

**APPROVED MINUTES** of the City  
Council Meeting/Budget Workshop of the City of  
Rye held in City Hall on November 19, 2008 at 7:00  
P.M.

PRESENT:

STEVEN OTIS, Mayor  
ANDREW C. BALL  
MACK CUNNINGHAM  
PAULA J. GAMACHE  
CATHERINE F. PARKER (arrived at 7:15 p.m.)  
JOSEPH A. SACK (arrived at 7:09 p.m.)  
Councilmembers

ABSENT: GEORGE S. PRATT

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.

Budget Workshop

Mayor Otis welcomed everyone to the fourth workshop on the 2009 Budget and said that the topics of discussion this evening would be the Boat Basin and the Library. The Golf Club will be discussed at a workshop to be held on December 1<sup>st</sup>.

**Boat Basin** City Manager Paul Shew said that the dredging of the harbor is taking place but more important is the fact that it takes longer to accumulate the money for the dredging than the life of the dredging project itself. Boat Basin Supervisor Peter Fox said he was astounded by the close to \$2 million price of dredging this time when only a few years ago the price was around \$250,000. He said the Boat Basin Commission has set up a subcommittee to look into viable funding sources for down the road, including Federal Funding or rate increases. He added that they are trying to reduce the \$1.845 million amount of the dredging project by doing some of the work in house and hope to come in about \$60,000 under budget. Mr. Fox said that fees have been increased by 5% for next year, which is up 1% over the fee increases for the last few years. In comparing the fees charged, he said that non-residents pay a fee comparable to what commercial yards charge and residents pay about 60 - 65% of that amount. Approximately 75% of those having boats at the Marina are residents and 25% are non-residents and there is a waiting list for both. There is a growth in kayak use and last year everyone who wanted space

was accommodated and pays a launching fee. Looking to the future, Mr. Fox said the he would like to see a budget line for dredging reserve and was hoping there could be more assistance from the Army Corp of Engineers. He said he has started talks with New Rochelle, Mamaroneck and Greenwich to see if they can synchronize their dredging clocks and hopes that a Dredging Team approach can be helpful.

**Rye Free Reading Room** Mayor Otis began the discussion by saying that last year the Library was given \$1,173,000 and the amount budgeted for them in the 2009 budgeted is \$1 million, which represents a cut of \$173,000 not \$244,000 as claimed by the Library. He added that the Library has done better than others in the past and the Council must deal fairly with all departments. He then introduced Karen Bresolin and Kurt Hadelers who were there to make a presentation on behalf of the Library. Ms. Bresolin said that the Library is “stunned” by the City’s proposal and believe they are being targeted to receive the most cuts. A study done several years ago indicated that Chapter 414 might be a good way for the Library to organize itself for funding purposes but it has been difficult due to damage suffered during the 2007 floods and replacing the director and, therefore, they have decided not to go forward at the present time. They are concerned that they are being compared to the City’s Enterprise Funds because they are a not-for-profit organization and are not allowed to charge for books and don’t want to have to charge for their programs. Mr. Hadelers said he understands that they may need to take on a smaller economic footprint but their budget was prepared in August before the beginning of the Annual Fundraising Campaign, from which they hoped to raise \$220,000. At this point they have fallen 49% short of where they were at this time last year. He said reduced funding will affect the hours they can be open and the number of books and DVD’s they can purchase and would involve deferring maintenance and shifting Library Auxiliary Board funding to core operations instead of programs. Funding at the same level as last year could mean they would no longer be able to open on Sunday.

Comments and questions from the Council included:

- Most Library contributors have been here for many years but most program users are new. Have they looked into tapping the new users for donations as well as the residents of The Osborn, where the Library maintains a second campus? (A fundraiser is planned at The Osborn in the Spring.)
- Periodic updates to the Council from the Library during the year would be helpful in order to understand their day-to-day travails.
- The Library is very important to the community. Are there any grant opportunities not being tapped into that could be helpful? (There are always grant opportunities out there for programs and building renovations but it can be time consuming and takes staff away from servicing the public.)
- Library spending has outgrown the rest of the City budget in the last ten years and the lack of equity was not pointed out when they received more money than other departments.
- The tentative budget increase is 5.95%. If library funding remains flat the rate increases to 6.9% and if they receive the entire amount requested, the increase it would go to 7.26%.

- What is happening with other libraries? (Peekskill is going for a Chapter 414 vote; Harrison is not sure if their funding will be flat or cut; White Plains is anticipating a cut and some up County libraries could get small increases.)
- The number in the budget is meant to facilitate a discussion as to what level of funding should be given to the library.
- What the City can afford is what will drive the discussion. Cutting library hours is going on throughout the County, but the hours the Reading Room is proposing to cut are too many.
- Look at this budget as a two-year window and cut now so it does not have to be done again next year.

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The budget workshop portion of the meeting was concluded at 8:50 p.m. and after a brief recess, the Council reconvened for the Regular City Council meeting at 8:59 p.m.

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Mayor Otis began the meeting by congratulating the Varsity Girls Soccer Team for winning the State Championship last weekend and made a motion, seconded by Councilman Cunningham and unanimously carried, to adopt the following Resolution:

WHEREAS, the City of Rye places great value in sports, scholastic athletics, competition, and excellence; and

WHEREAS, soccer has long thrived in the City of Rye from great teams of past eras to the huge success of Rye Youth Soccer today; and

WHEREAS, the Rye Varsity Girls Soccer Team is made up of exceptional young women whose skills at each position have blended “together” to become champions; and

WHEREAS, Tatiana Saunders, Jessi Tremayne, Grace Leishman, Madeleine Chabot, Natalie Stein, Rita Futamura, Captain Stephanie McGowan, Lia Bellizzi, Captain Sarah Leishman, Amanda Benincasa, Carter Talgo, Captain Alexandra Rimmer, Alexandra Springer, Kaelyn Lucas, Stephanie Alimena, Victoria Pacos, Alex Jordan, Natalie Moore, Lauren McRedmond, Rebecca Walsh, Lindsay Welhoelter, Catharine Greer, Kelly McRedmond and Erin McCarty have achieved a level of excellence in the sport of soccer by winning the 2008 State Championship; and

WHEREAS, the leadership, dedication, and support provided by Head Coach Rich Savage, who has led the Rye Garnet program for the last 13 years, and has been named League Coach of the Year for this championship season; and

WHEREAS, Assistant Coach Kim Mooney and Junior Varsity Coach Kate McCarthy have also provided the guidance, coaching, and encouragement without which this championship would not have been possible; and

WHEREAS, great defense was a hallmark of this championship season, compiling an impressive record of 18-4-1, allowing only 19 goals against in the entire season and only 2 goals against in the post-season; and

WHEREAS, the Class A title is even more impressive with the Garnets defeating four-time defending champions, South Side High School from Rockville Center, Long Island by a score of 1-0 in a stirring battle of great teams; and

WHEREAS, the spirit and outstanding success of the Rye Varsity Girls Soccer Team brings great pride and happiness to our community for this wonderful victory;

NOW, THEREFORE BE IT RESOLVED, the Rye City Council pauses in its deliberations to express the congratulations, appreciation, and commendation on behalf of the people of the City of Rye, does hereby, congratulate the 2008 Rye Varsity Girls Soccer Team for an outstanding season, a hard-earned record of success, and their well-deserved 2008 Class A Soccer State Championship...we salute you.

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

*Henry King, 76 Coolidge Avenue*, came to ask about the Issues Conference held the previous day regarding Beaver Swamp. Corporation Counsel Kevin Plunkett said that the conference had been held before the Administrative Law Judge and 12 representatives from the Department of Environmental Conservation (DEC) attended, including its Regional Director, as well as representatives from the Town of Harrison (Town Supervisor, a Town Attorney and Town Engineer) and representatives from the City (himself and Kristen Wilson from the Law Department and the City's Hydrology and Environmental Experts). The purpose of the conference was to identify the issues that need to be addressed by the Administrative Law Judge in addressing the City's concerns with respect to a project in Harrison that would affect the Beaver Swamp Brook. He said the number attending from the DEC showed that they place a high priority on this matter and he believed we are beginning to see an effort to try to work together to address the problems. Arguments must be made to the Judges with submissions due by February and then a decision will be made on what the issues are that will be addressed.

*John Carey, 860 Forest Avenue*, came to speak about Verizon and Cablevision. He said that a report received the day before on Verizon's Network Review Plan says that the inspections of existing installations indicates that 36% passed and 64% failed. He said this is disturbing because the Public Service Commission has let us down in regards to sharing where there are failures. He asked how local staff could enforce the State Electrical Code adequately when we don't know where the problems are. He added that the recommendations of the Public Service Commission for amending Verizon's plan do not include any of the requests made by the City. In connection with Cablevision, he said that increases in fees have been notified indicating that they were the result of continually rising programming costs and operating expenses. He said

according to an article in the New York Times, they are ahead in their revenues but losing on investments and he does not think that should be borne by the subscriber. In a different area, he said that back in a period of economic crisis in the 1970's, the Council took an extreme measure regarding funding to the Library. The Council appropriated half of what they wanted to give the Library for the year, with the understanding that it would cover the months of January through June and if things straightened out before June, the full amount would be appropriated.

*Robert and Rita Schubert, 980 Forest Avenue*, came to speak about the pond on their property. Mr. Schubert said that due to the hour he was not up to a long discussion but would return at the next meeting because he has a list of 25 questions he wants to ask the Council. Mrs. Schubert said that she would like to see the issue resolved and had approached her neighbors, who believe they did the right thing. She said she saw two sets of plans prepared by her neighbors' engineer, one that said the drywell will go "into the underground stream to Schubert's pond" and a second that indicated on the spot where the drywell is marked, "future outlet". She inquired as to what "future outlet" meant. The Mayor thanked Mrs. Schubert for the additional detail but said he felt that explaining the engineer's plans was a question for her to ask her neighbor. He suggested that she continue the dialogue with her neighbors.

4. Citizen and Organization Comment and Council discussion of the 2009 Tentative Budget

Mayor Otis said he believed much of the discussion related to this item has probably been covered at the budget workshops and added that the next workshop would be held on Monday, December 1<sup>st</sup> at 7:00 p.m. and another workshop would be held on December 3<sup>rd</sup> at 7:00 p.m., prior to the regular Council Meeting. He asked Council Members if they had any additional comments. Councilman Cunningham asked that Comptroller Genito provide in the Friday packets a report on what his budget assumption was on mortgage recording tax. He also suggested taking another look at the idea of once a week garbage pickup for the 2010 budget in order to determine if it could provide an opportunity for cost savings. Mayor Otis said it is always good to revisit issues, but in the past it was determined that this would not cut costs significantly and residents have indicated that they do not want reduced garbage pickup.

5. Resolution to amend changes to local law Chapter 191, Vehicles and Traffic, of the Rye City Code by amending Section 191-21, "Parking, standing, or stopping", to include the northeast side of Franklin Avenue from a point approximately thirty (30) feet north of Sonn Drive and erecting a "No Parking Here to Corner" sign  
Roll Call

Councilman Cunningham reported that, at the request of the Council, this issue was discussed at the Traffic and Transportation Committee meeting. The issues in the particular section of Sonn Drive and Franklin Avenue relative to the width of the street and neighbor concerns were discussed as to the precedent it might set for other areas but it was noted that the intersection of Sonn and Franklin could be considered a crosswalk area, and, under the Vehicle and Traffic Law of New York State found an opportunity to recommend a 30' offset on the east side to improve the safety of both pedestrians and vehicles. It was requested that the Police Department enforce this restriction on parking as soon as the signs are erected.

Councilman Ball made a motion, seconded by Councilwoman Parker to adopt the following Resolution:

**RESOLVED**, that Section 191-21, "Parking, standing, or stopping", of the City Code be amended to prohibit parking on the northeast side of Franklin Avenue from a point approximately thirty (30) feet north of Sonn Drive.

**ROLL CALL:**

**AYES:** Mayor Otis, Councilmembers Ball, Cunningham, Gamache, Parker and Sack  
**NAYES:** None  
**ABSENT:** Councilman Pratt

6. Resolution to transfer funds from the Katherine T. Woods Fund to the Rye Nature Center in support of an internship this summer  
Roll Call

City Manager Shew said that the money in this fund is not from tax dollars, but rather from an endowment that was set up many years ago. The interest from the fund is used for internships at the Rye Nature Center

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

**RESOLVED**, the City Council of the City of Rye hereby authorizes the City Comptroller to transfer \$1,469.50 from the Katherine T. Woods Fund to the Rye Nature Center to fund an internship.

**ROLL CALL:**

**AYES:** Mayor Otis, Councilmembers Ball, Cunningham, Gamache, Parker and Sack  
**NAYES:** None  
**ABSENT:** Councilman Pratt

7. Miscellaneous communications and reports

Councilman Cunningham asked a question relative to the budget process and contractual costs charged to the departments in the coming year. Will the assumptions made by the Comptroller during July in computing these costs be revised based on the current commodity prices of oil and gasoline? He asked that Comptroller Genito provide that information to the Council.

Councilwoman Gamache reported that on Monday, November 24<sup>th</sup> at Rye Neck High School there would be a discussion and viewing of a hydrogen car. The discussion will be held

in the Community Room from 3:30 to 3:50 p.m. and the viewing in the parking lot from 4:10 to 4:30 p.m.

Councilwoman Parker reminded everyone that the annual Mistletoe Magic event, sponsored by the Rye Merchant's Association, would be held on Sunday, November 23<sup>rd</sup>.

Mayor Otis reported that on Friday, November 14<sup>th</sup> he spoke at a conference of the Westchester Land Trust on open space land acquisition about the process the City went through in purchasing the Rye Nursery property.

Councilman Ball said that the defending State Champion Rye Football team has won its sixth Section I title as well as its quarterfinal state playoff game. On Saturday, November 22, in Kingston they will be playing a team from Washington County as they continue on in their attempt to repeat as State Champions.

8. Old Business

There was no old business.

9. New Business

There was no new business.

10. Draft unapproved minutes of the regular meeting of the City Council held November 5, 2008, the Budget Workshop held on November 10, 2008, and the Budget Workshop held on November 12, 2008

Mayor Otis made a motion, seconded by Councilman Cunningham and unanimously carried, to adopt the minutes of the regular meeting of the City Council held on November 5, 2008, the Budget Workshop held on November 10, 2008, and the Budget Workshop held on November 12, 2008, as amended.

11. 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 9:44 p.m.

Respectfully submitted,

Dawn F. Nodarse  
City Clerk

