

***APPROVED MINUTES*** of the Special Meeting of the City Council of the City of Rye held in City Hall on June 30, 2008 at 8:00 A.M.

PRESENT:

STEVEN OTIS, Mayor  
ANDREW C. BALL  
MACK CUNNINGHAM  
CATHERINE F. PARKER  
JOSEPH A. SACK  
Councilmembers

ABSENT: Councilmen Pratt and Councilwoman Gamache

1. Pledge of Allegiance

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

2. Roll Call

Mayor Otis asked the City Manager to call the roll; a quorum was present to conduct official City Business

3. Consideration of Resolution submitting application to the NYS Office of Parks, Recreation, and Historic Preservation for acquisition of the Bird Property

A resolution was introduced for passage for the City to file an application with the New York State Office of Parks, Recreation and Historic Preservation. The application is for up to \$600,000 for the acquisition of 600 Milton Road (aka the Bird House property).

Mr. Sack and others expressed a concern about receiving material for the first time at the special meeting since this had been a topic of discussion for many months (*noted that sometimes the State announces programs on or near deadlines*). The Council was assured this application did not in any way bind the City to acceptance of the award or purchase of the property, but that this date (June 30<sup>th</sup>) was the last date upon which to file the application. When the grant is awarded by the State, the Council will be provided the more specific terms and conditions involved in accepting the same, and a further vote would be required.

A concern was voiced about the project narrative regarding a prohibition of any new buildings, and that will be dropped unless it negates the application. All the Council members were assured that no binding agreements were made by the City prior to accepting a grant. A plan is needed that would specify how the property is to be maintained and managed. The Council asked that the 'Save Bird Homestead' group provide details of this plan as soon as possible, including the funding scheme.

Mr. Sack also expressed concern about liability and access issues raised by a potential purchase of the property by the City, and asked that these be addressed before a final decision on the property is made.

Mayor Otis made a motion, seconded by Mr. Cunningham and unanimously carried to adopt the following resolution:

**RESOLVED**, that the City Council designates itself as Lead Agency and based on its review of the Environmental Assessment Form (EAF), the criteria listed in Section 617.7(c) of SEQRA and the complete record, the City Council finds that the proposed unlisted action will not have a significant adverse environmental impact and adopts a Negative Declaration; and

**BE IT FURTHER RESOLVED**, that the City Council finds that the proposed action is consistent with the City's Local Waterfront Revitalization Program (LWRP) policies, standards and conditions identified in §73-5.D, *Coastal Zone Management Waterfront Consistency Review*, of the City Code; and

**BE IT FURTHER RESOLVED**, that O. Paul Shew, as City Manager of the City of Rye, is hereby authorized and directed to file an application for funds from New York State Office of Parks, Recreation and Historic Preservation in accordance with the provision of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$600,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this municipality for acquisition of 600 Milton Road, Rye, New York and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

4. 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 8:31 a.m.

Respectfully submitted,

O. Paul Shew  
City Manager