

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on January 2, 2008 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
ANDREW C. BALL
MACK CUNNINGHAM
PAULA J. GAMACHE
CATHERINE F. PARKER
GEORGE S. PRATT
JOSEPH A. SACK
Councilmen

ABSENT: None

The Council convened at 7:48 P.M. Councilman Ball made a motion, seconded by Councilman Cunningham and unanimously carried, to adjourn to Executive Session at 7:49 P.M. to discuss a personnel matter. Mayor Otis made a motion, seconded by Councilman Cunningham, to close the executive session at 8:08 P.M. The Council reconvened at 8:10 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.

3. Mayor's Annual Message

“As we begin the New Year, it is again my honor and privilege to present the Mayor's Annual Message and to highlight the activities of our City, the progress we have made, and the challenges ahead.

“At the outset, I again thank outgoing members of the City Council, Duncan Hennes, Matt Fahey, and Gerry Seitz for their four years of service and hard work on the Council and to welcome Catherine Parker, Paula Gamache, and Joe Sack as they undertake their new responsibilities. It is a privilege to be able to serve Rye as a volunteer on the City Council. I have always believed that we get the best results through hard work, encouraging public participation as we set policies for the City, and by maintaining humility as we do our work. I wish Catherine, Paula, and Joe good luck as they begin their service here. I know they will find it rewarding.

“The last year brought a lesson in humility with the storms of March and April. Long-time residents remember flood events over past decades. Today no one needs a reminder or a history lesson. Our continued vulnerability to flooding can be measured by the over \$80 million in private property and public facility losses, by the damage at the YMCA and the Rye Free Reading Room, and by the disruption to the lives, safety, businesses and homes of Rye residents.

“The response from residents, City government, and volunteers was immediate. Not only did our traditional emergency responders, police, fire, and department of public works perform at their highest levels, but every City employee became part of the rescue and recovery effort. Our Building Inspector led the effort to bring in outside teams to conduct the necessary gas and electric inspections required before service could be restored. Con Edison worked with the City to streamline restorations. The day after the April 15th storm, the City had engineering firms on the ground in Rye to begin the process of assessing damage, designing repairs, and applying for funding from FEMA. City Manager Paul Shew, City Comptroller Mike Genito, and Assistant Manager Scott Pickup have spearheaded our efforts to work with FEMA on the complicated process of reporting and applying for assistance available in this disaster.

“The resilience of Rye residents has been extraordinary. Families displaced for months at a time, having suffered loss of property, valuables, and a sense of personal safety, have maintained a spirited optimism to move forward. Many joined the Rye Flood Action Committee, which has been an indispensable partner with the City in developing flood mitigation strategies and been an advocate within the community for needed action.

“What have we learned? Simply put, Westchester County and especially Rye is highly vulnerable to flooding and more vulnerable than we were in the 1970's, 1930's, or the late 1800's. Westchester was subject to flooding before 2007, but we are more at risk today. The impact of increased impervious surfaces, continued loss of wetlands and floodplains, and changing weather patterns with the likelihood of more intense storms have all combined to mean that flood-prone areas in Westchester County are more, rather than less vulnerable than decades ago. This is not news to Rye. When we joined FEMA's Project Impact program in 1998, flooding was identified as our number one risk. Project Impact brought us specialized training in emergency preparedness, research to support the acquisition of three flood-prone parcels in 2001 and 2002, and additional expertise that served us well in the storms of 2007.

“What is the direction we will take going forward? Following the storms, we set our goals for Rye's future. That path is to move aggressively to identify, design, and build flood mitigation projects that will lower our risk and decrease our vulnerability. We are not waiting for some other level of government to do the research. The outside engineers we hired immediately after the storm began work, not just on assessing damage and designing repairs, but also on using the information learned to design flood mitigation projects. But no single project will eliminate all of our risk. To lower our exposure in a meaningful way, we will have to assemble a series of projects that added together leave

us measurably less vulnerable to flood damage than we are today. Towards that end, we are proceeding with the first of a series of mitigation projects in Rye Brook aimed at protecting residents of both communities downstream from the dam we own at Bowman Avenue. We will continue to build on the benefits of the sluice-gate project at our dam with additional projects throughout the Blind Brook and Beaver Swamp Brook systems. Our Water Runoff In Construction Committee is drafting innovative proposals to make our rules for retaining water runoff more thorough as land use applications are approved.

“In 2007 I was appointed to the County Flood Committee, one of three local officials on the committee assigned with the task of proposing a county flood plan. As with Rye, the focus will be on mitigation projects with the county having established a \$50 million fund to assist municipalities with projects over the next five years. In addition, I Chair a subcommittee of the county group that is using some of the ideas developed by our Rye Water Runoff Committee to establish stricter rules for construction countywide. Our City Engineer and City Planner are key participants in both groups. Rye is making sure we are doing everything we can to implement mitigation projects and give scrutiny to new development. Unless these approaches are adopted on an inter-municipal basis and especially by municipalities upstream from us, we will not be gaining the added protection we need. I am advancing that agenda on the County Committee.

“The goal of better inter-municipal cooperation on flooding can also be accomplished by the City Council giving its support to the stormwater district proposal now being circulated by the Long Island Sound Inter-municipal Council. The LISWIC proposal will not take over our stormwater lines but will provide a vehicle for better inter-municipal planning on stormwater issues, provide a funding stream to support large projects, and add a tool for the increased cooperation we need between communities. In the upcoming weeks, we will review this proposal and I hope support the next step, the drafting and introduction of state legislation to create the district.

“Locally I will also propose that we add expertise on water runoff issues on City land use boards and commissions where we are able. Early this year we need to agree upon the job description for the City's environmental staff position. That job should include a focus on stormwater management to assist the team the City already has in place to advance our urgent flood control agenda. Councilman Ball identified this as a priority after the flood.

“The next storm is always around the corner. We will continue the aggressive pace we have set to implement projects. Since the spring, flooding has occupied the focus of everything on which City staff has been working. The day-to-day activities of City government and progress on other issues have continued. Staff has worked overtime to keep the essentials of City government in place while juggling countless visits from FEMA, outside engineers, and other agencies. For 2008, flooding repair, recovery, and mitigation will continue to be a key focus for City government. Allow me to highlight a number of other areas where our work needs to advance in the New Year.

“We continue to be a leader in budget management, prudent and responsible fiscal and employment practices, and financial reporting. We continue to look at every position

as an opportunity for reorganization and retooling. Our hardworking City staff accepts more responsibilities without adding positions. In survey after survey, our City of Rye municipal government continues to be ranked as having among the lowest property taxes in the County. We will continue to do our part to spend carefully and maintain our Aaa bond rating.

“We expect the consolidated report from the Trailways Committee to be delivered to the City Council in the next few days. We will hold a workshop on the report and determine what recommendations are ready for action now, what items require outside funding, and what additional questions the Council has as we work to make our community safer to walk, jog, or travel by bicycle, roller blade, scooter, or navigate in an old-fashioned pair of Keds. We will continue to work with the schools and the Rye YMCA's Activate America program to create safer conditions for walking to school.

“A draft report from the Retail Strategy Task Force needs to be reviewed and adopted by the committee and submitted to the Council again for action items we can take and new questions the report poses. Joining George Pratt on the City Council are two other members of that task force, Catherine Parker and Joe Sack. Working with the Rye Merchant's Association, we should discuss the report's findings and move forward.

“Our infrastructure needs continue to require our attention. The pavement management study conducted three years ago has provided a professional guidepost for planning and accelerating road repairs. Theall Road is underway. The Boston Post Road will be resurfaced in 2008. With the 2008 budget, we continued the increased spending on road resurfacing begun in 2007. This was done following the pavement study recommendation that earlier repairs save us money since delaying annual maintenance means an expedient increase in costs.

“Early in the New Year, we need to provide the City Council with the information it needs to decide which path we will take for a new police station and courthouse facility. Once assembled, a City Council workshop to weigh the options makes sense.

“For decades the City of Rye has been a leader in sound environmental practices relating to land use, open space, and the operation of our City government. We were one of the first communities in Westchester to provide curbside recycling and continue to have the highest per capita participation rate of cities in the County and among the highest of any municipality. Last year we purchased modern high efficiency garbage trucks which will decrease our energy costs and have lower emissions. We continue to add to our fleet of hybrid vehicles. The New Year provides an opportunity to again stay at the head of the pack on environmental policies, improve our quality of life, and reduce costs to the taxpayer at the same time.

“In 2008 we should review our noise laws as they relate to leaf blower use and our construction noise rules and penalties on rock chipping and blasting to make further improvements to protect the peace and quiet of our town. We need to make recycling opportunities more accessible in City buildings, parks, and in the central business district.

“Energy efficiency is a goal the City has integrated into building upgrades for years. Today new software tools and resources are available for more up-to-date benchmarks and methods of making our City operation more energy efficient, reducing our contribution to pollution, and saving taxpayer dollars. Resources and expertise are available to use now through the New York Power Authority, the City government's electricity provider, and through not-for-profit organizations like the Sierra Club's Cool Cities Initiative and the Local Governments for Sustainability organization known as ICLEI, which offers a software package for benchmarking and improving energy efficiency. To date at least eight other Westchester jurisdictions have signed up for the latter group's software package. This analysis will allow us to include improvements we have already made in our benchmarking and set goals for further improvements in the next few years.

“At the Rye Nature Center, we have the continued success of the partnership between the City and the Friends of the Nature Center, which continues to grow and evolve with expanded programs, services, and opportunities for children and adults alike.

“The Conservation Commission and other residents interested in the environment are hosting an Environmental Forum on January 23rd at the Rye Free Reading Room. This is an opportunity to hear more about what we can all do to protect Rye's environment and an opportunity for residents to get involved in environmental projects that help Rye.

“Our Rye Senior Advocacy Committee has been a cutting edge panel of residents and local experts in the field, which has offered vital information and assistance to senior citizens in Rye. The New Year will bring new partnership opportunities that will bring this service to another level.

“Rye has long worked on a variety of parking issues. Council members Mack Cunningham and Paula Gamache have recommended that we establish a temporary parking commission to study and make recommendations on the varied parking issues before the City. Parking issues include commuter parking, central business district parking, rules for parking, parking fees, and the design of the Metro-North parking lot. I propose that we establish such a group to review the parking issues before us and report back within a few months with a consolidated analysis and status report of our parking issues. If you are interested in participating in this project, please contact me or any member of the City Council.

“Parking has a long and continuing history in Rye. Another issue thrust upon us late in 2007 is the re-emergence of a bad, old idea. In late November, a Long Island developer proposed to privately fund and build a highway tunnel linking the Long Island Expressway to the intersection of I-287 and I-95 at our border with Port Chester. In the 1960's and early 1970's, a similar proposal to build a bridge between Rye and Oyster Bay became the focal point of a major battle, which, with the help of many Rye and Long Island residents working together, was eventually defeated. The proposed highway tunnel would have a devastating impact on all of Westchester by bringing traffic flow to a halt on the I-287 Tappan Zee corridor and by attracting new traffic to I-95. As we all

know, both of these roads, on a regular basis, can barely handle the traffic volumes we have today. Westbound traffic on the Cross-Westchester often backs up as far as Exit 9.

“The negative impact for Westchester of this tunnel proposal is not confined to Rye. It covers the entire County. By making two major transportation arteries even worse, the air cleanliness, traffic flow, business climate, and quality of life in our County will be harmed. I have been getting that message out to key decision-makers in Westchester. In Rye we know from our history what a bad idea this is. We need to spread the word so that Westchester officials unite in opposition and veto this project. Towards that end, the Westchester Municipal Officials Association, at my urging, voted in December to oppose the tunnel and encourage other Westchester elected officials to do the same. On January 18th, Mayors and Supervisors will be meeting with the County Executive and the Chair of the County Board of Legislators, as we do four or five times a year. The tunnel will be on the agenda. I am also working with other Westchester groups, in the hope that they will officially oppose the project. These include the Federated Conservationists of Westchester County and the I-287 Tappan Zee Task Force. I have also raised Westchester's concerns with the NYS Department of Transportation.

“I have spoken with the Mayors and Supervisors of municipalities along both the I-287 and I-95 corridors to ask for their participation in the opposition effort. This includes all of our municipal neighbors. In addition, I also continue to speak to residents involved in our opposition to the Rye-Oyster Bay Bridge, including former Rye Mayor Ed Grainger, to seek advice and compare notes.

“For Rye residents there are two ways you can help. Please pass along the message to your friends in other communities that this is bad for all of Westchester. A united County will prevent this project, but not everyone has our experience or understanding of the harm such a tunnel presents. We went through the bridge proposal decades ago. We know. The rest of the County needs to understand the scope of the threat, not as a Rye issue, but as a Westchester problem. The other way Rye residents can help is to join our effort to scrutinize and oppose the tunnel project. I will ask the Traffic and Transportation Committee to offer their analysis of the project. I invite interested residents to contact me if you would like to work on the opposition effort.

“Our community has been blessed by the generosity of volunteer time and financial support for the many projects and not-for-profits of Rye. With the flood, new facilities at the Rye YMCA and Rye Free Reading Room were severely damaged. Rye residents, as they always do, came forward to support special fund drives to pay for these repairs.

“I would like to use this occasion to ask all residents, as they are able, to continue to support the many not-for-profit activities in our community with your volunteer time and financial generosity. One of the things that sets Rye apart is the large number of not-for-profit organizations we have for such a small community. They provide the strong fabric of our community life and need your continued support. Let 2008 be no different.

“These are just some of the highlights of what will be an active agenda for the City Council in 2008. As a community, we always take on an ambitious list of projects to

make Rye better. We also face challenges that require our attention in order to protect the community we love.

“On behalf of the City Council, I know that we all consider it a privilege to serve and are eager to work together with all the other volunteers in Rye to move our community forward to new heights. We again offer our thanks to the City staff, all the volunteers serving the City, our not-for-profits, and all the residents and businesses of Rye for all the hard work during the past challenging year.

“May 2008 be a year of success, wise decisions, a cooperative spirit, and new progress for Rye.”

4. Update by City Engineer on changes in County of Westchester recycling policy

City Engineer, George Mottarella updated the Council on the new procedures now being instituted by the County of Westchester to enforce the existing recycling policy. Beginning February 1, 2008 garbage collection containing recyclable items will no longer be collected. Garbage that is collected incorrectly will result in a fine to the municipality (\$275 per load) when it is examined by the County. Furthermore, recycled items will also be more closely examined at the Materials Recycling Facility (MRF). Ultimately, the homeowner will be held responsible for incorrect or incomplete recycling. This procedure has been adopted by the County to make sure the rate of recycling does not continue to slide and also because in 2009 the County’s ash dump (where regular garbage ends up) will be closed. In essence, the more bad things in the garbage the more ash and the more it will cost the County to dispose of garbage. Mr. Mottarella said Rye does an excellent job (we are the #1 City in the County and the #2 municipality), but we can always do better. The recycling instructions are on the back of the flyer sent out by the Department of Public Works, but perhaps a separate flyer would be good. Councilwoman Parker suggested placing additional containers in the Central Business District. Councilman Pratt asked for a report on the success of the recycling bins on the Metro North platforms.

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

Henry King, 76 Coolidge Avenue, introduced himself to the new Council Members saying he was hopeful the Beaver Swamp Brook flooding problems would not continue and he would not have to appear before them again. He urged the Council to read about the issues which continue in Harrison and be aware of new information as it arises. Mayor Otis summarized the current situation by stating that the permit which Harrison has requested (which Rye does not like) has been questioned and further progress has been put on hold by the DEC. Corporation Counsel Kevin Plunkett said our consultant Laura Tessier had reviewed the situation; the DEC is in the process of changing personnel so they are in a transition period; and he will provide all relevant information to the Council.

6. Public hearing related to Cable Franchise Agreement with Cablevision

Mayor Otis opened the public hearing, originally scheduled for October 3, on the Cable Franchise Agreement with Cablevision. He said the Council had just received a copy of the new agreement so they would take no action this evening, but would welcome comments. Assistant City Manager Scott Pickup said the City had originally hoped to have the new agreement at the same time as they were considering the Verizon agreement, but that did not happen. However, Cablevision has made some changes to match the Public Educational Government (PEG) formula for municipal support adopted by Verizon. This will mean that the City will receive \$250,000 from each cable provider, enabling the City to adequately support our cable operations. Cablevision and the City are still negotiating about PEG support from 2006 to the present, but Mr. Pickup expects that Cablevision will come back with a resolution. He said Cablevision would be present at the next Council Meeting to fully discuss the contract. In response to a question from Councilwoman Gamache, he clarified that this contract includes Rye Neck High School, but not the elementary schools. It is the City's understanding that the Public Service Commission approved the Verizon contract at their December 19, 2007 meeting. *John Carey, Forest Avenue and member of the Rye Cable Committee*, said he would review the contract and provide comments.

Mayor Otis kept the public hearing open until the next Council Meeting.

7. Appointment of City Court Judge (part-time) by the Mayor with Council approval, for a six-year term expiring January 1, 2014

This agenda item was deferred to the end of the meeting, following Agenda item #29.

8. 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 re-appoint Councilman Andrew Ball to the Police Pension Fund for a one-year term expiring January 1, 2009.

9. Three appointments to the Board of Architectural Review for three-year terms, by the Mayor with Council approval

This agenda item was deferred to a later meeting.

10. Designation of the Chairman of the Board of Architectural Review by the Mayor

This agenda item was deferred to a later meeting

11. 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 former Council Woman Elizabeth Griffin Matthews to the Board of Ethics for a three-year term expiring January 1, 2011.

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

This agenda item was deferred to a later meeting.

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

This agenda item was deferred to a later meeting.

14. Two appointments to the Planning Commission for three-year terms, by the Mayor with Council approval

This agenda item was deferred to a later meeting, except that Mayor Otis made a motion, unanimously approved by the Council to appoint Mack Cunningham as the Council Member on the Planning Commission for a two-year term expiring 2010.

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

This agenda item was deferred to a later meeting.

16. Two appointments to the Recreation Commission for three-year terms, by the Mayor with Council approval

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Douglas Carey and Scott Florio to the Recreation Commission for three-year terms expiring January 1, 2011.

17. Two appointments to the Rye Senior Advocacy Committee

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Ellen D'Angelo and Josephine DelMonte to the Rye Senior Advocacy Committee for three-year terms expiring January 1, 2011.

18. One appointment to the Rye Town Park Commission by the City Council for a two-year term

Mayor Otis made a motion, unanimously approved by the Council, to re-appoint Brian Daly to the Rye Town Park Commission for a two-year term expiring January 1, 2010.

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

This agenda item was deferred to a later meeting.

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

The Mayor designated Councilman Cunningham and Councilwoman Gamache to the City Council's Audit Committee.

21. Designation of the following City Council Liaisons by the Mayor

The appointment of Council Liaisons was deferred to a later meeting.

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

The Mayor announced that the next regular meeting of the Council would take place on Wednesday, January 16, 2008, but deferred setting the rest of the schedule.

23. Designation of official City newspaper

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

24. Designation of the amounts of faithful performance bonds:

Mayor Otis made a motion, seconded by Councilman Cunningham, 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

ROLL CALL:

AYES: Mayor Otis, Council members Ball, Cunningham, Gamache, Parker
Pratt and Sack

NAYS: None

ABSENT: None

25. Appeal of denial of FOIL request by Rye Police Association

City Manager Paul Shew reported that the City of Rye had received an electronic FOIL request from the Rye Police Association for records on 11/13/07. On 12/14/07 the Police Commissioner responded, identifying 47 pages which were deemed to meet the request. On 12/26/07 the requestor appealed the release of the records in paper format and also appealed the determination of records designated as exempt under the inter-agency materials exemption, and/or the public safety exemption. After follow-up with the State Office on Open Government, the City is recommending that the Council agree that the appropriate records should be released electronically, but recommends upholding the appeal denying access to the balance of the documents involved. Councilman Pratt demanded more information, indicating that the City Staff is somehow playing games with FOIL requests. Councilman Sack said as a lawyer he is inclined to accept the opinion of the City's lawyers who, along with the staff, have made the recommendation. Councilman Ball alluded to the deep history of FOILS by this particular petitioner which would explain why the Council is asked frequently to rule on his requests. Manager Shew said the Council had volunteered to act as the appeal body and they are free to ask any questions on any matter before them. He assured the Council that all requests are carefully and fully considered before they reach the point of being submitted to the Council for a decision. Mayor Otis said he feels it makes sense for the Council to be part of the appeals process and maybe they should have more information before being asked to vote. The discussion, and decision to uphold or not, was deferred to the following Wednesday when the Mayor set a special workshop.

26. Miscellaneous communications and reports

Councilman Cunningham noted that the Trailways workshop, scheduled for Wednesday, January 9 would include a discussion of the Boston Post Road.

Councilman Cunningham asked about the status of the Stop Sign resolution. Assistant Manager Scott Pickup said the Traffic and Transportation Committee had reviewed the new statutes and the final version could be ready to be distributed in the next few meetings.

Councilman Cunningham requested that the staff continue to work on developing a new demolition fee schedule, as discussed during the budget process.

Councilman Ball commended the firefighters, particularly the 14 volunteers, for handling the New Year's Day Fire on High Street. He said the mutual aid support was also impressive.

27. Old Business

Councilman Pratt thanked the Planning Commission for allowing him to work with them for the past two years. He wished Councilman Cunningham well saying it was lots of work, but well worth it. He also said he was glad to see that the Central Business District work group was in good hands with the appointment of Councilwoman Parker.

Councilman Ball asked about the status about the flood projects. The Central Avenue Bridge deck has been reviewed by the State inspectors who did not see any immediate need to fix it so the City will have to do so on its own. A proposal will be ready for action in late February/early March. In the meantime, utilities are being/or have been rerouted so we are ready to begin work. The City is close to an agreement on Elm Place with FEMA; the Theodore Fremd Avenue project is more complicated.

Councilman Cunningham noted that progress on enlarging piping on Playland Parkway from 24" to 36" has begun. It is anticipated that at the end of 90 days the project will hopefully be completed and some of the flooding issues in the Mead Pond area will be alleviated.

Councilman Ball asked about the status of the parcel of land on the Boston Post Road opposite Rye Country Day School. The State has established "below market lease criteria" which is a good. The next step is to have a survey (which is underway) and to obtain two appraisals for the property (the State selects the appraiser, the City pays for them). Hopefully, the package to complete the transfer of this parcel to the City for recreational/park use can be ready by April. Councilman Cunningham suggested updating the Recreation Commission.

28. New Business

There was no new business to be discussed.

29. Draft unapproved minutes of the regular meeting of the City Council held December 12, 2007 and special meeting held on December 20, 2007

Mayor Otis made a motion, seconded by Councilman Cunningham and unanimously carried to approve the minutes of the regular meeting of the City Council held December 12, 2007 as submitted.

Mayor Otis made a motion, seconded by Councilman Cunningham and carried by a majority of the Council (Councilman Sack, not having been present, recused himself) to approve the minutes of the special meeting of the City Council held December 20, 2007 as submitted.

Mayor Otis made a motion, seconded by Councilman Cunningham and unanimously carried to adjourn to Executive Session at 10:05 P.M. to discuss a personnel matter. Mayor Otis made a motion, seconded by Councilman Cunningham, to return to the regular meeting at 11:15 P.M.

Mayor Otis announced that after much deliberation and careful thought, he was nominating Richard Runes to be the City Court Judge (Part Time). Councilman Sack said he wished there had been more time to deliberate on this nomination as he did not feel he had enough information to cast a vote in the affirmative. He said there was perhaps a problem with the process and it would have been good to have had more candidates to consider. The Mayor said he felt it had been a thoughtful process.

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

RESOLVED, that Richard Runes be appointed City Court Judge (Part Time) for a six-year term commencing January 1, 2008.

ROLL CALL:

AYES: Mayor Otis, Council members Ball, Cunningham, Gamache, Parker,
and Pratt

NAYS: Councilman Sack

ABSENT: None

30. Adjournment.

There being no further business to discuss, Mayor Otis made a motion, seconded by Councilman Cunningham and unanimously carried, to adjourn the meeting at 11:20 P.M.

Respectfully submitted,

Susan A. Morison
City Clerk