

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on July 12, 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.

Mayor Sack announced that the Rye High School Boys Crew Team was present at the meeting, being recognized for their outstanding achievement and had received a gold medal the 2017 U.S. Rowing Youth Nationals. The team was presented with a proclamation from Mayor Sack.

Bill Daley, representative for the parents of the Rye High School Boys Crew Team, talked about the strength of the team throughout the season. He discussed their travels and practices at length. He thanked Coach Stan Nelson for his great leadership.

Councilwoman Killian congratulated the team and the rowers in Rye.

11. Public Hearing to amend local law Chapter 161, "Sewers", of the Rye City Code by amending Article II, "Sewer Rents", to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

Items 11, 12 and 13 were taken together. These items as a whole were taken out of order.

Councilman McCartney made a motion to open the public hearing, seconded by Councilman Mecca.

City Manager Serrano explained that the process of initiating a sewer rent fee would offset taxes and dedicate funds specifically for maintenance of infrastructure for the sewer system. This rent would be collected and distributed into a separate sewer rent fund. He said that Comptroller Fazzino had provided estimates of costs to the City Council. He also said that the fee would be determined based on water usage.

City Comptroller Fazzino presented some findings to the Council. He said that annually, the City budgets approx. \$702,000, which amounts to \$112/ year per home. This figure would be moved to the sewer rent fund if this were adopted. The water usage amounts to less than 1% of the taxes per home per year. He further explained that the fund would be based on use.

Councilwoman Killian recommended exploring this idea further before voting. She brought up capital improvements that need to occur. There was general discussion among the Council about the possible sewer rent.

Mayor Sack made a motion, seconded by Councilman Mecca, to adjourn the matter to October 4, 2017.

12. Consideration of a Resolution to petition the Public Service Commission (PSC) to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

Mayor Sack made a motion, seconded by Councilman Mecca, to adjourn the matter to October 4, 2017.

13. Consideration of a Resolution to petition the Westchester Joint Water Works (WJWW) Transportation Corporation Board to order costs for infrastructure maintenance and access to be charged to all customer classes located in such municipality.

Mayor Sack made a motion, seconded by Councilman Mecca, to adjourn the matter to October 4, 2017.

10. Public Hearing on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for charitable gaming.

This item was taken out of order.

Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein, to open the public hearing. Councilwoman Hurd invited members of the NYS Gaming Commission to attend the meeting. She stated in New York, it is illegal for anyone to hold games of chance, unless the local municipality has a local games of chance ordinance. To do this, the municipality must have the issue on a referendum for a public vote.

Senior Investigator Gary Grigalus, of the NYS Gaming Commission, was available for questions from the Council. He stated that a referendum would still be needed to pass local legislation on games of chance, despite recent changes in the Gaming Law. He said that individual raffles in the future would not require a license, unless the collection was \$30,000 or greater. He stated that 5% of the proceeds would be due to the City Clerk for that type of raffle. Mr. Grigalus also said that credit cards would not be accepted to purchase raffle tickets.

There was general discussion among the Council on the prospect of adopting a local law with regard to charitable gaming.

John Leonard, 1 Apawamis Avenue, addressed the Council. He said that he understood the genesis of the proposal, to clarify the legality of raffles and games of chance. He questioned the draft being loosely drawn in its current state. He expressed concern over the draft as proposed. He felt that the proposal may not be appropriate for this specific community.

Mayor Sack and Councilwoman Hurd both agreed that the issues on this item needed more consideration. Councilwoman Hurd made a motion, seconded by Councilwoman Tagger-Epstein, to close the public hearing and reopen it at a later date.

6. 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 taken out of order. Mayor Sack made a motion, seconded by Councilman Mecca, to continue the public hearing to September 2017.

7. Public Scoping Meeting on the Crown Castle application pursuant to the New York State Environmental Quality Review Act (SEQRA).

This item was taken out of order. Councilman Mecca made a motion, seconded by Councilman McCartney, to open the public hearing.

Corporation Counsel Wilson explained that while a public hearing is not required in this matter, it was her recommendation that the City Council hold the hearing as it has been a topic of public interest.

Councilman McCartney asked the speakers to focus on the issues starting on page 2 of the draft scoping document.

The public commented on the following draft:

**DRAFT SCOPING DOCUMENT FOR THE PREPARATION OF A DRAFT
ENVIRONMENTAL IMPACT STATEMENT**

PROPOSED ACTION:

Crown Castle's Request To Amend the Existing Right-of-Way Use Agreement and install Approximately 64 new nodes throughout the City of Rye on Existing Utility Poles and Other City Owned Infrastructure.

PROJECT LOCATION:

City of Rye, New York 10580

SEQRA CLASSIFICATION:

Unlisted

LEAD AGENCY AND CONTACT:

Rye City Council
Marcus Serrano, City Manager
Rye City Hall
1051 Boston Post Road
Rye, New York 10580

APPLICANT:

Crown Castle NG East, LLC

Description of Proposed Action:

Crown Castle NG East, LLC ("Crown" or the "Applicant") seeks to install an additional sixty plus DAS nodes throughout the City of Rye on existing utility poles and other City owned infrastructure. The proposal includes an amendment to the existing Right of Way Use Agreement ("RUA") to allow for a different size equipment box to house ions provided by the Applicant and/or the Applicant's wireless client. In addition to the equipment box, an antennae will be located on the top or within the "communication zone" of the utility poles/infrastructure.

SEQR Process:

The basic purposes of the State Environmental Quality Review Act (SEQR) is to incorporate the consideration of environmental facts into the existing planning, review and decision-making processes of state, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires a determination of whether a proposed action may have a significant impact on the environment, and if it is determined that the action may have a significant adverse impact, prepare an Environmental Impact Statement (EIS). It is not intention of SEQR that environmental factors be the sole consideration in decision-making.

Draft Environmental Impact Statement Content

- Introductory Material – Cover Sheet, list of consultants, Table of Contents
- Executive Summary
- Description of Proposed Action – Location and sites, Project Purpose, Need and Benefits, Project Description, Involved Agencies and Required Approvals
- Impact Issues (described below)

Potential Impacts and Mitigation

I. Areas of Study

A. Noise

Existing Conditions:

- The DEIS will describe the existing noise levels in areas where no DAS nodes are located and those areas where DAS nodes are currently located.

Potential Impacts:

- Sound levels greater than those permitted by the City of Rye City Code

Mitigation Measures:

- The DEIS will discuss alternative designs that include potential buffering material that can be used to mitigate the sound from the cooling fans

B. Aesthetic Impacts

Existing Conditions:

- Description of existing visual conditions throughout the City of Rye. Existing conditions will be documented through the use of captioned photographs and an accompanying map.

Potential Impacts:

- Description and analysis of the infrastructure within the surrounding residential context and description of any change in the visual character of the area as a result of the project. This analysis will include photographs and graphic depictions showing the proposed deployments from various vantage points (street view and adjoining property), possible use of balloon tests for visual impact comparison.
- Description of the new equipment, illustrating the potential height, design and overall size of the infrastructure.

Mitigation Measures:

- Description of measures undertaken to mitigate impacts to residential neighborhoods, historical properties and other areas of public interest (parks, schools, etc.). Discussion will include use of different architectural features, color, materials, etc.

C. Community Character

Existing Conditions:

- Inventory of existing land uses throughout the various areas of the City and a description of the character of the surrounding community.

Potential Impacts:

- Description of the compatibility of the proposed development with adjacent land uses and the effect of the project on the general land use pattern and community character within the study area.
- Discussion of updated/new Comprehensive Plan

Mitigation Measures:

- Discussion of any possible measures to mask the appearance of the infrastructure including architectural features, scale, color and use of materials.

D. Construction

- Description of extent of construction activities, including overall schedule, equipment that would be used to install infrastructure.

E. Economic Conditions (Impact on Property Values)

Existing Conditions:

- Describe the existing demographic and economic conditions that currently exist in the City. Include the current real property valuation.

Potential Impacts

- Provide expanded information on the impact on property values for residential properties.

Mitigation Measures

II. Alternatives

SEQRA mandates that environmental impact statements analyze a “range of reasonable alternatives,” including the No Action alternative, to a proposed action that are feasible, considering the objectives and capabilities of the project sponsor (6 NYCRR Part 6717.9(5)(v)).

The alternatives analysis section of the DEIS will examine a number of alternatives for the deployment of DAS, small cells, macro sites (roof top sites and towers) and other forms of infrastructure to provide capacity and coverage of wireless service within the City of Rye. Specifically, the DEIS will examine the following alternatives:

- A. No Action – no new deployments of any infrastructure takes place.
- B. DAS – Plan A deployment as submitted by Crown – with single, double and triple ion equipment boxes.
 - a. With Co-Location impacts

- C. DAS – Plan B deployment as submitted by Crown – with single, double and triple ion equipment boxes.
 - a. With Co-Location impacts
- D. DAS – Plan C deployment as submitted by Crown – with single, double and triple ion equipment boxes.
 - a. With Co-Location impacts
- E. Single monopole alternatives (100' or taller)
 - Publicly owned land
 - Disbrow Park
 - Rye Golf Club
- F. Macro-site alternatives –
 - Publicly owned structures (roof top)
 - Privately owned structures (roof top)
- G. Stealth monopole alternatives (less than 100') – including scale and architectural designs (flag pole, spire, or other architectural feature)
- H. Stealth monopole alternatives (less than 70') - – including scale and architectural designs (flag pole, spire, or other architectural feature)

III. Mitigation

This section will include a summary of all proposed mitigation for significant impacts identified in the DEIS. Because these measures, if practicable, will become part of the Proposed Action, their formulation and analysis of their effectiveness will be undertaken in coordination with the lead, if necessary. Any mitigation measure which the Applicant will not either undertake directly or fund should be clearly identified as such.

IV. Unavoidable Adverse Impacts

Significant adverse environmental impacts identified in the DEIS that cannot be mitigated will be designated as unavoidable environmental impacts and summarized in this section. Such impacts may be either short-term or long-term in nature.

V. Additional Impact Evaluations

The DEIS will include analyses of additional potential effects of the Proposed Action on:

- Growth Inducing and Cumulative Aspects – potential impacts related to the growth of the infrastructure in physical dimension and number. This analysis will include how these facilities can expand under the Telecommunications Act without any further approval or review from the City.

VI. Appendices to Accompany DEIS

The following elements will be included in the Appendices to the DEIS
All SEQRA documentation

References

Maps

Studies

Reports

The following public comments were made:

Steven Agosta, 4 Ridgewood Drive, stated that he felt that the proposed installations would negatively impact the neighborhood. He said it was imperative that the Council consider the negative effects within the SEQRA considerations.

Ben Stacks, 15 Sonn Drive, addressed the Council. He urged the Council to consider the SEQRA document and to declare that the installations would be detrimental to the City as a whole. He felt the analysis should include the negative visual impacts.

Josh Cohn, 24 Green Avenue, felt it was important to study each individual installation with respect to environmental impacts. He said that mitigation efforts should be considered on a site-by-site basis. He said that he felt that Crown failed to prove need and had a credibility issue. He discussed specific mitigation ideas and the draft of the scoping document. He asked that the City continue the public hearing.

Sam Burruano, 290 North, commented that the Crown Castle application should be outright denied, as there is no coverage gap and that it will have negative environmental impacts on the City.

Diana Page, 86 Halstead Place, read a statement submitted by Michele Flood, who was concerned about the impact on property values in the City. Ms. Page then submitted letters from Hilary Keating and Cheryl Gellar, Rye residents.

Kelly Murdock Solon, 170 Soundview Drive, stated she felt that an analysis should be made on a case-by-case basis. She felt concerned about aesthetics and community character. She felt that the visual impacts were out of place for Rye.

Stephanie Spierings, 30 Fairway, spoke on behalf of the Milton Point Association. She said that there were 12 nodes proposed in their area. She felt that a monopole would be a better alternative to DAS nodes.

Carolyn Cunningham, 18 Soundview Avenue, expressed concern over noise and aesthetics with regard to the proposal. She asked the Council to consider the cumulative effect throughout the community. She asked the Council to add hazardous materials to the scoping document.

Kate Emmanuel, 12 Sharon Lane, expressed her opposition to the proposal, due to a potential negative effect on property values. She provided a petition of 56 Rye real estate agents.

Bjorn Tuypens, 717 Forest Avenue, reiterated his earlier comments about the property values and his concerns of DAS nodes.

Susana Hubr, 110 Oakland Beach Avenue, stated opposition to the Crown Castle application with respect to the negative aesthetic impacts.

Callie Erickson, Rye resident, read a letter from Paul Shainberg, architect, stating concern over aesthetics and community character. She also provided letters from Greenwood Union and Apawamis Club to host structures.

Catherine Ernest, Rye resident, asked the Council to consider the nodes on a case-by-case basis with regard to the SEQRA review.

Mayor Sack made a motion, seconded by Councilwoman Hurd, to continue the public hearing to the September 2017 meeting.

Mayor Sack stated that the City has denied the Crown Castle application.

The Council took a five minute recess.

3. General Announcements.

Councilman McCartney announced that the Rye Little League won the District 20 Championship. He congratulated the team on their big success and wished them luck moving forward.

Councilwoman Tagger-Epstein announced that the Sustainability Committee has expanded with its Healthy Yard sign campaign throughout the City. She also said that there is an opportunity with Sustainable Westchester for a discount on a 2017 Nissan Leaf.

Councilman Mecca announced there was a fire at Playland at the carousel, and he thanked the Fire Department for their quick response. That response saved the historic structure.

Councilman McCartney announced that Rye Golf Club had a movie night recently. There will be another on August 12, 2017 for members or guests. He also said that the course has been in great shape and the club championship is underway. There will be a ladies member/guest tournament on July 13, 2017. Further, the Rye Nature Center will be holding a golf outing on August 1, 2017. In Recreation news, Councilman McCartney announced that the Food Truck Festival was a major success this year, and that summer camps have been going well. Councilman McCartney reminded the community that the next meeting for the Rye Recreation Commission will be held on July 17, 2017 at 6:30 P.M. The Rye Recreation will also sponsor a disco night, hosted by the Women's Club of Rye.

Councilwoman Hurd congratulated the City staff for successfully completing the downtown project. She invited all to enjoy the Sidewalk Sale on July 27-29, 2017. She

commented on the New York Rising project, which will be discussed at the September Council meeting. She said the summer is underway at the Boat Basin, but reminded all to check the tides.

4. Draft unapproved minutes of the regular meeting of the City Council held June 7, 2017.

Councilman Mecca made a motion, seconded by Councilman McCartney and unanimously carried, to adopt the minutes of the regular meeting of the City Council held June 7, 2017.

5. Issues Update/Old Business.

Mayor Sack stated that the City received an adverse ruling from the trial court on the Playland litigation. No decision has been made, but the City's appeal rights have been preserved. Mayor Sack felt it might be prudent to take a vote on whether the Council should authorize the City's outside counsel to begin to prepare the appeal documents.

Mayor Sack made a motion, seconded by Councilman Mecca, to authorize Arnold & Porter to proceed in preparing appeal papers.

ROLL CALL

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

Councilwoman Hurd asked if the Master Plan meetings will be open to the public. Mayor Sack responded that they are always open to the public.

There was general discussion over Disbrow Park and the City's Listserv program.

14. Consideration of the proposed addition to the Rules and Regulations of the City of Rye Police Department General Order #113.21 regarding an Immigration Enforcement Policy.

Councilman McCartney thanked Commissioner Corcoran for his work with the policy. Councilman Mecca echoed that sentiment and thanked Councilwoman Tagger-Epstein for her efforts on this policy.

Councilman McCartney made a motion, seconded by Councilman Mecca, to approve the proposed addition to the Rules and Regulations of the City of Rye Police Department General Order #113.21 regarding an Immigration Enforcement Policy.

ROLL CALL

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

The policy was approved as follows:

I. PURPOSE

To establish procedures to be followed by Sworn Members of the City of Rye Police Department when encountering persons who actually or are suspected to have entered or remained in the United States unlawfully.

II. POLICY

Members of the City of Rye Police Department shall not engage in enforcement activities solely for the purpose of enforcing federal immigration law nor detain persons based solely upon the suspicion that such person has entered or remained in the United States unlawfully except as provided for herein.

III. PROCEDURE

A. Enforcement actions and community interactions.

1. Members shall not stop, question, interrogate, investigate, or arrest an individual based solely on any of the following:
 - a. Actual or suspected immigration or citizenship status; or
 - b. A "civil immigration warrant," administrative warrant, or an immigration detainer (collectively, "Immigration Detainers) in the individual's name, including those identified in the National Crime Information Center (NCIC) database.

NOTE: Immigration Detainers are not criminal warrants issued by a judge and may not provide sufficient basis to detain an individual or to prolong the detention of an individual detained for other reasons.

2. Members shall not inquire about the immigration status of an individual, including a crime victim, a witness, or a person who calls or approaches the police seeking assistance, unless necessary to investigate criminal activity by that individual.
3. Members shall not perform the functions of a federal immigration officer or otherwise engage in the enforcement of federal immigration law--whether pursuant to Section 1357(g) of Title 8 of the United States Code or under any other law, regulation, or policy.

B. U.S. Immigration and Customs Enforcement ("ICE") or Customs and Border Protection ("CBP") detainer requests.

The City of Rye Police will not detain individuals for extended periods of time. To the extent any request is made regarding an individual in the custody of the City of Rye Police, our officers may respond affirmatively to a "civil immigration detainer" from ICE or

CBP to detain or transfer an individual for immigration enforcement or investigation purposes for a reasonable period ONLY IF:

- a. the request is accompanied by a judicial warrant,
- b. there is probable cause to believe that the individual has illegally re-entered the country after a previous removal or return as defined by 8 U.S.C. § 1326 or
- c. there is probable cause to believe that the individual has or is engaged in terrorist activity

C. ICE or CBP requests for certain non-public, sensitive information or CBP detainer requests.

1. The City of Rye Police may respond affirmatively to an ICE or CBP request for non-public information about an individual- including but not limited to non-public information about an individual's release, home address, or work address- ONLY IF the request is accompanied by a judicial subpoena or judicial warrant:

EXCEPT THAT nothing in this order prohibits City of Rye Police Command Level staff (Commissioner of Public Safety, Patrol Commander, Detective Division and Special Investigations Commander) in coordination with Corporation Counsel:

1. Sending to or receiving from any local, state, or federal agency as per 8 U.S.C. § 1373-(i) information regarding an individual's country of citizenship or (ii) a statement of the individual's immigration status; or
2. Disclosing information about an individual's criminal arrests or convictions, where disclosure of such information about the individual is otherwise permitted by state law or required pursuant to subpoena or court order; or
3. Disclosing information about an individual's juvenile arrests or delinquency or youthful offender adjudications, where disclosure of such information about the individual is otherwise permitted by state law or required pursuant to subpoena or court order.

All review and response to requests for information from ICE or CBP shall be handled by Command Level personnel in coordination with Corporation Counsel.

IV. SEVERABILITY

If any clause, sentence, paragraph, section or part of any section of this General Order shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered.

15. Resolution to transfer \$50,000 from the Contingency account to the Legal Department to fund legal services.
Roll Call.

Mayor Sack made a motion, seconded by Councilman Mecca, to transfer \$50,000 from the Contingency account to the Legal Department to fund legal services.

ROLL CALL

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

16. Resolution to amend the 2017 Adopted Fees and Charges for the Rye Golf Club to add a pilot program for a new limited membership category, "Early Morning Swim".
Roll Call.

Councilwoman Bucci and Councilman McCartney explained that this program began several years ago and allows members and guests to swim early in the morning, just to try for this year.

Councilwoman Killian explained that her concern was that allowing non-members to swim has the chance of crowding the pool for those who have paid for memberships.

ROLL CALL

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

17. Bid Award for the Kirby Lane Culvert & Guiderail Replacement contract (Contract #2017-03).
Roll Call.

City Manager Serrano explained that the original apparent lowest bidder withdrew their bid. Mayor Sack made a motion, seconded by Councilman Mecca, that Contract #2017-03 be awarded to the low bidder, Con-Tech Construction Technology, Inc., in the amount of Ninety Nine Thousand, Two Hundred Sixty Three dollars and ninety cents (\$99,263.90) as recommended by the City Engineer.

ROLL CALL

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

- 17A. Bid Award for the Rye Golf Club Greens Renovation Phase I contract (Contract #2017-02).
Roll Call.

Councilman McCartney made a motion, seconded by Councilwoman Bucci, That Contract #2017-02 be awarded to the low bidder, XGD Systems, in the amount of Three Hundred Twenty Thousand, Six Hundred Sixty One dollars and seventy six cents (\$320,661.76) as recommended by the Rye Golf Club Manager.

ROLL CALL

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

18. Acceptance of donation to the Rye Fire Department from The Woman’s Club of Rye, Inc. in the amount of Two Hundred (\$200.00) Dollars.
Roll Call.

City Manager Serrano explained that the Women’s Club included a letter with their donation, thanking the Fire Department for their hard work.

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

WHEREAS, The Woman’s Club of Rye, Inc. desires to donate Two Hundred (\$200) Dollars to the Rye Fire Department; and

WHEREAS, the fiscal 2017 General Fund budget did not anticipate these donations; now, therefore be it

RESOLVED, that the City Council of the City of Rye accepts the aforementioned donations; and be it further

RESOLVED, that the City Comptroller is authorized to amend the fiscal 2017 General Fund budget as follows: Increase Designated Fire Donations by \$200.00.

ROLL CALL

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

19. Acceptance of donation to the Rye Senior Advocacy Committee from The Woman's Club of Rye, Inc. in the amount of Two Hundred and Fifty (\$250.00) Dollars.
Roll Call.

Councilman McCartney made a motion, seconded by Councilwoman Hurd, to adopt the following resolution:

WHEREAS, The Woman's Club of Rye, Inc. desires to donate Two Hundred Fifty (\$250) Dollars to the Senior Advocacy Committee; and

WHEREAS, the fiscal 2017 General Fund budget did not anticipate these donations; now, therefore be it

RESOLVED, that the City Council of the City of Rye accepts the aforementioned donations; and be it further

RESOLVED, that the City Comptroller is authorized to amend the fiscal 2017 General Fund budget as follows: Increase Designated Senior Advocacy Donations by \$250.00.

ROLL CALL

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

20. Acceptance of the donation of a boat to the Rye Boat Basin Marina.
Roll Call.

City Manager Serrano stated that an anonymous person had donated a boat to the Rye Boat Basin, and the Council needed to formally accept the donation.

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

WHEREAS, an anonymous donor desires to donate a 20-foot Continental boat to the Rye Boat Basin Marina; and

WHEREAS, the Marina staff has been without a work boat since the last one was approved for surplus at the July 13, 2016 City Council meeting; and

WHEREAS, the 20-foot Continental boat has an estimated value of \$2,500; now, therefore be it

RESOLVED, that the City Council of the City of Rye accepts the aforementioned donation; and be it further

RESOLVED, that the City Comptroller is authorized to add the boat to the list of City assets.

ROLL CALL

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

21. Six appointments to the Commission of Human Rights for a three-year term, by the Mayor with Council approval.

Mayor Sack made a motion, unanimously carried by the Council, to appoint the following individuals to the Commission of Human Rights for a three-year term:

Emily Dorin
Kelly Grayer
Robert Marrow
Adrienne Mecca
Alison Cupp Relyea
Judith Secon

22. Consideration of request for permission to close a section of Purchase Street for the 65th annual celebration of the Halloween Window Painting Contest.

The Council approved the request for permission to close a section of Purchase Street for the 65th annual celebration of the Halloween Window Painting Contest.

23. Consideration of a request by the Rye YMCA for the use of City streets for the 30th Annual Rye Derby on Sunday, April 28, 2018 from 9:00 a.m. to 2:00 p.m.

The Council approved the request by the Rye YMCA for the use of City streets for the 30th Annual Rye Derby on Sunday, April 28, 2018 from 9:00 a.m. to 2:00 p.m.

24. Consideration of a request by Ivy Rehab Physical Therapy for the use of the Village Green for free yoga classes.

The Council approved the request by Ivy Rehab Physical Therapy for the use of the Village Green for free yoga classes.

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

City Manager Serrano explained that in order for items and equipment to be officially declared as surplus, the City Council must approve the items as such to be disposed in a manner that will serve the best interests of the City.

Councilman Mecca made a motion, seconded by Councilman McCartney, 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 2017, and,

WHEREAS, the City Engineer has recommended that said equipment from the departments of Public Works, Police, Recreation, and Fire 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 Bucci, Hurd, Killian McCartney, Mecca and
Tagger-Epstein
NAYS: None
ABSENT: None

26. Miscellaneous communications and reports.

None

27. New Business.

None

**** Please note that the Public Hearing regarding a proposition on an investment in fields is ministerial only; the Hearing will be opened and closed and no action will be taken by the City Council.**

9. Public Hearing on a November, 2017 Referendum to the qualified voters of the City of Rye a proposition for an investment in fields.

This item was taken out of order.

Mayor Sack made a motion, seconded by Councilman Mecca, to open the public hearing. Mayor Sack made a motion, seconded by Councilman Mecca, to close the public hearing.

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

John Glickenhause, Rye resident, addressed the Council. He talked about Disbrow Park and asked the Council to consider environmental remediation.

Meg Cameron, Rye resident, expressed concern over the City Listserv program.

Steve Iorio, 24 Crescent, briefly discussed a letter he sent to the Council on Disbrow Park.

Pamela McGuire, 260 North Street, stated concern over decisions of policy of the City Council.

Beth Seidell, Rye resident, asked about the process with which the Disbrow Park issue would be heard.

Holly Kennedy, Rye resident, asked about the process with which the City's consultant on Disbrow Park would be presenting to the public. Councilman McCartney responded that there would be a presentation by the consultants and a public hearing on the matter.

Ryan Prime, Milton Road, stated his support of the Mayor in his letter to the Governor.

28. Adjournment.

There being no further business to discuss, Mecca made a motion at 11:38, seconded by Councilman McCartney, to adjourn the regular meeting of the City Council.

Respectfully submitted,

Carolyn E. D'Andrea
City Clerk