

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on January 29, 2014 at 7:30 P.M.

PRESENT:

JOSEPH A. SACK Mayor
LAURA BRETT
KIRSTIN BUCCI
JULIE KILLIAN
TERRENCE McCARTNEY
RICHARD MECCA
RICHARD SLACK
Councilmembers

ABSENT: None

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements

Mayor Sack read a statement responding to recent allegations made by School Board Member Edward Fox regarding Mayor Sack and his wife, Kerri Law, and Councilman Slack and his wife, School Board President Laura Slack, claiming that a deal was made in connection with the recent appointment of Mr. Slack to the City Council. Mayor Sack denied all the allegations and called on Board Member Fox to retract his statement. Comments were also made by Councilmembers, McCartney, Slack, Brett and Killian refuting the allegations made by Mr. Fox.

Councilman McCartney reported on the Michael Ice Memorial Basketball Event at Rye High School. He noted that \$10,000 had been raised for the scholarship fund, which included a \$1,000 donation by Harrison High School Coach Gary Chiarella and another family that he called a remarkable show of sportsmanship and class.

4. Announcement of opening for a City Court Judge (part-time) at the Rye City Court

Mayor Sack announced that Judge Richard Runes has stepped down from the position of City Court Judge (part-time). The Mayor explained the requirements of the position and asked anyone who was interested to please contact him.

5. Draft unapproved minutes of the regular meeting of the City Council held January 8, 2014

Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to approve the minutes of the regular meeting of the City Council held on January 8, 2014, as submitted.

6. Issues Update/Old Business

- Proposal for Affordable Senior Housing on the County-owned property located on Theodore Fremd Avenue

Mayor Sack summarized what has been done to date in connection with the proposal to develop Affordable Senior Housing on County-owned property on Theodore Fremd Avenue and outlined the next steps that the City would need to take. He said he would like to have a site visit that would be open to the public as part of the public hearing process. He also noted that he and Councilwoman Brett had met with representatives of the County to discuss the proposal and had visited the site with representatives of the media.

- “Parkette” at Boston Post Road and Central Avenue

Mayor Sack referred to a memo issued by the Traffic and Pedestrian Safety Committee that discusses using the site for parking. He added that any decision on whether to use the area for parking or convert it back to a park should wait until after the construction is completed at 2 Central Avenue. Councilwoman Brett said that the Landmarks Committee has been discussing placing the “mile marker” that is being returned from Port Chester at that location. Doug Carey provided the Council with newspaper clippings regarding the creation of the park.

- Rye Town Park Litigation

Mayor Sack said that the City had filed papers and perfected its appeal in connection with this matter last week. The Town of Rye has 30 days to submit their response.

- Freedom of Information Law (FOIL)

Corporation Counsel Wilson reported on two FOIL appeals filed by Timothy Chittenden. In one case, the City is not in possession of the document that he is seeking but has advised him who might be in possession of the record. In the other case, he was provided with the responsive documents and indicated that he believed there were additional documents. An additional search was made and no additional documents have been located. Ms. Wilson said she did not believe that either were appealable issues.

7. Presentation by the Playland Advisory Committee

Prior to the presentation, Mayor Sack designated Steve Vasko to serve as the Chair of the Rye Playland Advisory Committee (RPAC).

Councilmembers McCartney, Killian and Brett made disclosures regarding relationships they have with people who are affiliated with Playland Sports and Sustainable Playland. They all indicated that these relationships would not affect their ability to be fair and objective regarding the SPI proposal.

Steve Vasko discussed a report that had been compiled by RPAC after they reached out to the community for their questions regarding the Playland Improvement Plan (PIP). The report lists questions under categories of who RPAC believes can best answer them. Residents have also requested public forums that will include all concerned parties and allow for comment, question and answer sessions. Some areas of concern raised in the questions include: traffic issues; adding Rye as an interested party under SEQRA; and the parkland alienation process. He requested that the City add a link to the Rye website to allow citizens to contact RPAC. Mayor Sack reported that he and Councilwoman Brett had met with Deputy County Executive Kevin Plunkett who agreed to assist the City in getting answers to questions if they were forwarded to him. The Mayor asked that RPAC report back to the Council at the February 26th meeting. Kim Morque, President of SPI reported that the PIP had been resubmitted to the County Board of Legislators this week and said SPI would welcome the opportunity to work on the plan with RPAC and the City Council.

Several members of the public commented on this Agenda item, including: *Susan Morison, Veronica Iuliano, Michael Lee, Chris Watson, Ken Ball, Deirdre Curran, and Michael Visci*. They expressed positions both for and against the PIP and the Field House proposal in particular.

8. Resolution authorizing the 2012 Rye City Share of Capital for Rye Town Park

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

RESOLVED, that the City Council of the City of Rye hereby authorizes the payment of \$11,000.00 to the Rye Town Park Commission as the City of Rye's share of the 2012 capital expenditures for Rye Town Park.

ROLL CALL:

AYES:	Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney, Mecca and Slack
NAYS:	None
ABSENT:	None

The Resolution was adopted by a 7-0 vote.

9. Resolution to transfer \$50,000 from contingency to Public Works to purchase salt for storm coverage for the remainder of the winter season

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

WHEREAS, City staff has determined that the amounts required for sale for storm coverage in fiscal 2014 will exceed the amounts provided for in the adopted 2014 budget by \$50,000; and

WHEREAS, the General Fund Contingent Account has a balance of \$300,000; now, therefore, be it

RESOLVED, that the City Comptroller is authorized to transfer \$50,000 from the General Fund Contingent Account to the Public Works Department.

ROLL CALL:

AYES: Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney, Mecca and Slack
NAYS: None
ABSENT: None

The Resolution was adopted by a 7-0 vote.

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

Joseph Murphy, Chair of the Rye Senior Advisory Committee, said that the Committee has revised their Mission Statement and asked that it be added to the Agenda of the next City Council meeting for consideration.

11. Council designation to the Litigation and Case Management Committee

Mayor Sack appointed Councilmembers Laura Brett and Richard Slack to serve on the Litigation and Case Management Committee.

12. Designation of the City Council Liaisons by the Mayor

Mayor Sack designated City Council Liaisons as follows:

Councilwoman Brett – Flood Advisory Committee, Landmarks Committee and Rye Town Park Commission

Councilwoman Killian – Finance Committee, Traffic and Pedestrian Safety Committee and Sustainability Committee

Councilman Mecca – Boat Basin Commission

Councilman McCartney – Recreation Commission and Rye Golf Club Commission (co-liaison)

Councilwoman Bucci – Rye Golf Club Commission (co-liaison)

13. Appointments to Boards and Commissions, by the Mayor with Council approval
- A) One appointment to the Board of Architectural Review for a three-year term.
 - B) One appointment to the Conservation Commission/Advisory Council for a three-year term.
 - C) Two appointments to the Finance Committee for a three-year term.
 - D) Four appointments to the Flood Advisory Committee for a three-year term.
 - E) Three appointments to the Landmarks Advisory Committee for a three-year term.
 - F) Four appointments to the Rye Cable and Communications Committee for a three-year term.
 - G) Two appointments to the Rye Town Park Advisory Committee for a three-year term.

Appointments to the Board of Architectural Review, Conservation Commission/Advisory Council, Landmarks Advisory Committee, Rye Cable and Communications Committee and Rye Town Park Advisory Committee were deferred.

Councilwoman Brett made a motion, seconded by Councilman McCartney and unanimously carried, to approve the following appointments:

Robert May and James Jenkins are appointed to the Finance Committee for three-year terms, expiring on January 1, 2017;

Holly Kennedy and Robert Gay are appointed to the Flood Advisory Committee for three-year terms, expiring on January 1, 2017;

James Lubeck is appointed to the Rye Playland Advisory Committee to fill out a term expiring on January 1, 2016.

14. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department: Amendment of General Order #113.7, “Domestic Violence”

This Agenda item was deferred to the next City Council meeting.

15. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department: Approval of new General Order #113.21, "Guidelines for Recording Custodial Interrogations of Suspects"

This Agenda item was deferred to the next City Council meeting.

16. Miscellaneous Communications and Reports

There was nothing discussed under this Agenda item

17. Old Business

Old Business was discussed under Agenda Item 6.

18. New Business

There was nothing discussed under this Agenda item.

19. The Council will convene into Executive Session to discuss litigation and personnel matters.

See Agenda Item 20.

20. Adjournment

There being no further business to discuss Councilwoman Brett made a motion, seconded by Councilman McCartney and unanimously carried, to adjourn into executive session to discuss litigation regarding the water rate case, and not return into regular session at 9:45 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk