

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on February 4, 2003 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
FRANKLIN J. CHU
ROBERT S. CYPHER
MATTHEW FAHEY
DUNCAN HENNES
ROSAMOND LARR
HOWARD G. SEITZ
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.

Announcements

Mayor Otis complimented the Department of Public Works for keeping up so well with the constant snow and ice.

The Mayor announced the Manhattanville Women's Hockey team (with a record of 12-1-1) would be playing archrival Elmira in the playoffs at Playland on February 28, 2004 at 2:00 P.M.

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

Sis D'Angelo, Wappanocca Avenue, addressed the Council on the subject of the gas station at the end of Purchase Street saying that the graffiti is worse than ever and she now understands that Mrs. Thomachewsky, the owner, is alive. Corporation Counsel, Kevin Plunkett said she is alive, but not well and unable to defend herself, so he expects Brandon Sall, the guardian appointed by the State to handle her daughter's estate, will be appointed guardian for her as well and the frustration of not having a person to deal with will be over. He reminded Mrs. D'Angelo that just being unsightly does not give the City the legal right to clean up the gas

station. She urged the Council to continue the pressure to resolve the issue and congratulated the police for notifying people to shovel their sidewalks.

4. Presentation by the Board of Fire Wardens and Building Committee

Mayor Otis said the Council had had a productive three-hour meeting with the Board of Fire Wardens on Monday, February 2nd, but there were still questions to be addressed and this agenda item had been withdrawn.

5. Two appointments to the Board of Appeals for three-year terms, by the Mayor with Council approval

Councilman Chu made a motion, seconded by Councilman Hennes and unanimously carried, to approve the reappointment of Anthony Piscionere and the appointment of Joseph Sack to the Zoning Board of Appeals for three-year terms expiring January 1, 2007.

6. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #116.4, "Sick Leave Police and Procedures"

The City Manager reported that the proposed revision to the Rules and Regulations of the City of Rye Police Department had been reviewed and approved by the PBA and urged the Council to approve the changes.

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

RESOLVED, that the Amendment of General Order #116.4 "Sick Leave Policy and Procedures," to provide clarification of guidelines and procedures for members of the service on long-term sick leave leaving their residences during those hours that would constitute their regularly scheduled tours of duty be accepted as submitted.

7. Acceptance of a donation from the Rye City Lions Club to the Senior Advocacy Committee in the amount of Two Hundred Fifty (\$250) Dollars

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

WHEREAS, the Rye Lions Club desires to donate Two Hundred Fifty (\$250) dollars to the Rye Senior Advocacy Committee for supplies; and

WHEREAS, the fiscal 2004 General Fund budget did not anticipate these donations; 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 2004 General Fund budget as follows:

Increase Revenues – Personnel – Gifts & Donations \$250.00

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cypher, Fahey, Hennes, Larr
and Seitz

NAYS: None

ABSENT: None

8. Miscellaneous communications and reports

There were no miscellaneous communications and reports to be discussed.

9. Old Business

Councilwoman Larr inquired about the status of the official newspaper and was informed that the Corporation Counsel was still examining options with the City Manager.

Councilman Seitz asked about progress on finding someone to conduct Phase I Environmental Studies for the County-owned parcels of land being offered to the City. The City Planner is looking for the best person to do the work at the best price.

Councilman Seitz asked about the reaction of Mamaroneck's Mayor to the City's letter regarding the Commerce Bank application near Greenhaven. The Mayor said it was positive; that Mamaroneck shares Rye's concerns about traffic; that their Planning Commission will be doing a traffic study; and our Traffic and Transportation Committee will review the applicant's study. The Mayor said the plan for egress onto a private road is totally inappropriate. Councilman Chu concurred that Mamaroneck is receptive to Rye's input.

Councilman Cypher reported the Youth Advisory Committee had met and, in 1 ½ hours, had elected officers, adopted by-laws, identified concerns and broken off into independent groups to discuss the issues. He said the issues identified are: 1) finding an appropriate place to gather; 2) finding more activities to do; and 3) identifying drug and alcohol problems and developing an education program.

10. New Business

Mayor Otis reported that Councilman Hennes had discovered a road under construction between the Edith Read Sanctuary building and Manursing Way. The City Manager notified the County Parks Department and they have stopped construction, but not before many trees were cut down. He reported many of the Friends of the Sanctuary are in support of the project, but many are not and most people didn't know it was happening, including Legislator George Latimer and the County Board of Legislators. Mr. Shew said the County had done a SEQR study for the Planning Commission but had failed to continue the approval process and proceeded without permission. The Mayor said they would now be asking for an LWRP, but in addition to the wetlands issue, there is also a traffic issue, especially during summer months.

Councilwoman Larr noted the new signs proposed for the Metro-North Station were fine, but suggested outdated posters should be removed.

Councilwoman Larr suggested that the City apply to the Hudson River Valley Greenway Association to see if the Friends Meeting House might be eligible for a \$5000 donation.

Councilman Cypher mentioned a building situation on Davis Avenue where a large house within right is being built and the neighbor is concerned that he was not notified properly and about the size of the house. The City has already looked into the notification issue and it has been resolved, but the Mayor suggested the matter raises the issue of whether the Zoning Code should have been modified further. He also suggested the situation be referred back to the Big House Sub-Committee.

Councilman Fahey suggested a review of the commuter parking applications to make sure there can be no misunderstandings.

Councilman Fahey suggested a review of the City's Financial Policy to make sure it outlines current issues, clarifies definitions, etc. Councilman Chu said it had been reviewed in 2002, but that the Finance Committee should look at it again. Councilman Hennes recommended that the Finance Committee continue to study the idea of having the City of Rye withdraw from the County sales tax pool. He also thought the idea of a restaurant tax should be discussed with the merchants.

Councilman Hennes proposed that the Council discuss/debate financial goals (such as how big a tax increase they could endorse, the size of undesignated surplus, outstanding debt level, etc.) earlier so they could give guidance to staff before they begin the work on the 2005 budget. He suggested the Council review the 3-year financial forecast; look at proposals designed to moderate future tax increases; look at anticipated future mandates; and look at the multi-year capital improvement plan.

Councilman Seitz congratulated Councilman Chu on his letter concerning Westchester Tax reform.

11. Draft unapproved minutes of the regular meeting of the City Council held January 21, 2004

Councilman Cypher made a motion, seconded by Councilman Fahey and unanimously carried, to adopt the minutes of the regular meeting of the City Council held January 21, 2004 as amended.

12. Adjournment

There is no further business to discuss, Councilman Hennes made a motion, seconded by Councilman Fahey and unanimously carried, to adjourn the meeting at 8:59 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk