

APPROVED MINUTES of the Special Meeting of the City Council of the City of Rye held in City Hall on August 9, 2010 at 8:00 P.M.

PRESENT:

DOUGLAS FRENCH Mayor
RICHARD FILIPPI
PAULA J. GAMACHE
PETER JOVANOVICH
SUZANNA KEITH
CATHERINE F. PARKER
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 City Clerk to call the roll; a quorum was present to conduct official city business.

Mayor French began by announcing that a male coyote had been caught over a week ago near the site where the second attack had occurred. The information was not immediately released because it was hoped that the scent of the coyote would draw another coyote to the location. The coyote was euthanized in accordance with guidelines of the City's Department of Environmental Conservation permit. The hunting, trapping and harassment strategy will continue. The Mayor said that the City will take the lead in a long-term regional approach with other municipalities and the State and Federal Government. City Manager Pickup said that going forward the City will release information if another animal is captured, but not the location, until after it has been determined that the location will not yield any more animals.

3. Presentation of the 2011-2015 Capital Improvements Program

City Planner Christian Miller said that the Capital Improvement Plan (CIP) is a five-year plan, not a commitment to spend. It is a plan that identifies projects and acquisitions and provides estimates of what it might cost for a five-year period. The CIP is required by the City Charter, but it is also a good business practice. Resources must be allocated carefully, therefore, projects must be prioritized in order to identify what is really needed and to identify possible sources of revenue to pay for them. This is the second year where staff began to prioritize needs in each of the projects, which provides the ability to target the most important projects. He said

he believed it is important for a community to have bigger plans than it might have the ability to pay for, in case opportunities for funding come along that were not anticipated.

This year's CIP identifies \$37 million in projects over the five-year period: \$8 million in 2011; \$3 million in 2012; \$6 million in 2013; \$16 million in 2014, and \$5 million in 2015. Much of the money for the projects comes from grants and aid or, approximately \$21 million of the \$37 million. Some projects that need to happen probably will not, if funding does not come from grants and aid. The second avenue for funding is debt, which is a determination of the City Comptroller and the City Council. Staff identify projects expected to cost hundreds of thousands of dollars as being eligible for debt. 19% is allocated to be paid from General revenues. The CIP is broken down into categories: Flood Mitigation projects - \$13 million, \$10 million of which is associated with a project behind the Bowman Avenue Spillway; Transportation projects - \$17 million; Recreation projects - \$3.6 million; Drainage projects - \$1.3 million; Building projects - \$1.3 million; Sewer projects - \$1.1 million and Vehicle and Equipment - \$4.8 million, some of which can be considered operating expenses.

In 2011 there is \$7.6 million in identified projects. Many of the projects are carry-over projects that are kept in the CIP because they are not completed or substantially underway:

- Bowman Avenue Sluice Gate project (\$2.2 million) - grants have been secured and work is expected to be done in 2011;
- Theodore Fremd Avenue wall (\$1.2 million) – the project is currently in NYS Department of Transportation (DOT) review;
- Central Avenue Bridge (\$1.8 million) - is expected to be completed in 2011;
- Hewlett Avenue Sewer Pump - includes both the pump station and force main;
- Purchase Street Roundabout (\$500,000) - for the intersection of Hillside Road/Ridge Street/Purchase Street/Wappanocca Avenue - County funding is being sought for this project;
- Old Milton Road Drainage – staff is looking to secure Federal grants for this project in 2011;
- Locust Avenue traffic signal – the project should be completed in 2011.

All of the above projects add up to \$6.7 million of the \$7.6 million allotted to 2011 and 65% of the projects are dependent on grants and aid that have been or, it is expected, will be secured. The new projects for 2011 are modest:

- Nature Center Bridge – the bridge has been yellow flagged by the Department of State. It is the sole means of access to the Nature Center;
- Friends Meeting House – advancing the design for the project based on existing funding sources and grants;
- Bathrooms at the Nature Center – they must be ADA compliant;
- Sidewalks and resurfacing - funding levels should be maintained to past levels in order to continue the annual program to improve sidewalks in the City and street resurfacing. About 50% of street resurfacing money is State aid.
- Pedestrian improvements – there are no specific projects, but staff wanted to earmark money for potential projects.

Mr. Miller said that two projects that were in last year's CIP have been removed: the acquisition of 1037 Boston Post Road (\$5 million), because it will be done in 2010; and improvements at the lower pond near Bowman Avenue Spillway (\$20 million), because they are not expected to be implemented in the five-year planning period, and because efforts will be focused on the upper pond area. He said that some projects remain in the CIP but the time lines have been extended. They include: the Thruway Field project, which has been pushed to 2014-2015 for design and improvement; and the Milton Cemetery Bridge because there was not enough funding to complete it.

Mr. Miller said that challenges relating to the CIP include:

- Bridges and walls – (\$6.3 million) – Locust Avenue Bridge, Nature Center Bridge, Orchard Avenue Bridge, Central Avenue Bridge, Theodore Fremd Avenue Retaining Wall, Boston Post Road Retaining Wall and improvements to the wall at Car Park 5. These structures are essential infrastructure and expensive to improve because many are historic structures. A project to assess the walls along Blind Brook is included in this year's CIP.
- The MTA Parking lot, which is in deteriorated condition and has no pedestrian enhancements. The MTA has a plan that would improve the lot (\$2.6 million), but one of the ways that improvements to the lot have been funded in the past is by using increases in commuter parking fees.

The final topic Mr. Miller discussed was Vehicles and Equipment (\$4.8 million). He said there were no significant changes over the five-year planning period. The purchase of a vector truck has been deferred for two years. A sweeper truck is also needed. Both pieces of equipment are necessary for environmental compliance issues. Over the five-year period, the replacement of sanitation vehicles is also identified as a need.

Council comments and questions included:

General Presentation:

- Will everything presented be in the 2011 budget? (Anything other than the sidewalk and paving programs will be looked at to determine how it impacts the tax rate.)
- Staff should provide a "top ten" list of priority projects.
- Staff should provide a list of all projects either taken out of the CIP or extended out to future years.
- How much of the \$7.6 million for 2011 is already set aside for carry-over projects? (\$6.7 million is for carry-over projects, much of which will be funded by grants and aid.)
- How much of the annual CIP amount typically comes from grants and aid? (In prior years carry-over money was used from Fund Balance, but the City is not currently in a position to do that, which creates pressure to identify real sources of funding.)
- The Council should begin considering if a bond referendum in November 2011 will be necessary to pay for some required projects.

- Even though 1037 Boston Post Road is no longer in the CIP, it is a large capital item and the Council must decide what will be done with the property.
- Can staff provide the Council with the date when projects were originally put on the CIP?
- Can staff provide a list by project of how much will come from cash, debt or grants each year?
- The public needs a “community dashboard” of projects and what they will cost – possibly the top two or three in each category.

Building Projects:

- What is the timeframe for renovations to the Police/Court facility mandated by the Office of Court Administration (OCA)? (The Council must understand what can or cannot be done with the existing facility. A study was included in the 2010 budget and deferred. A decision on the Police/Court facility should be considered along with what should be done with 1037 Boston Post Road. The OCA can make mandates but has not done so at this point.)
- Would moving criminal trials to White Plains reduce the need for upgrades? (The OCA has the ultimate say, but if demand is reduced building needs could possibly be reduced.)
- Will the existing police locker room project be done? (The problem with the boiler must be dealt with first and then the locker room renovation will be done.)
- What does the \$76,000 allocated to the Friends Meeting House cover? (The proposal is to fund only the study that Lisa Easton referred to in her July 26th presentation to the Council. Most of the money has been spent, leaving \$27,500 to be funded, possibly from the Save America’s Treasures Grant.)
- Staff should consider ways to utilize the space in City Hall and all City buildings more efficiently.
- How long has the HVHC replacement for City Hall been in the CIP? (Parts of the system have been improved as they have failed, but the heating and cooling systems are antiquated and in need of repair. As part of the sustainability discussions, the City will look at heating and air conditioning systems in all City facilities with a goal of getting credits for “greening” the buildings.)
- It might be a better approach to look at everything that needs to be updated and do it at one time through a bond issue.

Drainage Projects

- How long have the projects included been an issue for the neighborhood groups? (When drainage doesn’t exist, putting in new drainage is hard and expensive and in many cases the projects only provide limited benefits. Projects are put in the CIP because residents have identified a need, but the expense can be hard to justify.)
- What are the high priority projects on the current list? (The Old Milton Road drain is a high priority because it was previously funded. The Stoneycrest drain was considered high priority because it was previously discussed in connection with Forest Avenue pedestrian improvements, but it is a very expensive project. It has been pushed out because the funding for Forest Avenue improvements was reallocated.)

- Communication with the community is necessary regarding the likelihood of projects being done.
- What is the City's potential liability regarding the Old Milton Road drain? (There have been claims from Harbor House at various times. There is a flapper gate that is impacted by tides, which backs up during storm events. The idea is to split the Harbor House and City drainage.)
- Would doing any of the drainage projects on the list lessen the need for the vacuum truck? (It has not been identified as a significant benefit.)
- Could the City ask that neighbors who have requested a drainage project contribute to the project? (This could be done through a local assessment district or challenge grants.)
- How much of the funding allocated to the Old Milton Road drainage project and not covered by grants and aid is new and how much is carried over from 2010. (The aid that has been identified is a 45/55 split for a Clean Water Act related project. The money allocated for 2010 was reallocated.)

Flood Projects

City Manager Pickup provided an update on the Bowman Avenue Sluice Gate and FEMA Upper Pond projects. The \$400,000 of State money for the Sluice gate project is before the Ways and Means Appropriations Committee. We are awaiting the approval to spend the funds. The City does not want to go out to bid until the State money has been secured. The City must also appear before the Harrison and Rye Brook Planning Commissions to receive approvals. The City bonded for its portion of the project. Mr. Pickup said that the FEMA grant for the Upper Pond study is fully submitted and we are waiting for electronic notification that the money is available.

- The Sluice gate project is the largest project in the 2011 CIP, most of which should come from grants and aid and leaving a balance for the City to fund of \$546,000. How much of that money has already been spent? (About \$200,000 has been spent and \$346,000 in additional borrowing was authorized.)

Sewer Projects

- How much of the Hewlett Avenue Pump project not coming from grants and aid, has already been spent and how much will be bonded for? (The design money has been spent and the balance will be funded by debt.)
- What is the reason for the Hewlett Avenue project? (The original Pump Station needed to be replaced and it was found that it would be more efficient if the force main was also changed.)
- How long do the pumps last? (It depends on the capacity of the pump station, but they usually have a 15 to 25 year usable life.)

Transportation Projects

- The Purchase Street reconstruction project has a large price tag. How much can really be done? (It does not include all of the streetscape plans and can be broken down into

smaller pieces. Purchase Street has not been repaved in over 25 years. A lane of travel will be maintained during the project and will determine the way the project is done. The project could be done over two years. This project cannot be done at the same time that other major construction project in the Central Business District are being done.)

- Does the City coordinate street reconstruction projects with the utility companies before doing the project? (Yes)
- Can streets be sealed, similar to driveways, when the project is completed? (The sealing process used on driveways does not work on a roadway, but a crack sealing process does have some benefit in extending the longevity of the road.)
- Money for the Forest Avenue pedestrian projects should be included and spelled out. (The Council needs to identify what the actual project is. There have been suggestions about putting in sidewalks, a wider path or widening the road shoulder. The community should be involved in the discussion of what should be done.)
- Can people who are not on the list for sidewalk replacement opt into the program? (It was done this year and will probably be continued.)
- Can the City prioritize street resurfacing areas? (There is a Pavement Management System that is used to prioritize street resurfacing.)
- The Council should consider a similar system as part of a sidewalk program.
- In designing the Theodore Fremd Avenue Wall reconstruction, has the City considered putting drywells under the parking areas to allow for additional water accumulation during a storm? (There are too many utilities already located in the area.)
- Striping roads to create a larger shoulder area could create a safer environment for pedestrians.
- Is the Milton Cemetery Bridge project really necessary? (There have been other proposals, including not replacing it, but the Historic Preservation Community would like the bridge replaced in kind.)
- Could the School Street/Purdy Avenue parking lot wall repair project present an opportunity for creating additional parking? (A prior estimate for decked parking at that location was \$2.2 million, which did not make sense for 30 spaces, but might be worth exploring when the repair project is contemplated.)
- Should the City consider not replacing the Nature Center Bridge and creating access to the Nature Center from another location such as from the snow fields on Boston Post Road or Theodore Fremd Avenue? (That will be considered as part of the design process.)
- If the bridge is not replaced could the current bridge be used by pedestrians? (Probably, the problem is the weight of vehicles.)
- Is there a possible \$600,000 grant for the Locust Avenue Bridge? (The City is waiting for official paperwork from the Federal Government. There is a selection process governing who can be used for bridge design, which could slow the process.)
- The MTA plan for renovations calls for sidewalks, which would probably add to the cost. Could commuters be asked if they would prefer sidewalks or more paving and better drainage? (The MTA owns the lot and is eager to add pedestrian safety improvements.)
- Could the MTA tax that is paid by businesses in the City be used to make improvements to the parking lot?

City Manager Pickup provided an update on the status of the Central Avenue Bridge. An additional package has been submitted to the DOT. We are waiting on confirmation on reimbursement. When final confirmation is received the project could be in design by the fall.

Recreation

- What is the status on the Thruway fields? (The City has a loose set of conditions that were approved as a perimeter by the Thruway Authority for negotiating the terms of the lease. The user groups who will fund the project must determine if this is where they want to spent their money. Interest in the project cooled when it was learned that it would be a series of annual leases with an 11 month leasing period and a one month review period.)

Vehicles and Equipment

- There are two street sweepers referenced. Do we need two? (They do different things. Staff will provide the Council with a program update.)
- How is the City's overall fleet of equipment assessed? (The City has a large fleet of specialty equipment. The City may have to consider consolidating major pieces in coming years.)
- Is the fleet well maintained? (It depends on the weather. The more salt that is used during a winter, the more damage it creates to the fleet.)
- Are there better deals on equipment now? (The pricing really hasn't changed and most are purchased on State contract.)

Arthur Stampleman, 720 Milton Road, inquired about how much the City would have to come up with to do the 2011 projects, if \$6.7 million is coming from grants and aid. City Manager Pickup said that the traditional programs were \$1 million to \$1.3 million and were funded through Fund Balance and a combination of debt. Going forward the City will have to look at different ways of funding projects other than from Fund Balance.

4. Other Business

There was no other business to be discussed.

5. Adjournment

There being no further business to discuss Councilman Sack made a motion, seconded by Councilwoman Keith and unanimously carried, to adjourn the meeting at 10:23 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk