

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on May 17, 2017, at 7:30 P.M.

PRESENT:

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

4. Presentation by students of the Rye Middle School and Rye High School on the Oyster Restoration Project.

Debbie Davis Galliard, Rye Middle School teacher, thanked the Council for the opportunity to speak. The Council welcomed Breanna Brownson Rye Middle School student, who made a presentation on the Rye Middle and High School's Billion Oyster Project. Ms. Brownson and Ms. Kamer provided a slideshow within information regarding the ecosystem and restoration education project, aimed to bring oysters and their reefs back to New York. The student group has facilitated the growing population of oysters at the Rye Boat Basin and reports their findings back to the Billion Oyster Project.

13. Consideration of a request by the Rye Free Reading Room to have a food truck at the Vehicle Fair to be held on Sunday, May 21, 2017 from 11:30 a.m. to 3:00 p.m.

Chris Shoemaker, Rye Free Reading Room Director, stated that the Library was looking forward to their upcoming Vehicle Fair and were interested in providing a food truck to the residents. Mayor Sack made a motion, seconded by Councilwoman Bucci, to approve the request by the Rye Free Reading Room to have a food truck at the Vehicle Fair to be held on Sunday, May 21, 2017 from 11:30 a.m. to 3:00 p.m.

14. Consideration of a request by the Rye Free Reading Room for use of the Village Green on Thursday, July 20, 2017 from 6:00 p.m. to 9:00 p.m. for *Shakespeare on The Green*.

Chris Shoemaker, Rye Free Reading Room Director, stated that the Library was planning a performance of A Midsummer Night's Dream. Mayor Sack made a motion, seconded by Councilwoman Bucci, to approve a request by the Rye Free Reading Room for use of the Village Green on Thursday, July 20, 2017 from 6:00 p.m. to 9:00 p.m. for *Shakespeare on The Green*.

15. Consideration of a request by the Rye Free Reading Room for use of the Village Green on Saturday, May 19, 2018 from 8:00 p.m. to 11:00 p.m. for *Novel Night*.

Chris Shoemaker, Rye Free Reading Room Director, stated that Novel Night is an annual event, and the request for the Village Green was being submitted one year ahead of time. This item was adjourned to a later date for further discussion.

10. Resolution to appropriate \$300,000 from the General Fund, Unassigned Fund Balance to the Safe Routes to School Projects for sidewalk and pedestrian improvements at Rye City schools.
Roll Call.

City Engineer Coyne gave a brief overview of the Safe Routes to School Projects and pedestrian improvement history. He explained that the project was put out to bid, and the City received five responses. He explained that the fund appropriation proposed would help pay for the project.

There was general discussion about project priorities throughout the City.

Mayor Sack made a motion, seconded by Councilman McCartney, to adopt the following resolution:

WHEREAS, City staff has determined that the amounts required for the Safe Routes to School Projects for sidewalk and pedestrian improvements at Rye City schools exceeded the grant funding and were not provided for in the adopted 2017 budget by \$300,000, and

WHEREAS, the General Fund, Unassigned Fund Balance has enough funds to be appropriated for the projects, now, therefore be it;

RESOLVED, that the City Comptroller is authorized to transfer \$300,000 from the General Fund, Unassigned Fund Balance to the Safe Routes to School Projects for sidewalk and

pedestrian improvements in the Capital Projects Fund at Rye City schools.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, McCartney, Mecca and Tagger-Epstein
NAYS: None
ABSTAIN: Councilwoman Killian
ABSENT: None

11. Bid Award for the Safe Routes to School contract (Contract #2017-01).
Roll Call.

Mayor Sack made a motion, seconded by Councilman Mecca, that Contract #2017-01 be awarded to the low bidder, Gianfia Corp., in the amount of Three Hundred Eighty Six Thousand, Six Hundred Ninety Five dollars and fifty cents (\$386,695.50) as recommended by the City Engineer and contingent upon approval by the New York State Department of Transportation (NYSDOT).

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, McCartney, Mecca and Tagger-Epstein
NAYS: None
ABSTAIN: Councilwoman Killian
ABSENT: None

6. Issues Update/Old Business.

Mayor Sack stated that the United Hospital proposed development site for Starwood has been an ongoing issue for the past several years. He stated that there has been some concern from the Rye Park neighborhood and the City on traffic issues associated with the development. Mayor Sack recounted the history of the project and discussed the findings of the City's traffic engineers. He also noted that several agreements have been put in place to avoid litigation. He welcomed the residents from the Rye Park neighborhood to make a statement.

Richard Smith, 127 Evergreen Avenue, stated that the Starwood project was a massive project that would create more traffic in the area. He stated that the community group and City have been very active at the meeting with Port Chester and the developer. He felt unhappy with the solution from Port Chester and the potential for traffic. He presented a petition signed by residents. Mr. Smith also showed a slideshow presentation about the concerns of the residents.

Patrick McGovern, 142 Grandview Avenue, discussed the traffic implications and concern about the Starwood project. He stated that the development would generate 1,000 new trips per hour. He also said that 70% of traffic would be diverted to High Street. He

asked that the Council take action prior to traffic becoming a serious issue. He discussed several mitigation options that the community group was proposing.

Suzanne O’Keefe, Rye resident, thanked the Council for their help with the issue. She expressed concern about the noise and traffic potential with the proposed construction. She asked the Council to intervene with regarding to traffic and noise issues.

Cindy Savage, Grandview Avenue, thanked the Council for their hard work with this issue. She expressed concern about the change of the character of the neighborhood and safety with regard to the proposed construction.

Mr. Smith briefly discussed possible next steps. He asked the City to use the funding from the agreements to mitigate the issues.

City Engineer Coyne updated the City on the Purchase Street construction updates. He stated that the sidewalk will be completed on May 18, 2017. The work on the street will begin and be done as soon as possible. Traffic will be detoured periodically while the work is completed.

3. General Announcements.

Councilwoman Tagger-Epstein announced that on May 25, 2017, the Second Annual Senior Summit Program will be held at the Library, with informative programs. Commissioner Corcoran and other guest speakers will be present. She also announced that the Rye Sustainability Committee is sponsoring an initiative with various businesses called “Put a Cork in It.” She encouraged all to recycle their corks with local businesses, as these items can be recycled and repurposed.

Councilman McCartney announced that Rye Recreation had its first Disbrow Park Rye Improvement meeting. There will be a survey on the website on the improvements, and May 31, 2017 will be the next meeting. He also announced that there are limited spots left for summer day camp, but the fees will increase on June 1, 2017. He commented that the Rye Golf Club is doing well, and that the new practice green will soon be open. He was happy to report that membership is up by 55 new members. Pool registration early deadline closed on May 12, 2017, but anyone interested can still register.

Councilwoman Killian announced that the Ocean Grill in Rye Town Park is open and will begin serving breakfast at 7:00 A.M. She congratulated the Rye High School Crew Team on their recent success. Councilwoman Killian also stated that the Rye ACT’s Parent University event was a success, and can be accessed on Rye TV.

Councilwoman Hurd announced that the School Board Budget passed by 83%. She also stated that the Community Conversation will be held on Sunday, May 21, 2017 at 9:00 a.m. at Rye Town Park. On behalf of the Chamber of Commerce, she announced that Green Cube has opened in the central business district. The Spring Soiree will be June 6, 2017 at the Westchester Children’s Museum from 6:00 to 8:00 p.m. She stated that with regard to

New York Rising, DASNY has been authorized to continue the study to sluice gate. She was hopeful that they will authorize O'Brien and Gear to finish the work prior to July 2017. On behalf of the Boat Basin, she announced that dredging will not be happening this year. Councilwoman Hurd also discussed the possibility of changing the Homerule Gaming Law to be placed on a referendum in November.

Corporation Counsel Wilson announced that Crown Castle filed litigation in Federal Court on May 11, 2017, followed by a preliminary injunction to prevent the City from voiding the right-of-way use agreement.

5. Draft unapproved minutes of the regular meeting of the City Council held May 3, 2017.

Councilman Mecca made a motion, seconded by Councilman McCartney and unanimously carried, to approve the minutes of the regular meeting of the City Council held May 3, 2017.

6A. Home Rule Resolution supporting legislation proposed by Assemblyman Steven Otis and Senator George Latimer to authorize the Rye Town Park Commission to extend the lease term for a restaurant located in the park not to exceed twenty years.

Corporation Counsel Wilson stated that currently Senator Latimer and Assemblyman Otis are proposing Homerule legislation at the City of Rye's request to allow for a longer term lease for the restaurant and snack bar spaces at Rye Town Park. The Rye Town Park Commission passed a similar resolution.

Councilwoman Killian recommended some changes to language to reflect the current state of Rye as a city, and not a village.

Mayor Sack made a motion, seconded by Councilwoman Killian, to adopt the resolution with language amended under the advisement of corporation counsel to support legislation proposed by Assemblyman Steven Otis and Senator George Latimer to authorize the Rye Town Park Commission to extend the lease term for a restaurant located in the park not to exceed twenty years.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, Killian, McCartney, Mecca and
Tagger-Epstein
NAYS: None
ABSENT: None

**** Please note that the Public Hearing to amend the Rye City Code for telecommunications devices will be held over until the June 7, 2017 City Council Meeting.**

7. Continuation of the Public Hearing to amend the Rye City Code: (a) local law Chapter 133, "Noise", by amending Section §133-4, "Points and method for measuring intensity of sound" to regulate placement and noise of telecommunication devices; (b) local law Chapter 167, "Streets and Sidewalks", to add a new 196, "Wireless Telecommunications Facilities", by amending Sections §196-3 through §196-8, §196-14, §196-17, §196-18, and §196-22 to regulate wireless facilities and structures regarding size, visual impact and permit process.

This item was adjourned to the June 7, 2017 meeting.

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

Joshua Cohn, 24 Green Avenue, stated that he submitted detailed comments on the proposed code revisions with regard to telecommunications. He asked the Council to not be intimidated by the Crown

Caren DeFillipo, Rye resident, stated concern over the hours of Rye Town Park and the access to parking. She was hopeful that all citizens would be able to arrive at the park at 6:00 A.M. at the same time as those with the off-leash dog permits.

Bob Zahm, 7 Ridgewood Drive, thanked the City for a great job on the construction within the downtown. He expressed concern over those construction vehicles parked within the downtown. He asked the City to look into a possible odor on Locust.

9. Two appointments to the Rye Golf Club Commission, by the Council, to fill a term expiring on January 1, 2018.

Councilman McCartney stated that the Council recently voted to amend the Rye Golf Club procedures regarding unexpired terms.

Councilman McCartney made a motion, seconded by Councilwoman Bucci, that the Council appoint Mack Cunningham and Akhil Kumar to fill the vacancies on the Rye Golf Club Commission for terms expiring January 1, 2018.

12. Consideration of a request by the American Legion Post 128 and the Ladies Auxiliary of Post 128 to have a food truck at the Memorial Day event to be held on Monday, May 29, 2017 from 9:45 a.m. to 10:15 a.m.

Mayor Sack made a motion, carried unanimously, to approve the request by the American Legion Post 128 and the Ladies Auxiliary of Post 128 to have a food truck at the Memorial Day event to be held on Monday, May 29, 2017 from 9:45 a.m. to 10:15 a.m.

16. Miscellaneous communications and reports.

There was nothing discussed under this agenda item.

17. New Business.

There was nothing discussed under this agenda item.

18. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion, seconded by Councilman McCartney and unanimously carried, to adjourn the regular meeting of the City Council at 10:22 P.M.

Respectfully submitted,

Carolyn E. D'Andrea