

APPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on April 16, 2008 at 8:00 PM

PRESENT:

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

ABSENT: None

The Council convened at 7:00 p.m. Councilwoman Gamache made a motion, seconded by Councilwoman Parker and unanimously carried, to adjourn to executive session at 7:01 p.m. for an attorney/client meeting. Councilman Sack made a motion, seconded by Councilman Pratt and unanimously carried, to close the executive session at 8:13 p.m. No decisions were made. The regular meeting reconvened at 8:15 p.m.

1. Pledge of Allegiance

Mayor Otis called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call

Mayor Otis asked the City Clerk to call the roll; a quorum was present to conduct official City business.

Announcements

Mayor Otis announced that the Mobile Office Van from the County Clerk's Office would be at the Village Green on April 21st to facilitate passport applications. He also said that the garden clubs were sponsoring an Earth Night at Rye High School on April 17th and that May 2nd was the date for the annual Lacrosse Day game between Rye High School and Rye Country Day School. Finally, the Mayor reminded everyone that the annual Ceremonial Meeting of the City Council was scheduled for May 7th at the Square House, where City Hall had been located prior to 1964.

3. Approval of the election of former Explorer Member of Rye Fire Department to full membership in the Rye Fire Department

Assistant Fire Chief Peter Cotter introduced William K. Brinkman, a former Explorer Member of the Rye Fire Department. He said that “Kole” has been a member of the Explorers for a number of years and will serve the City well.

Mayor Otis made a motion, seconded by Councilman Cunningham and unanimously carried, to approve the election of William K. Brinkman to the Poningoe Engine and Hose Company by the Board of Fire Wardens at their April, 2008 meeting.

4. Approval of the election of the Chiefs of the Rye Fire Department

In accordance with Article 13, Section 2 of the Rye City Charter, the Mayor made a motion, unanimously carried, to approve the election of George Hogben as Chief of the Rye Fire Department; Peter Cotter as 1st Assistant Chief; and Anthony Scarfone as 2nd Assistant Chief at the meeting of the Board of Fire Wardens held April 3, 2008. The Mayor thanked the Chiefs for what they do for the citizens of Rye.

5. Recap of completed and ongoing efforts related to the April 15, 2007 flood

Mayor Otis noted that this marked the one year and one day anniversary of the devastating storm that hit Westchester County causing severe damage to the City of Rye. The repair work continues and the City is working with the Federal Government, State Government, County Government and resident groups such as the Flood Action Committee. The process is slow but the City is making good progress on mitigation plans. Congresswoman Nita Lowey has been especially effective in bringing Federal money into the County and the Mayor has been appointed to the County Flood Action Committee where he serves on the committee that decides the criteria for how County money will be spent for mitigation projects. Mayor Otis then asked City Manager Paul Shew and Assistant City Manager Scott to update the Council on where the City was in the post-flood process. City Manager Shew said that one year ago the Council directed the staff to take the steps necessary to get people back on their feet and now the City is one-third of the way through the 36-month recovery time frame. During the year, the City managed to keep normal programming moving while at the same time focusing on flood recovery and mitigation, which included passage of special legislation to help people elevate their homes. He said that Assistant City Manager Scott Pickup has been working with the “flood” of paperwork since last April and asked him to report on his efforts. Mr. Pickup said that the City is currently engaged in about five major projects, some dealing with recovery from the damages from the storm and some mitigation projects. He said there is some frustration on the part of staff about the amount of time it takes to coordinate projects through the Federal Highway System and the FEMA grant process. The Central Avenue Bridge deck has been removed but we have yet to receive final design approvals to replace the bridge and raise the bridge deck to achieve hydrologic improvement for Central Avenue from the Federal Highway System, the source for the funding. In connection with the Theodore Fremd Avenue wall, staff has been meeting with Con Edison about their gas transmission line located in the wall, which will impact

the reconstruction. The Elm Place wall project is just about ready to come back to the City Council for review in May so, hopefully, bids can be awarded in June. Con Edison has already started some of their work on Elm Place. The Bowman Avenue sluice gate project is moving forward with a hazard mitigation grant application made possible because the City Council had adopted a Hazard Mitigation Plan. The final review by FEMA for the money is scheduled for April 24th. The project causing the greatest inter-agency discussion is the dredging of Milton Harbor. There are currently four different permitting activities under review with various agencies of the State. It is hoped that one will be approved and can “piggyback” with another project the Boat Basin is pursuing or can be done as a stand-alone project, which would require additional FEMA money. The total of all activity equals about \$6.5 million in projects in various stages of approvals, review or construction. Staff believes that the City is in a good position with all the projects and will continue to work on them and keep the community updated. The net impact of the work, which will not fix all of the flooding conditions, should mitigate the severe impacts of flooding. The City will continue to work with agencies such as the Army Corps of Engineers and elected officials to talk about upstream projects that require multiple jurisdictional approvals and solutions such as upstream detention to reduce high peak flows during large storm events. Mayor Otis gave special notice to the work done by Mr. Pickup as the City’s point person in the area of flood recovery, which is in addition to all his other duties as Assistant City Manager. The Mayor said that there is no “silver bullet” for flood mitigation but multiple projects can lower our risk and buy more protection in flooding events. The County is trying to get everyone in the County to adopt state of the art water retention standards in building. The Mayor said he has been involved in flood meetings just about every week for the last year and feels progress has been made but there is much still to be done.

The Mayor recognized *Carolina Johnson of the Flood Action Committee*, who asked if the City was still looking at adding a “flood czar” position? Mayor Otis said that in the last year the City Naturalist has left and the position was being redesigned to one of an Environmental Coordinator. The City has utilized engineering firms such as Chas. Sells to augment staff on flooding issues as well as former City Manager Frank Culross. In response to her question on the Sells report on the lower pond, the Mayor said that it was not ready yet.

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

Henry King, 76 Coolidge Avenue, came to discuss the Beaver Swamp issue. He believes that on April 8th the D.E.C. (Department of Environmental Conservation) approved Harrison’s permit application. Mayor Otis said that an April 8th email indicated that the D.E.C. was leaning toward approving the work on the remediation plan previously done by the Town of Harrison, which has been challenged by the City of Rye. Both he and Corporation Counsel Kevin Plunkett have spoken with the Regional Director of D.E.C. to express the City’s disagreement with that direction and asked that the City’s consultants be allowed to meet with D.E.C. staff in order to present the City’s side before any decision is reached. The redevelopment plan for the ball field is still being considered by the Administrative Law Judges. There is a new administration in the Town of Harrison and the City sent representation to a meeting held in Harrison last week to look at what the Town is thinking of doing and our engineers are now reviewing the Town’s proposed plans. The City will continue to take an aggressive stand.

Robert Schubert, Forest Avenue, came to discuss his problem of a lack of water coming into his pond. He again asked the City to intervene in his problem to force restoration of the pond to its previous state. Mayor Otis reiterated the previous suggestion of the Council for Mr. Schubert to approach his neighbor and offer to pay to repipe water from their drywell back into his property.

Richard Izzo, 63 S. Ridge Street, Rye Brook, spoke on behalf of the Westchester Toughman Half-Ironman Organization, requesting a permit to hold a half-ironman race in the City in September. Mayor Otis said that their application for a permit had been scrutinized by City staff according to a protocol set up by City Manager Shew in 2003 that requires all entities that will be involved with a race, sit down at the same table and discuss the particulars. It is the recommendation of both the City Manager and the Police Commissioner that a permit not be issued for this event, coming two weeks after the annual Westchester Triathlon, because it would be too taxing on both the area residents and the City workforce (requiring participation of up to 80% of Police Department staff). The Council concurred with the advice of staff.

7. Continuation of public hearing to amend Chapter 133, Section 133-8 (E) (Noise, Construction work restricted to certain hours and days) and Section 133-9 (Penalties for offenses) of the City Code of the City of Rye

Mayor Otis began by stating that this discussion began in January based on complaints from residents that construction activity was occurring outside the restricted hours and days. The Council has been looking to find the best way to achieve compliance. A suggestion was made at a previous Council meeting that the City adopt the New York City policy of banning construction activity on Saturday. He said he was not prepared to support the Saturday ban because it had not been a part of the original discussion. He believed the Council should stay focused on the penalty aspect to encourage compliance by providing some sort of additional deterrent, either by increased fines or the imposition of a stop-work order. There have been several drafts of the law, including a new version circulated today, so the Council will not be able to vote on it tonight. In the new version, the Judge who imposes the amount of a fine also determines if a stop-work order should be imposed. Councilman Sack said the Council must also discuss the definition of "construction work" and deal with activities that actually cause noise. Councilman Ball agreed that the definition must be refined and that the Saturday ban should be cut out of the discussion. Councilman Pratt reiterated that the current discussion resulted from failure to comply with the law that was passed by the Council last April and asked members of the construction industry who were present for input on what type of penalties could be imposed by the Council that would ensure their compliance with a ban on rock chipping and construction work outside the regulated hours. Councilwoman Gamache said that the Saturday ban was brought up because of the compliance issue and the enforcement of it, which is taxing on the Police Department. Mayor Otis asked for comment from the public, including the many members of the construction industry who were in attendance.

Contractors including *Andy Bodner, Joseph Kennedy, James Scoli, Roger Paganelli, Joe Lorano, Paul Cuzapoli, Doug Clark, Joe Bilotta, Dennis Purdy, Robert Rispoli, Daniel Gretto and David Turiano*, raised the following points:

- Saturday is the only day some contractors can meet with homeowners;
- Not all contractors are aware of the current law and those contractors who do follow the law should not be penalized because of those who don't;
- A Saturday ban on construction work would cause an economic hardship for many contractors and construction workers who do small jobs on Saturdays;
- The amount of the penalty should be raised, including possible jail time;
- The permit holder should be held responsible, not the workers;
- Enforcement is the responsibility of the Police Department;
- Define what constitutes noise as not all construction activity is noisy;
- Use a decibel meter to measure noise violations;
- Rock chipping should only be banned on Saturdays in June, July and August;
- The proposed draft discriminates against the construction industry.

Others commenting on the proposed law included: *Jonathan Kraut, 8 Preston Street*, who said that if rock chipping is the real concern, the problem should be defined better because much of the proposed law does not concern rock chipping. He said the existing statute has Constitutional issues and advised against passing legislation that invites lawsuits. He also advised the Council to think before passing legislation that affects workman financially and suggested that a task force be established, which would include representatives from the construction industry, to focus on the problem before the law is redrafted. *Janet Paganelli, an attorney who represents builders and developers*, said that contractors are the ones responsible for the look of the community and that a law should be drafted that is in the best interests of the construction trade. *Holly Kennedy, 105 Mendota Avenue*, said that Indian Village has been under construction for the last year and if construction had been banned on Saturday it would have prolonged the process. *Pat MacCarthy, 60 Summit Avenue*, said the draft law should be tossed and the Council should focus on noise and enforcement.

After listening to the public comment, Mayor Otis closed the agenda item for redrafting.

8. Public hearing to amending Chapter 177 of the Code of the City of Rye to grant an exemption to cold war veterans who meet the requirements of Section 458-b of the New York State Real Property Tax Law

City Manager Paul Shew said that this law would allow Cold War veterans to receive an exemption, amounting to about \$35 and it is believed the exposure to the City financially would be under \$5,000. *Pat McCarthy, 60 Summit Avenue*, questioned the exemption and asked how it differed from the exemptions currently offered to veterans and why the City was moving so quickly. Mr. Shew responded that the legislation was received from the State and there was only a small window of time allowed for its adoption by local municipalities in order for veterans to qualify for the exemption this year. Councilman Ball added that he had received many emails in support of the legislation from the American Legion.

Mayor Otis closed the public hearing and made a motion, seconded by Councilman Pratt, to adopt the following local law:

CITY OF RYE

LOCAL LAW NO 2-2008

A local law to amend Chapter 177, Taxation, by adding Article X “Cold War Veterans Tax Exemption” to the City Code of the City of Rye

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

Section 1. Chapter 177 “Taxation” is hereby amended by adding Article X “Cold War Veterans Tax Exemption” as follows:

§ 177-65. Purpose.

The purpose of this Article is to grant Cold War veterans who meet the requirements set forth in Section 458-b of the New York State Real Property Tax Law with a real property tax exemption.

§ 177-66. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

ACTIVE DUTY – means full-time duty in the United States armed forces, other than active duty for training.

ARMED FORCES – means the United States Army, Navy, Marine Corps, Air Force, and Coast Guard.

COLD WAR VETERAN – means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, was discharged or released therefrom under honorable conditions and satisfies any other requirements set forth in Section 458-b(1)(a) of the New York State Real Property Tax Law.

LATEST CLASS RATIO – means the latest final class ratio established by the New York State Board of Real Property Tax Services pursuant to title one of article twelve of the New York State Real Property Tax Law for use in a special assessing unit as defined in section eighteen hundred one of the New York State Real Property Tax Law.

LATEST STATE EQUALIZATION RATE – means the latest final equalization rate established by the New York State Board of Real Property Tax Services pursuant to article twelve of the New York State Real Property Tax Law.

QUALIFIED OWNER – means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried

surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.

QUALIFIED RESIDENTIAL REAL PROPERTY – means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran; unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalized subject to such time limitations, if any, as are set forth in Section 458-b(1)(f) of the New York State Real Property Tax Law.

SERVICE CONNECTED – means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated in the line of duty on active military, naval or air service.

§ 177-67. Amount of Exemption; Limitations.

- A. Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent (15%) of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars (\$12,000) or the product of twelve thousand dollars (\$12,000) multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
- B. In addition to the exemption provided by subdivision “A” of this Section, where the Cold War veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of a service related disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars (\$40,000) or the product of forty thousand dollars multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
- C. If a Cold War veteran receives either an eligible funds veterans exemption authorized by Section 458 of the Real Property Tax Law or an alternative veterans exemption under Article II of this Chapter, the Cold War veteran shall not be eligible to receive an exemption under this Article.

§ 177-68. Duration of Exemption.

The exemption provided by § 177-67(A) shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this section. Where a qualified owner owns qualifying residential real property on the effective date of this Article, or such other date as may be set forth in Section 458-b(2)(c) of the New York State Real Property Tax Law, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this Article, or such other date as may be set forth in Section 458-b(2)(c) of the New York State Real Property Tax Law. Where a qualified owner does not own qualifying residential real property on the effective date of this Article, or such other date as may be set forth in Section 458-b(2)(c) of the New York State Real Property Tax Law, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this Section for the unexpired portion of the ten year exemption period.

§ 177-69. Application for Exemption.

Application for the exemption set forth in this Article shall be made by the qualified owner, or all of the qualified owners, of the property on the form prescribed by the New York State Board of Real Property Tax Services. The owner or owners shall file the completed form in the City of Rye Assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to refile as such times and under such circumstances as may be set forth in Section 458-b(4) of the New York State Real Property Tax Law. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the New York State Penal Law.

Section 2. Severability

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder thereof.

Section 3.

This local law shall take effect immediately upon filing in the Office of the Secretary of State.

ROLL CALL:

AYES: Mayor Otis, Councilmembers Ball, Cunningham, Gamache,

Parker, Pratt and Sack

NAYS: None
ABSENT: None

9. Consideration of setting a Public Hearing to amend a local law Chapter 133, Noise, Sections 133-3(A)(3)

Mayor Otis said there was an unintentional error in drafting the leaf blower law previously adopted by the Council that changed the hours for lawn equipment. Since that law does not take effect until June 1st, the proposed new law would correct that technical error and return all equipment referred to in that section, except for leaf blowers, to their previous hours.

Curtis Spacavento, local landscaper, inquired about the hours as they related to snow blower operation, especially the ban on using them before 8:00 a.m., stating that it would interfere with the ability of contractors to clear school or business parking lots prior to their opening in the morning. It was the consensus of the Council to remove the reference to snow blowers from the redraft of the local law.

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

WHEREAS, the Council wishes to amend Chapter 133, Noise, Section 133-3(A)(3) (Permissible intensity of noise) to the City Code of the City of Rye, 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 May 7, 2008 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 133, Noise, Section 133-3(A)(3)
(Permissible intensity of noise) to the City Code of the City of Rye**

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 7th day of May, 2008 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 133, Noise, Section 133-3(A)(3) (Permissible intensity of noise) to the City Code of the City of Rye.

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

Dawn F. Nodarse, City Clerk

Dated: April 28, 2008

10. Rye Golf Club resolution on rules amendment to Charter

Councilman Cunningham summarized his concerns, dating back to 2006, with the way the Rye Golf Club Commission nominating process works. He said there is a perception that there is not a transparency or real democracy at the Club relative to providing information to the membership pertinent to their interests. Since the by-laws of the Commission had not been updated since 1988, he felt it was time to ask them to look at updating them. The result is now before the Council for consideration. His concerns with the current resolution relate to the rules for standing committees and the Commission's responsibility for putting forward candidates for election. Councilwoman Gamache voiced several concerns, including:

- The lack of term limits for Commission Members and members of the Nominating Committee (It was pointed out that there are no term limits for any City Board or Commission);
- The requirements regarding the number of candidates on a ballot;
- The lack of turnover on the Commission;
- The process by which a member who is not put forth by the Nominating Committee can get their name on the ballot
- Possible review of the Golf Clubs finances by the City Finance Committee every two to three years.

Mayor Otis suggested that a delegation of not more than three Council Members go to a Golf Club Commission meeting and voice their concerns. The matter was tabled.

11. Authorization to fill vacant position in Recreation Department
Roll Call

City Manager Shew said that the vacant position was for Senior Recreation Leader, a position that was necessary for the upcoming Summer season.

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

RESOLVED, that the City Manager be and hereby is authorized to fill the vacant position of Senior Recreation Leader in the Recreation Department.

ROLL CALL:

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

NAYS: None

ABSENT: None

12. Authorization to fill vacant position in Rye TV.

Roll Call

City Manager Shew said that the position is vacant because the person currently holding the position of Assistant Community Access Facilitator in RTV is going back to school.

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

RESOLVED, that the City Manager be and hereby is authorized to fill the vacant position of Assistant Community Access Facilitator in Rye TV.

ROLL CALL:

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

NAYS: None

ABSENT: None

13. Request by the Police Department to dispose of obsolete and inoperable computer equipment.

City Manager Shew said that the equipment on the attached list prepared by the Police Department had been deemed obsolete and would be sold or recycled.

- 1 Samsung Sync Master 700B Plus Monitor Serial # kg17h80k104481v
- 1 Samsung Sync Master 750S Serial # dt17hcanb18001x
- 1 Samsung Sync Master 700B Plus Monitor Serial # kg17h80k110393n
- 1 Samsung Sync Master 750S Monitor Serial# DT17HCANB18001X
- 1 Samsung 700H Monitor Serial# KG17H80K110356R
- 1 Compaq 472P Monitor Serial# 50705277Y447
- 1 Compaq 472P Monitor Serial # 50705277Y422

1 Compaq 19 Inch Monitor V90 Serial # 744gb2ac30
1 Samsung Sync Master 700B+ Monitor Serial# KG17H80K110399M
1 Samsung Sync Master 700B+ Monitor Serial# KG17H80K110394E
1 Samsung Sync Master 700b + Monitor Serial # KG17H80K104462A
1 Samsung Sync Master 700B Monitor # KG17H80K104481V
1 Samsung Sync Master 700B+ Monitor Serial # KG117H80K110398J
1 Samsung Sync Master 700B+ Monitor Serial # KG117H80K110392X
1 Dell E772C Monitor serial # CNO9M556641802926FC
1 Dell E772C 17" Monitor Serial# CNO9M5566418029206CF
1 Dell E772C 17" Monitor Serial# CNO9M5566418029206DP
1 ADC Spectrum 5E 15" Monitor Serial # P5DAO6C690872
1 Hp Laser Jet 4 Plus Model # C2037A Serial # USFC275887
1 HP C2037A Printer- Serial # USFC275860
1 HP C2037A Printer- Serial # USFC275864
1 HP Laser Jet 4 Plus Printer Serial # USFC275885
1 HP Laser Jet 2100 Serial # USCD020824
1 HP LaserJet 4 Plus Printer. Serial # USFB099646
1 Printer paper delivery assemble
1 Printer Roller
1 Compaq Armada Laptop Computer Serial #1J82CB23N301
1 Compaq Armada Docking Station Serial #3872B633
1 Compaq Armada 1700 lop top Computer Serial # 1J92CB23N20N
1 Compaq Docking Station and monitor Stand Serial # 3J93C8X12KGD
1 Compaq Armada 1700, Serial # 6233/sw/3200/dm/1
1 Compaq Armada E500 Serial Number AE5P3800T4XL0DC6498
1 Compaq Armada portable (laptop) computer
Compaq Armada software and parts for Compaq portable laptop
1 Compaq Deskpro EN Serial #V113DYSZA908
1 Compaq EVO D515 Serial Number W245K9ZD107
1 Compaq EXM Serial Number 6052FR4ZD800
1 Compaq Deskpro EN Serial# V113DYSZA909
1 Compaq Deskpro EN Serial #V113DYSZA910
1 Dell Optiplex GX270S Serial Number BFMHN31
1 Dell Optiplex GX270S Serial Number DMKHN31
1 Dell Dimension 4400 Serial Number GTN7F11
1 Dell Dimension 4400 Serial Number 4VN7F11
1 Unknown Make Unknown Model Serial # DX228X000380 (Old R911 Server)
1 Sci Edge IBM Clone Serial # 16761
1 Sci Edge IBM Clone Serial # 16763
1 HP Pro Curve 2224 Switch Serial Number E141136
1 Polaroid Photo Max Serial # NS01T9913000958
1 Compaq CD Rom Drive Model # CRD 8322b (cpi)
1 Panasonic CF-27 Toughbook Laptop Computer Serial 3# 1FKYA04460
1 Panasonic CF-25 serial # 7KKS04921
5 Panasonic CF-27's serial # 1FKYA03660, serial # OBKSA13290, serial #OBKSA12940, Serial #1FKYA03661, Serial # 1FKYA04360
12 Sierra Wireless MP200 CDPD Wireless Modems for Patrol Cars

8 Sierra MP 555 1xRT Wireless Modems for Patrol Cars
1 Fast Com F9200 Router Serial # 82G82437
1 HP scan jet 4C large scanner

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

WHEREAS, the City has been provided with a list of computer equipment that the Police Department has identified as being obsolete and has removed from service; and

WHEREAS, the Police Department has recommended that said computer equipment be declared surplus; now, therefore, be it

RESOLVED, that said computer equipment is declared surplus; and be it further

RESOLVED, that authorization is given to the City Comptroller to sell or dispose of said computer equipment in a manner that will serve in the best interests of the City.

ROLL CALL:

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

NAYS: None

ABSENT: None

14. Bid rejection for Truck-Mounted Tree Trimmer
Roll Call

City Manager Shew said that the staff recommendation is to reject both bids received for a replacement vehicle because one came in higher than expected and the other did not meet the City's specifications.

Mayor Otis made a motion, seconded by Councilwoman Gamache to adopt the following resolution:

RESOLVED, that both bids submitted for Bid #2-08 for One Truck Mounted 75 ft. Tree Trimmer Device and Flatbed be rejected.

ROLL CALL:

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

NAYS: None

ABSENT: None

15. Appointment to Board of Assessment Review

Mayor Otis made a motion, unanimously approved, to appoint former City Councilman Ed Collins to the Board of Assessment Review to fill out a term expiring September 30, 2012.

16. Miscellaneous communications and reports

Councilman Cunningham said he would like to put something on the next agenda regarding demolition fees in order to define the issue before the next budget season. He also said he would like to discuss the upcoming bids for the section of the Boston Post Road diet from the Golf Club to the Mamaroneck line. He is in favor of the project and wants to see a good public discussion beforehand so the bids will not be held up. Councilman Sack agreed, adding that he and Councilwoman Gamache had discussed the diet proposal at a recent District One meeting and did not get any negative feedback. Mr. Shew advised that staff is moving forward on the project and had recently met with the Village of Mamaroneck Police, who expressed an interest in the diet as a way of improving safety. He also advised that the diet project for the section of the Boston Post Road near the High School was still on track. Mayor Otis added that the City should consider using more sophisticated technology for marking crosswalks.

Councilman Sack said there was recently an article in a local newspaper on the operations of the Golf Club. The Golf Commission has crafted a response, which has not yet been published and he is sure the Golf Commission would be happy to share it with the public if there is interest.

17. Old Business

Councilman Ball asked that the Council receive an update about Verizon meeting their deadline to activate their PEG (Public Education and Government) channels.

18. New Business

Councilman Sack in furtherance of the discussions on flooding and tax exemptions earlier in the evening, inquired about the possibility of tax rebates or low cost loans to people who want to raise their homes but otherwise would not and for some sort of retroactive compensation for those who have already done so. Assistant City Manager Scott Pickup said he would provide the Council with updated data received from the National Flood Insurance Program.

19. Draft unapproved minutes of the regular meeting of the City Council held April 2, 2008

Councilman Pratt made a motion, seconded by Councilman Cunningham and unanimously carried, to adopt the minutes of the regular meeting of the City Council held on April 2, 2008, as amended.

20. Adjournment

There being no further business to discuss, Mayor Otis made a motion, seconded by Councilman Ball and unanimously carried, to adjourn the meeting at 11:55 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk