

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on May 23, 2018, at 7:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
EMILY HURD
RICHARD MECCA
JULIE SOUZA
BENJAMIN STACKS
DANIELLE TAGGER-EPSTEIN
Councilmembers

ABSENT:

None

The Council convened at 6:30 P.M. Councilman Mecca made a motion, seconded by Councilwoman Souza, to adjourn immediately into executive session at 6:30 P.M. to discuss personnel and litigation matters.

At 7:30 P.M., Councilman Mecca made a motion, seconded by Councilwoman Souza, to adjourn the executive session. The regular meeting of the City Council began at 7:37 P.M.

1. Pledge of Allegiance.

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

2. Roll Call.

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

3. Draft unapproved minutes of the regular meeting of the City Council held May 9, 2018.

Councilwoman Souza and Councilwoman Goddard provided ministerial corrections to the draft minutes.

Councilwoman Souza made a motion, seconded by Councilman Mecca and unanimously carried, to adopt the minutes of the regular meeting of the City Council held May 9, 2018.

Mayor Cohn started the meeting by stating that he would like to address the subject of City money. He reported how impressed the Council was when analyzing how little money the City has, how relatively little money the City functions on, and how hard it is, at times, to convey that message to residents. The City's financial condition is good, partly due to the City spending very little on a lean staff. He reported that the Council has been evaluating the current fee structure with a thought on how the City can obtain new revenue sources. City Council has been working hard to look into ways to support the aging infrastructure and will report back mid-year on how they intend to make infrastructure progress.

The second point by the Mayor related to Council meetings. He reported that this new Council has been meeting every week, where as a typical Council calendar would meet twice a month, in an effort to keep City Council Meetings short. The Council offers office hours twice a week. The Council has also studied what other jurisdictions do to ensure the public meetings are tolerable in length. Their findings revealed neighboring jurisdictions using an inflexible shot clock to keep public comments within the respectable time limits. The Council has tried to keep it less strict but would appreciate the commitment by the public to aid in keeping the meetings both welcoming and efficient as it relates to time.

4. Update by Ryan Coyne, City Engineer and Superintendent of DPW regarding the I-95 Sewer.

Mayor Cohn invited City Engineer and Superintendent of DPW, Ryan Coyne, to make a presentation regarding the update on the I-95 sewer leak. Mr. Coyne began with the brief overview. By way of background, the City was notified in December 2017, by Save the Sound, that there was sewage odor and potential cross contamination from the Locust Avenue catch basin under the I-95 Bridge. The City's findings were that the catch basin only has one pipe going towards I-95, however there were unable to find the connecting drain pipes. Working alongside the NYS Thruway Authority, they were able to access the I-95 drainage, which ties into the Locust Ave drainage. The City worked with the Thruway Authority and various contractors to find that the pipe, which was 10 feet under the sound barrier, was collapsed. This resulted in the backup of sewage in the pipe entering the I-95 underdrainage system, which infiltrated their main sewage system, which leads to the City's, then to the County's drainage, which empties into the Blind Brook. They repaired the pipe, removed the debris and installed temporary pumps, which the City rents at a cost of 8-10K a month, until a permanent solution can be approved. Additionally, the Westchester Health department tested the water after the repairs and reported the water issue has been rectified.

After meeting with engineers and contractors, two options are being proposed. The first option includes re-lining the sewers which would involve taking down the sound barrier, replacing the broken pipe and cleaning out the sewers. Consistent maintenance by DPW workers would also be required which involves lane closures and accessing the pipes via manholes on I-95. Because gravity does not aid in the flow of the pipes, cleaning would be necessary on a regular basis. The cost of this initial project would be anywhere from \$250,000 to \$400,000. The second option involves eliminating the I95 crossings and pipes in its entirety by installing a

pump station prior to I95. The cost of this project is 750K plus soft costs which equates to \$900,000 to \$1,000,000.

Councilwoman Goddard asked what the lifespan of lining is. Mr. Coyne reported that it is around 20 years, but it could be less. He explained that if the adhesion does not last, it will collapse; however, the industry states 50 years at best, and 1 year at worst.

Councilman Stacks asked what the distance of the proposed pump station was to the closest property. Mr. Coyne reported it would approximately 100 feet away. The proposed pumps would be inaudible by the property owner; however, the generator will run a once a week test (or when power is lost), for 10 to 15 minutes, to which a sound encasement would be purchased. Mr. Coyne said that the City has eight pump stations in the City already, so to add a ninth does not add more manpower as it relates to maintenance. He added that the generator would be small enough to be covered by vegetation or a small shed, or it can be located in the woods.

Councilwoman Tagger-Epstein asked what the lifespan of a pump is, to which Mr. Coyne replied 20-25 years. He said that it could be replaced in-house. Additionally, the concrete enclosure would not need to be replaced. The pumps would be on a pulley system so workers would not need to go down a manhole, eliminating any safety concerns for City employees. Councilwoman Tagger-Epstein also asked when the decision needed to be made. Mr. Coyne expressed that the City is currently paying \$8,000 per month to keep the temporary solution running. He said that once a permanent solution is agreed upon, it would take three to four months for Option 1, and closer to eight months to a year for Option 2. Option 2 involves County Health Department approvals, and a sewer district petition to the Westchester County Board of Legislators for 35 properties to be transferred to the Mamaroneck sewer district.

Councilwoman Souza asked which option Mr. Coyne recommended, to which he replied cost aside, the pump station is recommended. He stated that this would be due to future maintenance ease, where I-95 presents a safety concern for those workers who have to maintain the pipes.

Councilwoman Goddard said that there is uncertainty with the longevity of Option 1, versus a far greater certainty with Option 2.

Councilwoman Hurd also brought up the Clean Water Grant, in which Mr. Coyne elaborated that the Environmental Facilities Corporation (EFC) offers a 25% match and the Water Quality Improvement Plan (WQIP) grant offers an 80-85% match, to assist in the costs of either options.

Councilman Mecca said the pump station is the best long term solution. He reported that he does not foresee running a clay system along I-95 to last in the long run and it should be done right the first time, even if the cost is higher. Councilwoman Tagger-Epstein added that the City talks about safety, so why would we put the best DPW employees at risk. She also agreed to do things right the first time.

Mayor Cohn said a resolution needed to be made to fund it until the City had another fund source; whether it is a bond or roll it into a bond with something else, such as a grant. Mayor Cohn suggested a motion to come back after opening the floor to anyone who wished to speak.

Mr. Zahn, residing at 2 Ridgewood Drive, commented on the need to reinforce the sound barrier so it does not collapse. He also asked why the proposition of placing the pipes on the west side of I-95, rather than going under it, was not discussed. Mr. Coyne displayed the map and showed an image depicting a large rock up against the shoulder of I-95. Due to rock removal, access, and the amount of space, he demonstrated that there was little room to run the pipes in the shoulder.

George Ford, 48 Clinton Ave, reported he owns the home where the current easement is located and where the proposed pump station would be next to. He said he has a sloped driveway and when it rains, the water runs freely to a drain at the bottom of his driveway and he believes that the pipe goes into the sanitary sewer. Mayor Cohn clarified that it is speculation because it has not been confirmed that his driveway drain goes into the sanitary sewer or a drywell. His concern was where the water would go if the City were to eliminate the run of pipes that he believes his drain is connected to. Mr. Coyne clarified that if his drainage or sub-pumps are connected to a sewer that is not allowed, but a solution is available if that is the case.

George Ford, Jr., of Port Chester, New York, wanted to voice his concerns for his father who has owned the house at 48 Clinton Avenue for 40 years. He wanted to clarify that when the driveway pipe was connected in 1974 no one addressed where it was connected to, and if the pipe is removed then there will be no place for the water to go. If a drywell needs to be installed, it could cost \$10,000 at the owner's expense. He does feel lining is a suitable solution as Port Chester is currently undergoing a \$15 million sewer upgrade. Councilwoman Tagger-Epstein said there are two separate issues; a pump issue versus water at the end of the driveway issue, and that the City would work with Mr. Ford for his driveway issue.

Mayor Cohn stated the Council had a preference for the pump station resolution but recognizes the concerns of both Mr. Fords' and the City will try to address it.

Councilman Mecca made a motion, seconded by Councilman Stacks and unanimously carried, to reflect that the choice of a remedy would be for the pump station alternative.

5. Update regarding new application for parking permits, parking meter collection and parking enforcement.

Manager Serrano explained how for months the City has been looking into a new application for parking meters and in the midst of the conversation, the City's team recognized that there was the opportunity to also move to a paperless parking permit program and integrate with the police enforcement database. Since the contract for police enforcement was up for renewal, they looked for a company that could service the various departments within the City, while being user-friendly and beneficial for the residents. The City interviewed five different

companies and determined that Passport was the best company to meet all of the City's criteria for paperless permits, parking payments, and police enforcement.

Euka Pietrosanti, Deputy City Clerk, proceeded with an overview on how Passport would be able to provide a platform for paperless permits for the Commuters, merchants, and residents of the downtown. She said that with success for residents in mind, staff determined that the company would need to provide the following, at minimum: user-friendly module for the resident users, ability to list several cars on one permit (still only allowing one vehicle per permit parked at a time), ability for residents to auto-renew their annual permits, automatic reminders to avoid non-renewals and unhappy residents, an efficient program to distinguish between residents and non-residents, the availability to provide resident customer service over the phone and via e-mail, easy addition of temporary vehicle, and the ability to cross-check with the parking ticket database to enforce the requirement of those renewing to be up-to-date with outstanding parking tickets. She said that of the five companies interviewed, Passport was the only one that was able to fulfill all of the requirements necessary to transition the current system to a paperless platform. She detailed how this new platform would alleviate many of the re-occurring issues the department faces during the annual renewal period.

Joseph Fazzino, Acting City Comptroller, explained the ease of paying by the app and the advantages it will provide for the residents within the downtown. Additionally, he explained that it would provide a better system for those commuters that currently feed 20 quarters a day into the single head meters. A user will be notified via text message when time is running low and have the option to add time, if the City desired. Also, merchants will have the opportunity to provide parking validation for their clients, which is a service they cannot currently provide. Comptroller Fazzino further explained that Passport's real-time information technology is crucial for Police Enforcement Officers (PEO) for the issuance of parking tickets and could avoid the reoccurring issue shoppers' face, when PEOs write tickets, as shoppers are walking to a pay station to pay. He also explained how the pay station fees are in line with the current fees the City is paying. Last year, the City had 80,000 transactions which cost the city \$20,000 in credit card transaction fees. With the option of a parking app, the convenience fee would be passed on to the user. The City could also experience a savings from the pay stations due to the fact that the current 10 pay stations cost \$100,000 to purchase and \$20,000 in annual maintenance. With the parking app, there may not be a need to purchase as many pay stations in the near future.

Conor Kelly, Sales Representative from Passport, provided an overview of the company and how it can work for the City of Rye. The company's main area of focus is the parking application which provides the user a convenient way to pay, along with the parking permit platform and citation enforcement management system to provide improved efficiency and revenue for the City. Mr. Kelly provided the Council with a flyer that outlined Passport's presence in the area which includes all of the MTA rail stations in the State of New York. He reported that all of the MTA rail stations are run by a parking management company called LAZ parking and are contracted by LAZ to provide all three services the City is looking to pursue. Passport is also used in 450 locations including Chicago, Boston, Montreal, New Haven, White Plains, Albany, and Buffalo. In the City of White Plains, Passport hosts 10,000 parking spots and their data reports almost 50% of the users are paying by the app. Councilwoman Souza asked if the data collection from the company can be utilized by the City. Mr. Kelly explained

how numerous reports will be available such as on peak times of parking use, how many spots are being used and a variety of other financial and parking related data. He also responded to Councilwoman Goddard's question on security protection by stating the company is PCI compliant, has DSS service 1, which is the highest security available for credit card processing, and host their servers on Amazon Web Services (AWS).

Inherent costs to the user were discussed, as well as the mobile app feature of a virtual gift card, or a "wallet." Mr. Kelly explained that by incentivizing the users to add a lump dollar amount to the wallet, this can decrease the overall transaction fess the City incurs.

Councilwoman Souza asked how Passport makes money. Mr. Kelly reported that Passports' major source of revenue is via convenience fees which are added to app payments and online payments for citation/violation payments.

Mayor Cohn noted that M-Pay seemed comparable to Passport and wondered if there was a cost differential that decided the preference. Mr. Fazzino explained that M-Pay could not provide an adequate parking permit platform. Mr. Serrano followed up with the fact that the user could not go online themselves to update their information but would need to e-mail the Clerk's office for any updates.

Councilwoman Tagger-Epstein stated she is a happy user of the app, and found it extremely convenient and appreciated the low time warning she receives when parking in White Plains.

Mr. Kelly stated that current lists for commuter waitlists and unpaid parking tickets will be forwarded to Passport to host the lists, as well as try to re-coup unpaid tickets on behalf of the City. He explained that the current contract would be an initial three-year term and one-year renewal options thereafter.

Mayor Cohn asked if Passport would consider a one year contract, but Mr. Kelly explained due to the intricacy of the three programs, one-year term may not be possible. He explained that if the proposal was only for the mobile payments, Passport would certainly entertain a one-year contract. With this contract including three handheld devices and a variety of details for the integration on the permit and enforcement platforms, it requires a longer initial contract.

The Mayor called for a five minute break. At 9:38 P.M., the Mayor called the meeting back into order.

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

Jason Yacavone, 50 Allendale Dr., expressed his concern that not all of Allendale Drive is affected by errant golf balls from the 5th hole. He reported that the Taitts are affected because of the location of the tee box, but that six houses on the street are not impacted. He said that a

net is not needed behind 50 Allendale Drive, as they have never seen golf balls hit their house. He also felt strongly that a net would decrease their property value. He suggested that a solution would be to add rough to the fairway so the golfer aims to the left. He said that regardless of the solution, there are no safety concerns for the residents at the bottom of Allendale Drive.

Kelly LeGaye, 44 Allendale Dr., reported that she grew up in Rye and currently backs up to the 5th hole. She requested to have a golf course architect and a public workshop to discuss other possibilities for the 5th hole. She recognizes that upper Allendale residents have asked for help to mitigate the issue of golf balls. She would like to participate in the conversation but would like to recognize that she is opposed to a net.

Shaun Lorraine, 68 Allendale Dr., resides on the lower part of Allendale Drive. As a homeowner for two years, he said he has never had a ball hit the house. He added that his two children are five and two years old and that was a full concern when purchasing the house. He is in full support to the upper neighbors but would like to express that the lower part of Allendale Drive is not faced with the same concerns as the homes on the upper portion of Allendale Drive.

Mayor Cohn reported that the Council is giving this subject a lot of thought and are committed coming up with ideas that they hope would be satisfactory to all.

Steven Tait, 9 Allendale Dr., said he appreciated that the City was looking into the 5th hole issue at the Golf Course and the time that the Council was taking to not make a rushed decision. He was optimistic that an open discussion would occur with all the neighbors to come to a suitable solution.

Ray Tartaglione- 10 Hen Island, commended the Council on addressing the sewage problem earlier in the evening, but asked why his sewage concerns are said to be a County issue. Mayor Cohn stated that the subject of the earlier portion of the meeting was that a City pipe was damaged. Additionally, Councilwoman Souza stated there is not a City-owned sewage system on Hen Island.

Mr. Tartaglione stated there are pipes on Hen Island and feels the City should write violations for those that are not in line with the City Code. The Mayor stated for the record there have been numerous inspections on Hen Island, and that the City had arranged for another County Health Department inspection. Further Mr. Tartaglione said there would be a property maintenance inspection with the City's inspector, and that the Code provisions Mr. Tartaglione previously provided are not applicable to seasonal cottages. Mayor Cohn said although the Council was trying to help, Mr. Tartaglione is asking for assistance that is inappropriate for the City to partake in. Mr. Tartaglione questioned why the Council would look into sewage issues from 34 homes on Clinton and Central Ave but not look into sewage issues from Hen Island. Mayor Cohn replied that the County Health Department has previously determined that sewage from Hen Island was not infiltrating the Long Island Sound. The Mayor reiterated another inspection would be conducted and invited Mr. Tartaglione to be present.

7. Discussion of proposed parking permit fees for 2019.

City Manager Serrano stated that he felt it appropriate to start discussion on 2019 revenue, as parking permit fees for the following year are collected in September of the current year. By opening the discussion, it would allow for enough notice to give to commuters prior to the renewal period. He stated that the City Clerk provided a very detailed and thorough memo which was updated from the year prior, to support the fee increase. He said that she also provided a supplemental analysis chart on what other municipalities charge. He explained how no decision would be made this evening, but that a decision would need to be made by the July meeting to ensure the fees and charges schedule is amended prior to the start of the renewal period.

Mayor Cohn questioned why there is such a wide range of pricing within municipalities and if the City knew how the pricing would be set. Councilwoman Goddard also suggested that it would be helpful to see which municipalities had waitlists to better gauge the demand of the parking and justify the pricing. The Mayor confirmed the decision would need to be made by July so upon obtaining more information the discussion will continue.

8. Resolution to authorize the expenditure for the design and engineering consultants with respect to, and construction of repairs or replacement (including rerouting) of, the damaged I-95 sewer line that has drained into the Locust Avenue storm drain and design and engineering consultation and work necessary to complete the Sanitary Sewer Evaluation Survey. Funds to cover the cost for consultants and construction may be made from General operations, Contingency, Fund Balance or Debt.
Roll Call.

Councilman Mecca made a motion, seconded by Councilwoman Tagger-Epstein, to adopt the following resolution:

RESOLVED, to authorize the expenditure for the design and engineering consultants with respect to, and construction of repairs or replacement (including rerouting) of, the damaged I-95 sewer line that has drained into the Locust Avenue storm drain and design and engineering consultation and work necessary to complete the Sanitary Sewer Evaluation Survey.

RESOLVED, that the funds to cover the cost for consultants and construction may be made from General operations, Contingency, Fund Balance or Debt.

ROLL CALL

AYES: Councilmembers Goddard, Hurd, Mecca, Souza, Stacks, Tagger-Epstein, Mayor Cohn
NAYS: None
ABSENT: None

9. Appointments to Boards and Commissions, by the Mayor with Council approval.

Mayor Cohn made the following appointments to the Tunnel Advisory Committee, adding one additional member beyond what the Council approved when it was initially established: Roy Bostock and Tim Martin for a three-year term expiring January 1, 2021, Edward Collins and Kristin Siano for a two-year term expiring January 1, 2020, Elizabeth Parks for a two-year term expiring January 1, 2020, Doug French for a one-year term expiring January 1, 2019, Brian Dempsey for a one-year term expiring January 1, 2019, and Edward Stein as Chair, for a one-year term expiring January 1, 2019.

Councilwoman Hurd made a motion, seconded by Councilman Mecca, unanimously carried by the Council, to approve the Mayor's appointments.

10. Miscellaneous communications and reports.

Councilwoman Goddard stated that the Memorial Day parade is Monday, and invited all to join the City in recognizing those who have served. She also added that she just met the new Rye High School intern, Caroline Mullooly, who is very bright and wanted to thank her for her time and work she is doing for the City.

Councilman Mecca reported that on May 20, 2018, the Rye Library held its annual Vehicle Fair, which was a successful event. Additionally, at the most recent Planning Commission meeting, nine outdoor dining locations were approved. Further, he reported that the Planning Commission also addressed the traffic circulation flow at Resurrection School complex and have set a public hearing for Tuesday, June 5th at 7:00 P.M. Councilman Mecca also announced that the Annual report from the Landmarks Committee was just released with the following 2018 achievements: Landmarked Baird Square, Milton Cemetery and Purdy Cemetery; historic Benjamin Franklin milestone has been inspected and repaired; Historic milestone 25 is ready to be removed and moved to the new Post Road site for preservation and landmarking; relocating Milestone 29 to its proper location in Greenwich; working with the City Manager to prepare new signs for sport events that reflect the historic character of Rye; and the Haynes-Robbins house needed a Certificate of Appropriateness from the Board of Architectural Review with input from the Landmarks Committee. Additionally, in the future, they are looking to landmark more homes in Rye. Councilman Mecca invited those with older homes to contact him or any members of the Landmarks Committee.

Councilwoman Hurd stated that the Flood Advisory Committee is having bi-weekly meetings with NY Rising to update any status in question. They are also reviewing where to spend the additional funds that may be available after the completion of the two projects of the Milton drainage project and the sluice gate project. Projects considered with the additional funds in the running include: clean above the upper pond, flood resiliency at the library and Locust Avenue Fire House and the Rye Nature Center Bridge. For the Chambers of Commerce, the next meeting is a Summer Soiree, to be held on June 7, 2018. Also, June 2, 2018 is the "Get Your Gatsby On" event for the Rye Historical Society, to be held at a secret location. For the Boat Basin, the Marina is open. Councilwoman Hurd said that new finger floats are being water-

sealed, interior painting is being done, damaged electrical line is in the process of being repaired, and the cutting of branches or entire trees downstream is being done daily. She also announced that Rye Town Park has a budget workshop next Thursday night, May 31, 2018, from 5:30 to 7:30 P.M. for a lively discussion. With regard to the restaurant space at Rye Town Park, Barley on the Beach has filed for permits, so hopefully they will open soon. Mayor Cohn added that he hopes they will have a plan for interim food service until they are fully operational.

Councilwoman Tagger-Epstein reported that the Traffic and Pedestrian Safety Committee has seen great success on the newly established Coolidge, Osborn and Theall parking restrictions. She reported that residents are now witnessing “the creep” of cars parking on Harding Avenue, and those who originally did not want adjustments on the street may now reconsider. She said that the Traffic and Pedestrian Safety Committee may re-evaluate Harding at next month’s meeting. As a Public safety announcement, she wanted to bring attention to tick season, which is out in full force and the area is expecting a bad year. She encouraged the community to spray and check yourselves often as ticks walk and jump. She said that even if someone is not a nature person, ticks can attach to people and dogs. On a personal note, she said that ticks have been removed from herself and her two-year-old already this season. She encouraged others to purchase a tick removal kit; if one is found, Greenwich Town Hall is allowing people to drop off ticks for immediate testing at a cost of \$65. She encouraged people to keep them alive in a zip lock for testing purposes.

Councilwoman Souza announced that June Fest for 5th and 6th graders would be held on June 1, 2018. She encouraged those interested to register on the Rye Recreation website. She also announced that those wanting to purchase tennis passes for the season, or \$13 per use. She reminded everyone that the Food Truck Festival will be held on June 23, 2018, from 1:00 to 5:00 P.M. with two live bands and a variety of gourmet foods. There will be no office hours on Memorial Day, but Councilwoman Souza asked that the community join in the parade.

Councilman Stacks announced that the pool is opening at Rye Golf Club on Saturday, May 26, 2018 at 10:00 A.M. He also announced several upcoming Golf Club events, including the Men and Ladies Senior Championships for ages 50+ with three divisions, Ladies Governors Cup & Players Championship on June 3, 2018, and the Men’s one day event on Thursday, June 21, 2018. Councilman Stacks also announced that the Finance Committee is coming to the end of their initial fact finding and will be coming to a close on their initial report.

11. Old Business.

Mayor Cohn provided an update as it related to the recent Con Edison loss of power after the storms in March. He participated in a group, United Westchester, which was organized by Assemblyman David Buchwald, who organized information from many towns within Westchester. The report was published on Monday, May 21, 2018, and will be used in both the Public Service Commission hearings and Assembly zone hearings. There will be an Assembly zone meeting on Tuesday morning on May 29, 2018 with members of Con Edison and NYSEG present. Additionally, as it relates to gas main installations in Rye, and the logistical difficulties they are currently facing, Con Edison was largely non-responsive but with the input of the City

Manager and Ryan Coyne, they have collaborated a plan for Con Edison to conduct some of the work this year and defer the rest to next year. A conversation with Mr. Coyne, Mr. Serrano and Con-Ed is scheduled for later in the week.

12. New Business.

There was nothing discussed under this agenda item.

13. Adjournment.

There being no further business to discuss, Councilman Mecca made a motion, seconded by Councilwoman Souza and unanimously carried, to adjourn the meeting at 10:33pm.

Respectfully submitted,

Euka Pietrosanti
Deputy City Clerk