

APPROVED MINUTES of the Special Meeting of the City Council of the City of Rye held in City Hall on June 20, 2012 at 7:30 P.M.

PRESENT:

DOUGLAS FRENCH Mayor
LAURA BRETT
RICHARD FILIPPI
PETER JOVANOVIICH
JULIE KILLIAN
CATHERINE F. PARKER
JOSEPH A. SACK
Councilmembers

ABSENT: None

1. Administration of the Oath of Office to the newly appointed Council member Julie Killian.

City Court Judge Joseph Latwin administered the Oath of Office to new Councilmember Julie Killian. Mayor French congratulated Councilwoman Killian and welcomed her to the Council.

2. Pledge of Allegiance

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

3. Roll Call

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

4. Discussion of an Infrastructure Bond for City improvements

Mayor French said the focus of this meeting was to receive information from the professionals regarding potential projects being considered for inclusion in a Bond Referendum for November so the Council can prioritize projects in order to decide at the July meeting what projects, if any, will be included in a referendum.

- Bowman Avenue Upper Dam Resizing Project

City Manager Pickup said that in late Spring WPS Sells (Sells) had been engaged to get updated information about conditions at the Bowman Avenue Dam and investigate opportunities to resize the Dam to see what impacts it could have on downstream hydrology. The information

being provided is not the final report, as information is still being evaluated. Councilwoman Brett noted that Sells was asked to do the project on an urgent basis and, therefore, they have not had the time they normally would to prepare their report. Presenters included David Weiss of the WPS Sells firm, Allan Estivalet and Bill Broderick of Rizzo Associates and Todd Waldrup of WSP Environment & Energy.

Mr. Weiss provided preliminary results of the Bowman Avenue Upper Pond Resizing Study, the purpose of which was to determine the cost/benefit of expanding the Upper Pond to provide additional flood storage and reduce water surface elevations during downstream flood events. Test data continues to be analyzed and updated. Borings and rock probes were conducted at the site in April in order to determine where bedrock was located and to determine if there was contamination in the soil. Mr. Waldrup discussed the soil and sediment testing program they developed for the pond to determine potential disposal issues related to contamination of excavated soil or sediment. The data collected was compared to the New York State Department of Environmental Conservation (DEC) Unrestricted Use Soil Clean-Up Objectives, which are the most stringent standards in the state. There was nothing abnormal found for the soil and sediment. Mr. Weiss presented two alternatives for the resizing project:

- Alternative 1 - would maximize the upper pond on the north side of the channel without dredging. It would maintain a pool elevation of 39 feet. This would remove 110,000 cubic yards of soil and 20,000 cubic yards of rock. The construction cost is \$9.3 million.
- Alternative 2 – would involve excavating the upper pond on the north side of the channel above the ordinary high water elevation. This would remove 95,000 cubic yards of soil and 13,000 cubic yards of rock. The construction cost is \$7 million.

Mr. Estivalet discussed hydrology aspects of the project. Rizzo Associates was charged with investigating the benefits of resizing the upper pond. They developed two models, a hydrologic model and a hydraulic model for use in analyzing data for the following scenarios:

- A – the conditions as they exist today
- B – the conditions with the installation of the sluice gate
- C – the conditions with the proposed resized pond from Alternative 2
- D – the conditions with the maximized upper pond resizing from Alternative 1
- E – a combination of the resized pond and the sluice gate installation

The new models are more accurate than the one used in a 2008 study, which was based on the 2006 FEMA model, because they included data from the large storms that occurred in 2007 and 2011, which results in higher discharges along the watershed. Mr. Broderick said their models also had higher quality information with regard to topography. The focus of the study was the area between I-287 and I-95. In a 100-year flood event the resizing project could yield a 5 to 6 inch benefit and in combination with the sluice gate, up to 15 inches.

Mr. Weiss said that there would be no greater benefit achieved from Alternative 1 than from Alternative 2. Permits would be needed from Westchester County, New York State DEC, Army Corps of Engineers and the Town/Village of Harrison and Village of Rye Brook. The costs associated with Alternative 2 include: \$7 million construction costs, \$350,000 engineering

costs, and \$150,000 inspection costs. There would also be future maintenance dredging needed costing approximately \$2 to \$2.5 million every 10 years. City Manager Pickup said that in order to qualify for Federal Hazard Mitigation money the resizing project would need to show a benefit of \$20+ million in insurance damage claims. There was a discussion about expanding the study beyond the I-287 and I-95 area in order to consider the cost/benefit of a \$7 million project. Members of the Council indicated that more information was needed in order to make a determination about including this project in a bond referendum this year and a suggestion was made that it could be included in a separate referendum in another year. Mayor French requested that the presenters meet with the Flood Advisory Board in the next week so that the Flood Board can come back to the Council with a recommendation about including the resizing project in the bond referendum by the July 11th Council meeting.

- Police Station Renovations

City Manager Pickup said that since a determination has been made that a new facility will not be built at the 1037 Boston Post Road location, City staff have been working with architect Rex Gedney, of the firm of Crozier Gedney Architects, to find alternatives at the existing facility that would address some of the deficiencies identified in previous reports and come up with cost effective solutions. The principal issue is police and prisoner transport which relates to court security concerns and access concerns. Input has also been received from court personnel. Rex Gedney made a presentation on the proposed plans, which would provide for an enclosed area for prisoner transport, elevators, two secure holding rooms, a multipurpose jury/interview room and storage for the Police Department on the first floor. The construction budget is \$1.2 million but does not include inspection and engineering and design costs. City Court Judge Joseph Latwin said that the City is obligated to provide space for a court, which is a state facility. The Office of Court Administration has the power to order the City to provide space. Those who have been working on the plans tried to come up with a list of essential items that would keep the Court at bay.

- Rye Free Reading Room: Fire Sprinkler and Alarm System, Flood Mitigation and ADA Access and Security Cameras

Kitty Little, Library Director, provided an overview of three projects, presented at previous Council meetings, that the Library would like included in a Bond Referendum. They include: fire sprinklers and safety systems for the 1913 portion of the building (\$127,000); Flood Mitigation and ADA Access projects to prevent water from flowing into the building and provide ADA compliant access at the parking lot level of the building (\$49,000); and installation of 12 Security Cameras (\$23,000). Ms. Little said that the Library does have a capital project budget that is funded if they can identify savings during the year. The funds are usually used as matching funds for grants. Mayor French pointed out that in order for the Library to be included in a City Bond Referendum, the Library would have to provide the City with some service give backs because the City cannot gift the Library with public funds.

City Manager Pickup said that a bonding resolution would talk about street improvements, or pedestrian improvements in various locations, and would not refer to specific

projects. City Planner Christian Miller and City Engineer Ryan Coyne made presentations on the next two topics.

- Central Business District and Post Road Wall Projects

The Central Business District (CBD) projects have been included in the Capital Improvement Plan (CIP) for many years. Improvements in the CBD are a high priority issue. There are issues regarding ADA standards and deficiencies in sidewalks and street infrastructure. The CBD projects suggested include:

- Reconstructing Smith Street, including adding sewer and drainage improvements and making improvements to the Smith Street/Purchase Street and Elm Place/Purchase Street intersections to improve traffic flow and pedestrian safety.
- Replacing the traffic signal at the Theodore Fremd/Purchase/Purdy intersection and adding a dedicated turning lane on Theodore Fremd Avenue.
- Locust Avenue Siphon Replacement – Replace the 4” 100-year old siphon pipes that remove sewage from all of the downtown with larger pipes that will connect with the County trunk line.
- The Post Road wall opposite Purdy Avenue – The wall continues to deteriorate. The City will need to do additional survey work to determine the City right-of-way and the project would involve removal of trees. It is an involved project and would be more expensive than the estimate if the Council wants to extend sidewalks as discussed in a previous meeting due to the large amount of rock.

- Rye Shared Roadways recommended Projects

City Manager Pickup said that most of these projects are enhanced maintenance projects. The \$100,000 suggested for inclusion in a bond, will not make a significant dent in the list of projects, but some of the high priority items dealing with high pedestrian utilization could be included. A suggestion was made to double this amount to use on sidewalk repairs.

- Review of Bond Referendum timeline and financing

City Manager Pickup said there are key questions the Council must address. At the end of 2012 the Kirby Lane sewer project must be finished and the costs allocated and apportioned to the Special Assessment District. The adopted tax cap legislation does not exclude the bond costs for these districts from budget calculations and it will “eat up” what is available under the cap and will impact the 2013 budget. If a bond referendum passes in November, there will be impact on the 2014 budget, which will depend on the amount of a bond.

Mr. Pickup said he must provide direction to Bond Counsel in order for them to produce Bonding Resolutions for at least three items that break down the bond areas by public buildings; roads and pedestrian improvements; and flood or stormwater projects. There would be totals within each Bond Resolution that would be approved at a public hearing. There are time restrictions for getting information to the Board of Elections to get the Referendum on the

November ballot. There was a discussion of what projects might be included under the three categories in a \$5 million bond or lower; if the Council would not want to include all three categories; or if the Council wanted to consider a \$7 Million bond for flooding. Mr. Pickup said he could have three Resolutions drafted for separate public hearings.

5. Adjournment

There being no further business to discuss Councilwoman Brett made a motion, seconded by Councilwoman Killian and unanimously carried, to adjourn the meeting at 11:14 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk