

APPROVED MINUTES of the Special Meeting of the City Council of the City of Rye held in City Hall on April 25, 2012 at 7:00 P.M.

PRESENT:

DOUGLAS FRENCH Mayor
LAURA BRETT
RICHARD FILIPPI
PETER JOVANOVIH
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.

3. Authorization for the City Manager to enter into a Memorandum of Understanding between the City of Rye and Lester's of Rye, LLC for the right of first refusal for the purchase of the property located at 1037 Boston Post Road.

Corporation Counsel Wilson said there have been recent changes to the agreement, which is no longer a Memorandum of Understanding, but is now a Purchase and Sale Agreement that contains a Right of First Refusal. Ms. Wilson recommended that the Council go into executive session to discuss the proposed changes. It was the consensus of the Council that a vote should not be taken at this meeting in order to allow time for the public to review the proposed agreement. Ms. Wilson said that the Council did not have to take a vote at this meeting, but said the longer the vote is delayed the shorter the window is. The lease with the current tenant expires in February 2013, so the City is approaching a deadline where there may no longer be a tenant for the building. City Manager Pickup said that the tenant had asked for one year notice if he was not going to be in the building past the current lease expiration date. He said the decision will also impact the 2013 budget, which staff begins preparing in July and August.

Two members of the public spoke on the agenda item. *Ted Carroll of Forest Avenue* said that the public expected to see the documents. *Victor Kiarsis of 320 Grace Church Street* said

that if the tenant is interested in buying the building he has an economic interest in continuing to be in it. He added that if the transaction is a good one the Council should move on it.

4. Adjournment

There being no further business to discuss Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to adjourn the special meeting at 7:30 p.m. Councilman Filippi made a motion seconded by Councilwoman Brett and unanimously carried to immediately adjourn into executive session to discuss a proposed real estate transaction relating to 1037 Boston Post Road. Councilwoman Keith left the executive session at 8:50 p.m. Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to adjourn the executive session at 9:50 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk