

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on November 3, 2004 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

The Council convened at 7:30 P.M. The full Council was present. Councilman Seitz made a motion, seconded by Councilman Chu and unanimously carried, to adjourn to executive session at 7:31 P.M. to discuss a matter related to the Osborn litigation. Councilman Seitz made a motion, seconded by Councilman Fahey and unanimously carried, to close the executive session at 7:59 P.M. The regular meeting reconvened at 8:00 P.M.

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 congratulated several of Rye's teams for their post-season performance. The Boy's soccer lost 0-1 in the sectionals, but the football and field hockey teams are still playing and we wish them well.

3. Presentation of the FY 2005 Budget by the City Manager

The Mayor introduced City Manager, Paul Shew who began the formal presentation of the 2005 Budget. Mr. Shew said this year's format would again have three parts: an overview of the needs and philosophy reflected in the budget; a two-minute summary by each Senior Manager of their department; and lastly, an overview and explanation of the financial picture

presented by the City Comptroller. He said after his closing statement there would be an opportunity for questions, but he assumes a more appropriate time would be after the consideration of the budget material and at the first workshop scheduled for November 9th. (Note: this date was changed from the 10th when two Councilmen could not be present.)

Mr. Shew began his overview by saying the theme of this year's budget is finding a balance between service and taxes. He said parsimony has been exercised for many years so that the 'discretionary' part of the budget (which is a rather small part of the whole budget) has already been pared to a minimum.

Pointing out that the role of the Council is to determine direction, while Management is concerned with carrying out the directives in an efficient and effective manner, he said the collaboration and coordination between the Council and Management is what has made the City run successfully. Over the past year the City has enhanced public safety with investment in the Locust Avenue firehouse and the encouragement of volunteerism in the department; developed senior/recreation activities by supporting a 150 seat addition at the Damiano facility; expanded citizen participation to neighborhoods by passing legislation enabling neighbors to create a special assessment district; leveraged public money by offering seed funds to help develop a skateboard park; encouraged Centennial Challenge Grants; and supported police efforts in their work with school and the Youth Council in developing relationships with young people. In addition, a lead role was taken on matters such as the idea of a waterborne ferry, the road at the Edith Read Sanctuary and the coordination of the annual Triathlon, all of which help maintain and enhance the quality of life in Rye.

Rye residents demand high quality of service so while the proposed budget continues to maintain a lean organization it calls for the support of all services provided for in the past. There will be many challenges in the year ahead, including the completion of the Fire Department study and the construction of the Locust Avenue firehouse; focus on the environment; finding a solution to the dredging issue at the Boat Basin; developing a plan for the Meeting House; a plan for Central Business District Parking; flood plain projects; improvement of our highways and sidewalks; the skateboard park and Damiano Center; and the continued efforts to connect with our youth. He said the challenge is finding the "right balance" between good, fast and cheap (good and fast are generally not cheap; good and cheap are seldom fast; fast and cheap are rarely good and any two usually eliminates the third).

As an introduction to the presentations by the Senior Managers, Mr. Shew said it is an honor to represent the men and women who serve this community in the various municipal departments. They bring legislation to life; provide vitality to the organization and the community; and are there when we need them, often working well beyond the job for which they were hired. The reports of the Senior Managers are summarized as follows:

Michael Genito, City Comptroller (Finance and Information Technology Services), said *Finance* has a staff of seven, down from nine seven years ago and is responsible for receipt and disbursement of all City funds, the investment of cash and the processing of all parking violations. They are instrumental in developing the Annual Budget and other comprehensive documents such as the Annual Financial Report, the Five-Year Capital Improvement Plan, the Ten-Year Financial Trends Report and, for the first time this year, the Popular Annual Financial

Report, all available at City Hall and on the City's web site. They handle thousands of transactions during each year; have completed the early implementation of Governmental Accounting Standards Board Statement No. 44 (GASB44); and the implementation of GASB45 is underway. He said this level of activity emphasizes caution about freezing positions; that the average tenure of a Finance employee, once 10 years, is now down to 7; and only two employees have the experience to effectively assist in the creation of the 2005 budget document.

Noreen Whitty, Assessor, said the primary responsibility of her office is to maintain and defend assessments and property inventory for 4,852 parcels of real property having an estimated taxable market value of over 5.1 billion dollars for tax purposes. She said it had been a challenging year as the continued decline in the equalization rate threatens to erode the tax base and shift taxes from the major commercial and utility properties to the homeowner. The equalization rate impacts our liability in tax certiorari proceedings as well as the share of Rye Neck school taxes paid by City residents within the Rye Neck School District (a \$1.5 million savings over the past 3 years). Her department has been vigilant in monitoring and challenging the equalization rate. They have been able to keep the decline in the rate to under 2%, substantially below the County rate of 8%. Inspections and assessment of new construction continue to be a priority. The department administers a variety of tax exemption programs including veterans, senior, STAR, and not-for-profits. Her goal for 2005 is to preserve the integrity of the assessment roll and insure equitable distribution of the tax levy.

Susan Morison, City Clerk, said the Clerk's Office is the official keeper of records and major provider of information to the public; the issuer and recorder of all State-mandated vital statistics; the issuer of over 2000 parking permits; 1400 fire and burglar alarms, and many other permits. They oversee bids and contracts, regulate the taxi industry and provide numerous other services as requested and required. The Clerk is also the secretary to the Board of Appeals, writer of the official minutes of the City Council, and keeper of the official list of Boards, Commissions and Committees. Records retention continues to be an important role for the Clerk's Office as is running elections. She said during 2005 she would be presenting a new polling site plan to insure all sites are handicap accessible. She reported her staff of four operates efficiently, providing excellent customer service that they will continue to maintain while continuing to look for additional ways to reduce expenses.

William Connors, Police Commissioner, said his department has multiple missions: preventing crime; maintaining a quality of life; and protecting life and property. They are also charged with operating in the most efficient possible manner while ensuring citizens receive the highest possible level of service. He reported on the number of situations handled over a given year (15,314 calls for service, 5,894 traffic tickets, 491 motor vehicle accidents, 839 medical emergency calls). They issued 141 summonses for violations of the City Code, arrested 412 persons on 868 charges, opened 285 cases, 248 of which were cleared and closed. He said by every traditional measure, Rye's Police Department provides an outstanding level of service while running a very lean operation. He noted that their budget request had been cut each of the last three years and this year by an additional \$59,000. He cannot guarantee this will be the case in following years as it is unlikely there will be much more room to reduce expenses while continuing to run a state-of-the-art police agency.

Peter Cotter, Fire Chief, said they have a “combination” department with 16 paid career firefighters, one career Fire Inspector and approximately 120 volunteers (40 active firefighters) responsible for the protection of life and property through fire suppression and prevention. The department is headed by a non-paid/volunteer Chief and governed by the Board of Fire Wardens. He reported during 2004 they will have responded to over 800 emergency alarms including fire suppression, control of hazardous material incidents, accident victim extrication, flood evacuation, marine fire protection and mutual aid assistance. In addition, fire prevention programs, fire and arson investigations, code enforcement and fire safety inspections were conducted. This year has seen increased emphasis on recruiting and training volunteers and seeing the growth of Explorers Post 700 (made up of high school students aged 14-20). They look forward to the renovation of the Locust Avenue headquarters; thank the citizens of Rye for their support, and look forward to continuing to protect and serve our citizens.

Christian Miller, Rye City Planner, said the department consists of him and one administrative assistant shared with the Building and Engineering Departments. He said the department’s primary responsibility is to provide professional planning assistance to the Rye City Planning Commission that reviews about 50 land use applications as mandated by State and City Laws. He will continue to assist the City in a variety of special projects such as the draft study of the Central Business District and the continuing work on the Hazard Mitigation Plan as mandated by Federal Law. His department assisted the Council with its consideration of telecommunication facilities and special permit applications, potential zoning changes in the Membership Club District and installation of parking meters in the CBD. He also assisted the Beautification Committee, the Human Rights Commission and the Board of Appeals. Unlike many other communities, outside consultants did not have to be used to assist in the creation of new legislation. Planning has been important over the last 100 years, but he feels it will be even more important during the next century with dwindling natural resources, increasing regulatory constraints and a need for greater consideration for protection of Rye’s assets.

Vincenzo Tamburro, Building Inspector, reported the Building Department is the regulatory agency for a large portion of the City’s Code, being involved in 19 of the 54 chapters. With a staff of only three, his department reviews and issues approximately 500 building permits per year (ranging from fences to signs to house additions), performs approximately 1,500 inspections, and pursues violations. The department has also appeared in City Court 35 times this year – each appearance requiring 2-3 hours of preparation. They work with many other departments providing technical advice, assistance to capital improvement projects that improve city-owned buildings, and is on call 24/7 to respond to emergencies. Building works closely with Planning and Engineering as well as with the City Clerk, the Board of Architectural Review and the Board of Appeals.

George Mottarella, City Engineer and Director of the Department of Public Works, reported that the *Engineering Department* prepares and administers contracts for all public works, capital improvement and building improvement projects including Building and Vehicle improvement projects. Professional engineering services are provided to all City departments, Boards and Committees, including review of subdivisions, site plans, repair to sanitary lines, etc. Mr. Mottarella or Assistant Engineer, Ryan Coyne inspects all work. The department issues over 300 permits and responds to citizen inquiries and concerns, particularly with regard to drainage and grading, and advises the proper course of action. *Public Works* is responsible for the repair

and maintenance of 23 traffic signals, all signs, line striping, 50 miles of pavement, 2100 street lights, 53 miles of sanitary sewer lines, 1500 manholes, 7 sanitary sewage pump stations, 30 miles of storm drains, 15 parking lots and 130 parking meters. They collect 6800 tons of garbage, 1200 tons of organic waste, 2600 tons of recycling materials, manage 450 acres of public park areas, maintain 6200 public trees, and maintain and repair 222 vehicles as well as 12 public buildings and maintenance of the fuel depot. Staff levels have remained static over ten years despite new State and County regulations and mandates.

William Rodriquez, Superintendent of Recreational Services and Parks, reported Recreation provides a variety of high quality programs, special events, activities and facilities and is recognized for it's distinctive approach to providing services to all people of all ages. They operate three parks and maintain the Damiano Center and the MacDonald Building. The workforce of 8 full-time employees is supplemented by part-time and seasonal hires to handle the peak summer camp season. Rye's recreational programs are rich in history, traditions and sense of community, starting in the 1940s when public recreation took a formal place in the community developing a recreational area for sports and games behind 51 Milton Road. Throughout the years, Rye's recreational programs have always responded to the interests, needs and demands of the community (the construction of the Recreation Center in the '50s; the beginning of formal senior citizen programs and the expansion of Damiano in the '60s; increased sports for girls under Title IX in the '70s; the rise of preschool and after school care programs in the 80's; increased awareness of personal health and fitness as well as service to special ADA needs in the '90s). In this decade we see a rise of individual and competitive team sports and increased concern about safety and security. Efforts this past year include continued efforts to respond to the community while operating at increased fiscal efficiency.

Jim Kenny, Cable TV Coordinator of Rye Cable TV, said RCTV is truly a community organization as well as a City Department. Our work with the Council is only about 20% of what we do for the community, but in the past five years the government access channel has become the most watched of our three channels. The Council shares the channel with the community bulletin board where you can find out anything you want to know about City Departments and over 70 community and non-profit organizations. We also help organizations make public service announcements and train their volunteers in how to use RCTV equipment. In the past two years RCTV has seen a significant rise in resident-generated productions such as a show on the local girl scouts and a news magazine show called Rye Witness News. Our residents have a wealth of information and expertise to share so that RCTV has grown into a forum for diverse ideas, views, arts and information, bringing residents closer together in their shared experience of living in Rye. RCTV is funded through the City's franchise agreement with Cablevision, not with tax dollars. With its staff of just 2 ½ people, we perform an ever-expanding task, consistently under budget and with the requisite sense of humor.

Peter Fox, Boat Basin Supervisor, reported 2004 had been challenging due to the difficulties in completing the dredging of the harbor, with the largest hurdles concentrated in the area of disposal of the dredged material. The Boat Basin Commission is committed to maintaining the dredging fund at a level that will support the ever-increasing costs of dredging and is working diligently to find a long-term solution. On the more positive side, the sedimentation basin installed at the mouth of Blind Brook has slowed the rate of siltation in other areas of the Boat Basin and channel. Docks have been rebuilt; repairs to pilings after a hard

winter were completed, as were many other small projects. We are continuing efforts to institute the offshore mooring program and are continuing to monitor the water quality. The Boat Basin continues to operate as a totally self-sustaining enterprise fund and contributes more than 20% to its gross revenue to the General Fund.

Scott Yandrsevich, Manager of the Rye Golf Club, said they had a great season, completing many renovation projects and continuing to improve and enhance the facility. With increased demand for quality and high expectations, many new events have been instituted and well attended. The Golf Club is operated as an Enterprise Fund, funded solely by the membership and user fees. It is unique as a member only access club owned by the City with country club surroundings and services, unlimited use of the facilities and no initiation fees or assessments. He and the Golf Club Commission work hard to continue to operate in a fiscally prudent manner and to continue to provide an ever-changing facility that is a great value to members and the community.

Mr. Shew then turned the podium over to *Comptroller Michael Genito* who outlined the 2005 Tentative Budget in more detail. He began by saying it means the tax bill will increase \$223 per year (\$19 per month) on the average home with a value of \$930,000. \$154,000 will be required to lower the rate by 1%. Excluding costs beyond departmental control, costs increased only 2.2% vs. the CPI increase of 3.4%. The piece of the budget that may be considered discretionary represents only 2.8% of the budget.

Of the expenditures, by type, 63% goes to salaries and benefits; 30% goes to non-capital equipment, materials, supplies, and contractual costs and the final 7% goes to other uses, such as transfers to other funds for capital items and debt service. Broken down by program, 12% goes to general government services; 43% to public safety (police, fire, etc.); 26% to community environment (planning, zoning, public works); 13% to recreation and culture; and the final 6% to contingency and transfers.

Funding source, by type is dominated by revenue from property taxes, accounting for 68% (plus an additional 1% for interest and penalties). Non-property tax items (sales taxes and gross utility receipt taxes) make up 9%; licenses and permits account for 5% while charges for services account for 4%. Fines and forfeitures contribute 2%, as do charges to other funds for services rendered by the General Fund. Intergovernmental revenues including federal and state aid provide the final 8%. Broken down by program, general government and public safety each contribute 2% of the revenue stream; community environment, 6%; culture and recreation, 3% and the balance of 87% is not allocated to any particular program.

The figures are further broken down as follows:

- *Capital Investment* supporting various services that are long-lived and typically expensive: over \$1 million is provided for infrastructure improvements (funded by \$835,000 of general revenues and \$215,000 of State aid); \$439,800 of building improvements; and \$1,608,500 for vehicle acquisitions (funded by \$428,500 of general revenues and \$1,180,000 of new debt [\$700,000 for replacement of garbage trucks and \$480,000 for a new fire pumper truck]).
- *The Cable TV Special Revenue Fund* continues to self support
- *K.T.Woods Fund* continues a \$4,000 transfer to the General Fund to support Nature Center operations.

- *Debt Service Fund* is designed to rely on annual transfers in and from the General Fund for payment of debt principal and interest (other than the Golf Club Fund and the Building and Vehicle Maintenance Fund) - \$80,000 of fund balance and \$58,367 of transfers in service general obligation debt.
- *Capital Projects Funds* (see above)
- *Enterprise Funds* continue to self-support
- *Risk Retention Fund* and the *Building and Vehicle Maintenance Fund* continue to support City operations charging all other funds a proportionate share of operating expenses.

In summary, the 2005 Tentative Budget proposes 9.4% tax increase (\$124.03 per \$1,000 in assessment valuation); expenditures of \$26.2 million; revenues of 24.8 million; \$1.4 million fund balance used for capital items; operating revenues equal to operating expenditures; available fund balance of 8.3%; contingency of 1%; and Recreation revenues to recover 45% of expenditures.

In conclusion he outlined the proposed 2005 Budget Calendar, indicating that under our Charter the budget must be adopted on or before December 31. Therefore the date for the public hearing will need to be set at the November 17th meeting so it can take place at the December 1st regular Council Meeting. He acknowledged the hard work of the departments and offered a very special thanks to Carolyn Ottly and Angela Runco of the Finance Department who were instrumental in producing the extensive budget document. Finally, he said a copy of the tentative budget is available for review at City Hall and at the Rye Free Reading Room and is on the City's web site. Questions can be directed to him.

Mr. Shew concluded his part of the presentation by reporting that the 9.4% tax increase (or \$4.28/week) still leaves the City of Rye among the lowest in Westchester. He said other communities may have a lower rate, but they don't include some major services, such as trash or support of a library. Rye's budget includes over \$1 million for the Rye Free Reading Room. There are no new municipal positions. The total workforce is reduced by one full time employee. Every program cost has been held to an increase below the Consumer Price Index. The City bond rating remains the highest possible rating obtainable by municipalities.

Mayor Otis thanked everyone for the excellent presentation and asked that questions be referred to the City Manager or the City Comptroller in preparation for the first workshop on November 9. Councilman Chu congratulated holding discretionary expenses at 2.2%, but questioned how the final number was as high as 9.4%; Councilman Hennes said he was disappointed to see that number, worrying that more taxes will have a negative impact; that either expenses can be cut or revenue increased; and that private partnerships should be increased. He noted the revenue does not include funds from either parking or the hotel tax. Councilman Seitz was in agreement, saying revenues vs. expenses need to be examined so that the rate could be reduced to about 4%. The Mayor urged everyone to read the Manager's Letter at the beginning of the budget document. He said the City has good management people in place who have been asked to do more with less for years, so frugality has been instilled. He said they would have to look at how the increase is broken down, at new revenue sources and at the appropriate level for the fund balance. He said operational cuts have to be requested by the Council.

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

John Carey, 604 Forest Avenue, wished everyone good luck with the budget saying he has confidence in the good staff. He also said it was not too early to think of an appropriate July 4th celebration for the City of Rye and urged the Council to give careful thought and consideration to such a celebration.

Sis D'Angelo, Wappannocca Ave., said she thought the idea of putting ball fields on the parcel of land owned by the Transit Authority on the Boston Post Road was bad; that the City had enough ball fields and should concentrate their efforts on taking care of the Seniors. She said she was fine with the parking meter idea, but it is essential to get the seniors their meeting space. Councilman Cypher pointed out recreation was for everyone and Damiano is a community center, but Mrs. D'Angelo did not agree.

5. Report by Recreation Commission on status of the Damiano Center Project

Doug French, Chair of the Rye Recreation Commission, presented an update on the Damiano Center project in terms of design, costs and funding sources. He reported the building subcommittee had worked hard to come up with a plan (known as Option C) which reduces redundant spaces (like the extra kitchen), provides more senior space (including a 150 person meeting room); is ADA compliant; adds storage; and makes better use of existing space. They continue to meet with user groups to see how best to meet everyone's needs. *Rex Gedney*, architect for the project, said this proposed addition is on a favorable site; is only 5700 sq. ft. (versus 10,000); and uses the existing entrance. He said his drawings are still preliminary, but it might be possible to go out to bid by February. Cost estimates are \$1,371,000, which includes fire protection and hazard abatement, but not parking, designer fees or contingency so the true cost could be about \$1,550,000. Funding sources include: allocation of recreation bond funds, unexpended Recreation Department capital projects and subdivision funds (ca. \$140K); the Rye City Capital Improvement Project Fund (\$25-75K); a possible donation from the Rye Youth Council and funds from the Recreation Department Gift Catalog (for finishes and amenities as necessary).

Mayor Otis said although he has concerns, he would like to see the project get going as the building should be built and costs escalate during delays, so he will support moving ahead. Councilman Cypher agreed. Councilmen Hennes and Fahey expressed a desire to pin down the revenue sources more definitively so there are no surprises. Councilwoman Larr, joined by Councilman Hennes, said the committee did a great job and is to be congratulated for saving approximately \$1.9M of taxpayer money with the new design.

6. Consideration of revised implementation plan for parking meters in the Rye Central Business District

City manager Paul Shew asked the Council to consider a revised implementation plan for parking meters in the Rye Central Business District (CBD) which reviewed costs, efficiency, enforcement; and revenue. He turned the podium over the City Planner Christian Miller who reviewed progress to date and presented the following revised plan:

The number of multimeter boards has been reduced from 13 to 11, all at a two-hour limit, with one hour (unmetered) parking on Purchase Street. The major questions are whether the short-term parker should pay and how to maintain convenience. The proposed capital outlay has been reduced to \$160,000 (down from \$280,000) using a modified system using wireless technology rather than hardwiring; a solar unit; less boards and installation by DPW. Although it is better to pay for the system (especially as the funds are available in the Fee in Lieu of Parking Fund so no tax-payer dollars are needed) alternative financing options could include leasing. He feels that the investment would be more quickly paid for if the system were purchased outright. Having this type of metering system will make enforcement easier, leading to higher revenue. Public involvement is good to do and he is prepared to continue the process and do more, but he requested the Council consider the policy issues, such as the rate structure (Councilman Hennes said \$.50 per hour), the revenue allocation (what part is returned to the parking fund to be used for deck parking); and whether or not there should be changes to the Merchant Parking process. He suggested the consultant not do the detail work on the specifications until these policy issues were addressed.

Councilman Hennes said this was a much better plan; that he recommends outright purchase of the system and going forward as the installation alone will increase turnover and revenue. He would commit a portion of revenue to construct a parking deck on lot 5 and use the other portion to reduce taxes. He would defer the issue of Merchant parking permits for the moment. Councilman Chu agreed the plan should be pursued as finding additional revenue streams is essential.

Mayor Otis said he was concerned about how much space was actually available and presented an alternative plan that would not have meters, but would increase the number of paid permits. He questioned the revenue estimates as he feels the number of available spaces is more like 150 rather than 189. He suggested making it essential, if not mandatory, for all merchants and employees to have permits and said it made more sense to use the money in the Parking Fund as a start for the deck costs rather than spend it on a meter system. Councilman Cypher said he was not ready to commit to a plan as he wished to study both alternatives more closely.

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

RESOLVED, that the City Planner is authorized to have the parking consultants proceed with the development of a plan for metered parking in the Central Business District as outlined in the City Planner's memo of October 29, 2004 to be reviewed by the Council before the bidding process begins.

ROLL CALL:

AYES: Councilmen Chu, Fahey, Hennes, Larr and Seitz
NAYS: Mayor Otis and Councilman Cypher
ABSENT: None

The resolution passed by a vote of 5-2.

7. Update on status of deer management

Chantal Detlefs, City Naturalist, gave an update on the status of deer management saying there appears to be an overpopulation problem; damage to properties and an increased chance of health issues (such as Lyme Disease). She said the City had done a lot of investigating and had gotten good advice from a Wildlife Conservation biologist at the Department of Environmental Conservation (DEC) who had suggested a controlled hunt (which could take place outside of deer hunting season). She suggested the best way to proceed would be to form a committee to evaluate if there really is over-population and if so, what would be the most effective way to control it. She suggested the committee should be comprised of 5 pro-controlled hunt people and 5 against such a hunt, and be geographically diverse. She suggested a survey be taken prior to making any recommendation.

Mayor Otis made a motion, seconded by Councilman Seitz and unanimously carried, that a committee be set up to investigate a solution to Rye's deer population.

8. Consideration of request by Edward and Gloria Globokar of 119 Grace Church Street for a Revocable License Agreement

This agenda item was deferred to a later date.

9. Consideration of a request by the Rye Merchants Association for use of City streets and to close a portion of Purchase Street on November 28, 2004 from 12:00 to 3:00 p.m.

Sally Wright, head of the Merchants Association, said that last year's shopping event on the Sunday after Thanksgiving was so successful they would like to expand it from two to three hours and have more of Purchase Street closed to regular traffic. They also plan to hire a horse and buggy.

Councilman Cypher made a motion, seconded by Councilman Hennes and unanimously carried, to adopt the following resolution:

RESOLVED, that the Council of the City of Rye hereby approves the request by the Rye Merchants Association for use of City streets and to close a portion of Purchase Street on November 28, 2004 from 12:00 to 3:00 P.M.

10. Acceptance of Petition for District One Special Assessment District (Kirby Lane North)

City Manager Shew said Section 128-2-B of the City Code allows for property owners to petition the City to undertake a local improvement as long as the petition is signed by more than 66 2/3% of the property owners. The residents of Kirby Lane North and Grace Church Street have submitted such a petition.

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

RESOLVED, that the Council of the City of Rye accept the petition for a District One Special Assessment District (Kirby Lane North) and set a public hearing for December 1, 2004.

11. Resolution to accept award of Child Safety Seat Grant

City Manager Shew asked the Council to accept an award of a Child Safety Seat Grant. The money awarded for this grant must be spent for this project or returned.

Councilman Hennes made a motion, seconded by Councilman Fahey, to adopt the following resolution:

WHEREAS, the City of Rye has been awarded a New York State grant in the amount of \$5,700 for participation in the statewide "Child Passenger Safety" program; and

WHEREAS, the adopted budget for fiscal 2004 did not anticipate the receipt of this grant nor the costs associated with participating in the statewide Child Passenger Safety program; now, therefore, be it

RESOLVED, that the City of Rye accepts the aforementioned grant, and be it further

RESOLVED, that the 2004 General Fund Police Patrol Budget be amended, increasing Estimated Revenues – State Aid and Appropriations, each in the amount of \$5,700.

ROLL CALL:

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

NAYS: None

ABSENT: None

12. Bid for Contract 2004-06 (Dredging Project)

The City Manager explained that no bids were submitted for the dredging of Milton Harbor. Therefore, the bid for pier maintenance was no longer necessary, as there would be no dredging. He said the problem is finding a place to dump the dredging sludge. He said coordinating with other harbors, such as Mamaroneck, was too complicated.

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

RESOLVED, that the sole bid from All Pro Marine Contracting Corp in the amount of \$62,500 for Contract 2004-06, Maintenance to Timber Pilings at the municipal Boat Basin, be rejected because no bids for dredging of Milton Harbor were received.

ROLL CALL:

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

NAYS: None

ABSENT: None

13. Authorization for City Manager to fill two laborer positions in the Department of Public Works

City Manager Shew said there were two laborer positions at the Department of Public Works open and it was the desire of the department to fill the positions despite the hiring freeze. City Engineer George Mottarella said it was vital to have these two laborers (who would be hired at a lower pay level than prior employees) because they are needed to maintain the streets during winter. He said his department was already pushed to the limit because of additional mandates.

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

RESOLVED, that the City Manager is authorized to fill two vacant laborer positions in the Department of Public Works.

ROLL CALL:

AYES: Mayor Otis, Councilmen Chu, Cypher, Fahey, Hennes,
Larr and Seitz
NAYS: None
ABSENT: None

14. Miscellaneous communications and reports

Councilman Fahey reported the Traffic and Transportation Committee has made several corrections to ease the problems around the Osborn School.

Councilman Chu noted that the Monthly Project Update document was great.

15. Old Business

Councilman Seitz asked about the status of the Occupancy Tax legislation. The Mayor said there was a special session scheduled for November 18 and perhaps it would be on that agenda but he could not be sure.

16. New Business

There was no new business to discuss.

17. Draft unapproved minutes of the regular meeting of the City Council held October 20, 2003

Councilman Seitz said he had no comments, but urged that Council Members act civilly to each other and not take things personally.

Councilman Hennes made a motion, seconded by Councilman Fahey, to adopt the minutes of the regular meeting of the City Council on October 20, 2004 as amended.

18. Adjournment

There being no further business to discuss, Councilman Hennes made a motion, seconded by Councilman Fahey and unanimously carried, to adjourn the meeting at 11:25 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk