

**APPROVED MINUTES** of the Regular Meeting of the City Council of the City of Rye held in City Hall on February 25, 2015 at 8:00 P.M.

PRESENT:

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

ABSENT: JULIE KILLIAN, Councilmember

Beginning at 7:00 p.m., prior to the Council meeting, a “Deer Management Summit” was held that was jointly hosted by Mayor Joseph Sack and Village of Mamaroneck Mayor Norman Rosenblum. Kevin Clark representing the State Department of Environmental Conservation (DEC) and John Baker and Dan Aitchison representing the County of Westchester also participated. It was noted that the issue of deer management is a regional issue stemming from an overpopulation of deer who travel across municipal boundary lines. Issues stemming from the overpopulation of deer include forest regeneration; traffic accidents; and Lyme Disease. The County representatives reported on recent counts made of deer in the City of Rye and on County efforts to control deer in County parks in order to deal with ecosystem issues. The representative of the DEC reported on various methods of dealing with deer including bow hunting; the use of sharp shooters; and sterilization. Mayor Sack said that the focus of discussions going forward should be on what options should be chosen and how they should be implemented. At the end of the presentation several members of the public commented including: Kylie Blackman; Joan Kaiser; Suzanne Clarey; Norman Cooper; Mary Castradillo; Angie Johnson; Laura Simoa; Richard Filippi, Tom VanLeven and Jeremy Arfield.

The regular City Council meeting began at 8:45 p.m.

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 by the Council

Announcements were made in connection with various activities and events that may be of interest to the public.

4. Draft unapproved minutes of the regular meeting of the City Council held February 11, 2015

Councilwoman Brett made a motion, seconded by Councilman McCartney and unanimously carried, to approve the minutes of the regular meeting of the City Council held on February 11, 2015.

5. Issues Update/Old Business

There was nothing discussed under this topic.

5A. Cable TV Studio

Mayor Sack said that during the Budget process last year, the Council had extensive discussions regarding what to do with the location of the Cable TV Studio – to build a studio at City Hall or keep it at the Middle School. The Council committed to having a greater discussion about the issue during 2015 so it could be addressed in the 2016 Budget. The Mayor announced that the City Council and School Board will engage in a joint task force to study the issue.

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

**WHEREAS**, the Rye City Council has been presented with a proposal regarding the future location of the Rye cable TV public access studio; and

**WHEREAS**, the Council must make important and long-lasting decisions with regard to the location of the studio and the expenditure of over \$800,000 in existing City funds, as well as the sustainability of future revenue streams and the efficiency of future expenditures; and

**WHEREAS**, the Council recognizes the benefits of the studio at the Rye High School/Middle School, where it has existed for decades since the inception of Rye's public access program; and

**WHEREAS**, the Council recognizes that the use of the studio by young students has benefited the schools and has allowed these students to develop a unique proficiency in the video arts, and become inspired to pursue a serious career in the field; and

**WHEREAS**, the Council desires to establish a joint task force with the Rye City School Board to consider the location of the studio and the matters set forth above; now therefore

**BE IT RESOLVED**, that the Rye City Council hereby establishes a Temporary Cable TV Studio Joint Task Force with the Rye City School Board to study such matters and to report back to the Council during the 2015 budget season; and

**BE IT RESOLVED**, that the members of this joint task force shall be appointed by the Mayor in consultation with the President of the School Board; and

**BE IT RESOLVED**, that this resolution supersedes any prior resolutions regarding such matters.

Mayor Sack appointed the following people to serve on the Temporary Cable TV Studio Joint Task Force: Mayor Joseph Sack; Councilwoman Julie Killian; Councilman Richard Slack; School Board Member Katy Glassberg; School Board Member Blake Jines-Storey; Andrew Dapolite and Sheri DeGraw.

6. Continuation of Public Hearing to amend local law Chapter 165 , “Signs”, of the Rye City Code by adding Section §165-10, “Regulation of banners”, to establish regulations for banners on City owned ball field fences and utility poles on City property

Mayor Sack said that the only portion of the proposed law left to resolve is the portion involving banners in the downtown. The issue of signs in the outfield at Disbrow Park has been delegated to the Recreation Commission. Councilman McCartney reported that the Recreation Commission has been working on the issue and has come up with rules to implement the plan. There was a discussion among the Council about whether the issue of the banners downtown should be tabled. It was suggested that banners that have been put up in the downtown are currently not allowed under the Code and the local law would create a process and conditions for permitting them.

Councilwoman Brett made a motion, seconded by Mayor Sack and unanimously carried to adjourn the public hearing to the March 25, 2015 City Council meeting.

- 6A. Public Hearing to amend local Law Chapter 177, “Taxation”, Article XII, “Exemption for Historic Districts” by amending Section §177-79, “Definitions”, to add a new definition for “Historic District” and amending the definition of “Landmark”

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

Councilwoman Brett said the purpose of the proposed local law is to conform definitions in the City Code so people can take advantage of the tax incentives for renovating historic structures.

No one from the public spoke on the proposed local law.

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

Councilwoman Brett made a motion, seconded by Mayor Sack to adopt the following local law:

**CITY OF RYE  
LOCAL LAW NO. 3 2015**

**A local law to amend Chapter 177 “Taxation” Article XII “Exemption for Historic Districts” Section 177-79 “Definitions” of the Code of the City of Rye by adding a new definition for “Historic District” and amending the definition of “Landmark” as follows:  
Section 1: Chapter 177, Taxation. Article XII, Exemption for Historic Districts.**

**§ 177-79. Definitions.**

**CERTIFICATE OF APPROPRIATENESS**

A certificate issued by the Board of Architectural Review authorizing a material change of appearance of a Protected Site or Structure or within a Preservation District, as defined in Chapter 117, or Historic District, subject to other applicable permit requirements.

**HISTORIC DISTRICT**

An area of the City of Rye delineated on the Zoning Map of the City which has been recommended by the Landmarks Advisory Committee to the City Council as “Historic” in that such area has added to the historical or architectural significance of the City, and which has been approved by the City Council.

**LANDMARK**

Any parcel or building or structure designated as a Protected Site or Structure not located in a Preservation District or Historic District, which nonetheless meets one or more of the criteria enumerated in § 117-5 and is designated as a Protected Site or Structure pursuant to § 117-5E.

**Section 2:** If any phrase, sentence, part, section, subsection, or other portion of this chapter or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this chapter, an all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

**Section 3:** This local law will take effect immediately on filing in the office of the Secretary of State.

**ROLL CALL:**

**AYES:** Mayor Sack, Councilmembers Brett, Bucci, McCartney, Mecca and Slack

NAYS:                   None  
ABSENT:                Councilwoman Killian

The Local Law was adopted by a 6-0 vote.

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

There were no residents wishing to speak.

8.     Resolution to declare certain City of Rye equipment as surplus  
Roll Call.

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

**WHEREAS**, the City has been provided with a list of City equipment identified as being obsolete or will become obsolete during 2015, and

**WHEREAS**, the Department of Public Works and the Police Department have recommended that said equipment be declared surplus, now, therefore, be it

**RESOLVED**, that said equipment are declared surplus, and, be it further

**RESOLVED**, that authorization is given to the City Comptroller to sell or dispose of said equipment in a manner that will serve in the best interests of the City.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote.

List of Surplus Equipment:

- Airflo AF 2000 Salter Serial # 288 (DPW)
- 1947 AUSWE, Vin # 24255AW66 road grader (DPW)
- 2005 Giant Leaf Vac. Mod# 2501 Serial# 50239964 (DPW)
- 1981 Ford 3600, Serial# D5NN6015K Mott (DPW)
- 1989 GMC 7000, Vin # 1GDP7D1YK9V507826 salter (DPW)

- Trailer towed Detroit Diesel generator Model 40U 15KW (DPW)
- 1999 John Deere 935 riding mower Serial# MOF935X181023 (DPW)
- 2009 Ford Crown Vic, Vin # 2FAHP71VX9X142783 (Old PD Car 15)
- 2001 Ford Windstar, Vin # 2FMZA51421BA13573 (Old PD Car 25)
- 1990 Mako 23Ft. Vin # MRKJ08081990 (PB-1)
- 2001 GMC 3500 Bus, Vin # 1GDJG31F111145723 (REC)
- 2003 Chevy Blazer, Vin # 1GNNT13X43K151494 (REC)
- Lok Hot Box, H-38 L45 W 19 (REC)
- San Pro red box scraper for Toro 5020 Model# 08867 Serial# 70467 (REC)
- Honda EM 3500X Generator (REC)
- Meyers 8Ft plow, Part # 09286 (REC)
- 1997 Sea Craft Boat, Vin # SXCRX102J697 (FD)
- Gated Y, 2.5 NY Corporation thread 300 x 8 TPI (FD)
- Super Vac Ventilation Fan, Model# P-164-SE (FD)
- Manifold, Sin. x 4-2.5, thread 300 x 8 TPI (FD)
- Exterior light, 110 volts, 2-24"h x 9"w x 14"d (FD)
- Exterior light fixtures, 110 volts 30"h x 12"w x 17"d (FD)
- Survivor stream light AC/DC Chargers (FD)
- (13) Motorola Miniature pager chargers III or IV (FD)
- (4) Motorola Vehicle chargers Sir# NTN-5438-A (FD)
- Motorola Vehicle charger, Sir# NLN-6892-A (FD)
- (9) Motorola miniature Pagers IV (FD)
- Motorola miniature pagers III (FD)
- (14) Motorola miniature pagers II (FD)
- Motorola pager I (FD)
- (23) Assort. Chargers for Motorola miniature for pagers II (FD)
- Motorola vehicle chargers (FD)
- (9) Pal III pass alarms (FD)
- (12) Pal 3+ pass alarms (FD)
- Life guard IV pass alarm (FD)
- (5) Life guard V pass alarm (FD)
- Tom Tom GPS systems (FD)
- Garmin GPS system (FD)
- Scott protege portable gas monitor docking system (FD)

City of Rye Police Department Surplus Items

- |  |                       |
|--|-----------------------|
| 1) M1102 Cargo Trailer                   | ID#: HHA21122820001   |
| 2) Ingersall Rand Light Trailer          | ID#: W31BQE30070002A  |
| 3) Ingersall Rand Light Trailer          | ID#: W31BQE30070002A2 |
| 4) Diesel Generator (100KW, 50/60 HERTZ) | ID#: SXX2932179D732   |
| 5) Diesel Generator (100KW, 50/60 HERTZ) | ID#: SXX2932179D732A  |
| 6) Diesel Generator (100KW, 50/60 HERTZ) | ID#: SXX2932179D732B  |
| 7) M1102 Cargo Trailer                   | ID#: HHA21122820001B  |
| 8) GVWR3864 HVAC Trailer                 | ID#: SX12932336D824   |
| 9) NAVAIR Wheel Mounted Crane            | ID#: V55615219300     |

9. One appointment to the Rye Senior Advocacy Committee for a three-year term expiring January 1, 2018, by the Mayor with Council approval

Mayor Sack made a motion, unanimously approved by the Council, to appoint Philip Chicciello to the Rye Senior Advocacy Committee for a three-year term expiring on January 1, 2018.

10. One appointment to the Planning Commission to fill a term expiring January 1, 2016, by the Mayor with Council approval.

Mayor Sack made a motion, unanimously approved by the Council, to appoint Andrew Ball to the Planning Commission to fill a term expiring on January 1, 2016.

11. One appointment to the Rye Cable and Communications Committee for a three-year term expiring January 1, 2018, by the Mayor with Council approval

This agenda item was deferred.

12. Miscellaneous Communications and Reports

There was nothing reported under this Agenda item.

13. New Business

There was nothing reported under this Agenda item.

14. 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 related to the Rye Golf Club insurance claim and not return to the regular meeting at 9:15 p.m.

Respectfully submitted,

Dawn F. Nodarse  
City Clerk