

***APPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held in City Hall on January 4, 2006 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor  
ANDREW C. BALL  
MACK CUNNINGHAM  
MATTHEW FAHEY  
DUNCAN HENNES  
GEORGE S. PRATT  
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.

3. Mayor's Annual Message

“It is again my honor and privilege to deliver the Mayor's Annual Message. As always, this is an occasion to mark where our community has been and make note of important challenges ahead.

“Our good fortune places us in a town with great schools, outstanding not-for-profits, numerous cultural organizations, and a community fabric that becomes stronger year after year. Rye is blessed with a beautiful shoreline, excellent parks, and a picture-book appearance, a place most people would be happy to call home. Our residents show their devotion to this town in many ways. They are generous with their time, their dollars, and their enthusiasm for Rye. We thrive on the volunteer efforts of countless individuals who bring energy to our community projects and problems. They also often bring tremendous expertise from their professional lives or from years of experience in giving their time to community activities.

“Our City government continues to be the lean and efficient provider of a full compliment of municipal services our residents expect. Our Department heads are leaders in their fields, and our City organization is highly respected as an outstanding example of professional municipal government administration. Our City Manager, Corporation Counsel, and City Comptroller each exemplify the best in their professions.

“Financially the City of Rye remains in a strong position. We are one of a handful of municipalities in New York State to hold a Moodys Aaa bond rating, their highest accreditation. We have maintained that status, in good national economies and bad, since 1990. Our City Comptroller notified us in December that Moodys continues to be impressed by the level of scrutiny and analysis we give to our financial decisions and the level of openness in which we conduct our business. It would be hard to find any community, especially one our size, which regularly provides the variety and number of financial tools and reports to City officials or to the public.

“In the past year we saw progress or completion of a variety of community projects, including the Locust Avenue Fire Headquarters, the Damiano Center improvements, the Rye Town Park Duck Pond, and the Beaver Swamp Brook Restoration.

“Rye High School's Varsity Football team won its first State Championship and many other teams from each of our schools reached new levels of achievement in the past year. The excellence we see in high school sports is a reflection of this community's commitment to recreation and team sports beginning when our children are very young. The future brings new and exciting projects such as the Activate America program, which is being organized by the Rye YMCA. The goal of this partnership is to make Rye and other Sound Shore communities healthier. In upcoming months you will hear more about this consortium of neighboring towns, recreation departments, and school districts to promote healthier life-styles.

“There is plenty of good news to go around, but today I want to focus on a number of serious challenges we face and provide some ideas on how we can tackle them. We are faced with our fair share of issues, needs, and pressures. Some of our challenges are of our own making and can be addressed within our borders. Others are brought on by outside economic trends or policies of other levels of government. These will require wisely considered strategies in order to address them effectively.

“Each year I share our appreciation for the valuable contributions Rye residents make in offering their knowledge and expertise as volunteers for Rye. Within our borders are accomplished individuals who have excelled in many fields. Any institution is capable of making good and bad decisions. For Rye our best chance for making the right call is always going to be to involve those members of the community who have expertise in the issue at hand. The biggest

challenge we face is to make sure that we bring those friends and neighbors with knowledge to serve Rye into our work. A priority for the City should be to use the great talent pool we have in Rye as a resource and to involve knowledgeable residents as we tackle the issues of the day. A recent example makes the point. Our cable franchise agreement is up for renewal. We have a committed cable television committee that has been working with our City staff on planning for the negotiation process. In our community is an individual who has worked in the cable business for many years and negotiated dozens of similar agreements. He has volunteered to advise the City before we proceed. This kind of expertise is of great value to Rye.

“One of our most difficult and important challenges will be to address the various threats to the business health of our central business district. There are many factors impinging on the ability of local retailers to remain viable. Given the small size of our downtown, the small number of stores, and limited size of spaces, we are more vulnerable to competing pressures than other suburban towns. Retail vitality is extremely important to the economic health of our downtown and more broadly our sense of community. If we lose Rye as a place where people come to gather, shop, and fulfill some of their needs for goods and services, we will have lost a large part of our community fabric.

“To address this I will propose that we establish a business strategy task force made up of individuals with professional experience in retail, business district policy, marketing, suburban commercial real estate, and economic revitalization. This task force will quarterback a strategy to maintain and improve the business climate in our downtown. The challenge before us is to develop a business plan in order to improve the retail diversity needed to sustain our downtown. This will be no easy task because many trends work against small suburban downtowns. History tells us, however, that if Rye had taken on challenges only when success was assured, we would look nothing like the community we enjoy today. Over the next month we will seek individuals that possess the requisite expertise for this work. To lead this effort, I will appoint City Councilmember George Pratt. Over the past decade, George has had extensive experience as an owner of commercial real estate in other suburban communities in the New York metropolitan area, including small retail properties in communities similar to Rye.

“The second major challenge will be to plan and sequence the financing of needed maintenance of our City's infrastructure. Last year the City commissioned a pavement management study which demonstrated that deferring road maintenance, instead of saving us money, multiplies the cost to taxpayers by multiples of eight to ten times the cost of maintaining our roads at good condition. The 2006 budget increased funding for regular maintenance. The budget left unresolved how the City would finance and sequence previously deferred major road projects such as Theall Road. The 2006 Council will have to resolve how to actually pay for these projects and catch up with deferred maintenance over a number of years. An additional infrastructure challenge will be to determine an

affordable solution to our deteriorating police station and courthouse facility. This challenge has been made more difficult by the increased requirements mandated by the state court system. In reviewing all of our infrastructure needs, we should seek increased guidance from members of our community with expertise in municipal bonding, facility planning, and infrastructure management.

“Another challenge will be to restart our City Master Plan process. Master Plan upgrade made significant progress a few years ago, but was put on hold when our previous City Planner retired. In the interim the City proceeded with drafting and implementation of a number of significant planning initiatives including the Recreation Master Plan, the Beaver Swamp Brook Restoration, Traffic Safety improvements around the schools, acquisition of three parkland parcels, and emergency planning upgrades. Restarting the City's Master process is needed to complete the job, to incorporate the findings of these issue specific plans, and to address outstanding issues affecting zoning, open space protection, and coastal resource protection. I will propose reconstituting the Master Plan Task Force with the appointment of a cross-section of current and past planning commission members and other veterans of City land-use panels. The panel should include broad-based community participation to insure that an updated master plan matches the values of the community.

“Challenges also come in our need to provide more stability in the structure of two important cultural institutions. In 2002 the Rye Nature Center experienced a major change in organization and structure. The Friends of the Rye Nature Center has done an excellent job in closing the breach created that year by adopting the City's educational programs and gaining the revenue streams associated with those programs. The division of the City's conservation and environmental policy functions from the youth education programs has created its own problems that have been addressed on a regular basis by the leadership of the Friends group and the Conservation Commission. Three years after the event, a permanent sense of stability does not exist for the Nature Center, the educational programs, or the City's historic role in conservation and environmental planning in Rye.

“We need to restore stability for these popular programs and services by establishing a plan that maximizes the revenues associated with these programs and the support of one of Rye's oldest not-for-profits. The City Manager has presented the Council with ideas for revised models going forward. Again, expertise and experience are needed to scrutinize the options. Developing a plan for the future needs to be accomplished early in the year so that popular programs serving our children will not be interrupted again. I will propose creation of a small temporary committee consisting of current and former Conservation Commission and Nature Center veterans to review the organizational, financial, and program implications of each option and recommend a solution that will provide a steadier foundation for this institution.

“The Rye Free Reading Room is another institution in need of more stability in revenues and a clearer set of understandings with the City. Reconciling the demands of City budgets, controlling taxes, and supporting the library need to be rationalized with a more dependable model that addresses the financial pressures of each institution. Over the past year the City Manager and the City Comptroller have met with the leadership of the library to brainstorm a variety of options and approaches. Agreement has not been reached. As with the Nature Center, the City Manager has suggested that 2006 should be the year to provide a stable arrangement going forward. The City and the library will need to proceed with discussions this year to provide the stability we seek.

“For both the Rye Nature Center and the Rye Free Reading Room review of the financial structure of these institutions will be a key element in arriving at workable solutions. City staff and volunteer expertise should be applied to finding a well-grounded financial understanding of what is needed to bring stability to these programs.

“These are some of the major challenges we face. They are not the only ones. Add to the list additional improvements in flood control, continued upgrade of our emergency response system, the need for more recreational space, enhanced responsiveness to the needs of senior citizens, the possible uses of the field space owned by NYS across from Rye Country Day School, parking: in the CBD, for commuters, and at City Hall, properly funding fire and police equipment needs, and controlling taxes to keep Rye affordable.

“Housing continues to be a major issue. Our success and popularity as a community continues to drive housing prices up. Over time we are seeing the economic diversity of our town threatened as the availability of reasonably priced housing slips away. The recent news that Highland Hall is to be sold brings home the fact that our few rental buildings have provided a source of reasonably priced housing that has made Rye affordable for young couples, senior citizens, and municipal workers. We continue to work with state and county officials hoping for the clean-up and availability of the Theodore Fremd site for affordable housing. The popularity of the Cottage Street units opened in 2005 underscored the fact that Rye residents are looking for more affordable options to stay in the community where they live. With the help of City staff we are reviewing the legal protections for tenants in buildings like Highland Hall to see if there are additional steps the City should take.

“Discussion of affordability necessarily brings us to discussion of taxes. It is well known that the City of Rye portion of your property tax bill remains the smallest, ranging at 16-17% in recent years and is among the lowest in municipal tax charges in Westchester. At the same time it is important to note that most of our larger county and school tax bills are symptoms of a statewide problem that is central to the affordability issue in New York. Our state places 25% of the cost of Medicaid, a federal and state health care program, on our county property tax bills making it the largest share of our county tax bill. New York State only contributes

about 5% towards local school budgets for communities like Rye. These two major expenses which place property taxes throughout New York at levels out of proportion to what should be a property tax expense. We are proud of our long tradition of frugality in Rye and are committed to continuing those policies. Yet it is important to note that affordability on property taxes is driven by statewide policies that must be changed.

“To keep Rye affordable we will continue our efforts of aggressively seeking outside funding to support important community projects. Private sector funding, individual generosity, and grant funding from other levels of government are all needed to control taxes and to make essential and optional projects affordable.

“In addition, new accounting rules will require municipalities to estimate and report future pension costs as part of a community's financial planning. As we have with other requirements, Rye should take a lead in accounting for these costs, conforming with the new requirements, and incorporating this information in our financial planning.

“Finally I want to underscore our commitment to making more information about City government and City decision-making available to Rye residents. We will ask the City staff and our Boards and Commissions to accelerate efforts to make all City agendas and minutes available on the City website. We will bring back the City Council newsletter to share information with residents about City departments, services, health and safety issues, and how the public can more fully participate in the decision-making process. To limit costs we will explore options for cost-saving distribution efforts via the Internet or inclusion as an insert in local newspapers.

“To involve more residents, I will propose we increase the size of a few committees where broader participation would be helpful. I will propose that permanent City committees established only by City Council resolution be incorporated in the City Code so that their purpose and duties can be easily accessed by residents. This change will also ensure that the rules that constitute these committees can only be changed through the adoption of a local law, which requires advance notice to the public, and members of the City Council. These are just some steps to promote openness in the work of our City government.

“We face complicated problems, but simple goals. Rye is a great town, a model community. Our mandate is to protect what we have, do no harm to the strengths that make Rye unique, and use the best information we have and the support of the community to guide us towards good decisions.

“All of us who serve this City, on a Board or Commission, through a not-for-profit, on the City staff, through our schools, or on the City Council share in a mission to make Rye even stronger as a community than we are today. Our hopes

for 2006 will be realized through the hard work, unity of purpose, and deep commitment we all share. We will succeed together.”

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

There were no residents wishing to be heard.

4A. Designation of Deputy Mayor, by the Mayor

Mayor Otis designated George Pratt to serve as Deputy Mayor, citing his past leadership on the Board of Education and his availability to cover should the Mayor be unavailable.

5. Appointment of a Council Member as Trustee of the Police Pension Fund, by the Mayor with Council approval, for a one-year term

Mayor Otis made a motion, unanimously approved by the Council, to appoint Councilman Andrew Ball to the Police Pension Fund for a one-year term expiring January 1, 2007.

6. Three appointments to the Zoning Board of Appeals for three-year terms, by the Mayor, with Council approval

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Alan Weil, Susan Brown, and Serge Nivelles to the Board of Appeals for three-year terms expiring January 1, 2009.

6A. Designation of the Chairman of the Board of Appeals, by the Mayor

Mayor Otis re-designated Alan Weil as Chairman of the Board of Appeals.

7. One appointment to the Board of Ethics for a three-year term, by the Mayor with Council approval

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Edward B. Dunn to the Board of Ethics for a three-year term expiring January 1, 2009.

8. Three appointments to the Conservation Commission/Advisory Council for three-year terms, by the Mayor with Council approval

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Joseph P. Murphy, Anne Cochran and Mary Julian to the Conservation Commission/Advisory Council for three-year terms expiring January 1, 2009.

9. Designation of the Chairman of the Conservation Commission/Advisory Council, by the Mayor

Mayor Otis re-designated Joseph P. Murphy as Chairman of the Conservation Commission/Advisory Council.

10. Two appointments to the Landmarks Advisory Committee for three-year terms, by the Mayor with Council approval

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Russell C. Cecil to the Landmarks Advisory for three-year term expiring January 1, 2009. A second appointment was deferred to a later date.

11. Two appointments to the Planning Commission for three-year terms and one Council member for a two-year term, by the Mayor with Council approval

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Nicholas Everett and Martha Monserrate to the Planning Commission for three-year terms expiring January 1, 2009, and to appoint Councilman George Pratt as the Council Member on the Commission for a two-year term expiring January 1, 2008.

Councilman Seitz said he understood the concept of rotating the person from the Council serving on the Planning Commission, but as there is a slot open and as he has been a moving force in the creation of the Commission's Central Business District planning group and their decision to hire a consultant, he would like to be appointed to fill the open position. The Mayor said he appreciated the interest; that he is in continuing discussion with the Chair of the Planning Commission; and would be making an appointment at the next meeting. Councilman Fahey urged the Mayor to nominate Councilman Seitz.

12. Designation of the Chairman of the Planning Commission, by the Mayor

Mayor Otis re-designated Barbara Cummings as Chairman of the Planning Commission.

13. Two appointments to the Traffic and Transportation Committee for three-year terms, by the Mayor with Council approval

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint John Wickham and Nicholas D. Loddo, Jr. to the Traffic and Transportation Committee for a three-year term expiring January 1, 2009.

14. Designation of the City Council's Audit Committee by the Mayor

The Mayor designated Mayor Otis, Councilman Hennes and Councilman Pratt to the City Council's Audit Committee.

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There was considerable discussion about the process of obtaining new volunteers for the Boards, Commissions and Committees. Councilman Hennes said he would like to have input on the new appointments and suggested casting a wider net throughout the community to see if new people might want to volunteer. There are openings on nine Boards, Commissions and Committees, including Beautification, Human Rights, Conservation, Traffic and Transportation, Planning (usually one has served on a prior committee before joining the Planning Commission), Recreation, the Board of Architectural Review, Finance and the Playland Advisory Committee. Councilman Ball suggested putting the openings on the City's Web Site. The Mayor said he had been concentrating on the re-appointments, but as suggestions come in for new volunteers their resumes would be circulated. He said many of the suggestions come from the various Chairs. Councilman Fahey thanked everyone who volunteers saying they do great work. He urged everyone to go to the web site to find volunteer opportunities.

15. Designation of the following City Council Liaisons by the Mayor:

This agenda item was deferred to the next meeting.

16. Designation of the days and time of regular meetings of the City Council

January 4	May 3	September 6
January 18	May 17	
February 1	June 14	October 4
February 15		October 18
March 1	July 19	November 8
March 22		November 15
April 5	August 16	November 29
April 19	August 21 (Cap. Projects)	December 13

17. Designation of official City newspaper

Mayor Otis made a motion, seconded by Councilman Hennes and unanimously carried to designate *The Journal News* as the official City newspaper.

18. Designation of the amounts of faithful performance bonds

Mayor Otis made a motion, seconded by Councilman Hennes and unanimously carried, to recommend the following amounts of faithful performance bonds, as recommended by the auditors:

A.	City Comptroller	\$ 1,000,000
B.	City Clerk	\$ 500,000
C.	City Marshal	\$ 100,000

19. Consideration of setting a public hearing to increase the size of the Board of Architectural Review from 5 members to 7 members

Mayor Otis suggested that the size of the Board of Architectural Review (BAR) be increased from 5 to 7 members saying if two are unavailable, three is a small number and if three are unavailable, there is no quorum. He said Gene McGuire, Chair of the BAR is in favor of the suggestion, as is former Chair, Nick Everett. The legal issue of what is considered a quorum if the size is increased was referred to Corporation Counsel Kevin Plunkett.

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

**WHEREAS**, the Council wishes to amend Article 19, Board of Architectural Review, of the Charter of the City of Rye by amending Section C19-1 to increase the size of the Board of Architectural Review from 5 members to 7 members; and

**WHEREAS**, it is now desired to call a public hearing on such proposed amendment to the law, 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 January 18, 2006 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 proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE  
CITY OF RYE**

**Notice of Public Hearing on a proposed local law to increase  
the size of the Board of Architectural Review from 5 members  
to 7 members**

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 18th day of January, 2006 at 8:00 P.M. at City Hall, Boston Post Road, in said City, at which interested persons will be afforded an opportunity to be heard concerning a proposed local law to increase the size of the Board of Architectural Review from 5 members to 7 members.

Copies of said local law may be obtained from the office of the City Clerk.

Susan A. Morison  
City Clerk

Dated: January 11, 2006

20. Consideration of setting a public hearing to increase the size of the Recreation Commission from 7 members to 9 members

Mayor Otis said the Recreation Commission had suggested that the size of the Recreation Commission be increased from 7 to 9 members saying it would allow them to have representation from more user groups and enable them to have more people on sub-committees.

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

**WHEREAS**, the Council wishes to amend Article 16, Recreation Commission and Department of Recreation, of the Charter of the City of Rye by amending Section C16-1 to increase the size of the Recreation Commission from 7 members to 9 members; and

**WHEREAS**, it is now desired to call a public hearing on such proposed amendment to the law, 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 January 18, 2006 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 proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE  
CITY OF RYE**

**Notice of Public Hearing on a proposed local law to increase  
the size of the Recreation Commission from 7 members  
to 9 members**

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Copies of said local law may be obtained from the office of the City Clerk.

Susan A. Morison  
City Clerk

Dated: January 11, 2006

21. Consideration of setting a public hearing to incorporate permanent City committees in the City Code

Mayor Otis proposed setting a public hearing to incorporate permanent City committees in the Code of the City of Rye. He said the purpose of incorporating the resolutions that established the committees into the code is to make the intent and duties of these committees accessible to the public and members of the Council and in addition, future changes would then need to go through the local law adoption process rather than be changed by only a Council recommendation. He is suggesting that the Beautification Advisory Committee, the City of Rye Playland Advisory Committee, the Finance Committee, the Rye Senior Advocacy Committee and the Youth Advisory Committee be incorporated into Chapter 10 of the code. Some of the language would be the exact resolution; others would need some revisions (i.e. the number of people for the Beautification Committee) and the Finance Committee would revert back to the original resolution, which allows the Mayor to appoint the Chairman. Many of the City's Boards, Committees, and Commissions are already in the Charter or in the Code. The Mayor feels it is good to have everything in the Code so that public hearings would be required prior to making any changes.

Councilman Hennes questioned the wisdom of codifying the Beautification Committee saying they have not met for a year and have had tremendous turnover and should perhaps not be made permanent. He suggested postponing setting the public hearing until the Council has had a chance to see all the annual reports and evaluate what each group does. Councilman Pratt said he would like to have more information before deliberating on this idea.

Councilman Fahey asked what would be gained by having the Finance Committee revert back to having the Chair designated. He said it works well to have the Chair chosen by the members of the committee. The Mayor said it is usual to have the Chair appointed by the Mayor

and the procedure was changed simply because of politics. Councilman Pratt suggested the Finance Committee discuss the idea. Councilman Hennes said he likes the idea of having each committee select its own chair and perhaps that is a better model.

It was agreed that the suggestion be tabled for the time being.

22. Authorization for the City Manager to enter into a STOP-DWI Patrol/Datamaster Project Reimbursement Contract with the County of Westchester for the 2006 calendar year

City Manager Paul Shew said the STOP-DWI program is an excellent program; that the vast majority of the costs are reimbursed by the County and the proposal to renew the contract again is pro-forma.

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

**RESOLVED**, that the City Manager is hereby authorized to enter into a STOP-DWI Patrol/Datamaster Project Reimbursement Contract with the County of Westchester for the 2006 calendar year.

ROLL CALL

AYES: Mayor Otis, Councilmen Ball, Cunningham, Fahey, Hennes,  
Pratt and Seitz

NAYS: None

ABSENT: None

23. Miscellaneous communications and reports

Mayor Otis said he had received notice concerning a revised development project near Bowman Dam. He requested that the City Manager get the plans from Rye Brook so the Council can write an appropriate letter opposing any development, as they have traditionally done.

Councilman Ball reported he and Councilman Cunningham had attended a meeting with residents of Highland Hall who are trying to create their own network to insure the future plans for the building are clear. He said if any of the tenants wished to join the group they should contact Doug Carey at 967-1139 or at [Rye1904@Yahoo.com](mailto:Rye1904@Yahoo.com). Mayor Otis said he had also talked with Corporation Counsel Kevin Plunkett to explore any State Law that might provide protection, especially for senior citizens who have been living in Highland Hall for many years. *Doug Carey, resident of Highland Hall*, told the Council that the reason the committee is being formed is so that everyone will know what they need to do, and what their rights are in a conversion process. He said Law 352EEE protects tenants and seniors.

Councilman Fahey mentioned that Congresswoman Lowey has asked for ideas for grants and he wondered if Rye City might work with Port Chester and Rye Brook to develop a proposal to develop some kind of a health care facility to restore emergency service to our area. The Mayor said the Westchester Medical Group is looking at the old Lillian Vernon Building (1 Theall Rd.) to use as doctor's offices. While this would not be 24-hour service it might be additive. The application is currently before the Zoning Board of Appeals. He said establishing an emergency medical facility would have to be done by some not-for-profit group rather than by a municipal government. The Mayor said generally the grant requests are selected from proposed Capital Improvement Plan projects.

24. Old Business

Councilman Cunningham asked for an update on the Wetlands Nursery Project, outlining the status and the goals.

Councilman Seitz asked if the City would be resubmitting the request for the occupancy tax bill yet another time now that we are in a new year. The Mayor said the City would do that.

Councilman Seitz asked the Council to consider what they would like in the orientation handbooks. Is there a better way to memorialize what should be in the book? He requested that the Clerk take a look at past resolutions. The Clerk's Office will do this as time permits.

25. New Business

Councilman Pratt requested the Finance Committee take a look at tax certiorari issues in the areas of 1) utilities, 2)co-ops and condos versus apartments, 3) commercial imbalance and 4) clubs. He said the frequency with which these groups are requesting relief is growing and it is a very sensitive area, especially as the Council will be asked to approve settlements.

Councilman Pratt made a motion, seconded by Mayor Otis and unanimously carried, to adopt the following resolution:

**RESOLVED**, that the Finance Committee review tax certiorari issues concerning utilities, co-ops and condos, commercial imbalance, and clubs and report back to the Council.

Councilman Fahey suggested the Finance Committee might also look at anticipated pension and health care costs, but it was decided the City Comptroller was already reviewing these figures and he should report back to the Council.

Councilman Ball inquired about the status of getting new election voting machines and if we knew what happened to the one that malfunctioned during the last election. The Mayor reported that the County is now responsible for the decision but it is unlikely a decision about

new ones will be made in time for the 2006 election. The City Clerk concurred saying the City will continue with "business as usual" in terms of running elections and will see that all our existing machines are in operating order, but that we didn't know exactly why the machine malfunctioned.

Councilman Seitz inquired about the City's approach to collecting fines and if it would make any sense to outsource this job. The City Manager was asked to give a report.

Councilman Seitz said he would be proposing a 15 minute parking limit on certain streets, such as Purdy and Elm, and suggested that the Council be given a report from the staff and merchants about the parking situation at the first February meeting. Councilman Ball suggested contacting the police about this idea and the Mayor asked Councilman Seitz to prepare a memo for discussion at the next Merchant's Association meeting on Tuesday, January 10.

Councilman Hennes recommended an article about Greenwich (changing shopping habits, current parking problems) in the current edition of U.S. News and World Report, which could easily be discussing Rye.

26. Draft unapproved minutes of the regular meeting of the City Council held December 14, 2005

Councilman Seitz made a motion, seconded by councilman Hennes and unanimously carried, to adopt the minutes of the regular meeting of the City Council held December 14, 2005.

27. 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 9:50 P.M.

Respectfully submitted,

Susan A. Morison  
City Clerk