

## **CITY OF RYE**

### **NOTICE**

There will be a regular meeting of the City Council of the City of Rye on Wednesday, January 26, 2010, at 8:00 p.m. in the Council Room of City Hall. *The Council will convene at 7:30 p.m.\* and it is expected they will adjourn into Executive Session at 7:31 p.m. to discuss personnel matters.*

### **AGENDA**

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Draft unapproved minutes of the regular meeting of the City Council held January 12, 2011.
5. Residents may be heard who have matters to discuss that do not appear on the agenda.
6. Mayor's Manager Report
  - Update on Snow Removal: Practice and Responsibilities
  - Legal Update
7. Discussion on 2011 Home Rule Legislation.
8. Resolution by the Council consenting to Spectrum, NYLCP, and HarbourVest Partners acquiring a non-controlling, minority ownership interest in Yankee Metro Acquisition, LLC.
9. Resolution to adopt a Legal Case Management Committee.
10. Two appointments to the Board of Appeals for a three-year term, by the Mayor with Council approval.
11. Three appointments to the Board of Architectural Review, one for a one-year term, one for a two-year term and one for a three-year term, by the Mayor with Council approval.
12. Designation of the Chairman of the Board of Architectural Review by the Mayor.
13. Two appointments to the Conservation Commission/Advisory Council for a three-year term, by the Mayor with Council approval.
14. Two appointments to the Finance Committee for a three-year term, by the Mayor with Council approval.

15. Two appointments to the Landmarks Advisory Committee for a three-year term, by the Mayor with Council approval.
16. Two appointments to the Planning Commission for a three-year term, by the Mayor with Council approval.
17. Designation of the Chairman of the Planning Commission, by the Mayor.
18. Two appointments to the Recreation Commission for a three-year term, by the Mayor with Council approval.
19. Two appointments to the Rye Cable and Communications Committee for a three-year term, by the Mayor with Council approval.
20. Four appointments to the Rye Playland Advisory Committee for a three-year term, by the Mayor with Council approval.
21. Two appointments to the Rye Town Park Advisory Committee for a three-year term, by the Mayor with Council approval.
22. Three appointments to the Traffic and Pedestrian Safety Committee for a three-year term, by the Mayor with Council approval.
23. Designation of the City Council Liaisons by the Mayor
24. Miscellaneous communications and reports.
25. Old Business.
26. New Business.
27. *Adjournment. It is expected that the Council will adjourn to Executive Session to discuss litigation matters.*

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The next regular meeting of the City Council will be held on Wednesday, February 9, 2011.

\*\* City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at [www.ryeny.gov](http://www.ryeny.gov) under "RyeTV Live".

\* Office Hours of the Mayor on 1/26/11 will be held at 7:00 pm in the Mayor's Conference Room prior to the scheduled executive session.



# CITY COUNCIL AGENDA

NO. 4

DEPT.: City Clerk

DATE: January 26, 2011

CONTACT: Dawn F. Nodarse

**AGENDA ITEM:** Draft unapproved minutes of the Regular Meeting of the City Council held January 12, 2011, as attached.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the draft minutes.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**

Approve the Unapproved Minutes of the Regular Meeting of the City Council held January 12, 2011, as attached.

***DRAFT UNAPPROVED MINUTES*** of the  
Regular Meeting of the City Council of the City of  
Rye held in City Hall on January 12, 2011 at 8:00  
P.M.

PRESENT:

DOUGLAS FRENCH Mayor  
RICHARD FILIPPI  
PAULA J. GAMACHE  
PETER JOVANOVIK  
SUZANNA KEITH  
CATHERINE F. PARKER  
JOSEPH A. SACK  
Councilmembers

ABSENT: None

1. Pledge of Allegiance

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

2. Roll Call

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

3. The State of the City Address by the Mayor

“Good evening -- It is a privilege to represent Rye as Mayor and to once again deliver the State of the City Address.

“Tonight, I will take a brief look back and look ahead in laying out a plan for Rye for the coming year. The decisions we make in 2011, on top of the ones we made last year, will then put Rye in a position where once again we can begin to control our own destiny, create momentum and plan a vision for the future.

“2010 was a year of transition and challenges as the City had to transform its manner of doing business in response to one of the worst recessions in our lifetime. One year ago, I stood at this podium in my first address and said: *“Just as you, your family and those around you have been tested by today’s economic times -- in 2010 our government will be tested.”*

“And we were. Not just financially, but on many fronts. We accomplished a great deal, and Rye passed those tests.

“There are three pillars of good government, not all of which you find in many communities – but they are all here in Rye.

1. First, we have sound fiscal management practices that guide how we operate.
2. Second, we have transformed our government organization structure to more effectively and efficiently provide core services.
3. And third, we have created an environment that encourages public participation to help shape our policies – and the people have responded.

“For those 3 reasons, I stand before you tonight and say the State of the City is strong.

## **I. SOUND FISCAL MANAGEMENT**

“We began 2010 with no money in the bank – just \$1.5M above our chartered minimum, no ability to borrow without public referenda, and a \$5M IOU on a building that dropped in value. But the biggest challenge we faced was the unexpected healthcare legislation. Our employee benefits line grew 14% in one year. Let me say that again. One quarter of our annual operating budget, which is pension and healthcare but not salaries, went from \$6.5M to \$7.4M in one year. The math simply does not add up – and the days of passing the tab onto the taxpaying public who can no longer afford it had to change.

“So, last year we made the hard decisions:

1. First, in 2010 we held spending flat to 2009 levels, saving about \$500k from what was budgeted.
2. Second, in the 2011 budget, we held spending levels to about 1% over 2009 actuals or roughly ½ percent per year for 2 years. Last January, on this night, I called for a 5% reduction across City departments and in December the council voted unanimously to adopt all of the proposed cuts by the City Manager – \$170,000 (6%) from the \$2.8M Recreation budget, \$150,000 (2%) from the \$8.6M Police Department budget, \$75,000 (6%) from the \$1.1M Library contribution, and \$285,000 (3%) from the \$9M Department of Public Works budget. Operational decisions were made by the City Manager and Department heads, but the Council established clear goals.

“The result has been a 1% increase in the 2011 tax levy – one of the lowest if not the lowest around. The budget reflects our commitment to balance conservative revenue expectations and maintain expected levels of service.

“As we look to 2012, we must continue to recognize all of our constituents are part of an economically diverse community with moderate to high-income, fixed income, under-employed and unemployed. Whether you are single, a family or a senior we want you to be able to afford to live here.

1. I call on our City Manager to identify the top 2 cost-savings initiatives for 2012. The 2011 budget was a time where we had shared sacrifices across all groups. Now we need to turn our primary focus on the biggest cost drivers.
2. I will be forming a property tax relief commission to study the situation and identify new revenue opportunities to offset the ongoing burden of property taxes. In my research, other communities across the US have taken this approach and now it is time for Rye. I will ask someone from our Citizen’s Finance Committee to chair this working group.
3. Healthcare is under local control so I am asking the City Manager to do an immediate review of our future healthcare liability and identify potential solutions.
4. Together as officials and residents we need to continue to push for pension reform with NY State.
5. Last December, we came to agreement with our largest union -- local 1000 DPW. We still have 3 expired labor contracts with our Police, Fire and Clerical unions. A negotiated settlement is the best option for all and I am hopeful the unions will come to the bargaining table.

**2. TRANSFORMING OUR GOVERNMENT**

“With the ongoing municipal recession, we had to begin to transform our City operation in order to efficiently provide municipal services and maintain our quality of life. A lot was accomplished. We started in the City Manager’s office.

**City Management**

“This year marked 50 years since Rye established itself as a City Manager form of government, yet with recent turnover – we had to stabilize that position. The City Council conducted a thorough search and interview process and in the end, unanimously appointed Scott Pickup. His 5 years in the assistant position and living in the community, his knowledge of municipal government and the inter-workings of the City, and his overwhelming endorsement of surrounding municipal officials and peers, made him the right person at the right time.

**Litigation Management**

“For a small city, Rye has a full docket of cases. The focus of our legal services has to meet the ongoing demands on municipalities and accomplish three objectives:

- Provide in-house staff support and advisory to prevent litigation where possible.
- Provide a range of municipal law expertise and practice-area specialization to effectively manage the variety of matters the City faces.
- Incorporate cost-containment measures and management.

“The changes we implemented in our law department meet all of those objectives and provide the City with effective legal representation in today’s litigious environment.

“In addition, we were able to provide continued rent protection for 99 out of 102 residents at Highland Hall, negotiate competitive water rate increases with United Water, pass “No-knock” legislation, and we are no longer in dispute with our neighboring community, Rye Brook.

“Most importantly, after the court ruling, I am very pleased to have come together and worked with School Board President Josh Nathan and Osborn Chairman Jack Miller to come to agreement on the long-standing Osborn Home dispute and avoid further litigation -- and instead look toward the future and partnership opportunities.

### **1037 Boston Post Road**

“This year we made good on the \$5M IOU. The staff and council have worked hard on discussing next steps and will be issuing a plan in the coming year.

### **Public Safety**

“In 2010, burglaries, coyotes and other threats including storms were met head-on by our professionals. The charge to our City Manager and Commissioner has been to maintain our level of public safety and optimize deployment of personnel where needed with the priority on patrol. Two patrolman vacancies were sworn in this week. Like other communities, there will be a modification in our DARE program and Marine patrol.

“The other side of public safety is an informed and alert public. The Commissioner has successfully instituted our public notification e-mail and text system – nixle.com to complement the reverse 911 phone calls. One of our key priorities in 2011 will be to expand this program. Every Rye resident should sign up for this notification service to stay informed of emergency, public safety, weather and traffic issues around our City.

“With coyotes, our strategy will continue as one of controlled co-existence through trapping and relocation to instill fear of humans, and education of the public to be on alert. We will continue regional coordination with surrounding

communities, Westchester County, the New York State DEC and the Federal government.”

4. General Announcements

Councilmembers thanked the Department of Public Works and Police Department for their efforts during the recent snow storms and made announcements regarding meetings, events and activities of various boards, committees and organizations in the City.

5. Recognition of Safe Routes to School Award Winners

Mayor French announced the winners of the recent Safe Routes to School Poster Contest held at the Rye Middle School that encouraged students to submit posters featuring safe walking and biking tips. They were as follows: 1<sup>st</sup> Place: Grier Poole; 2<sup>nd</sup> Place: Daniel Sundaram and 3<sup>rd</sup> Place: Samantha Brown. Honorable mention was awarded to: Alissa Vitiello, Jack Usry and Eli Reynolds. The Council offered their congratulations to all.

6. Draft unapproved minutes of the Regular Meeting of the City Council held December 15, 2010

Councilman Jovanovich made a motion, seconded by Councilwoman Filippi and unanimously carried, to approve the minutes of the regular minutes of the City Council meeting held on December 15, 2010, as amended.

7. Residents may be heard who have matters to discuss that do not appear on the agenda

*John Carey, 860 Forest Avenue*, referred to a memo he had sent and urged the Council to utilize independent legal counsel, other than the firm the Corporation Counsel is associated with, when outside legal counsel is necessary. He said the Council must not restrain competition in the furnishing of legal services. He added that separate law firms should be able to bid for legal work. Mayor French said that legal services outside of the Corporation Counsel’s Retainer Agreement would require a Council vote and would not be exclusive to any firm. City Manager Pickup pointed out that in the last year the City had many different attorneys representing it for different types of legal work.

*Robert Zahm, 7 Ridgewood Drive*, spoke about issues related to snow removal. He noted that there was improved compliance with shoveling of snow but pointed out that the area along Old Post Road over the Playland Access Bridge had not been shoveled and that snow piles were created at street corners as a result of plowing, which blocked many crosswalks and intersections. As a result pedestrians were required to walk in the streets. He asked who is responsible for clearing away the snow that blocks the crosswalks and intersections. City Manager Pickup said it was not a defined part of the snow removal process but indicated that the City had begun clearing crosswalks in areas where crossing guards are provided when they have manpower. Mr. Zahm again urged the Council to post statistics related to citations issued by the Police Department. Councilman Jovanovich noted that the Police Commissioner is working on a new format for presenting the data. He also suggested that there should be a plan to help seniors or people on fixed incomes to clear their snow.

8. Mayor's Management Report

- Update from the Playland Advisory Committee

Charles Dorn, the Chair of the Playland Advisory Committee reported on the activities of both the Playland Advisory Committee and the Playland Strategic Planning Committee. He said that the Playland Advisory Committee, which had met once in the previous five years, has been reactivated and met twice during the year with representatives of Playland. He summarized issues the Committee has been dealing with such as the Tiki Bar Restaurant including utilization of space and issues related to alcohol consumption, noise issues, and concerns about Playland's new ticket policy. He said that they have conveyed the concerns of residents to the Playland Administration. Going forward for 2011, the Committee has drafted a list of issues that will be forwarded to the County expressing concerns relating to issues such as the golf carts utilized by the Tiki Bar to transport patrons; pricing issues; the hours of the park's operation; signage issues; marketing suggestions; any planned capital projects; expansion of the art show from last year and parking. He said that people could contact himself or Councilwoman Parker with complaints.

Mr. Dorn next provided an update on the Playland Strategic Planning Committee. Playland is the only municipally owned and operated amusement park in the country. The Committee has met six times, done a tour of Playland, conducted two public forums and made an effort to educate people before requesting feedback. They have received information regarding what types of people might or might not be interested in bidding on Playland as well as the historical background of the park. He said a not-for-profit group from Rye called Sustainable Playland is preparing a bid for a public/private relationship. Other suggestions made include a passive park; tearing down the park and building condos; building a hotel/conference center and increasing retail. Concerns expressed include traffic; environmental issues; keeping access to the water and appropriateness of what might be built. He said that the County is not sure what they want to accomplish with Playland because they don't know what responses they will get to their Request for Proposals (RFP). He said it is important to determine what would work for Rye while also considering the needs of other communities in Westchester. If any part of Playland is commercialized it would have to receive alienation of parkland approvals from the County and State.

Councilman Sack expressed the belief that whatever is done at Playland should reflect the character of Rye and should not be drastically different.

Mayor French noted that the process has been beneficial to the community to get all the facts out and there seems to be a consensus of opinion building. The Council is looking to pass a Resolution at the March 2<sup>nd</sup> meeting, to be forwarded to the County Executive, outlining the types of things the City would like to see at Playland. He asked that Mr. Dorn come back to the February meeting with final recommendations from the Committee.

Agenda Items 9, 10, 12, 13 and 14 were taken out of order.

- Update on all outstanding City Grants

City Manager Pickup reported on the status of the following Grants:

Bird Homestead Grants:

- The \$250,000 New York State Strategic Investment Grant - is in the Office of Management and Budget awaiting specific disbursements.
- The 200,000 Westchester County Conservation Easement Acquisition Grant – waiting for the setting of a closing date in either late January or early February when the City should receive a check.
- The Long Island Sound Stewardship Grant – waiting for authorization for disbursement of the money.
- The New York State Parks and Historic Preservation Grant –concerns of the Attorney General’s Office related to title concerns seem to be resolved. The next step would be to send it to the Office of Management and Budget for disbursement.

The City has not issued Revenue Anticipation Notes (RANs) in connection with any of the above grants at this time.

Sluice Gate Grant:

- The City will not go to final authorization and bidding on the project until the grant is approved. Since October, the City has been waiting for a Budget Certificate Letter or Master Certificate, which will provide the authorization to bid the project.

\$10,000 Grant for Fire Protection Equipment

- The money was approved for disbursement on January 12<sup>th</sup> and the purchase order has been issued.

2007 Flood-related projects New York State Emergency Relief Funds –due to the New York State process of giving each project the same Project Identification Number, the projects will not be moved forward individually. Both projects come out of New York State funds that are controlled by the State Department of Transportation.

- Central Avenue Bridge Project – the project is ready to go out to bid, when authorization is received from the State.
- Theodore Fremd Avenue Retaining Wall – this project is in a Federal authorization process and has been sent for a NEPA review which is a Federal Highway requirement. The engineering has been approved through the State. Once the Federal approvals are received, the project would be fully approved and ready to go out for bid.

- Update on Police Staffing

The Council was provided an update prepared by the Police Commissioner relative to the 2011 staffing levels for the Department. He said the issue with police staffing is not how many police officers are authorized, but how many are available to work at a given time. Currently there is one officer on limited duty status and another on long-term disability absence. Although these positions are both fully funded, it impacts the amount of manpower available to put out on

the street. Decisions will be made on the amount of police coverage available in the best interests of the City. The Department continues to use a five squad chart to fill patrol slots.

- Legal Update

Corporation Counsel Wilson reported on the following matters:

- Osborn v. City of Rye – The Consent Judgment and Order and Judgment have been forwarded to the County and the Order and Judgment has been signed by the Judge.
- Bassett v. Rye – The matter went to trial and the jury returned a verdict that the City was liable for \$50,000. The City has made a motion to set aside the verdict and a decision is expected within 30 days.
- Beaver Swamp Administrative Hearing – Harrison has been asked to provide a local analysis of the local impacts such as traffic, noise and visual impacts related to Project Homerun. They are in the process of updating studies that were previously done in 2004. After the studies are submitted, the Department of Environmental Conservation (DEC) will make a SEQRA determination.

The City Clerk offered a brief update on the “No Knock Registry” that residents can now sign up for in order to prevent peddlers or solicitors from coming to their homes.

9. Presentation by the Rye Shared Roadways Committee

Committee members Steve Cadenhead and Maureen Gomez made a presentation about what the Council could expect of the Committee. They will provide: (1) a list of short and long term prioritized projects that will make the roadways in Rye a better place for everyone; (2) specific requests for Council Resolutions; and (3) community outreach. They indicated that they are working with City Planner Christian Miller on the list of projects and the timing is set to coincide with the capital planning process. The Committee will focus on the needs of user groups including school children, commuters, recreational users and people with special needs. An example of areas where they may request Resolutions from the Council include: the East Coast Greenway Project; the implementation of Sharrows on the roadways; the Complete Streets Policy; and sidewalk repair policies. In connection with public outreach, they believe: pedestrian and bicycle safety education should start as early as kindergarten; programs from outside organizations should be brought into the schools; the City should draw on other communities programs such a walking school buses; and focus groups and safety seminars for seniors should be held. They believe it is important to raise community awareness of the Committee’s work in order to make sure they are doing what the community wants and suggested the use of surveys or a link on the City website.

10. Presentation by the Government Policy & Research Committee on Home Rule Legislation

Committee members Susan Jansen and Terrence Stack spoke about the Committee’s work on the Gross Receipts Tax (GRT). They noted that their mission is to study and educate about issues not make recommendations. The Council is considering increasing the current 1% rate for the GRT. The GRT is a charge on the sales of utility services that is recovered through

end user utility bills. The City collects about \$400,000 annually through the GRT. An additional \$400,000 to \$800,000 could be raised if the Council decides to impose an additional 1-2%. Smaller cities must request authority to increase their rates. Yonkers implemented a 3% GRT in the 1980s. Up to 57 cities outside New York City have imposed a GRT of at least 1%. The Council and School Board of Plattsburgh recently debated imposing a GRT. The School Board looked at it as a way of diversifying sources of revenue to avoid increases in property taxes. The proposal was withdrawn from consideration based on negative reaction from the Council, Chamber of Commerce and public. If the City passes a Resolution to increase the GTR, enabling legislation will be required from the State Legislature. City Manager Pickup added that if the local jurisdiction asks for the authority to increase the GRT, the expectation at the State level would be that it will be implemented. He added that the City could use the money as a way of reinvesting in the community. He noted that the School District is also authorized to collect a GRT separately from the City. Mr. Pickup advised that Legislators have asked to receive Home Rule requests early in the legislative session, by end of January or early February.

11. Discussion on 2011 Home Rule Legislation

Mayor French asked Councilmembers to provide suggestions for Home Rule Legislation that would be discussed at the next Council meeting. The suggestions included:

- Gross Revenue Tax;
- The requirement to stop in a crosswalk vs. yielding in a crosswalk;
- Red light cameras.

The Council was advised that suggestions such as adding a community service requirement to the penalties for talking on a cell phone and increasing the penalty for speeding in a school zone would not be subjects for Home Rule Legislation because they would require changing State law.

12. Public Hearing for a License Agreement Application submitted by NextG Networks, Inc. for telecommunications access in the Public Rights-of-Way

Corporation Counsel Wilson noted that NextG had received approval from the Board of Architectural Review and were back before the Council for a public hearing and approval to do work in the City rights-of-way.

Councilman Filippi made a motion, seconded by Councilwoman Gamache and unanimously carried to open the public hearing.

Joshua Trauner, the Director of Government Services for NextG Networks, said that NextG is a telecommunications company that installs a type of network called a Distributed Antenna System (DAS) which utilizes extremely low powered and small equipment installations on existing telecommunications infrastructure. Councilman Sack noted that the City did not have an option to deny the application or negotiate the fee, but asked if there were any health issues associated with the equipment that would be placed in the right-of-ways. Mr. Trauner said

that safety reports have been done on the equipment that show that the radio frequency emissions are less than 1% of the maximum set by the Federal Government. He offered to supply the reports to the Council.

There was no one from the public who wished to speak.

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to close the public hearing.

Councilman Jovanovich made a motion, seconded by Councilwoman Keith to adopt the following Resolution:

**RESOLVED**, that the City Manager and Corporation Counsel are hereby authorized to enter into an Agreement with NextG Networks, Inc. for telecommunications access in the City of Rye Public Rights-of-way.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,  
Keith, Parker and Sack  
NAYS: None  
ABSENT: None

The Resolution was adopted by a 7-0 vote.

13. Consideration to set a Public Hearing for March 2, 2011 for the establishment of the Kirby Lane Extension Sanitary Sewer Special Assessment District

City Manager Pickup said that two district-wide petitions have been distributed to members of the proposed District and the number voting in favor is well over the 66 2/3% statutory threshold for creating a Special Assessment District. The size of the district has been expanded from the original proposal to include additional properties closer to the Mill Pond.

Councilwoman Gamache made a motion, seconded by Councilwoman Keith and unanimously carried to adopt the following Resolution:

**WHEREAS**, the Council wishes to establish the Kirby Lane Extension Sanitary Sewer Special Assessment District; and

**WHEREAS**, it is now desired to call a public hearing to discuss the establishment of such Sewer Special Assessment District; now, therefore, be it

**RESOLVED**, by the Council of the City of Rye as follows:

Section 1. Pursuant to Section 20 of the Municipal Home Rule Law and the Charter of the City of Rye, New York, a public hearing will be held by the Council of said City on March 2, 2011 at 8:00 P.M. at City Hall, Boston Post Road, in said City, for the purpose of affording interested persons an opportunity to be heard concerning such proposed local law.

Section 2. Such notice of public hearing shall be in substantially the following form:

**PUBLIC NOTICE  
CITY OF RYE**

**Notice of Public Hearing to establish the Kirby Lane Extension Sanitary  
Sewer Special Assessment District**

Notice is hereby given that a public hearing will be held by the City Council of the City of Rye on the 2nd day of March, 2011 at 8:00 P.M. at City Hall, Boston Post Road, in said City, at which interested persons will be afforded an opportunity to be heard concerning the establishment of the Kirby Lane Extension Sanitary Sewer Special Assessment District.

Copies of said proposal may be obtained from the office of the City Clerk.

Dawn F. Nodarse  
City Clerk  
Dated: February 16, 2011

14. City Council declaration of intent to be Lead Agency and referral to the Rye City Planning Commission for Advisory LWRP Coastal Consistency and Wetland Permit Approval in connection with the Kirby Lane Extension Sanitary Sewer Special Assessment District

Corporation Counsel Wilson said this agenda item is an action defined under the Environmental Conservation Law that requires that a Lead Agency be designated.

Councilwoman Gamache made a motion seconded by Councilwoman Keith and unanimously carried, to adopt the following Resolution:

**RESOLVED**, that the City Council declares its intent to be Lead Agency and hereby refers to the Rye City Planning Commission for Advisory LWRP Coastal Consistency and Wetland Permit Approval in connection with the Kirby Lane Extension Sanitary Sewer Special Assessment District.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,  
Keith, Parker and Sack  
NAYS: None  
ABSENT: None

The Resolution was adopted by a 7-0 vote.

15. Appointment of the 2011 Deputy Mayor by the Mayor

Mayor French made a motion, unanimously approved by the Council to appoint Councilwoman Paula Gamache as Deputy Mayor for a one-year term commencing January 1, 2011, to serve as Deputy Mayor in the Mayor's absence.

16. Appointment of a Council Member as Trustee of the Police Pension Fund, by the Mayor with Council approval, for a one-year term

Mayor French made a motion, unanimously approved by the Council, to appoint Councilman Richard Filippi as Trustee of the Police Pension Fund for a one-year term commencing January 1, 2011.

17. Designation of the City Council's Audit Committee by the Mayor

Mayor French made a motion, unanimously approved by the Council, to appoint Councilwoman Paula Gamache and Councilman Peter Jovanovich to the City Council's Audit Committee for a one-year term commencing January 1, 2011.

18. Resolution to establish and appoint a Legal Case Management Committee

Mayor French said this agenda item would not be voted on at this meeting. The purpose of the Committee would be to oversee the Corporation Counsel's review of legal invoices. The Committee would not provide legal strategy. It would be composed of the City Manager, the Mayor and at least one other Councilmember.

19. Designation of the following City Council Liaisons by the Mayor

Mayor French asked the other members of the Council to review his suggestions for liaison and notify him regarding their interests.

20. Designation of official City newspaper

Councilwoman Gamache made a motion, seconded by Councilwoman Parker, to designate *The Journal News* as the official City newspaper.

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,  
Keith, Parker and Sack  
NAYS: None  
ABSENT: None

The Resolution was adopted by a 7-0 vote.

21. Designation of the amounts of faithful performance bonds:

Councilman Jovanovich made a motion, seconded by Councilman Filippi, to recommend the following amounts of faithful performance bonds, as recommended by the auditors:

A.	City Comptroller	\$ 1,000,000
B.	City Clerk	\$ 500,000
C.	City Marshal	\$ 100,000

ROLL CALL:

AYES: Mayor French, Councilmembers Filippi, Gamache, Jovanovich,  
Keith, Parker and Sack  
NAYS: None  
ABSENT: None

The Resolution was adopted by a 7-0 vote.

22. Miscellaneous Communications and Reports

Councilwoman Keith reported that the YMCA Safe Routes Committee will be meeting on Tuesday, January 18<sup>th</sup>. The Sustainability Committee will be meeting on January 26<sup>th</sup>. This Committee is interested in holding Public Forum on March 31<sup>st</sup>. The Traffic and Pedestrian Safety Committee will meet on January 13<sup>th</sup>. The Shared Roadways Committee will meet on January 26<sup>th</sup> and is looking for public feedback.

The Rye Town Park Commission will be meeting on January 18<sup>th</sup> to approve a budget.

23. Old Business

Councilman Filippi said he would like to put revising the Tree Ordinance on the Council agenda for February. He said a key to revising the law was how it would be enforced and suggested a model similar to the Bay Constable concept whereby people could be trained on what to look for and volunteers could be utilized. City Manager Pickup said he would work with the Corporation Counsel on issues related to using volunteers for Code Enforcement.

Councilman Jovanovich said he would like a Council discussion on flood legislation when there is sufficient time to devote to the discussion.

Councilman Sack said he would like to schedule a discussion on the Golf Club for the March 7<sup>th</sup> meeting. He offered to circulate an agenda and reach out to interested parties.

Councilwoman Gamache asked for an update on the Westchester Joint Waterworks situation. City Manager Pickup said that letters had been sent to them but no official correspondence had been received. The City's water attorney has been asked to provide three options on how the City might proceed.

Councilwoman Keith said that the Traffic and Pedestrian Safety Committee will look at a Resolution relating to pedestrian safety, traffic safety and neighborhood issues in order to protect citizens when construction is being done in the City, which will then come back to the Council. She also asked that ideas regarding Communication Strategy be discussed at a meeting.

Mayor French asked Corporation Counsel Wilson to do an orientation for the Board of Architectural Review regarding the Committee's mandate.

24. New Business

There was no new business to be discussed.

25. Adjournment

There being no further business to discuss Councilman Sack made a motion, seconded by Councilman Jovanovich and unanimously carried, to adjourn the meeting at 11:23 p.m.

Respectfully submitted,

Dawn F. Nodarse  
City Clerk



# CITY COUNCIL AGENDA

NO. 6

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor Douglas French

**AGENDA ITEM:** Mayor's Management Report

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the City Manager provide a report on requested topics.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** The Mayor has requested an update from the City Manager on the following:

- Update on Snow Removal: Practice and Responsibilities
- Legal Update



# CITY COUNCIL AGENDA

NO. 7      DEPT.: City Manager's Office      DATE: January 26, 2011  
CONTACT: Scott D. Pickup, City Manager

**AGENDA ITEM:** Discussion on 2011 Home Rule Legislation.

**FOR THE MEETING OF:**  
January 26, 2011  
**RYE CITY CODE,**  
CHAPTER  
SECTION

**RECOMMENDATION:**

**IMPACT:**     Environmental     Fiscal     Neighborhood     Other:

**BACKGROUND:**

Assemblyman George Latimer has solicited home rule legislation from the City of Rye. Home rule bills are legislative requests by a local government to undertake some function or activity not already granted to the local government. The state, through specific legislation, may give the municipality the ability to undertake the action. The City is considering home rule legislation on a gross receipts tax. A gross receipts tax is similar to a sales tax, but it is levied on the seller of goods or services rather than the consumer.



# CITY COUNCIL AGENDA

NO. 8      DEPT.: Law Department      DATE: January 26, 2011  
CONTACT: Kristen Kelley Wilson, Esq., Corporation Counsel

AGENDA ITEM: Resolution by the Council consenting to Spectrum, NYLCP, and HarbourVest Partners acquiring a non-controlling, minority ownership interest in Yankee Metro Acquisition, LLC.

**FOR THE MEETING OF:**  
January 26, 2011  
**RYE CITY CODE,**  
CHAPTER  
SECTION

**RECOMMENDATION:** That the Council authorize the request for minority interest in Yankee Metro Acquisition, LLC.

**IMPACT:**     Environmental     Fiscal     Neighborhood     Other:

**BACKGROUND:** On April 21, 2010 the City executed an Assumption Agreement transferring control of the franchise agreement between the City of Rye and NEON Optica, Inc. to Yankee Metro Acquisition, LLC. The attached is a request by Yankee Metro Acquisition, LLC for the City to consent to Spectrum, NYLCP, and HarbourVest Partners to acquire a non-controlling, minority ownership interest in Yankee Metro Acquisition, LLC. Kristen Kelley Wilson, Esq. of the Corporation Counsel's office has been in contact with the attorneys for Yankee Metro Acquisition, LLC and has reviewed the proposed Assumption Agreement.

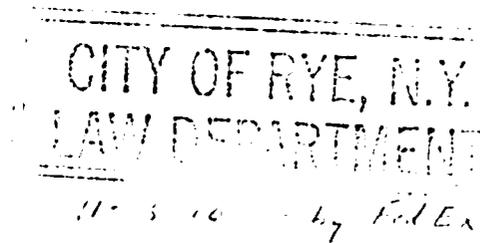
See attached.



November 2, 2010

**VIA FEDERAL EXPRESS**

Kevin J. Plunkett, Corporation Counsel  
City Hall  
1051 Boston Post Road  
Rye, New York 10580



Re: Notice of Intent and Request by NEON Optica, Inc. for  
Consent to Non-Controlling Minority Equity Investments in Franchisee

Dear Mr. Plunkett:

NEON Optica, Inc. ("NEON Optica"), a telecommunications services provider subject to a Franchise Agreement with the City of Rye ("City"), hereby encloses an original and one (1) copy of the above-referenced Notice and Request on behalf of itself and Spectrum Equity Investors ("Spectrum"), New York Life Capital Partners ("NYLCP"), and HarbourVest Partners ("HarbourVest"). NEON Optica is a wholly-owned indirect subsidiary of Yankee Metro Partners, LLC ("Yankee Metro"). Spectrum, NYLCP, and HarbourVest each seek to make a non-controlling, minority investment in Yankee Metro. Pursuant to NEON Optica's Franchise Agreement with the City, Yankee Metro, Spectrum, NYLCP, and HarbourVest respectfully request the consent of the City for Spectrum, NYLCP, and HarbourVest Partners to each acquire a non-controlling, minority ownership interest in Yankee Metro.

NEON Optica is not seeking consent to nor are the aforementioned parties engaging in – a transfer of control. Control of NEON Optica will remain with ABRY Partners VI, L.P., which will remain the majority owner of NEON Optica, as approved by the City on April 21, 2010.

Sincerely yours,

Jonathan B. Mirsky  
*Counsel for NEON Optica and Yankee Metro*

Enclosures

cc: George Mottarella (City Engineer)  
Joseph Kahl (NEON Optica/Yankee Metro)  
Paul Eskildsen (NEON Optica/Yankee Metro)  
Todd Wells (NEON Optica/Yankee Metro)  
Matthew Brill (Spectrum, NYLCP, HarbourVest)

**BEFORE THE  
CITY OF RYE**

In the Matter of	)	
	)	
<b>NEON Optica, Inc.</b>	)	<b>NOTICE OF INTENT AND REQUEST</b>
	)	<b>BY FRANCHISEE FOR CONSENT TO</b>
	)	<b>NON-CONTROLLING MINORITY</b>
For consent to non-controlling minority	)	<b>EQUITY INVESTMENTS</b>
equity investments in Franchisee	)	
	)	

**Preliminary Statement**

This Request seeks consent for funds controlled by Spectrum Equity Investors (“Spectrum”), New York Life Capital Partners (“NYLCP”), and HarbourVest Partners (“HarbourVest”) to obtain minority, non-controlling equity interests in Yankee Metro Partners, LLC (“Yankee Metro”), the indirect parent of the Franchisee.

On February 8, 2001, NorthEast Optic Network, Inc. entered into a Franchise Agreement with the City of Rye (“City”) to construct, operate, and maintain a fiber optic telecommunications system on, over, and under the streets of the City in order to provide telecommunications services. On September 10, 2001, NorthEast Optic Network, Inc. changed its name to NEON Optica, Inc. (“NEON Optica”). On October 17, 2007, the City consented to the change of control of NEON Optica to RCN Corporation. On April 21, 2010, the City consented to the change of control of NEON Optica to ABRY Partners VI, L.P. That acquisition closed on August 26, 2010, and NEON Optica is now controlled by ABRY Partners VI, L.P. through its investment in Yankee Metro, which is the indirect parent of NEON Optica.

Yankee Metro has issued warrants to funds controlled by Spectrum, NYLCP, and HarbourVest to purchase Yankee Metro equity interests. These warrant holders now desire to

exercise their warrants (the “Transaction”).<sup>1</sup> Spectrum’s funds propose to acquire 11.0% of Yankee Metro; NYLCP’s funds propose to acquire 7.4% of Yankee Metro; and HarbourVest’s funds propose to acquire 6.0% of Yankee Metro.<sup>2</sup> Control of Yankee Metro (and therefore control of NEON Optica) will remain with ABRY, through ABRY Partners VI, L.P. and affiliated funds. Because NEON Optica’s Franchise Agreement with the City requires written City consent “whenever any change is proposed of twenty percent (20%) or more of the ownership” of “any Person holding Control” of NEON Optica, NEON Optica is seeking the City’s consent to allow funds controlled by Spectrum, NYLCP, and HarbourVest to make minority investments in Yankee Metro.<sup>3</sup>

Accordingly, pursuant to Section 14.3 of the Franchise Agreement, NEON Optica respectfully requests the consent of the City for the non-controlling minority investments by Spectrum, NYLCP, and HarbourVest in Yankee Metro, the indirect parent of NEON Optica, as contemplated in the Warrant Purchase Agreements. These investments will not result in any change to NEON Optica’s operations, and Yankee Metro intends to maintain the management personnel of NEON Optica following consummation of this Transaction.

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<sup>1</sup> A copy of the Spectrum Warrant Purchase Agreement is attached as Exhibit A; a copy of the NYLCP and HarbourVest Warrant Purchase Agreement is attached as Exhibit B. Certain information has been redacted to preserve privacy and confidentiality.

<sup>2</sup> Spectrum, NYLCP, and HarbourVest are not affiliated with each other.

<sup>3</sup> The most plausible reading of the Franchise Agreement is that the City’s consent is required only when a person or entity or its affiliates proposes to acquire twenty percent or more of the direct or indirect ownership of NEON Optica, rather than when twenty percent or more of the direct or indirect ownership of NEON Optica is sold to unaffiliated persons or entities. Accordingly, NEON Optica believes the City’s consent is not required for the proposed purchase of 11.0% of Yankee Metro by Spectrum, 7.4% of Yankee Metro by NYLCP, or 6.0% of Yankee Metro by HarbourVest because no affiliated investors are acquiring twenty percent or more of the direct or indirect ownership of NEON Optica. Nonetheless, out of an abundance of caution, NEON Optica is seeking consent to these investments because in the aggregate the investments exceed twenty percent of the indirect ownership of NEON Optica.

## **I. DESCRIPTION OF THE PARTIES**

### **A. NEON Optica, Inc. (“NEON Optica”) and Yankee Metro Partners, LLC (“Yankee Metro”)**

NEON Optica, a Delaware corporation, is an indirect subsidiary of Yankee Metro. As explained above, NEON Optica is authorized to install, operate, and maintain cable, wire, fiber and related equipment and facilities within the City. NEON Optica offers a range of data transport products and services designed to carry customer telecommunications traffic and to enhance the performance of its customers’ networks. NEON Optica serves local and long distance telecommunications carriers, Internet providers, cable and wireless companies and enterprise customers.

Yankee Metro, a Delaware limited liability company, is majority-owned by ABRY Partners VI, L.P., a Delaware limited partnership. The principal place of business for Yankee Metro and ABRY Partners VI, L.P. is c/o ABRY Partners, LLC, 111 Huntington Avenue, 30th Floor, Boston, Massachusetts 02199. Yankee Metro is managed by a board of managers consisting of Jay Grossman, Blake Battaglia, Rob MacInnis, and Michael Sicoli. The officers of Yankee Metro are Michael Sicoli, Chief Executive Officer; Felipe Alvarez, President and Chief Operating Officer; Edward O’Hara, Chief Financial Officer; Paul Eskildsen, General Counsel and Secretary; Jessica Kamen, Vice President and Treasurer; and Mike O’Day, Tax. The officers and board of managers of Yankee Metro can be reached at Yankee Metro’s principal place of business.

ABRY Partners VI, L.P. is a private equity fund which primarily makes privately negotiated equity investments in the media, telecommunications, and information industries. ABRY Partners VI, L.P. or other commonly controlled funds (collectively, “ABRY”) own cable,

telecommunications, and interconnected VoIP providers in the United States. ABRY is an experienced investor in communications service providers.

**B. Spectrum Equity Investors**

Spectrum primarily makes privately negotiated equity investments in the business services, media, telecommunications, entertainment, and information services industries. Spectrum, through its various investment funds, has an equity interest in a variety of communications service providers, including Consolidated Communications, Inc., an incumbent provider of voice and data telephony services to business and residential customers in central Illinois and Texas. Spectrum is therefore an experienced investor in communications services which will further diversify the portfolio of investors in Yankee Metro, thereby strengthening Yankee Metro's business and enabling it – and, in turn, NEON Optica – to continue to grow.

Spectrum will be investing through Spectrum Equity Investors V, L.P., a Delaware limited partnership, and Spectrum V Investment Managers' Fund, L.P., a Delaware limited partnership.

**C. New York Life Capital Partners**

NYLCP manages a variety of private equity, mezzanine, and limited partnership investments. Central to NYLCP's investment strategy are long-term relationships with top performing fund sponsors. NYLCP, together with its predecessor organizations, began investing in private equity partnerships in 1984 and has been an active, direct private equity investor since 1991. During that time, NYLCP has made a number of communications and service industry investments. Accordingly, NYLCP's experience will provide will additional perspective to Yankee Metro and NEON Optica in the competitive telecommunications market. New York Life Insurance Company will be investing through New York Life Investment Management

Mezzanine Partners II, L.P., a Delaware limited partnership; NYLIM Mezzanine Partners II Parallel Fund, L.P., a Delaware limited partnership; New York Life Capital Partners IV, L.P., a Delaware limited partnership; New York Life Capital Partners IV-A, L.P., a Delaware limited partnership; NYLCAP 2010 Co-Invest, L.P., a Delaware limited partnership; and NYLCAP Select Manager Fund, L.P., a Delaware limited partnership. Each of these entities is managed by NYCLP.

**D. HarbourVest Partners**

HarbourVest makes private investments in venture capital, buyout, mezzanine, distressed debt, and diversified private equity assets. Through its partnership, secondary, and direct investments, HarbourVest has gained considerable experience in the media, telecommunications, entertainment, and information industries, and will bring significant capital and experience to benefit NEON Optica's operations.

HarbourVest Partners will be investing through HarbourVest Partners VIII-Buyout Fund L.P., a Delaware limited partnership; HarbourVest Partners VIII-Mezzanine and Distressed Debt Fund L.P., a Delaware limited partnership; and HarbourVest Partners 2007 Direct Fund L.P., a Delaware limited partnership.

**II. DESCRIPTION OF THE PROPOSED TRANSACTION AND ITS ANTICIPATED IMPACTS**

Pursuant to the Warrant Purchase Agreements, Spectrum's funds will purchase 11.0% of the equity in Yankee Metro; NYLCP's funds will purchase 7.4% of Yankee Metro; and HarbourVest's funds will purchase 6.0% of Yankee Metro. As a result, Spectrum, NYLCP, and HarbourVest will each hold indirect ownership interests in NEON Optica, which is indirectly wholly owned by Yankee Metro. Applicants therefore request authority for the minority

investments in NEON Optica by Spectrum, NYLCP, and HarbourVest. Illustrative pre- and post-Transaction charts are appended hereto as Exhibit C.

Immediately following the Transaction, NEON Optica will continue to provide service to existing customers at the same rates, terms and conditions. In addition, NEON Optica will continue to be operated by the same highly experienced, well-qualified management, operational and technical personnel.

### **III. THE PROPOSED TRANSACTION WILL ENHANCE COMPETITION AND FURTHER THE PUBLIC INTEREST**

The proposed transaction furthers the public interest in the following significant respects: (1) it provides NEON Optica with additional financial resources from its new indirect minority owners that will strengthen its competitive position in the City; (2) it will not cause any service interruptions or otherwise have any adverse impact on NEON Optica's high-quality services; (3) it will not alter the existing terms or conditions of the services now being provided by NEON Optica; and (4) the minority investments in Yankee Metro by Spectrum, NYLCP, and HarbourVest will be transparent to customers of NEON Optica.

Following the proposed Transaction, NEON Optica will continue to provide high-quality communications services to customers without interruption and without change in rates, terms or conditions. The minority investments in NEON Optica will not result in a change of carrier for its customers or any transfer of its authorizations. Applicants emphasize that the proposed Transaction will be seamless and in no event will it result in the discontinuance, reduction, loss, or impairment of service to customers. In addition, NEON Optica will have the financial support of Yankee Metro and its ultimate majority owner, ABRY Partners VI, L.P., as well as these new minority investors, and will continue to deliver advanced telecommunications services. Such support should strengthen the ability of NEON Optica to compete.

**The proposed Transaction will also not have negative effects in the City, given that the transfer will not change the qualifications of NEON Optica. NEON Optica is well qualified to continue to operate and maintain its system.**

**Moreover, Spectrum, NYLCP, and HarbourVest are well qualified to make minority investments in NEON Optica. Each of these minority investors is experienced in making investments in the telecommunications industry. ABRY and Yankee Metro intend to maintain the management personnel of NEON Optica following consummation of this Transaction to assure continuity of well-qualified highly experienced management, while Spectrum, NYLCP, and HarbourVest provide an additional level of financial support to NEON Optica.**

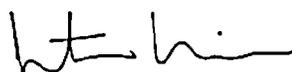
**In sum, the proposed Transaction will not have a detrimental effect on, or result in a material change in, the services provided to existing customers of NEON Optica. The proposed Transaction should strengthen the ability of NEON Optica to compete and to offer enhanced telecommunications services within the City. Also, the proposed Transaction will place NEON Optica in a better position to continue to provide and expand service offerings to its customers.**

**CONCLUSION**

For the reasons stated above, NEON Optica respectfully requests that the City consent to the minority investments in Yankee Metro of Spectrum, NYLCP, and HarbourVest, through their respective investment funds, pursuant to the respective Warrant Purchase Agreements.

Dated: November 2, 2010

Respectfully submitted,



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New York Life Capital Partners and  
HarbourVest Partners*

*Counsel for Yankee Metro Partners, LLC  
and NEON Optica, Inc.*



# CITY COUNCIL AGENDA

NO. 9

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Resolution to adopt a Legal Case Management Committee.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council consider establishing a Legal Case Management Committee.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 10

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Two appointments to the Board of Appeals for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Scott Beechert and Alan Wiener.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 11

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Three appointments to the Board of Architectural Review, one for a one-year term, one for a two-year term, and one for a three-year term, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER  
SECTION

**RECOMMENDATION:** That the Council approve the appointments.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Three reappointments will be made to the Board of Architectural Review:

<u>Appointment</u>	<u>Term</u>	<u>Term Expiration</u>
Carmen Aguilar	1 year	1-1-12
Roberta Downing	2 year	1-1-13
Robin Jovanovich	3 year	1-1-14



# CITY COUNCIL AGENDA

NO. 12

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**ACTION:** Designation of the Chairman of the Board of Architectural Review by the Mayor.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:**

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 13

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**ACTION:** Two appointments to the Conservation Commission/Advisory Council for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Paul Berte and Jim Nash.

**IMPACT:**  Environmental  Fiscal  Neighborhood X Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 14

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Two appointments to the Finance Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Laura Leach and Stephen Meyers.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 15

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Two appointments to the Landmarks Advisory Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Richard Hourahan and Daniel Kelly.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND**



# CITY COUNCIL AGENDA

NO. 16

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Two appointments to the Planning Commission for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Hugh Greechan and Peter Larr.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 17

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**ACTION:** Designation of the Chairman of the Planning Commission by the Mayor.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:**

**IMPACT:**  Environmental  Fiscal  Neighborhood X Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 18

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Two appointments to the Recreation Commission for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the appointment of Timothy Muccia and the reappointment of Caroline Surhoff.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 19

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Two appointments to the Rye Cable and Communications Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Mark DelliColli and Susan Olson.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 20

DEPT.: City Mayor

DATE: January 26, 2011

CONTACT: Mayor French

**ACTION:** Four appointments to the Rye Playland Advisory Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Mack Cunningham, Lloyd Emanuel, Lucinda McKinnon, and Ellen Slater

**IMPACT:**  Environmental  Fiscal  Neighborhood X Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 21

DEPT.: City Mayor

DATE: January 26, 2011

CONTACT: Mayor French

**ACTION:** Two appointments to the Rye Town Park Advisory Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of Stephanie Vroom and Elinore White.

**IMPACT:**  Environmental  Fiscal  Neighborhood X Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 22

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor French

**AGENDA ITEM:** Three appointments to the Traffic and Pedestrian Safety Committee for a three-year term expiring on January 1, 2014, by the Mayor with Council approval.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the reappointment of James Burke, Stacy Koenig, and Ben Stacks.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 23

DEPT.: City Council

DATE: January 26, 2011

CONTACT: Mayor Douglas French

**AGENDA ITEM:** Designation of the City Council Liaisons by the Mayor.

**FOR THE MEETING OF:**

January 26, 2011

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the appointments as presented by the Mayor.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other:

**BACKGROUND:** Designation of the following City Council Liaisons by the Mayor:

Board of Appeals

Conservation Commission/Advisory Council

Finance Committee

Rye City School Board

Rye Merchants Association