

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on November 4, 2009 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
Councilmembers

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 began the meeting by offering congratulations to the newly elected Mayor, Doug French and Council Members Peter Jovanovich, Suzanna Keith and Richard Filippi and wished them good luck for next year. He also congratulated his running mates Myles Lavelle, Joe Murphy and Andy Ball. The Mayor said the 12 years he has served the City was a tremendous honor and privilege. He said he wished all the best for Rye.

Mayor Otis also sent his congratulations to the Rye High School football team for their tremendous season that ended with their loss to Poughkeepsie in the final moments of the game last weekend. He also noted that the Manhattanville College hockey team's new season begins on Friday evening at Playland.

Councilman Cunningham said that the field hockey team would be playing their archrivals Lakeland at Manhattanville in a championship game. Councilman Sack noted that the girl's soccer team had won their last two games and would be playing again on Tuesday.

Councilman Pratt reminded commuters that the deadline for returning commuter parking renewals was Friday, November 6th at 5:00 p.m.

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

Arthur Stampleman, 720 Milton Road, updated the Council on the activities of the Aging in Place Task Force. He said they will be contacting Rye seniors and organizations important to seniors to familiarize them with the concept, and determine what interest there may be in such an organization because the needs and interests in each community are different. A one-page survey can be downloaded from the Rye Record website and returned by mail. He added that people can email him with ideas for additions to the Resource Directory. *Joe Murphy, 57 Franklin Avenue*, said he would like the City Council to endorse this endeavor.

4. Report from the City Manager on the acceptance of a quit claim deed between the Hannan Place Homeowners Association and the City of Rye

City Manager Culross reported that as part of the application process for federal stimulus money relating to this Safe Routes to School sidewalk project, it was determined that the City needed to acquire an additional 2,995 feet of right-of-way from the Hannan Place Homeowners Association to provide adequate sidewalk separation width requirements. The Association has offered the City a quit claim deed. The Council is asked to accept the deed and authorize the City Manager to execute the required real estate transfer tax forms.

Councilman Pratt made a motion, seconded by Councilwoman Gamache to adopt the following Resolution:

WHEREAS, the residents of Johnson and Hannan Place neighborhoods requested that the City of Rye (the "City") construct a sidewalk along Boston Post Road between the Mamaroneck line and Johnson Place to improve pedestrian access to Rye Neck School; and

WHEREAS, the City of Rye has been the fortunate recipient of Federal stimulus funding that it is able to put towards the \$130,000 project cost; and

WHEREAS, the permitting process for the stimulus money requires that the City be the owner of the property prior to receiving the funding for the sidewalk construction; and

WHEREAS, in order to construct the sidewalk, the City needs approximately 2,955 square feet of land (the "Property") that is part of the common property owned by the Rye Woods Homeowners Association (the "Rye Woods HOA"); and

WHEREAS, the Rye Woods HOA has agreed to deed the Property to the City for the purposes of constructing the sidewalk; and

WHEREAS, the Rye Woods HOA has provided the City with a Certificate dated October 30, 2009 certifying that a vote of the Rye Woods HOA was duly

taken and that a majority of the homeowners voted in favor of deeding the Property to the City; and

WHEREAS, the Rye Woods HOA and the Preserve at Rye Homeowners Association have entered into an agreement regarding the future maintenance of the sidewalk and abutting property.

NOW, THEREFORE BE IT RESOLVED, that the City Council authorizes the City Manager to sign the necessary recording documents to file the deed with the Westchester County Clerk.

ROLL CALL

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

NAYS: None

ABSENT None

5. Miscellaneous communications and reports

Councilman Cunningham said the message of the election is that the public is looking for this and future Councils to eliminate tax increases. He said the challenge to the City Manager is to see what can be done to get to that goal. He said he believes it will be difficult to do so, but it is an opportunity to look at any areas within the City that can be cut back. He added that he believed any cuts made should be across the board, with no department taking a bigger hit than any other. The current fiscal year has been a response to last year; many expenditures have been cut back, but the City has certain obligations that must be met. He said any discussions of a 0% tax increase should include what the public could expect in terms of service levels and quality of life issues.

Councilman Pratt said the public needs to know the basic revenue model of the City, which is two-thirds of revenue comes from property taxes and one-third from elastic revenues. In the past, budget surpluses resulted from under-budgeting for elastic revenues. He said a report on why Police overtime is down from last year would be helpful because the current contract stipulates how overtime works and he believes it would be helpful to the community and future Councils to understand the process. Mr. Pratt added that he found the Interim Financial Report very enlightening and felt it should also be passed along to the community and incoming Council because many cuts have already been made by staff. He said that 98.2% of tax revenue is consumed by salaries and benefits, which is consistent with last year. The amount of elastic revenues received is what has to be considered when determining cuts and what services can be delivered to the City.

Councilman Ball referred to the Resolution passed by the Council under Agenda Item 4 and read from correspondence the Council recently received from the City Manager detailing the "heroic" efforts of City Staff and consultants, led by Assistant City Manager Pickup, to secure stimulus funds for the City. A full design report, with a fully vetted construction management

plan in complete compliance with Department of Transportation (DOT) review that normally takes six to nine months, was completed within 30 days. Mr. Ball congratulated them on a great job.

Mayor Otis reviewed the budget schedule:

- Budget presentation – Monday, November 9th.
- Workshop – Thursday, November 12th on Public Works, Capital Projects and Buildings and Vehicles.
- Workshop – Monday, November 16th on Police and Fire Departments.
- Workshop – Wednesday, November 18th on Rye Free Reading Room, Rye Golf Club and Boat Basin.
- Workshop – Monday, November 30th on Recreation Department, Rye Youth Council and Rye Nature Center.
- Public Hearing – Wednesday, December 2nd.
- Budget adoption – Wednesday, December 16th.

6 Old Business

Councilman Cunningham asked about the inquiry of a community advocate who was seeking to coordinate painting the Friends Meeting House. City Manager Culross said he had informed the person that the offer would not be appropriate for several reasons including the presence of lead paint; but ultimately because the restoration architect advised that historically the meeting house was an unpainted shingled building as opposed to part shingled and part clapboard. A decision will have to be made as to how to restore the building.

Councilman Ball inquired about a situation previously occurring in the City of a man living in his car in a driveway on Soundview Avenue. He said he believed the situation had been addressed but it has resurfaced. He asked if there is anything in the Code that prevents someone from living in a car in a driveway in front of a home, and if not, the Council should consider enacting something.

7. New Business

Councilman Cunningham asked if anything could be done next year about reallocating the DPW schedule for leaf pickup to allow for increased pickup during the month of November when there are several holidays.

8. Draft unapproved minutes of the regular meeting of the City Council held October 21, 2009

Councilman Cunningham made a motion, seconded by Councilwoman Parker and carried by voice vote with Councilman Pratt abstaining, to approve the minutes of the regular meeting of the City Council held on October 21, 2009.

9. Adjournment

There being no further business to discuss, Mayor Otis made a motion to adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk