

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on May 30, 2007 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.

Announcements

Mayor Otis offered condolences to the Marren family whose 20 year old son had been tragically killed in a car accident the previous Saturday night. He said such accidents point to the fragility of life and the need to recognize the precious moments we have on this earth.

Mayor Otis announced that City Naturalist Chantal Detlefs had accepted a position as head of the Lower School Science Department at New Canaan Country School. He thanked Chantal for her 15 years of service to the City and for all her work at the Rye Nature Center and on the City's Wetlands issues. He and the Council wished her the best of luck in her future endeavors.

3. Flood Update

City Manager Paul Shew reported that there had been daily activity behind the scenes throughout the City and he confirmed the Mayor's statement that many of the City's staff had been spending the majority of their time on flood issues. He thanked all Rye residents for their

patience, acknowledging that some of their needs had taken a back seat to flood issues. He explained that there is a specific time frame for filing losses with the Federal Emergency Management Agency (FEMA) or the City will not be eligible for reimbursement. The deadline is 60 days from the first meeting on May 10, so all estimates and costs have to be submitted by July 9, 2007.

Assistant Manager, Scott Pickup reported on a successful meeting with the State Emergency Management Office (SEMO), FEMA and other flood organization representatives who provided application information. He said the staff had been reviewing damage to the City structures including the Bowman Avenue Spillway and the Locust Avenue Firehouse (with a mitigation specialist) and the Boat Basin (to evaluate the silt deposits). A discussion of dredging followed. There is a new process which binds the dredged material so it can be reused (maybe for the golf course?). The City is looking at that alternative; determining the cost and may be able to submit a new dredging plan to FEMA which not only suggests this new process but concentrates on the public safety issues (i.e. getting the police and fire boats out of Milton Harbor). The City is also looking at the cost of making more storage of water behind the spillway (Chas. Sells & Sons is looking at this and we expect a report in 6-8 weeks).

City Engineer George Mottarella listed the flood related projects which need repair, totaling to \$4.1 million in costs:

- Theodore Fremd walls (\$1.3 million). Chas. Sells & Sons is doing the design. They are ready to do borings.
- Elm Place (\$1.3 million) – Lockwood, Kessler and Bartlett is doing the design. They are ready to do borings
- Locust Avenue Firehouse (\$200,000). Minor exterior work done; electrical components replaced, sheetrock reinstalled.
- Central Avenue Bridge (\$1.3million). Abutments still moving. Working with local engineering firm to redesign it)

Other projects which will need to be looked at include: dredging behind the Bowman Ave Spillway and in Milton Harbor; fixing the stream walls; improving access to the Bowman Ave. Spillway; aid to residents and purchase of land.

City Manager Shew said all these projects require funding now as the lag time before FEMA money is received (if it is received) could be 36 months. As a result, he has postponed some of the planned capital projects, such as improving the lights in the Central Business District as well as the lights at the five points, and purchase of new City vehicles. Councilman Seitz said it was clear a referendum would be needed to raise at least \$5 million and he would propose raising prices for Merchant parking permits and extending the hours for the parking meters to offset these costs. Councilman Pratt said there were other ways to go, such as using the fund balance. The Mayor said it was too early to decide on a referendum, but there is still time to set a fall date.

There were residents in the audience wishing to be heard. *Sis D'Angelo, 110 Wappanocca*, said water was cascading down from Rye Country Day School and the size of the culvert needs to be increased as well as increasing holding tanks. *Bob Gay, 96 Mendota Avenue*, spoke on behalf of the Rye Flood Action Coalition, urging the City to be complete in their

applications, just as individuals are. He said the #1 priority of the Committee is dredging Bowman Ave. Spillway and perhaps raising the wall a little. If the gate cannot be automatically moved then the siren warning would trigger manual action. The second priority would be to build a second spillway lower down (closer to Interstate 287) as a second line of defense. He recognizes this is down the list but there is no harm in submitting the wish to FEMA. He suggested mitigation for the Central Business District by perhaps making the Rye Nature Center a holding basin? By adding a second culvert? He agreed dredging Milton Harbor would help if it is low tide. The Mayor said the silting is altering the speed and the way the water leaves the brook. As a totally different source of funding he suggested applying for Harbor Master Commissionship for Rye. Fenwick, Ct. applied for this title, which is to be used for environmental and recreational purposes and they received \$1million to dredge their harbor and create lakes.

Carolina Johnson, 40 Mendota, said she had been studying the 1985 Master Plan and wondered what happened to the recommendation to install flood gates at the Oakland Beach Avenue Bridge. She realized this was more to keep the high tide from surging upland rather than this year's problem of downstream flooding. She said both Judy Myers and George Latimer had been very helpful in assisting them in coming up with a wish list. She said the coalition had been looking at the airport runoff; the effects of the Brunswick turf field and Bellefair. (It is possible that turf fields, if constructed with enough retention, could retain more water than non-turf fields; Rye High School's field actually doubled the environmental recommendations.). Ms. Johnson asked if the City had been in touch with the Mayor of Rye Brook concerning the Koningsberg development and inquired about the status of the Apawamis Club application currently before the Planning Commission (no position taken yet). She also asked if anyone had considered making the northeast part of the SUNY Campus available as a flood retention basin. There was a discussion about the runoff down Highland Avenue which comes down the road but also from the Apawamis Club, even though golf courses do retain open space and are not bad. The Mayor opined that we also need to look at other areas that need water retention evaluation.

Rich Filippi, 13 Loewen Court, was told that determining who owns what bank of Blind Brook is a work in progress. He suggested the City begin to get waivers from everyone, but, said City Manager Shew, not everyone is eager to sign an easement. Mr. Filippi asked if anyone was monitoring the Black Bass Grill and was informed that overtures had been made from the owner's lawyer to sell it to the City. Mr. Filippi thought that would be great – that there could be dry wells installed for water retention.

4. Consideration of local law creating a Floodplain Emergency Relief Board (FERB) pursuant to Municipal Home Rule Law

Mayor Otis asked the Council to consider legislation creating a Floodplain Emergency Relief Board (FERB) to help speed up the process of those applying to rebuild their homes as necessitated by flood damage. He said a resolution had been prepared to allow the Council to adopt the new local law at this meeting. The Council was in favor of instituting such a Board, but discussion about how the new Board would work was lengthy. Topics included:

- Number of members. Three voting (a member from the Zoning Board of Appeals (ZBA); Board of Architectural Review (BAR) and the Planning Commission (PC) with a member of the Conservation Commission/Advisory Committee (CC/AC) as advisory (the Mayor and Councilman Pratt wanted the CC/AC to be a voting member). Each of the voting member boards would also name a specific alternate who should attend if possible in case they have to vote at a later meeting. There will be no at large member from the public on the board.
- Voting decisions can be decided by majority vote. Three members of the Council thought it should be unanimous.
- Meeting twice a month unless no applications pending.
- Applicants must be residents.
- The number of feet requested for elevation was lowered so that applicants can apply for “fast tracking if they are within 2 feet of the 100-year FIRM elevation (rather than to or above that elevation). It is hoped that the incentive to raise these homes to meet FEMA standards will not be lessened.
- The appeals process will be that an applicant who is denied should go back to the full board authorized to hear the application – i.e. if it is a Zoning denial, the appeal is to the full Zoning Board of Appeals).
- Applicants requesting even minor changes, if flood related, can use the fast track method if it will be helpful.
- FERB will be dissolved on December 31, 2007 unless specifically extended.

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

RESOLUTION

WHEREAS, on March 2 and April 15, 2007, the City of Rye (the “City”) experienced unprecedented flooding creating an emergency situation in the City; and,

WHEREAS, the City wishes to assist those who are willing to elevate or build their primary residence and/or their mechanical components to or above the 100-year Flood Insurance Rate Map (“FIRM”) boundary; and

WHEREAS, pursuant to Section C6-7(E) “Procedures” of the City Charter, the City Council of the City of Rye (the “City Council”) may enact an ordinance on the same day it is introduced in the event of an emergency; and.

WHEREAS, Mayor Steven Otis has declared that as a result of the flooding, there is a state of emergency in the City of Rye; and

WHEREAS, the City Council finds that time is of the essence in order to assist Rye residents who are unable to occupy all or part of their primary residence to move back in to their homes and elevate their homes and/or the mechanical components to or above the 100-year FIRM boundary; and

WHEREAS, the City Council finds that the attached local law adding Chapter 99 “Floodplain Emergency Relief Board” to the City Code is a necessary measure to assist Rye residents in this time of emergency and that the City Council shall not be bound by the notice provisions required prior to enacting an ordinance; and

WHEREAS, the City Council, is lead agency pursuant to the State Environmental Quality Review Act (“SEQRA”);

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds that the attached local law adding Chapter 99 “Floodplain Emergency Relief Board” to the City Code is an Unlisted action pursuant to SEQRA.

NOW, THEREFORE, BE IT RESOLVED that the City Council, based on the attached Environmental Assessment Form, finds that the local law adding Chapter 99 “Floodplain Emergency Relief Board” to the City Code will have no significant adverse environmental impact and issues a Negative Declaration of Environmental Impact.

ROLL CALL:

AYES: Mayor Otis, Councilmen Ball, Cunningham, Fahey, Hennes,
Pratt and Seitz
NAYS: None
ABSENT: None

Councilman Hennes made a motion, seconded by Councilman Pratt, to adopt the following new local law:

**CITY OF RYE
LOCAL LAW NO. 3-2007**

A local law to add a new Chapter 99 “Floodplain Emergency Relief Board” to the Code of the City of Rye to create an interim review board to provide an expedited review process for owners of residences located in the floodplain who wish to elevate their residential property or their mechanical components as a result of the March 2, 2007 and/or April 15, 2007 flooding events.

Be it enacted by the City Council of the City of Rye as follows:

Section 1.

Chapter 99, Floodplain Emergency Relief Board” shall include the following:

§ 99-1. Purpose.

- A. The City of Rye wants to facilitate an expedited review process by creating a Floodplain Emergency Relief Board (“FERB”) for those landowners who own residential property in the floodplain that are elevating their lowest habitable floor or mechanical components. The purpose of this interim land use board is to act as an omnibus review board and process land use applications concerning residential property and the accessory mechanical components located in the floodplain damaged by the March 2, 2007 and/or April 15, 2007 flood events in an expedited fashion. The expedited process is intended to allow these applicants to repair and/or rebuild their homes more quickly without having to process their building/land use applications through the normal application process and to allow the FERB to grant approvals directly attributable to such elevating projects as deemed necessary by the Board.

- B. FERB shall be dissolved on December 31, 2007 unless dissolved earlier by action of the City Council of the City of Rye.

§ 99-2. Authority.

Pursuant to Article 10 of the Municipal Home Rule Law of the State of New York, the City Council of the City of Rye hereby creates the FERB to review and process land use applications for residential property and the accessory mechanical components located in the floodplain that were damaged during the March 2, 2007 and/or April 15, 2007 flood events.

§ 99-3. Appointment.

The FERB shall consist of three (3) members. The FERB shall be comprised of one member, and one designated alternate, from each of the following boards: the Planning Commission, the Zoning Board of Appeals and the Board of Architectural Review. A member of the Conservation Commission/Advisory Council shall serve as an advisory board member. Alternate members shall serve in the event the primary member is unable to attend a meeting. All alternate members should attend as many meetings as possible so as to keep fully apprised of pending applications. The Mayor shall nominate each member, and alternate member, with approval of the Council. The Mayor shall designate a chairperson and a deputy chairperson. The chairperson shall run all the meetings.

- A. Terms: Each member of FERB shall hold its position until December 31, 2007 or until FERB is dissolved, whichever occurs earlier.

- B. Meetings. FERB shall meet on the first and third Wednesdays of every month at 7:30 P.M. if fully completed applications are ready for FERB review. If the meeting day falls on a holiday the meeting shall be held on

the Tuesday before the holiday. The first meeting shall be on Wednesday June 20, 2007 if there are fully completed applications. Every meeting shall be open to the public and minutes shall be taken in accordance with the New York State Public Officers Law and the General City Law.

- C. Quorum and Decision. All three members or their alternates must be present in order to conduct official business. Any action requires the affirmative vote of a majority of the Board.

§ 99-4. Applicability.

- A. This Article shall only apply to the owners of residential property located in the floodplain that sustained damage by the flood events on March 2, 2007 and/or April 15, 2007 and who seek to:
- 1) elevate the height of the lowest habitable floor of their residence
 - or-
 - 2) elevate the mechanical components of their residence that requires exterior changes to the residence.
- B. The FERB shall have the authority to approve the following: Wetland Permits, Area Variances (e.g., height, Floor Area Ratio (FAR), stories), and approval that would otherwise be required by the Board of Architectural Review.

§ 99-5. Application Process.

All applications shall be submitted on the forms provided by the Building Department and shall be submitted no later than two weeks before the meeting. The applicant shall fill out the appropriate application for each approval requested.

If an applicant has been denied by the City Planning Commission, Zoning Board of Appeals and/or Board of Architectural Review, the applicant cannot apply to the FERB for the same relief.

§ 99-6. Authorized duties and responsibilities.

- A. FERB shall have the same authority and apply the same standards and applicable regulations as set forth below:
1. The Planning Commission pursuant to Chapter 195 “Wetlands and Watercourses.”

2. The Board of Appeals pursuant to § 197-81(D) “Area Variances.”
 3. The Board of Architectural Review pursuant to Chapter 53 “Architectural Review.”
- B. The FERB shall grant, deny, or grant with conditions each approval/permit requested.
- C. Exemptions from Public Notice/Referral Process

The public notice requirements set forth in § 99-8 “Public Notification by Applicant” set forth below shall apply to all applications submitted to FERB. This section specifically supersedes § 195-5(C) and notification requirements pursuant to Chapter 53. The referral to the Conservation Commission/Advisory Council in § 195-6 is specifically superseded. Upon receipt of a completed application, City staff shall refer such completed application(s) to the Conservation Commission/Advisory Council for review and comment. Any comments from the Conservation Commission/Advisory Council shall be submitted to FERB by the time the application is considered.

**§ 99-7. State Environmental Quality Review Act and City Code Chapter 73
“Coastal Zone Management Waterfront Consistency Review.”**

FERB shall not have any jurisdiction over applications that are not exempt from New York Environmental Conservation Law Article 8 and its implementing regulations 6 N.Y.C.R.R. Part 617 (State Environmental Quality Review Act) and City Code Chapter 73 “Coastal Zone Management Waterfront Consistency Review.”

99-8. Public Notification by Applicant.

Applications shall comply with the public notice requirements set forth under City Code § 197-81(F).

§ 99-9. Public Hearings.

There shall only be one (1) public hearing required for all necessary approvals for the residential property under review. If necessary, the FERB may continue the public hearing at a future meeting.

§ 99-10. Expiration of Approval.

Any finding, permit or approval granted pursuant to this Chapter shall expire within 6 months of the approval unless construction has commenced, as defined under City Code § 100-2 “Start of Construction.” The City Building Inspector may grant up to two (2) thirty day extensions.

§ 99-11.Appeals.

An applicant who is denied a permit and/or approval from the FERB may apply to the fully constituted board and/or commission that is authorized to hear such application through the standard land use application process.

§ 99-12 Supersession.

This local law supersedes General City Law §§ 81, 81-a, 81-b(4).

Section 2. Severability

If any word, section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority or competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 3.

This Local Law shall become effective immediately upon filing in the office of the Secretary of State.

ROLL CALL:

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

NAYS: None

ABSENT: None

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

RESOLVED, that the Mayor of the City Council of the City of Rye should ask the Chairs of the appropriate voting Boards and Commissions to appoint a member to the Floodplain Emergency Relief Board (FERB) and to name an alternate.

5. Consideration of setting a public hearing on a draft Local Law regarding Applicable Standards for Residential Construction in Flood Zones.

City Manager Paul Shew asked the Council to consider setting a public hearing on a draft local law which would make substantive changes to the code so that the newly created Floodplain Emergency Review Board (FERB) would be able to avoid some of the variance issues which will arise. Mayor Otis asked the City Manager to refer the draft to all applicable

boards (Board of Architectural Review, Zoning Board of Appeals, Planning Commission, and the Conservation Commission/Advisory Committee) for review and comment.

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

WHEREAS, the Council wishes to amend Chapter 197, Zoning, and Chapter 195, Wetlands and Watercourses of the Code of the City of Rye, regarding applicable standards for residential construction in flood zones; and

WHEREAS, it is now desired to call a public hearing on such proposed amendments 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 July 18, 2007 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 laws.

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

**PUBLIC NOTICE
CITY OF RYE**

**Notice of Public Hearing to amend Chapter 197, Zoning, and Chapter 195,
Wetlands and Watercourses of the City Code of the City of Rye regarding
applicable standards for residential construction in flood zones**

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 July, 2007 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 proposal to amend Chapter 197, Zoning, and Chapter 195, Wetlands and Watercourses of the City Code of the City of Rye regarding applicable standards for residential construction in flood zones.

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

Susan A. Morison, City Clerk
Dated: July 9, 2007

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

Jim Powers, 52 Intervale Place, asked about the status of the Wetlands Restoration project planned for the Rye Nursery land. He informed the Council that in his opinion, this area is really not wetlands, but rather just a space in between two City pipes, but nevertheless he understood there was some money received from the State Department of Environmental Conservation (DEC) and he would like to see the project proceed. The Mayor recommended that he contact Judy Myers, our County Legislator, as this is a County issue as well.

Mr. Powers also discussed the issue of sandbags saying the County said there would be sandbags, but the only thing that arrived during the flood were the bags on the beach with no one to fill them or deliver them to his house. Mr. Powers was informed that this was a County initiative that was not fully thought out and the City has asked the County to clarify and develop this plan for the future.

Gilbert Heller, 9 Allendale Drive, said his wife had appeared before the Council to ask about putting up a higher fence to keep golf balls out of his neighborhood and he wondered what the Council had decided about this issue and the drainage issues. City Manager Paul Shew said a report on the drainage issue would be forthcoming and he had asked Corporation Counsel to review the fence issue. He said the trend (because of liability issues) is away from fences, but they are looking at what is happening at other golf courses. He assured Mr. Heller the City would address this issue as soon as possible, given other pressing City matters.

Joe Murphy and Marion Shea, representing the *Rye Senior Citizens Committee* said they had a recommendation for the Council to approve a new public/private partnership between the City's Rye Senior Advocacy Committee and Elderserve to provide records storage. Mayor Otis said it sounded excellent, but suggested the proposal be made as an agenda item at the next Council Meeting

7. Presentation of the City of Rye Stormwater Management Program 2006 Annual Report

Chantal Detlefs, Rye City Naturalist, presented the 2006 Annual Report (prepared by Anthony O. Conetta, P.E., Consulting Engineer) for Rye's Stormwater Management Program, due June 1, 2007 as required by the NYS Department of Environment Conservation (NYSDEC). It outlines the status of the fourth year of Rye's program as of March 9, 2006. She reviewed that as of 2003 all municipalities with their own sewers are required to have a permit and advance a storm water plan and that this plan must be completed by 2008. The plan requires that the City carry out a 6 part minimum measure program (Public Education and Outreach in Storm Water Impacts; Public Involvement/Participation; Illicit Discharge Detection and Elimination; Construction Site Storm Water Runoff Control; Implementation of Best Management Practices; and Post-Construction Storm Water Management). She reported that Rye has continued to advance their program satisfactorily. Highlights of 2006 include informational flyers and brochures on all aspects of water quality to builders and residents as well as schools; sponsoring clean-up events; maintaining outfalls in terms of mapping and data; amending relevant laws; continuing education; continuing past practices such as cleaning catch basins and streets; and increasing enforcement of sediment control. She concluded by saying the City is on schedule, is

fully compliant and will complete all required steps on time. The report (Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems) will be filed with the NYSDEC.

Councilman Seitz made a motion, seconded by Councilman Pratt and unanimously carried, to accept the report.

8. Authorization to fill vacant position in Public Works Department

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

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

ROLL CALL:

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

NAYS: None

ABSENT: None

9. Bid awards for reconstruction of Theall Road

City Manager Paul Shew explained that the bids received for the reconstruction of Theall Road would have to be either accepted or rejected at this meeting or they would no longer be valid. He explained that the City Engineer is recommending proceeding with the project to fully reconstruct Theall Road as the condition continues to deteriorate, especially after the April 15, 2007 flood which further eroded the surface. He said it was possible some FEMA funds might be available to be used for this project. Councilman Hennes said there have always been two alternatives: 1) to rebuild the road completely for over \$1 million or 2) to resurface the road for about \$300,000. He said, in light of the financial uncertainty due to the flood with millions needed for restoration, and even more millions needed for mitigation, it made no financial sense to vote in favor of accepting the bid. Councilman Seitz said he had been in favor of the project, but for the same reasons, would now not vote to accept the bid because, under present circumstances, it would be irresponsible. Councilman Pratt took exception to the term "irresponsible," saying it was a good idea to rebuild the road, especially as people representing a large portion of Rye's tax base (when you include the office buildings and the Osborn Home) use the road regularly. Councilman Cunningham agreed, saying it is not safe. Councilman Hennes suggested it would be less safe once it is reconstructed and people can speed. Joe Murphy, advisor to the Rye Senior Citizens Committee, said to remember the needs of the Seniors. Councilman Fahey asked what will happen to the repaving of the Boston Post Road – a project which seems less likely if Theall Road is reconstructed. Mayor Otis suggested there may be extra revenue at the end of the year and perhaps this can be done as well.

After some additional vigorous exchange of opinions, Councilman Fahey made a motion, seconded by Councilman Hennes, to move the vote one way or another. The following resolution was adopted by a vote of 4 to 3.

RESOLVED, that the bid for Contract 2007-02, Reconstruction of Theall Road, submitted by Bilotta Construction, the lowest bidder meeting specifications, in the amount of \$1,199,598.10, be accepted.

ROLL CALL:

AYES: Mayor Otis, Councilmen Ball, Cunningham, and Pratt

NAYS: Councilmen Fahey, Hennes and Seitz

ABSENT: None

10. One appointment to the Zoning Board of Appeals to fill a term expiring on January 1, 2009

Mayor Otis made a motion, unanimously approved, to appoint Maureen Powers to the Zoning Board of Appeals to fill a term expiring January 1, 2009.

11. One appointment to the Finance Committee to fill a term expiring on June 1, 2009

Mayor Otis made a motion, unanimously approved, to appoint Warren Keegan to the Finance Committee to fill a term expiring January 1, 2009

12. Consideration of request of Rye Youth Council to hold its Annual Block Party on Saturday June 2, 2007, at the multi-purpose area of Recreation Park

Councilman Hennes made a motion, seconded by Councilman Cunningham and unanimously carried, to grant the request of the Rye Youth Council to hold its Annual Block Party on Saturday, June 2, 2007 at the multi-purpose area of Recreation Park.

13. Approval of the election of a new member to the Rye Fire Department

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

RESOLVED, that the Council of the City of Rye hereby approves the election of Neil T. O'Donnell to the Poningo Hook and Ladder Company approved at the May 14, 2007 meeting of the Board of Fire Wardens.

14. Miscellaneous communications and reports

Councilman Cunningham reported that three Rye residents would be granted awards at the 50th Anniversary luncheon of the Westchester Recreation and Park Society on Friday, June 1, 2007. Robby Angilletta will receive the Henry B. Funking Award for his volunteerism and staff work at Rye Recreation; Douglas Carey will receive the Public Service Award for his work with Leaders of Tomorrow and Summerfest Field Day; Jerry and Martha McGuire will receive the Irvin Red Klein commercial Recreation Award for their long-time support and contributions to Rye Recreation programs. The Clerk was asked to write a proclamation for the Mayor to present at the luncheon.

15. Old Business

Councilman Fahey reported that the Rye Golf Club Commission had met with John Carolin concerning Senior Membership and have agreed to consider such a membership when discussing the 2008 budget. Several senior women are now requesting special swimming memberships. The Commission is also reviewing the Club's by-laws.

Councilman Cunningham reminded the Council a discussion of the "steep slope" zoning issue still needs to take place. The Council will schedule a workshop, but after the immediate flood issues have calmed down.

Councilman Cunningham asked about progress concerning the Thruway land opposite Rye Country Day School. There is no additional information at this time.

Councilman Seitz again suggested having budget requests from the Fire and Police Departments early.

16. New Business

Joe Murphy, Chair of the Conservation Commission/Advisory Council, said he had written a letter to the Council concerning global warming and submitted a proposed resolution for the Council's consideration to endorse the goals and underlying principles of the Kyoto Protocol and supporting efforts to curb global warming.

17. Draft unapproved minutes of the regular meeting of the City Council held May 9, 2007 and Flood Workshop held on May 14, 2007

Councilman Hennes made a motion, seconded by Councilman Fahey and unanimously carried, to adopt the minutes of the regular meeting of the City Council held May 9, 2007 and the minutes of the Flood Workshop held on May 14, 2007 as submitted.

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 12:31 A.M.

Respectfully submitted,

Susan A. Morison
City Clerk