

***APPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held in City Hall on June 12, 2013 at 8:00 P.M.

PRESENT:

DOUGLAS FRENCH Mayor  
LAURA BRETT  
RICHARD FILIPPI  
PETER JOVANOVIĆH  
JULIE KILLIAN  
CATHERINE F. PARKER  
Councilmembers

ABSENT: JOSEPH A. SACK, Councilman

The meeting was preceded by a workshop with the Rye Golf Club Commission and the Rye Golf Club Strategic Committee. The regular meeting began at 8:40 p.m.

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. General Announcements

The City has been presented with a Certificate of Appreciation from the National Alliance on Mental Illness (NAMI) for participation in the May 2013 Mental Health Awareness Ribbon Campaign.

4. Draft unapproved minutes of the regular meeting of the City Council held May 22, 2013, the special meeting of the City Council held May 29, 2013, and the special meeting of the City Council held June 5, 2013

Councilman Filippi made a motion, seconded by Councilwoman Brett and unanimously carried, to approve the minutes of the regular meeting of the City Council held on May 22, 2013, as submitted.

Councilwoman Brett made a motion, seconded by Councilwoman Killian and unanimously carried by the four Councilmembers who attended the meeting, to approve the minutes of the special meeting of the City Council held on May 29, 2013, as submitted.

Approval of the minutes of the special meeting of the City Council held on June 5, 2013 was deferred to the next meeting.

5. Mayor's Management Report  
● Technology Committee Update

Peter Esler made a presentation on behalf of the Technology Committee regarding IT Governance which was described as the business of running IT vs. running the technology, and consists of leadership, organizational structures and processes. The objective is to create IT controls in order to create a "vision" of IT services. The benefits include clear and informative communication; effective and transparent financial management; improved resource management; and strengthening of risk management of City services. The suggested roles and responsibilities within the City and the priorities of the Committee were also outlined. Ed Szamborski, a member of the Committee, and Kerry Donahue, City of Rye Coordinator of IT Services, were also in attendance.

● Capital Projects Update

City Manager Pickup reported on the following items:

Sluice Gate – Staff is working on the final costs and allocations on the County share, the Rye Brook Share and the City share. If there is additional money left over it could be used to install additional downstream monitoring stations. The City is hoping to have a joint meeting with the County in July regarding potential flood retention projects at the airport.

Central Avenue Bridge – The project is on schedule. There was a slight problem due to the rainfall but it has been repaired without losing any work done to date.

● Legal Update

Corporation Counsel reported on the following issue:

Beaver Swamp Brook – An interim decision was issued from the DEC Commissioner that found that the ALJ was proper in finding that the City did not make a valid argument under SEQRA. However, the arguments under the Environmental Conservation Law were considered viable issues that will proceed to an adjudicatory hearing.

City Manager Pickup reported on the following issue:

HUD Housing Settlement – There are significant public policy issues that have to be determined regarding the City's responsibility and how it will be addressed.

6. Presentations by the Citizens Finance Committee:  
● Four-year financial plan for the City.

Paula Schaefer, Co-Chair of the Finance Committee presented the plan, which has been revised from the draft plan presented in December. The original starting point was the 2013 Budget but it has been updated to reflect actual results for 2012. The principle assumption is that the tax cap will be respected and that assessed values will remain the same during the four-year period. Certain revenue sections of the plan that have been updated including: sales and use taxes have been increased because they have trended above the original budget; the sale of 1037 Boston Post Road has also been reflected in the use of money and property section; the numbers for Building and alteration permits have been increased, as well as those for mortgage tax revenue. Assumptions about expenses include: salaries are based on the 2013 budget with the headcount remaining flat but expenses growing by 2% per year; employee benefits and taxes are assumed to grow by 8% per annum; debt service has been increased based on the bond issue passed in 2012; and transfers to the Capital Projects Fund and Building and Vehicles Fund are the 2013 budget numbers. The plan respects the tax cap that limits tax increases to 2% but does not anticipate any significant changes to services levels or the way they are delivered. Due to costs related to state mandates for retiree costs the budget deficit is projected to be approximately \$2 million by 2016, with the Fund Balance reduced from \$11 million in 2012 to \$6.4 million in 2016. In order to maintain \$6 million in the Restricted Fund Balance, the Unrestricted Fund Balance would fall below the 5% target. However, the 2012 results put the City in a better place because 2013 started with a higher reserved amount.

● Rye Arts Center lease

Laura Leach of the Finance Committee made a presentation regarding the lease for the Rye Arts Center (RAC), which is due to expire in March of 2016. The RA is asking for a 30-year renewal of the lease which allows the RAC use of the building at 51 Milton Road for \$1.00 per year rent. The Finance Committee reviewed the lease terms, history of the building, the financial statements of the RAC and the insurance coverage on the building. They believe the lease should be renewed but for a shorter term of 10 to 15 years; that the City should review all the insurance coverage of the RAC; and that issues related to parking should be clarified. The building sits on parkland, which would require an act of the State Legislature in order to change the use. The RAC offers something special to Rye and they have been good stewards of the building. Eileen Neiman, President of the RAC Board said that the Board would like a lease that would be 15 years or longer.

7. Presentation by All City Management Services (ACMS) for the outsourcing of school crossing guard services

This presentation was deferred.

8. Discussion on the proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #121.04 regarding a Social Media Policy

Councilman Jovanovich made a motion, seconded by Councilwoman Parker, to adopt the following Resolution:

**RESOLVED**, that the City Council of the City of Rye, hereby approves the proposed revision of the Rules and Regulations of the City of Rye Police Department General Order #121.04, "Social Media."

**ROLL CALL:**

**AYES:** Mayor French, Councilmembers Brett, Filippi, Jovanovich, Killian and Parker  
**NAYS:** None  
**ABSENT:** Councilman Sack

The Resolution was adopted by a 6-0 vote

**9. Public Hearing to establish the 2014 Budgeted Fees and Charges**

Councilwoman Brett made a motion, seconded by Councilman Filippi and unanimously carried, to open the public.

There was no one from the public who wished to comment on the proposed fees and charges.

Councilwoman Brett made a motion, seconded by Councilman Filippi and unanimously carried to close the public hearing.

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

**RESOLVED**, that the 2014 fees and charges, are hereby adopted:

FEE DESCRIPTION	2014
<b><u>ASSESSOR'S OFFICE</u></b>	
<b>GENERAL</b>	
Standard Photocopy Fee	
Letter/Legal per page	0.25
<b>MAPS</b>	
City Maps 3'x5"	15.00
Aerial Map	15.00
Drain & Sewer map from blueprints (blue on white)	60.00
Standard Tax Map	15.00
Tax index map (40"x64")	15.00
Topographical maps	60.00

<b><u>BOARD OF APPEALS</u></b>	
GENERAL	
Multi & Commercial Appeals	500.00
Single Family Appeals	300.00
Adjourned Applications	100.00
Revised Plans	75.00
<b><u>BUILDING</u></b>	
ELECTRICAL	
Electrical permits in existing building where a building permit is not required: for multiple residences, commercial or industrial buildings	100.00
Electrical Permits in existing buildings where a building permit is not required: for one & two family dwellings with contracts valued at \$500 or more	100.00
GENERAL	
Building Permits (1) - minimum fee	75.00
Building Permits (2) - add'l charge per \$1,000 est. work (residential)	17.00
Building Permits (3) –add'l charge pre \$1,000 est. work (commercial)	30.00
Building Permit (3) - penalty for work begun without permit	1,250.00
Certificate for Commercial Buildings	175.00
Certificate of Occupancy: to be paid with application for building permit	100.00
Changes in Approved Plans	250.00
Demolition Permits – Commercial and residential structures	2,000.00
Demo Pmts – In-ground pools tennis crts detached garages	750.00
Demo Pmts – Sheds, above ground pools, pool decks, gazebo	200.00
Fence Permit	50.00
Generator Permit	300.00
Sign Permit	100.00
New Certificate for old buildings	150.00
Pre-date letters	150.00
PLUMBING	
<b><i>Oil or gas heating permits in existing building w/o building permit required:</i></b>	
New heating equipment installation or replacement	150.00
Plumbing - No building permit required (min)	100.00
Plumbing – for each fixture above 5	5.00

Sewer or storm drain connection (per)	70.00
<b><u>CITY CLERK</u></b>	
<b>ALARMS</b>	
Alarms permit – Fire/Burglar	35.00
False alarm: 2 <sup>nd</sup> call per annum	50.00
False alarm: 3 <sup>rd</sup> , 4 <sup>th</sup> call each per annum	100.00
False alarm: over 4 per annum	200.00
<b>FIRE PREVENTION</b>	
Explosive Inspection Fee	115.00
Fireworks Display (each)	750.00
Installation of liquefied petroleum gas	57.00
Place of assembly 100 or more people	115.00
Storage of Flammable liquids (permits & insp.)	115.00
Storage of lumber (in excess of 100,000 bd. ft.)	57.00
Storage of underground tanks <1100 gal.(permits & insp.)	57.00
Storage of underground tanks >1100 gal. (permits & insp.)	115.00
Welding & cutting	55.00
<b>GENERAL</b>	
Auctioneer	500.00
Birth Certificate	10.00
Blasting Permit	300.00
Cabaret	200.00
Christmas Tree Sale Refundable Bond	45.00
Christmas Tree Sales: Inspection	100.00
Code of the City of Rye	300.00
Code of the City of Rye – Supplement	n/a
Codes: Zoning	n/a
Coin operated Dry Cleaning Establishment	n/a
Coin operated Laundry: Establishment	n/a
Death Transcript	10.00
<b>Dog License: Neutered Dog – Owner’s Cost</b>	
Breakdown of Owner’s Cost:	
City of Rye Fee	13.00
NYS Fee	1.00
<b>Dog License: Non-Neutered Dog – Owner’s Cost</b>	
Breakdown of Owner’s Cost:	
City of Rye Fee	19.00
NYS Fee	3.00
Dog Redemption: with current license	n/a
Dog Redemption: without current license	n/a

Dry Cleaning Establishment	90.00
Debris Collection Container:	40.00
FOIL Production Rates:	
Office Assistant	32.00
Legal Review	65.00
Police Department	27.00
Fire Department	27.00
Filming: Private Property	500.00
Filming: Public Property (Maximum)	25,000.00
Filming: Public Property (Minimum)	1,600.00
Junk Merchant: Establish place of business	n/a
Junk Peddler	n/a
Laundromat	n/a
Marriage License	40.00
Marriage Transcript	10.00
Non-refundable Bid fee (per every \$50 of bid)	15.00-100.00
Other Pamphlet Codes	8.00
Peddler, Hawker, Solicitor	300.00
Additional Peddler, Hawker or Solicitor Permit Issued	75.00
Lost Peddler, Hawker or Solicitor Permit Replacement	5.00
Sign posting @ Boston Post Road & Cross Street	35.00
Tourist Park or Camp App. 5 units or less	n/a
Tourist Park or Camp App. 6 units or less	n/a
Tourist Park or Camp license (per unit)	n/a
<b>MECHANICAL INSTALLATION LICENSE</b>	
Gas Heat	150.00
Oil Heat	150.00
<b>MISCELLANEOUS LICENSES</b>	
Bowling Alleys	n/a
Circus	n/a
Driving Range	n/a
Miniature Golf	n/a
Moving Picture House	n/a
Public Exhibition	90.00
Public Hall	90.00
Shooting Gallery	n/a
Skating Rink	n/a
Taxi Cab License	130.00
Taxi Driver License	75.00
Theater	n/a
<b><u>PARKING</u></b>	
Non-Resident Commuter (Includes Tax)	760.00

Resident Commuter (Includes Tax)	760.00
Merchant Parking (Non-Taxable)	420.00
Taxi Stall Rental (Plus tax)	700.00
Guest Parking Overnight (max. 14 days per night)	15.00
Replacement Sticker (without old sticker)	60.00
Replacement Sticker (with old sticker)	10.00
Resident All Day/All Night	684.00
Resident All Night	342.00
Special Permits (Theo. Fremd Lot)	n/a
Commuter Parking Waitlist Fee (Per Year)	50.00
Commuter Meters - Daily Rate (12 hours)	5.00
Paystation rate per hour	1.00
<b><u>PARKING VIOLATIONS</u></b>	
No Handicapped Permit (including NYS Surcharge)	150.00
Parking in Front of a Fire Hydrant	150.00
Beach Area Parking	75.00
Parking on the Street During the Snow Ordinance	75.00
Parking in a Crosswalk	75.00
<b><u>ENGINEERING</u></b>	
<b>GENERAL</b>	
Constructed or Replaced Curb	50.00
Constructed or Replaced Depressed Curb (min)	50.00
Constructed or Replaced Driveway (min)	50.00
Constructed or Replaced Sidewalks (min)	50.00
Construction Debris Containers (per day)	100.00
Street Obstructions, Storage of Materials, Operating Machinery, loading & unloading, scaffolding & bridging	150.00
Street Opening: Curbing-Asphalt/Concrete/Flag	250.00
Street Opening: Sidewalk Area-Asphalt/Concrete/Flag	250.00
Street Opening: Street Area-Asphalt	250.00
Street Opening: Street Area-Concrete	250.00
Street Opening: Test Holes (keyhole method) (each)	250.00
Street Opening: Unpaved Areas	250.00
Street Opening Permit Surcharge	200.00
Street Opening Public Service Fee (per LF, over 72 FT length)	5.00
Surface Water Control Application fee (Stand Alone)	200.00
<b>STREETS/SIDEWALKS</b>	
Construction Manhole/Catch Basin (min)	180.00
Driving Pipes (min)	100.00
Install Underground Tank/Vault (min)	110.00

Plumbing Connection to Structures:	
Manholes/Catch Basin (min)	45.00
Plumbing Connection to Structures:	
Sewer or Drain Line (min)	35.00
<b><u>FIRE</u></b>	
GENERAL	
Inspection Fee (per inspection)	135.00
Return Inspection	50.00
Tank Removal Inspection	100.00
<b><u>PLANNING</u></b>	
COASTAL ZONE MANAGEMENT	
Waterfront Consistency Review Application	825.00
GENERAL	
Copies of Subdivision or site plans - complete sets only (per sheet)	12.00
SITE PLAN REVIEW	
Informal review	n/a
Preliminary Application (up to 10 parking spaces)	1,000.00
Preliminary Application - Add'l charge per required parking space over 10 spaces	n/a
Modification or Extension of Preliminary Application	n/a
Final Application ( up to 10 parking spaces)	1,300.00
Final Application - Add'l charge per required parking space over 10	n/a
Modification or Extension of Preliminary Application	n/a
Inspection Fee (Fee + 7.0% cost of improvement)	550.00
Construction and Use without prior approval	2,800.00
Modification of Tree Preservation Plan by the City Planner	500.00
Tree Replacement, fee in lieu of	1,900.00
SUBDIVISION REVIEW	
Informal Review	675.00
Preliminary Application	825.00
Preliminary Application - Add'l charge per lot	390.00
Waiver of Preliminary Application - Add'l charge per lot	n/a
Modification or Extension of Preliminary Application	n/a
Final Application	1,120.00
Final Application - Add'l charge per lot	385.00
Modification or Extension of Final Application	n/a
Waiver of Penalty Application	n/a

Inspection Fee - 7% of cost of improvement plus \$50 per lot, or \$500, whichever is greater	550.00
Modification of Tree Preservation Plan by City Planner	500.00
Tree Replacement, fee in lieu of	1,900.00
Fee in lieu of Parkland - In trust-minimum (dollars per square foot of lot area)	
<i>R-1 One Family District</i>	0.14
<i>R-2 One Family District</i>	0.25
<i>R-3 One Family District</i>	0.35
<i>R-3 One Family District (Floodplain)</i>	0.25
<i>R-4 One Family District</i>	0.40
<i>R-4 One Family District (Floodplain)</i>	0.25
<i>R-5 One Family District</i>	0.49
<i>R-5 One Family District (Floodplain)</i>	0.25
<i>R-6 One Family District</i>	0.57
<i>R-6 One Family District (Floodplain)</i>	0.25
<i>RT Two-Family district (1 and 2 Family Residence)</i>	0.57
<i>RS School &amp; Church District (1 Family Residence)</i>	0.35
<i>RA-1 District (1 Family Residence)</i>	0.57
<i>RA-1 District (2 Family Residence)</i>	0.41
<i>RA-2 District (1 Family Residence)</i>	0.57
<i>RA-2 District (2 Family Residence)</i>	0.49
<i>RA-3 District (1 and 2 Family Residence)</i>	0.57
<i>RA-4 District (1 and 2 Family Residence)</i>	0.57
<i>B-1 Business District (1 and 2 Family Residence)</i>	0.57
Apportionment Application	650.00
Construction and Use without prior approval	2,730.00
RE-ZONING APPLICATIONS	1,300.00
WETLANDS/WATER COURSES	
Application Fee	985.00
Inspection Fee	550.00
Appeal of Determination	550.00
Extension of Prior Approval	600.00
Outdoor Dining Fee	500.00
<b><u>POLICE</u></b>	
GENERAL	
Auxiliary Police Services Event Fee	200.00
Defensive Driving Course	50.00
Fingerprinting Fees	100.00
Good Conduct Certificates	75.00
Mooring Permits (per permit)	150.00

Police report copies (per copy)	0.25
Redemption of Shopping Carts	50.00
Reprints of Photographs	30.00
Subpoena Fees for Records (min)	30.00
<b>LOCAL ORDINANCE</b>	
Failure to shovel snow after a storm	50.00
<b><u>PUBLIC WORKS</u></b>	
<b>GENERAL</b>	
Collection of bulky metals at curbside (minimum)	35.00
Collection of bulky waste in excess of 2 cubic yards (min)	35.00
Penalty for amounts not paid within 60 days	25.00
Penalty for amounts not paid within 90 days	25.00
Add'l penalty for amounts not paid if collection by levy is required	25.00
<b><u>RECREATION</u></b>	
ATHLETIC FIELD USE SURCHARGE (per person/per prog)	15.00
<b>BUILDING FEES</b>	
Auditorium (per hour)	100.00
Other Rooms (per hour)	75.00
Auditorium: Non-Profit/Co-Sponsor Rate (per hour)	75.00
Other Rooms: Non-Profit/Co-Sponsor Rate (per hour)	50.00
New Multi Purpose Room (4 Hours)	575.00/675.00
Birthday Party: Basic Program (two hours)	200.00/300.00
Private Party: Other rooms (each)	475.00/575.00
Maintenance Coverage (per hour) Full-time	60.00
Maintenance Coverage (per hour) Part-time	40.00
Alcohol Permit Fee	70.00
Event Security Deposit (Refundable)	150.00
<b><u>DAY CAMP</u></b>	
Day Camp - ½ day program (resident)	600.00
Day Camp – 2 week session (resident)	525.00
Day Camp – 6 week basic (non-resident)	1,540.00
Day Camp – 6 week basic (resident)	760.00
Day Camp – 6 week extended program (resident)	n/a
Day Camp – Swim group	85.00
Day Camp – Swim lessons (with group)	120.00
Kiddy Camp (resident)	700.00
Kiddy Camp – 2 week session (resident)	n/a
Registration fee after deadline	180/30 wk
Camp 78 – 6 weeks	n/a

**APPROVED MINUTES** - Regular Meeting - City Council  
June 12, 2013 - Page 12

Camp 78 – 2 weeks	n/a
Camp 78 – 1 week	225.00
Camp Withdrawal Fee	
<b>INDOOR RECREATION</b>	
Daily Fees (resident & non-resident)	5.00/10.00
<b>OUTDOOR RECREATION</b>	
All day field permit (10am-6pm)	700.00
Field permit (2 hrs.)	200.00
Field/Facility Use - Basketball - Outdoor lights (2hrs)	160.00
Softball - Men's Adult (per team)	370.00
Softball - Woman's Adult (per team)	325.00
<b>PICNIC</b>	
Non-profit/Police/Fire	50.00
Refundable Deposit (Part of Fee)	50.00
Weekday Picnic ( 4-Dark)	165.00
Up to 75 (Resident/Non Resident)	200.00/300.00
75 to 150 (Resident/Non Resident)	400.00/500.00
Security Deposit	50.00
<b>TENNIS</b>	
Permit - Adult (19 & over)	110.00
Permit - Family (max. 5)	285.00
Permit - Individual (non-resident)	220.00
Permit - Junior (6-13 /14-18 years)	60.00
Permit - Senior (60+)	75.00
Clinic - Adult Tennis (4 classes)	\$90/115
Clinic - Youth Tennis (4 classes)	\$80/\$90
Daily Fee (resident only)	13.00/8.00
Guest of Permit Holder - Hourly fee	13.00/8.00
Private lessons: Per half hour	38.00
Private lessons: Per hour	52.00
Non-Resident Senior	150.00
<b><u>RYE TV</u></b>	
<b>DUPLICATION FEES</b>	
Dubbing Fee (per tape)	20.00
DVD Dubbing Fee (per DVD)	20.00
<b>DUPLICATION STOCK FEES</b>	
Mini DV 60	6.00
Mini DV 80	8.00
DVD-R	1.00

CD-R	n/a
EQUIPMENT RENTAL	
Camcorder – per day (Misc. Equipment Extra)	100.00
Camcorder Canon XHA1 per day (misc extra)	250.00
Tripod per day	50.00
Light kit: Arri or Lowell per day	100.00
Shotgun mic and cables per day	30.00
Digital Editing Suite without Personnel (per hour)	100.00
Studio without RTV personnel (per hour)	200.00
PERSONNEL	
Staff Audio/Graphics In-Studio (per hour)	25.00
Staff Cameraperson In-studio (per hour)	50.00
Staff Cameraperson On-Location (per hour)	75.00
Staff Editor (per hour)	125.00
Staff Other On-Location (per hour)	75.00
Staff Producer/Director In-studio (per hour)	150.00
Staff Technical Supervisor (per hour)	150.00

**ROLL CALL:**

**AYES:** Mayor French, Councilmembers Brett, Filippi, Jovanovich, Killian and Parker  
**NAYS:** None  
**ABSENT:** Councilman Sack

The Resolution was adopted by a 6-0 vote

**10. Consideration to adopt a Conflict of Interest form**

City Manager Pickup noted that based on previous discussions regarding issues relative to members of bargaining unions signing purchase orders or claims on behalf of a department head, a Non-Collusion Statement has been created that would cover these situations without including those employees with those who must submit the Conflict of Interest form. Corporation Counsel Wilson said that the Conflict of Interest policy should not be adopted without changing the Code, but that the Conflict of Interest form for vendors; the two Non-Collusion affidavits; and the updated Oath of Office card could be adopted prior to amending the Code. No action was taken.

This agenda item was taken prior to agenda item 10.

11. Public Hearing to amend local law Chapter 15, “Code of Ethics”, to reflect the addition of the Conflict of Interest form

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to open the public hearing.

Corporation Counsel Wilson noted that a change had been made to the draft local law changing the amount of the gift value to \$50. There was a suggestion of making a further change to the law that would expand the Board of Ethics and a discussion among the Council regarding if the change should be made at this time or in a separate local law, or if the current proposed changes should be deferred until after a new Board of Ethics was in place.

Councilwoman Brett made a motion, seconded by Councilman Filippi and unanimously carried to close the public hearing.

No vote was taken on the proposed local law.

12. Discussion of the revised Inter-Municipal Agreement with the Municipal Employee Benefits Consortium (MEBCO)

City Manager Pickup offered an overview of the MEBCO plan which covers some City employees and retirees. The plan is a premium based plan that is based on actual utilization. There is a proposal to create a Threshold and a Stop Loss in order to smooth the large claims that create spikes in the rates and make it difficult for the City to plan. The recommendation of staff is that the Council should consider supporting the proposal and adopt the Inter-Municipal Agreement. Continuing with MEBCO provides the City with a viable alternative plan that can provide a long-term benefit to the City.

13. Residents may be heard on matters for Council consideration that do not appear on the agenda

There was no one wishing to speak under this topic.

14. Bid Award for the Annual Street Resurfacing contract (Contract #2013-04)  
Roll Call.

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

**RESOLVED**, that the City Council of the City of Rye hereby awards Contract #2013-04 – Annual Street Resurfacing to ELQ Industries, Inc., the lowest responsible bidder, in the amount of Four Hundred Twelve Thousand, Eight Hundred Fifty dollars (\$412,850.00).

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Jovanovich, Killian and Parker  
NAYS: None  
ABSENT: Councilman Sack

The Resolution was adopted by a 6-0 vote

Contract 2013-04 Annual Street Resurfacing Contract

Contractor	Contractor's Bid	Engineer's Check	Position
ELQ Industries, Inc.	\$412,850.00	\$412,850.00	1
Bilotta Construction Corp.	\$426,164.00	\$426,164.00	2
PCI Industries	\$458,650.00	\$458,650.00	3

15. Bid Award for Sidewalk Replacement Contract (Contract #2013-05)  
Roll Call.

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

**RESOLVED**, that the City Council of the City of Rye, hereby awards Contract #1013-05 – Annual Sidewalk Replacement to Bilotta Construction Corp., the lowest responsible bidder, in the amount of Two Hundred Fifteen Thousand, Seven Hundred dollars (\$215,700.00).

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Jovanovich, Killian and Parker  
NAYS: None  
ABSENT: Councilman Sack

The Resolution was adopted by a 6-0 vote

Contract 2013-05 – Sidewalk Replacement

Contractor	Contractor's Bid	Engineer's Check	Position
Bilotta Construction Corp.	\$215,700.00	\$215,700.00	1
PCI Industries	\$227,650.00	\$227,650.00	2
Con-Tech	\$238,020.00	\$238,020.00	3
Paladino Concrete	\$243,785.00	\$243,785.00	4

ELQ Industries	\$244,650.00	\$244,650.00	5
----------------	--------------	--------------	---

16. Resolution to declare certain equipment as surplus Roll Call.

Lucia Villani, Jenna Cammisa and Bridget Salice representing the organization *Linking Handlebars* presented a brief overview of the activities of their organization.

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

**WHEREAS**, the Police Department has accumulated abandoned bicycles; and be it **RESOLVED**, that these bicycles be declared surplus, and, be it further **RESOLVED**, that authorization is given to the City Comptroller to donate the bicycles to the organization *Linking Handlebars* who will deliver the bicycles to needy children.

17. Consideration of a request by the Rye Chamber of Commerce for the use of City streets for the Annual Sidewalk Sale to be held on Thursday, July 25, 2013 through Saturday, July 27, 2013 from 9:00 a.m. to 5:00 p.m.

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

**RESOLVED**, that the City Council of the City of Rye hereby approves the request of the Rye Chamber of Commerce for the use of City streets for the Annual Sidewalk Sale to be held on Thursday, July 25, 2013 through Saturday, July 27, 2013 from 9:00 a.m. to 5:00 p.m.

18. Resolution to grant permission to the Rye Free Reading Room to hold a free community event on the Village Green on Saturday, September 21, 2013 from 10 a.m. to at 1 p.m.

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

**RESOLVED**, that the City Council of the City of Rye hereby approves the request of the Rye Free Reading Room for use of the Village Green on Saturday, September 21, 2013 from 8:00 a.m. to 3:00 p.m. in connection with a free community event to commemorate the 100<sup>th</sup> anniversary of the library building.

19. Miscellaneous Communications and Reports

Mayor French reported that the Sustainability Committee had asked him to write a letter in favor of the Sustainability Plan. He said that the Rye Town Park Capital Committee is moving forward with bids for the Administration Building.

City Manager Pickup reported on an additional option for handling FOIL appeals that involved a rotation system among the members of the Council for hearing appeals. There was a discussion among the Council regarding the difficulty of getting a quorum for special meetings to deal with FOIL appeals and the necessity of have unanimous votes when there is only a quorum of the Council available. The possibility of having someone other than the Council acting as appellate officer was also discussed. A suggestion was made that there should be a FOIL Clerk on the City staff that was dedicated to working on FOIL requests.

20. Old Business

Councilman Filippi asked the status of a proposed “fly over” in connection with the deer issue. Councilwoman Parker said that a meeting was held recently with residents of Greenhaven and The Preserve. John Baker of Westchester County said he did not feel that a “fly over” was necessary but rather suggested that some of the deer should be “collared” in order to track them. He has taken steps to apply for a grant for the collars.

21. New Business

There was nothing discussed under this agenda item.

22. Adjournment

There being no further business to discuss Councilman Filippi made a motion, seconded by Councilwoman Parker and unanimously carried, to adjourn the meeting at 11:50 p.m.

Respectfully submitted,

Dawn F. Nodarse  
City Clerk