

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on February 10, 2010 at 7:00 P.M.

PRESENT:

DOUGLAS FRENCH Mayor
RICHARD FILIPPI
PAULA J. GAMACHE
PETER JOVANOVIH
SUZANNA KEITH
CATHERINE F. PARKER arrived at 7:06 p.m.
JOSEPH A. SACK
Councilmembers

ABSENT: None

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements

Mayor French offered condolences to the DeVito family for their loss.

Mayor French made the following announcements:

- The agenda for this meeting will be abbreviated due to the weather.
- Thanks to the City Manager and City Staff for the four orientation meetings that were held for the Council during January. He said it was a good way for the new and previous Council members to sit down with staff and talk about City business.
- A discussion of issues related to parking at Rye Town Park was held at a Parking Committee meeting and at the Rye Town Park Commission meeting. Kristina Bicher and Caroline Walker have done an excellent job of putting together an analysis of the issue. He said he would like the Finance Committee to do a pricing analysis of parking and the Traffic and Transportation Committee to look at parking and pedestrian safety issues prior to the next Rye Town Park Commission meeting on March 8th.
- Comments should be received from the Board of Architectural Review, Planning Commission and Zoning Board of Appeals regarding the proposed notification law by mid-month in order for the Council to comment at the February 24th meeting, prior to a public hearing in March.

Councilman Filippi made the following announcements:

- Best wishes to Rye native and NASA astronaut Nicholas Park, who is on the Endeavor's final mission.
- The City Council now receives their packet electronically, so the police no longer have to deliver it.

Councilwoman Keith made the following announcements:

- On February 11 at 7:30 p.m., the Heard in Rye speaker series will have a lecture called "Families, Money & Habits – Navigating The New Normal And How Not To Be Your Child's ATM".
- Congratulations to Micheline and Bart DeNardo, Greg Howells and Jim Yedowitz for being honored by the Rye Youth Council.
- A joint meeting was held on February 9 with the Board of Education. There was a good public dialogue and Scott Pickup did a great job presenting a number of key "hot spots" around town for pedestrian traffic and safety issues.
- The Beeline Bus Route #76 will be kept in the 2010 County budget. The County will do an analysis to determine if the line continues in 2011.

4. Draft unapproved minutes of the regular meeting of the City Council held January 20, 2010.

Councilwoman Keith made a motion, seconded by Councilman Filippi and unanimously carried, to approve the minutes of the regular meeting of the City Council held on January 20, 2010, as amended.

5. View of the State Report by New York State Assemblyman George Latimer

This agenda item will be rescheduled for a future meeting.

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

There were no residents wishing to speak.

7. Mayor's Manager Report

- Consultant's Report on Hydrology and Flood Related Items.
- Consultant's Report on Pedestrian Safety Improvements at Oakland Beach Ave.
- City Planner's Report on Central Business District Streetscape Plan.

This agenda item was postponed.

8. Bid Award for Pedestrian Safety Improvements PIN 8760.84 (Bid # 2010-01)
Roll Call.

City Manager Culross said five bids were received for the Federal Stimulus Projects. The low bid meets all the federal, state and municipal specifications and the contractor has done work for the City in the past. Assistant City Manager Pickup said the City is waiting for final

confirmation on the Disadvantaged Business Enterprise (DBE) goal, which is a federal requirement. This letter is pending from the contractor.

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

RESOLVED, that Pedestrian Safety Improvements PIN 8760.84 (Bid #2010-01) is awarded to Bilotta Construction Corp., the lowest bidder meeting all specifications, for the amount of \$633,706.53, pending receipt of the DBE goal.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich, Keith, Parker and Sack
NAYS: None
ABSENT: None

CONTRACT #2010-01

**Pedestrian Safety Improvements
ADA Ramps 8760.84 Specifications**

BIDDER	AMOUNT BID
Bilotta Construction Corporation	\$633,706.53
ELQ Industries	\$692,779.00
Peter J. Landi Inc.	\$718,995.00
Contech Construction Technologies	\$792,298.19
Structural Contracting Services	\$946,055.00

9. Consideration to set a Public Hearing to de-map Edgar Place

Mayor French said that there is a plan before the Planning Commission to expand the affordable housing at Cottage Street, which requires the de-mapping of a paper street at Edgar Place.

Councilman Filippi made a motion, seconded by Councilwoman Gamache and unanimously carried, to adopt the following Resolution:

WHEREAS, the Council wishes to amend the City's Official Map to de-map Edgar Place right-of-way; and

WHEREAS, it is now desired to call a public hearing on such proposed amendment to the Map, now, therefore, be it

RESOLVED, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 29 of the General City Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on February 24, 2010 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 amendment.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE
CITY OF RYE**

PLEASE TAKE NOTICE that the Rye City Council has scheduled a public hearing for Wednesday evening, 8:00 p.m., February 24, 2010, in the Council Room of the Rye City Hall on the following matter:

The Rye City Council is considering an amendment to the City's Official Map to de-map Edgar Place right-of-way, pursuant to Section 29 of General City Law. Any person interested or affected will be given an opportunity to be heard at the hearing. All information pertaining to this matter is available for public inspection at the City Planner's Office in Rye City Hall.

Dawn F. Nodarse
City Clerk
Dated: February 11, 2010

10. Authorization for City Manager to enter into an Inter-municipal Agreement with Westchester County for a Flood Mitigation Project at Blind Brook Dam at Bowman Avenue

City Manager Culross said the City has been working on the flood mitigation project at the Bowman Dam for a long time. The Inter-municipal Agreement with Westchester County will pay for up to \$1,083,550 towards the installation of the automated sluice gate at the Bowman Avenue Dam. A partnership agreement with the Village of Rye Brook is also anticipated.

Councilwoman Keith made a motion, seconded by Councilman Filippi, to adopt the following Resolution:

RESOLVED, that the City Manager is authorized to enter into an Inter-municipal Agreement with Westchester County for a Flood Mitigation Project at Blind Brook Dam at Bowman Avenue.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich, Keith, Parker and Sack

NAYS: None

ABSENT: None

The motion was adopted unanimously.

11. Authorization for City Manager to enter into an Inter-municipal Agreement with Westchester County to enable the City of Rye to acquire shelter supplies and equipment for disaster preparedness

Councilwoman Keith made a motion, seconded by Councilman Filippi and unanimously carried, to adopt the following Resolution:

RESOLVED, that the City Manager is authorized to enter into an Inter-municipal Agreement with Westchester County to enable the City of Rye to acquire shelter supplies and equipment for disaster preparedness at no cost to the City.

The motion was adopted unanimously.

12. Authorize payment of the balance of the 2009/2010 Rye Neck Union Free School District taxes collected by the City to the School District
Roll Call.

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

RESOLVED that the City Council of the City of Rye hereby authorizes payment of the balance of \$200,117.45 of unpaid Rye Neck U.F.S.D taxes, on property within the City of Rye as of December 31, 2009, be made to the Treasurer of the Rye Neck UFSD.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich, Keith, Parker and Sack

NAYS: None

ABSENT: None

The motion was adopted unanimously.

13. One appointment to the Rye Cable Commission to fill out a term expiring on January 1, 2013, by the Mayor with Council approval

Councilman Sack made a motion, seconded by Councilwoman Parker and unanimously approved, to appoint Douglas Carey to the Rye Cable Commission to a term expiring on January 1, 2013.

14. Designation of the Chairman of the Rye Cable Commission by the Mayor

Mayor French designated Douglas Carey as Chairman of the Rye Cable Commission for a one year term.

15. Approval of the election of one new member to the Rye Fire Department

Councilwoman Gamache made a motion, seconded by Councilwoman Keith and unanimously carried, to adopt the following Resolution:

RESOLVED, that the Council of the City of Rye hereby approves the election of Richard Colligan to the Fire Police Patrol Company, approved at the January 2010 meeting of the Board of Fire Wardens.

16. Miscellaneous communications and reports

Councilman Filippi offered 50th Anniversary congratulations to the Rye Arts Center.

17. Old Business

Councilman Sack asked for an update on Hen Island.

Councilman Filippi said he wanted to clarify some information on coyotes. They normally walk in a straight line when following the scent of food. He added that people, when confronting a coyote, should act as if they were going to kill it and waive their arms above their heads. He said it is a good idea to carry rocks in a bag if you travel in areas where coyotes travel.

Councilwoman Keith said that she wanted to confirm that the Midland Avenue and Palisade Road safety issue would be discussed by the Traffic and Pedestrian Safety Committee (Traffic and Transportation Committee) with the goal of the Committee bringing their recommendation back to the Council. She also asked for an update regarding the Park Lane

situation. Assistant City Manager Pickup said it would be discussed at the February 11 Traffic and Transportation Committee meeting.

18. New Business

Councilman Sack said he has received calls about the signs outlawing sledding at the Rye Golf Course. He asked if Interim Corporation Counsel Wilson could give a report at the next meeting regarding the liability issues involved and if there are any alternatives that can be explored.

Councilwoman Keith said that Jane Mickatavage is going to help reactivate the Not-for-Profit Community Calendar in Rye. She also asked if anyone would be interested in doing a Bike and Pedestrian Safety Master Plan. Mayor French agreed with the need for a plan and said a great deal of work has already been done by other Committees and should be coordinated. Ms. Keith also urged people to register for the listserv that distributes Council agendas and minutes.

Mayor French said that County Executive Rob Astorino has invited the Mayors and Supervisors to a meeting at the County Offices.

Councilman Filippi suggested that the parking lots for the old Bank of New York and Biltmore Motors sites could be used as a temporary parking solution for merchants, people going to the train station, or for off-street parking in the evenings. City Manager Culross said that the Bank of New York lot is owned by two separate people and is currently being used. If the owner of the Biltmore lot wished to utilize the lot for parking there is nothing in the City Code that precludes him from doing it.

19. Adjournment

Councilwoman Keith made a motion, seconded by Councilman Sack and unanimously carried to adjourn into Executive Session to discuss litigation at 7:45 p.m. Mayor French made a motion, seconded by Councilwoman Parker, to adjourn the Executive Session at 9:25 p.m. No decisions were made.

There being no further business to discuss, Mayor French made a motion, seconded by Councilwoman Parker and unanimously carried, to adjourn the meeting at 9:26 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk