

***APPROVED MINUTES*** of the Regular Meeting of the City Council of the City of Rye held in City Hall on April 13, 2016 at 7:30 P.M.

PRESENT:

JOSEPH A. SACK Mayor  
KIRSTIN BUCCI  
EMILY HURD  
JULIE KILLIAN  
RICHARD MECCA  
DANIELLE TAGGER-EPSTEIN  
Councilmembers

ABSENT: TERRENCE McCARTNEY, Councilmember

A public meeting regarding the Forest Avenue Sidewalk Improvement Project preceded the regular meeting of the City Council at 7:00 P.M. The regular meeting of the Rye City Council convened at 8:06 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. Recognition of the Rye City School District Girls High School Basketball Team.

Mayor Sack announced that the Rye High School Girls Basketball Team had won the Championship game for the 2016 Girls Basketball season. He stated that team members are very much held in high regard in the community for what they have accomplished. He acknowledged that the team serves as a role model for young children who look up to them. He complimented the exemplary manner in which the team members carry themselves. He lastly stated that they are role models for the entire City, and the community is so pleased that they came this evening to recognize them.

Councilwoman Killian congratulated the team on their great success.

Councilwoman Hurd congratulated the team and stated that the City was very proud of them.

Each member of the team was recognized for their success. Mayor Sack made a motion, unanimously carried, to adopt the following proclamation:

**WHEREAS**, the City of Rye places great value in sports, scholastic athletics, and basketball; and

**WHEREAS**, the Rye Varsity Girls Basketball Team is made up of exceptional young women whose skills at each position have blended together to become champions; and

**WHEREAS**, the team of Eleanor Dailey, Lauren Dempsey, Madeline Eck, Amanda Hartzell, Alizeh Imam, Serena Imam, Taylor Maurer, Hannah Mullaly, Haley Nemsick, Katie Popp, Deirdre Potter, and Kate Robbins has achieved a level of unmatched excellence by winning the 2016 Section 1 Class A Championship; and

**WHEREAS**, the leadership, dedication, and support provided by Head Coach Dennis Hurlie and Assistant Coach Joe Carlucci was indispensable to molding this championship program which continues a tradition of outstanding excellence and consistent achievement in Rye Varsity Girls Basketball; and

**WHEREAS**, the entire Athletic Department led by Athletic Director Rod Mergardt, provided the support for these champions and the Rye Varsity Girls Basketball Program over the years along with dedicated parents, boosters, fans and supporters; and

**WHEREAS**, the Rye Varsity Girls Basketball Team are truly scholar athletes as the team received the NYSPHSAA Scholar Team Award with a GPA of 94.9 and all five seniors were elected as members of the National Honor Society: Lauren Dempsey, Madeline Eck, Alizeh Imam, Taylor Maurer and Deirdre Potter; and

**WHEREAS**, the Rye Varsity Girls Basketball Team claimed the victory against top-seeded Ursuline on February 28, 2016 with a final score of 63-47 at the Westchester County Center; and

**WHEREAS**, the only other time the girls won the Section 1 title, in 2004, they were in Class B, not Class A, making this is a tremendous victory; and

**WHEREAS**, the team went on to win multiple games in the New York State Tournament, advancing all the way to the State Final Four; and

**WHEREAS**, the spirit and success of the Rye Varsity Girls Basketball Team brings great pride and happiness to our community for this wonderful victory;

**NOW, THEREFORE, BE IT RESOLVED**, that I, Joseph Sack, Mayor of the City of Rye, on behalf of the City Council and the City of Rye, do hereby congratulate the Rye Varsity Girls Basketball Team not only for their part in the 2016 Section 1 Class A Championship, but also for epitomizing the philosophy of the Rye Varsity Girls Basketball Team.

4. Consideration of the election of the Chiefs of the Rye Fire Department.

Councilwoman Bucci stated that on Thursday, April 7, 2016, the Rye Fire Department held its annual elections for Chief, First Assistant, and Second Assistant. She stated that the Council must formally approve the election results.

Councilman Mecca stated that Kyle Wagman was elected to the position of Second Assistant Chief, David Larr was elected to the position of First Assistant Chief, and Michel Billington was elected to the position of Chief of the Department. He recommended that the Council approve the election results.

Corporation Counsel Wilson stated that recent amendments to the bylaws recently encouraged some active volunteers to enter the election.

Councilman Mecca made a motion, seconded by Councilwoman Bucci and unanimously carried, to approve the 2016 Rye Fire Department election results and recognize Kyle Wagman as Second Assistant Chief, David Larr as First Assistant Chief, Michael Billington as Chief of the Rye Fire Department.

On behalf of those elected, David Larr addressed the Council and stated that they shall strive to live up to the Council's confidence in them. They recognize that the world is changing and they look forward to working together and facing the challenges ahead.

5. General Announcements.

Councilwoman Tagger-Epstein announced that the Rye Sustainability Committee will hold a lecture on organic gardening and how to grow a healthy yard on Saturday, April 30, 2016 from 1:00-2:00 P.M. at the Harrison Library. The Rye Nature Center and the City of Rye Sustainability Committee will also be holding a seminar about composting on May 6, 2016 at 9:15 A.M. at the Rye Nature Center.

Councilman Mecca announced that on Sunday, April 24, 2016 there will be an Open House for Rye Fire Department volunteer recruitment at the Locust avenue Firehouse between 10:00 A.M. and 2:00 P.M. The current volunteers will be there to answer any questions and discuss volunteer requirements.

Councilwoman Killian congratulated the recent Eagle Scout recipients on their accomplishments.

Councilwoman Bucci announced that the Rye Golf Club Pool Registration Early Bird Registration ends May 13, 2016.

Councilwoman Hurd encouraged residents to complete and return the Chamber's survey concerning the downtown area of Rye in an effort to keep the business district vibrant.

Councilwoman Tagger-Epstein added that the Senior Summit Program will be held on April 17, 2016 from 1:00-4:00 P.M. at the library.

Mayor Sack announced that the Rye Derby will be held on April 24, 2016. There will be a 5 mile and 5K run at 10:15 A.M. At 12:15 P.M., there will be a one mile "Fun Run." Mayor Sack also announced that there will be a free event for Rye Golf Club Members on April 22, 2016 from 5:00-7:00 P.M. at Whitby Castle.

6. Draft unapproved minutes of the regular meeting of the City Council held March 30, 2015.

Councilman Mecca made a motion, seconded by Councilwoman Tagger-Epstein and unanimously carried, to adopt the minutes of the regular meeting of the City Council held March 30, 2016.

7. Issues Update/Old Business.

Mayor Sack discussed parking at the train station. He reported that the City Clerk staff has done some unofficial studies of the lot and there were 22 open permitted spots on Monday, April 11, 2016.

Councilwoman Hurd asked the City staff to provide a future update on the New York Rising Grant.

Councilwoman Killian asked if there could be a study done on the current City website. City Manager Serrano responded that staff is currently reviewing viable options for the future of the City's website.

Councilman Mecca stated there was not much to report from the Planning Commission or the Firehouse. He hopes to report more at the next Council meeting.

Mayor Sack announced that with regard to the Master Plan, the City held a meeting with the School Board on Saturday, April 9, 2016. The Master Plan Committee will be looking into issue a community survey with details to come.

8. Discussion regarding a switch to LED lighting for street lights in the City of Rye.

City Manager Serrano stated that he has been so impressed and happy to have City Engineer/ DPW Superintendent Coyne on staff, who always looks into the most cost-effective and most efficient way of completing tasks. City Manager Serrano added that Mr. Coyne always considers the best interests of the tax payers.

City Engineer/ DPW Superintendent Coyne addressed the Council. He reviewed the timeline of the City's endeavor to switch to LED street lights and recounted that the City had been working with the New York Power Authority (NYPA). Recently, the Council was presented with a proposal from Lumen Light Solutions in January 2016, which was a turnkey

solution to purchase and install the LED lights. The City went out to bid on this issue and a more cost-effective solution was presented by U.S. Communities, in which the City could purchase the LED lights and the DPW could install the lighting. Hiring a private company to install the lighting would cost the City an extra \$150,000. The City DPW is excited about the opportunity to install these fixtures and proud to be considered to do this project for the City.

Councilwoman Killian inquired about whether it would take longer to utilize the DPW's help installing the fixtures. City Engineer/ DPW Superintendent Coyne responded that it would take the City DPW approximately one to one and a half years to install the fixtures, as opposed to a private company who would install the lights within three to six months.

Councilwoman Tagger-Epstein inquired about the light specifications. City Engineer/ DPW Superintendent Coyne responded that the DPW will be installing a trial light in the City Hall parking lot and invited the Council to view it prior to the next Council meeting.

Councilwoman Killian stated that the City currently spends \$260,000 a year on street lights currently. City Engineer/ DPW Superintendent Coyne stated that with the use of LED street lights, the City would save approximately \$100,000-150,000 per year.

Councilman Mecca asked about the experience level on the switch to LED lights. City Engineer/ DPW Superintendent Coyne responded that the DPW has had positive experiences with the switch thus far. He also stated that traffic lights would be switched as well. Councilman Mecca and City Engineer/ DPW Superintendent Coyne discussed the wattage and bulb specifications in detail.

Councilwoman Hurd stated she felt positively about the possibility of phasing in LED lights over a year and a half period, as this could be fiscally responsible due to burn-out times being staggered.

Councilwoman Bucci inquired about photocells. City Engineer/ DPW Superintendent Coyne explained that photocells sit on top of the light and turn the lights off and on. He explained further about photocells in detail.

Councilwoman Killian and City Engineer/ DPW Superintendent Coyne discussed doing a comparison between LED lights and non-LED lights within the City.

Mayor Sack thanked City Engineer/ DPW Superintendent Coyne for his diligence on this issue. Mayor Sack recommended the Council observe the new LED lightbulb in the City Hall parking lot. This item will be on the agenda for the next meeting and the Council will make the final decision.

9. Consideration of request by Crown Castle to amend their agreement with the City regarding existing wireless telecommunications specifications and referral to the Board of Architectural Review for additional attachment locations.

Corporation Counsel Wilson reminded those present that the Council signed the Right of Way Use Agreement in 2011 with Crown Castle, who has installed nine Distributed Antennae System (DAS) nodes throughout the City.

Crown Castle representatives Esme Lombard and Joseph Clem addressed the Council. They stated that pursuant to the 2011 signed agreement, Crown Castle installed equipment within the right-of-way. Crown Castle is now seeking to amend the existing right-of-way use agreement, adding 73 nodes throughout the City.

Mr. Clem stated that cell service is not what it was five and ten years ago. Today, people are watching HD videos, which require more data. There is only a certain amount of bandwidth and more nodes are needed.

Councilwoman Tagger-Epstein asked to review any existing EMF reports. Ms. Lombard responded that she would provide two reports to the Councilmembers. She stated that the reports demonstrate that the EMF levels are well below the federal standards.

Councilwoman Hurd and Crown Castle discussed the issue of cell towers versus DAS technology.

Ms. Lombard announced that Crown Castle as a public utility has a certificate of public necessity and in this case is representing Verizon Wireless.

Mayor Sack stated that the Council will seek advice from its Corporation Counsel and made a motion to refer the issue to the Board of Architectural Review, which was unanimously carried.

Ms. Lombard stated that her hope is for DAS node deployment to begin in summer 2016.

Mayor Sack suggested that the Council revisit this issue at the regular Council meeting to be held on May 11, 2016.

Councilwoman Killian inquired as to the size of the new boxes in comparison to the existing nodes. Ms. Lombard responded that the new boxes will be slightly larger than the existing nodes.

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

Philip Cicchiello, Rye Resident, addressed the Council. He thanked the Council for listening and thanked the Mayor for trying to help achieve a resolution with regard to a fence issue between him and his neighbor. Mr. Cicchiello spoke at length regarding the issue and addressed a recent FOIL request he submitted to the City. Lastly, he thanked the Council for their time.

- 10A. Resolution to appoint the next eligible member from the Rye Golf Club election of November 13, 2015 to the Rye Golf Club Commission until the next regular election.

City Manager Serrano stated that there is a vacancy on the Rye Golf Club Commission that the Rye Golf Club would like to fill, due to a resignation from a Commission member.

Mayor Sack announced that Arthur Tiedemann would fill this vacancy. Councilwoman Bucci added that she is in full favor of adding Mr. Tiedemann to the Commission.

Pat Geoghegan, Osborn Road, clarified that the April 22, 2016 Golf Club event is open to Rye Golf Club members only.

Councilwoman Bucci made a motion, seconded by Councilman Mecca and unanimously carried, to appoint Arthur Tiedemann to the Rye Golf Commission to fill the unexpired term through 2016.

- 10B. One appointment to the Boat Basin Commission, by the Council, to fill a term expiring on January 1, 2018.

Mayor Sack announced that due to the untimely passing of Boat Basin Commission member, Robert Rispoli, there is a vacancy on the Commission. Brendan Hartman has served previously and the Commission would like him to fill the open vacancy.

Greg Gavlick, Boat Basin Commission Chair, addressed the Council on behalf the Boat Basin Commission. He stated that Brendan Hartman has been active with the Boat Basin Commission since May 2015. He has brought a lot of financial background and enthusiasm to the Commission. His membership would also bring the commission back to five voting members, and it would be helpful to be in a majority position.

Councilwoman Hurd stated she is in support of this appointment.

Councilwoman Hurd made a motion, seconded by Councilman Mecca and unanimously carried, to appoint Brendan Hartman to the Boat Basin Commission.

11. Miscellaneous communications and reports.

Councilman Mecca highlighted the fact that community member plaques have been added to the back of the chairs in City Council chambers. Mayor Sack thanked Assistant City Manager Militana for all of her hard work to refurbish Council chambers.

12. New Business.

There was nothing discussed under this agenda item.

13. Adjournment.

There being no further business to discuss at the general meeting, Mayor Sack made a motion, seconded by Councilman Mecca, to adjourn into executive session to discuss personnel and litigation matters.

Following executive session, Councilman Mecca made a motion at 10:45 p.m., seconded by Councilwoman Bucci, to exit executive session and adjourn the meeting.

Respectfully submitted,

Carolyn E. D'Andrea  
City Clerk