

APPROVED MINUTES of the Regular Meeting of the City Council of the City of Rye held in City Hall on October 3, 2018 at 7:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
EMILY HURD
JULIE SOUZA
BEN STACKS
Councilmembers

ABSENT:

RICHARD MECCA
DANIELLE TAGGER-EPSTEIN
Councilmembers

The Council convened at 6:30 P.M. Councilman Stacks 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 7:42 P.M., Councilwoman Souza made a motion, seconded by Councilman Stacks, to adjourn the executive session. The regular meeting of the City Council began at 7:47 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 City Clerk to call the roll; a quorum was present to conduct official City business.

3. Draft unapproved minutes of the regular meetings of the City Council held August 8, 2018 and September 5, 2018.

Councilman Stacks made a motion, seconded by Councilwoman Souza and unanimously carried, to adopt the minutes of the regular meeting of the City Council held August 8, 2018 and September 5, 2018.

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

Kent Iarocci, 5 Charlotte Street, addressed and thanked the Council. He said he was concerned about Rye Town Park, which he felt was in disrepair. He asked about capital improvements at the park and felt that funds should be allocated toward park needs. He stated that perhaps Rye Town Park should look into federal funding. Mr. Iarocci asked Mayor Cohn to speak to the Supervisor for the Town of Rye regarding his comments. He then commented on flooding and the Bowman Avenue Dam. Mr. Iarocci lastly commented on the Rye Free Reading Room's capital improvements.

Kelly LeGaye, Rye resident, stated that she was disappointed with the status of the 5th hole at the Rye Golf Course. She asked the City to clarify its position on errant golf balls. She was upset with the City's actions regarding the same.

5. Discussion of Food Scrap Recycling Program.

Councilwoman Goddard introduced Patty Capparelli and Linda Mackay, Rye Sustainability Committee, and Girl Scout Troop 2196. Ms. Capparelli stated that the group had been looking into composting program, in which many are interested. Ms. Mackay said that some people are worried about effects of composting. She introduced Ron Schulhof and Michelle Sterling from the Village of Scarsdale.

Mr. Schulhof and Ms. Sterling presented a slideshow and explained how a Food Scrap Recycling Program could work within a municipality. They displayed plastic bins and explained the resident perspective for the program. They stated that the program had become so popular that there is now a municipal curbside service. They reviewed the finances/ operating expenses, and discussed outreach for the program. Lastly, they said that the program in Scarsdale has brought something great to the community, and they encouraged the City to consider it.

Councilwoman Goddard said that that the Sustainability members could discuss a potential pilot program for the City of Rye. Ms. Capparelli stated that she said the estimated start date would be January 1, 2019 with both pickup and drop-off options. The pilot program would be six months. Ms. McKay said the community was now designated as a clean energy community.

Councilwoman Souza asked about how residents would pay for the program. Councilwoman Goddard responded that it would be a voluntary subscription program.

Councilman Stacks asked if a new truck was needed for this program. Superintendent Coyne stated that the current trucks that the City has would be sufficient for the pilot program.

Councilwoman Goddard said that the next steps would be to consider if the pilot program would be implemented.

6. Discussion of September 25th Storm Response.

Mayor Cohn stated that there has been flooding in Rye for many years. Rye is in the bottom of a watershed. There have been past studies, but as topography has changed, perhaps

another study would be appropriate. Mayor Cohn discussed the water flow in general in the watershed.

Mayor Cohn said that a flash flood warning was issued in the recent storm. He spoke of the speed that the dam filled, going from 13 feet to 21 feet within just over an hour. Fire and Police communications were sent out. By 10:00 P.M. on the storm date, the roads that were flooded were open.

Eric Moy, 36 Elm Place, spoke about the flooding in the business district. He said that he was realistic about change, but looking for some relief.

Peter Sinnott, 60 Mendota Avenue, stated that he had been presented for at least 20 floods in his time in Rye. He proposed raising the dam for long term flood mitigation. He said that while the sluice gate was positive, it cannot help in large flood incidents.

Mayor Cohn responded that at one point, the Citizens Panel looked at raising the dam as a possible project and rejected it as a possibility. Mr. Sinnott responded that he urged the City to hire an engineer to study the feasibility of raising the dam.

Mayor Cohn said that the New York Rising grant was \$3 million. The grant was under constraints of the list of projects that was previously agreed to.

Bernie Althoff, Rye resident, commented that he did not agree that raising the dam would help the flooding issue, based on prior engineering opinions.

Carolina Johnson, Rye resident, said that the recent flood impacted residents, commuters, and the downtown. She said it was the biggest hazard for Rye, but not included in the upcoming capital projects. She said she was happy to see that the City might address upstream issues.

Councilwoman Hurd echoed that flooding has been a long-term problem. She said that several years ago, the City received the New York Rising grant. There was a group of projects approved to be a part of the New York Rising proposal. DASNY was assigned to the City by the governor's office on this grant. She said some of the projects did not make the cut. She discussed the projects that the City would be pursuing under the grant, totaling \$2.1 million.

Councilwoman Hurd stated that one of the projects was the installation of the two stream gauges which will allow us to collect data, located above the dam, and below the dam. Any work at or near the Bowman Avenue Dam will require, under NY State Law, an updated engineering assessment, at a cost of \$50,000. There also needs to be an emergency action plan. Removal of vegetation and debris at the upper Bowman pond was also included, as well as the implementation of an access road for the vegetation removal. She also discussed drainage improvements on Milton Road adjacent to Milton Harbor House, Hewlett Avenue check valve installation, which prevents the water from going back into the storm drain, and lastly, the Rye Nature Center access driveway.

Mr. Sinnott encouraged the City to retain John Meyers to inspect the integrity of the dam.

Councilwoman Souza thanked the Flood Advisory Committee and Councilwoman Hurd. She said she wished the Council and City could do more.

Councilwoman Goddard recognized that the flooding issues have gone on for years. She thanked the Flood Advisory Committee and Councilwoman Hurd.

Councilman Stacks said that the City has run out of time and must spend the grant money. He hoped for the possibility of other solutions to look at in the future.

Councilwoman Hurd said the Flood Advisory Committee had met several times a month in the last few months and that she had been the liaison for two years. She said that the Committee and City will continue to do everything they can to improve the watershed to mitigate flooding as much as possible.

7. Resolution to approve final projects for the New York Rising Community Reconstruction Program. Roll Call

Councilwoman Hurd made a motion, seconded by Councilman Stacks, to approve the list of final projects assigned to the New York Rising Community Reconstruction Program:

Milton Road Drainage Improvements – Milton Harbor House	\$488,164
<i>Milton Road Drainage Improvements - Hydrodynamic Separator</i>	
Milton Road Drainage Improvements – Hewlett Avenue Check Valve	\$64,802
Blind Brook Monitoring System – Installation of 2 Stream Gauges	\$300,000
Bowman Avenue Dam Engineering Assessment	\$50,000
Bowman Avenue Dam Emergency Action Plan	\$27,000
Upper Bowman Pond Expansion – Vegetation Removal	\$320,034
<i>Upper Bowman Pond Expansion Pre-Design Investigation</i>	
<i>Rye Free Reading Room – Flood Proofing</i>	
<i>Locust Avenue Firehouse – Flood Proofing</i>	
Rye Nature Center Access Driveway	\$850,000

ROLL CALL

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

8. Consider a resolution to authorize the Deputy Comptroller to create a Capital account to allocate funding for New York Rising Community Reconstruction Program projects. Roll Call.

Nothing was discussed under this agenda item.

9. Continuation of Public Hearing to establish the 2019 budgeted fees and charges. Roll Call.

Councilman Stacks thanked the Deputy Comptroller and the Finance Committee, who did a great job thinking thoroughly through the reasonability of the fees. He said it was not easy to face raising fees, but they did a great job preparing the fee proposals.

Councilwoman Hurd made a motion, seconded by Councilwoman Souza and unanimously carried, to close the public hearing on the 2019 budgeted fees and charges.

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

RESOLVED, that the fees and charges are adopted for 2019 in accordance with the proposed fees attached to the agenda of the City Council meeting dated October 3, 2018.

ROLL CALL

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

10. Resolution to modify the fees regarding the 2019 commuter parking permits. Roll Call.

Mayor Cohn explained that commuter parking permit fees in the Metro North parking lot need to be approved by the MTA. The MTA has capped the total increase by 15%, and the fee has been calculated to be \$874 per year.

Councilwoman Souza made a motion, seconded by Councilman Stacks and unanimously carried, to adopt the following resolution:

RESOLVED, that the fee for the 2019 commuter parking permits is modified to \$874 for both residents and non-residents.

ROLL CALL

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

11. Consideration of a request by the Rye YMCA for the use of City streets for the 31st Annual Rye Derby on Sunday, April 28, 2019 from 9:00 a.m. to 2:00 p.m.

Councilwoman Goddard made a motion, seconded by Councilwoman Hurd and unanimously carried, to approve the request by the Rye YMCA for the use of City streets for the 31st Annual Rye Derby on Sunday, April 28, 2019 from 9:00 a.m. to 2:00 p.m.

12. Resolution to permit waiver of food truck law for two food trucks at Rye Town Park on October 20, 2018.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd and unanimously carried, to waive Chapter 144 (8)(d) and (g) of the Rye City Code to permit two food trucks at Rye Town Park on October 20, 2018.

13. Resolution to approve the hiring of Best, Best and Krieger, LLP to challenge the FCC's decision with respect to wireless antennas for a price not to exceed \$6,000.

Roll Call.

Mayor Cohn said that this would be a joint syndicate of municipalities on this effort, with the City paying only a share of the legal costs.

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

RESOLVED, that the City Council approve the hiring of Best Best & Krieger, LLP to challenge the FCC ruling on telecommunications antennae for a cost not to exceed \$6,000.

ROLL CALL

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

14. Resolution to declare certain Rye Recreation equipment as surplus. Roll Call.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd 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 2018, and,

WHEREAS, the Rye Recreation Department has recommended that said equipment be declared surplus, now, therefore, be it

RESOLVED, that said equipment is 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: Councilmembers Goddard, Hurd, Souza, Stacks, Mayor Cohn
NAYS: None
ABSENT: Councilmembers Mecca and Tagger-Epstein

15. Old Business

There was nothing discussed under this agenda item.

16. New Business.

Councilwoman Souza announced that Halloween Window Painting sign up was still open, and encouraged all interested to attend on Sunday, October 21, 2018.

Councilwoman Hurd announced that the Council had approved the hiring of the cable consultant at the recommendation of the Council subcommittee on Cable TV. She reported that the consultant was hard at work putting together the framework for his analysis, and he anticipates the report by mid-November.

Councilwoman Goddard announced that on Friday, October 5, 2018 at 10:30 a.m. the Sustainability Committee would be sponsoring an event with the Jay Heritage Center about native plant trees with an acclaimed tree expert. The event is free and open to the public. She encouraged all to attend.

Councilwoman Hurd added that the Edith Read Fall Festival would be held Saturday, October 13, 2018 from noon until 5:00 p.m.

City Clerk D'Andrea reminded the community that renewals will begin October 4, 2018 for those who have a commuter parking permit.

Councilman Stacks announced that the Golf Club had been winding down for the season. He send Upcoming renovations.

17. Adjournment.

At 9:41 P.M. there being no further business to discuss, Councilwoman Souza made a motion, seconded by Councilman Stacks, to adjourn the regular meeting of the City Council.

Respectfully submitted,

Carolyn D'Andrea
City Clerk