayor's request the Council decided to ask T-Mobile to send more written material to the Council before scheduling a presentation. Councilman McKean and Councilwoman Cunningham asked to have specific information included such as; service areas, collocation capabilities and rental amounts.

8. Authorization for the City Manager to execute a Consent Order which the Department of Environmental Conservation is offering to settle Article 17 violations involving overflows at the Bradford Avenue Sewer

Corporation Counsel stated that this Consent Order must be on file with the DEC and recommended that it be authorized.

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

**RESOLVED**, that the City Manager be authorized to execute a Consent Order which the Department of Environmental Conservation is offering for the purpose of settling Article 17 violations involving overflows at the Bradford Avenue Sewer.

ROLL CALL:

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

NAYS: None

ABSENT: Councilman Cypher

9. Resolution to amend 2003 budget to reflect land acquisition grant award

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

**WHEREAS**, the City of Rye has been advised by the New York State Office of Parks, Recreation and Historic Preservation that it has been awarded a \$150,000 grant for the City's purchase of land, and,

**WHEREAS**, the fiscal 2003 Capital Projects Fund budget did not anticipate the grant award from the NYSOPRHP,

**NOW, THEREFORE BE IT RESOLVED**, that the fiscal 2003 Capital Projects Fund budget for land acquisition be amended to include \$150,000 in Revenues-Federal Aid, Water Quality.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** Councilman Cypher

10. Consideration of a request for a License Agreement between the City and Robert and Maria Santangelo for the purpose of connecting a private sewer line to the Westchester Beach Club pump station

Corporation Counsel Kevin Plunkett stated that the Westchester County Department of Health has approved plans for a main sewer (Island Drive area), but because it is pressurized it needs five homes to be hooked up in order for it to work properly. The following parties are seeking a license agreement with the City because they are the first three hookups. As soon the other two homes are hooked up the license agreements will be dissolved.

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

**RESOLVED**, that the City Manager enter into a license agreement between the City and Robert and Maria Santangelo for the purpose of connecting a private sewer line to the Westchester Beach Club pump station.

11. Consideration of a request for a License Agreement between the City and John Bostelman and Emily Hannah for the purpose of connecting a private sewer line to the Westchester Beach Club pump station

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

**RESOLVED**, that the City Manager enter into a license agreement between the City and John Bostelman and Emily Hannah for the purpose of connecting a private sewer line to the Westchester Beach Club pump station.

12. Consideration of a request for a License Agreement between the City and Mortimer and Susan Fuller for the purpose of connecting a private sewer line to the Westchester Beach Club pump station

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

**RESOLVED**, that the City Manager enter into a license agreement between the City and Mortimer and Susan Fuller for the purpose of connecting a private sewer line to the Westchester Beach Club pump station.

13. Acceptance of a donation to Rye Cable TV from the Rye Lyons Club in the amount of \$150

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

**WHEREAS**, the City of Rye is in receipt of a donation in the amount of \$150,

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of Rye accepts the aforementioned donation and directs the City Manager to express their gratitude in a letter of thanks to the Rye City Lions Club.

**ROLL CALL:**

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

**NAYS:** None

**ABSENT:** Councilman Cypher

14. Acceptance of a donation to the Rye Nature Center from the Scarsdale Audubon Society in the amount of \$100

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

**WHEREAS**, the City of Rye is in receipt of a donation in the amount of \$100,

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of Rye accepts the aforementioned donation and directs the City Manager to express their gratitude in a letter of thanks to the Scarsdale Audubon Society.

ROLL CALL:

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

NAYS: None

ABSENT: Councilman Cypher

15. Miscellaneous communications and reports

Councilwomen Larr participated in a study group pertaining to the Firemen's Fund. She reported that the Firemen's Fund has money available, beginning next year, for Fire Departments across the country for equipment and training purposes. She suggested that the Rye Fire Department register their interest with the Firemen's Fund.

Mayor Otis reported:

- Attended Rye Town Park meeting at which he proposed the number of members of the commission, presently six, be increased to eight giving the City of Rye the same number of members as Rye Town and approximately match the City's current financial responsibility.
- Attended recent Hudson River Greenway Byways Project. Will pursue with LISWIC future funding opportunities.
- Met with Daniel Kelly, City Historian, to discuss Rye Centennial Events
- Attended press conference given by NYCOM regarding pension cost

16. Old Business

Councilwoman Cunningham reported that there was an equalization meeting held in Albany on November 12, 2003 and asked if the City had been represented and registered its objection. Corporation Counsel said that the City was not in attendance but a written presentation had been sent.

Councilwoman Larr reported that not only has Mrs. Thomaschewskey, owner of the gas station (City has filed a summons and complaint in attempt to have graffiti removed) located at the corner of Wappanocca Avenue and Purchase Street, passed away, but so has her daughter. Corporation Counsel said that the City is trying to get this verified and upon verification the City will coordinate with the estate.

17. New Business

Councilwoman Cunningham reported the veteran's post is going to have a speaker from the Department of Transportation to discuss the Port Chester/Suffern corridor (I-287) and asked if it could be recorded.

18. Draft unapproved minutes of the regular meeting of the City Council held November 5, 2003 and of the Budget Workshop held November 12, 2003

Councilman McKean made a motion, seconded by Councilwoman Larr, and unanimously carried to adopt the minutes of the regular meeting of the City Council held on November 5, 2003 and the minutes of the Budget Workshop held on November 12, 2003.

Mayor Otis made a motion, seconded by Councilwoman Larr to adjourn to Executive Session to discuss a personnel matter at 11:20 P.M.

The meeting reconvened at 12:00 midnight.

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

**RESOLVED**, that the Council approve the five year contract between the Rye Police Association and the City of Rye for 2004-2008.

ROLL CALL:

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

NAYS: None

ABSENT: Councilman Cypher

19. Adjournment

There is no further business to discuss, Councilwoman Cunningham made a motion, seconded by Councilman McKean and unanimously carried, to adjourn the meeting at 12:10 A.M.

Respectfully submitted,

Diane C. Moore  
Deputy City Clerk

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.