

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, April 3, 2013, at 8:00 p.m. in Council Chambers at City Hall. *It is expected that the Council will adjourn into Executive Session at the end of the meeting to discuss the Rye Golf Club investigation and personnel issues related to the City Manager's office.*

AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. Recognition of Rye Recreation All Star Basketball Team.
4. General Announcements.
5. Draft unapproved minutes of the regular meeting of the City Council held March 20, 2013.
6. Mayor's Management Report
 - Update from the Landmarks Advisory Committee
 - Capital Projects Update
 - Legal Update
7. Resolution to amend the City of Rye's FOIL procedures.
8. Discussion of the "Development and Planning Standards" Intermunicipal Agreement Compliance for the Flood Mitigation Project at the Blind Brook Dam.
9. Resolution to transfer additional funds from the Contingency account to fund legal services for a Council investigation pursuant to Article 6, Section C6-3 of the City Charter entitled "Investigations".
Roll Call.
10. Adoption of the 2013 County property tax rates.
11. Residents may be heard on matters for Council consideration that do not appear on the agenda.
12. Consideration of a request by Jim Amico of Rye Station Garage for the use of City streets for a 10th Anniversary celebration on Sunday, May 19, 2013 from 12:00 p.m. to 4:00 p.m.
13. Designation of the Chairman of the Rye Playland Advisory Committee by the Mayor.
14. One appointment to the Rye Cable and Communications Committee for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.
15. Miscellaneous communications and reports.

- 16. Old Business.
- 17. New Business.
- 18. Adjournment.

The next regular meeting of the City Council will be held on Wednesday, April 17, 2013 at 8:00 p.m. A joint meeting of the City Council of the City of Rye and the Rye City School District Board of Education will be held on Saturday, April 13, 2013.

** 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 under "RyeTV Live".

* Office Hours of the Mayor by appointment by emailing dfrench@ryeny.gov.



CITY COUNCIL AGENDA

NO. 3

DEPT.: City Manager

DATE: April 3, 2013

CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Recognition of Rye Recreation's Boys Basketball All-Star Team.

FOR THE MEETING OF:

April 3, 2013

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: That the Council recognize the achievements of the All-Star Team.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

11 boys were selected from Rye Recreation's Basketball league to represent Rye in the 82nd Annual Westchester Boys Basketball Tournament at the County Center – Cub Division. To advance to the finals the team beat Mt. Pleasant, North Castle, and Eastchester. The All Stars won the Westchester County Basketball Tournament on March 18th with a 40-35 win against Rye Brook.

Rye Recreation's 5th and 6th grade All-Star Team Roster:

Chad Antico, Cameron Coleman, Troy Egan, Quinn Kelly, Brian Latkany, Matt McCarthy, Jack Neave, Sam Poole, Jack Tartaglia, Skylar Twyman, Parker Vanamee

Coaches: Robby Angilleta, Josh Kirsch, Rashidi Lewis

Recreation Supervisor: Doug Scott

Rye Recreation's Boys Basketball All-Star Team



Bottom row left to right: Cameron Coleman, Quinn Kelly, Jack Tartaglia

Top row left to right: Coach Josh Kirsch, Jack Neave, Brian Latkany, Sam Poole, Parker Vanamee, Chad Antico, Skylar Twyman, Troy Egan, Matt McCarthy, Coach Robby Angilleta, and Coach Rashidi Lewis



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Clerk

DATE: April 3, 2013

CONTACT: Dawn Nodarse

AGENDA ITEM Draft unapproved minutes of the regular meeting of the City Council held March 20, 2013, as attached.

FOR THE MEETING OF:

April 3, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Approve the minutes of the regular meeting of the City Council held March 20, 2013, as attached.

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on March 20, 2013 at 8:00 P.M.

PRESENT:

DOUGLAS FRENCH Mayor
LAURA BRETT
RICHARD FILIPPI
PETER JOVANOVIH
JULIE KILLIAN
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. General Announcements

The Rye Golf Club Commission and membership want to know the status of the District Attorney's investigation. The Commission wants to write a letter to the District Attorney asking for an update on what is happening.

4. Presentation on the current options for a Deer Management pilot program

City Manager Pickup said that the presentation will be on a pilot program that the City might implement by partnering with the Westchester County Parks Department and Jay Heritage Center. Councilwoman Parker provided background information on the impetus for a deer management program in the City. John Baker, Director of Conservation for the Westchester County Department of Parks, Recreation and Conservation, made a presentation about the County Deer Management Program that was started in 2008 as a result of a Citizens' Task Force focusing on the impact of deer and forest regeneration. The consensus of the Task Force was that the best way to manage deer in Westchester County was through hunting. The goal of the program is to reduce the deer population in order to attain forest regeneration in the safest way

possible. Mr. Baker provided an overview of the how the program works in County Parks, including requirements for hunters and time frames for hunts in various County parks. He said that deer management is a regional effort and requires cooperation among different entities because it cannot be solved in one location. He added that utilizing the Marshlands and Jay Heritage properties for a deer management program presents a management challenge because it is not a huge property and is boarded on one side by Greenhaven and the other side by the golf course.

Several people spoke in favor of implementing the deer management program in Rye, including: *Norman Cooper, Alison Heaton, Anne Dooley, Joann Redding, Mitch Burns, Stefan Auburie, Cecil Klur, Peggy Conner, Chris Cohen and Patrick Lemon*, but some did not think the program went far enough to deal with the deer problem in Rye. *Chris Molinari* spoke against the program, saying that bow hunting is both inhumane and wasteful.

City Manager Pickup said there are manpower issues with the County program and the Police Department that must be addressed and it is hoped that the issue will come back to the Council for continued discussion in May.

5. Draft unapproved minutes of the Workshop on Land Use held on February 27, 2013, the Special Meeting of the City Council held March 4, 2013, and the regular meeting of the City Council held March 6, 2013

Councilwoman Parker made a motion, seconded by Councilman Filippi and unanimously carried, to approve the minutes of the workshop on Land Use held on February 27, 2012, as submitted.

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously carried, to approve the minutes of the Special meeting of the City Council held on March 4, 2012, as submitted.

Councilman Jovanovich made a motion, seconded by Councilwoman Brett and unanimously carried, to approve the minutes of the regular meeting of the City Council held on March 6, 2013, as submitted.

6. Mayor's Management Report
 - Capital Projects Update
 - Sluice Gate – City Manager Pickup reported that testing has been completed and passed the first set of acceptance testing. The next phase will be training for DPW and computer training for other staff. When it is complete, the City will be able to take complete ownership of the property. Staff may come back to the Council regarding additional monitoring sites.
 - Station Plaza – City Manager Pickup said that the first step necessary to address the conditions at Station Plaza would be to enter into a long-term lease agreement with Metro North. A cooperative effort would be required in order to make substantial

improvements. The area needs drainage and lighting improvements, and roadway redesign and rebuilding in order for the area to function in a safe manner.

- 1037 Boston Post Road – Corporation Counsel Wilson reported that the Phase II testing results have come back. Everything is fine with respect to soil but there is some concern regarding VOCs (volatile organic compounds) inside the building in the basement area. Once the last piece is cleared, a closing date can be set.
- Boston Post Road resurfacing – A meeting was held with Con Edison officials regarding pole locations in the area of the Boston Post Road that is due to be paved during the summer. The lane width is 9 ½ feet and it was hoped that the curb line could be moved to extend the lane width. Options for moving the poles or burying the lines were discussed as well as the possibility of it being done prior to the start of paving.

Councilman Sack said he wanted to raise another issue under this topic. He said he has serious concerns regarding how the City Manager has handled certain issues in the City. He believes there is a crisis of confidence and the Council must take some action and address the problems. Councilman Jovanovich suggested that a way of resolving the situation would be for Councilman Sack to make a motion to dismiss the City Manager because the Council's role in managing the City is to hire and fire the City Manager. Councilwomen Parker, Brett and Killian felt that the best way would be to sit down with the City Manager and discuss the Council's concerns with him in order to provide their feedback. Mayor French said the Council should meet with the City Manager and set a formal review process.

- Legal Update

There was nothing reported under this topic.

7. Discussion of the City of Rye's FOIL procedures

City Manager Pickup said there is a proposal to centralize the City's FOIL process which requires changes to procedures and work flow. He said that issues have been identified that impact the City's ability to respond to FOIL requests in a timely fashion and the City must invest time and resources into records management. One of the issues with large requests is the need to search multiple locations and systems for records. It is hoped that the work flow process in the new procedures will facilitate meeting deadlines. Corporation Counsel Wilson gave an overview of the new system that is being developed with an electronic intake form that will provide requestors with a tracking number, but will ask them to limit their requests to one per form. She summarized the proposed three changes to the current procedures: centralize the initial requests to one records access officer (City Clerk); make it easier to submit FOIL requests electronically on the City website; and, changing the appeals process to make the City Manager the appellate officer. There was a discussion among the members of the Council about the need to respond to FOIL requests in a timely manner; returning the City Council to the role of Appellate Officer; the possibility of needing extra staff to deal with FOIL requests; and, centralizing the procedure to one records access officer. It was suggested that the new process should be reviewed by the Council in three months. The proposed changes in the FOIL procedures will be brought back to the Council for further discussion.

Members of the public commenting on the proposed changes to FOIL procedures included *John Carey, Leon Sculti and Jim Amico*. Their comments included a suggestion of delegating the Appellate role; disagreement with the proposed records access and appellate officers; and following the FOIL laws.

8. Consideration to amend the resolution to televise all public meetings of the City Council including regular meetings, special meetings, and workshops

City Manager Pickup said the proposed resolution tightens up language in the previous Resolution adopted by the Council in September 2009 in order to clarify expectations for special meetings. There was a discussion among the members of the Council about possible changes in the language in the proposed Resolution, a version of a Resolution submitted by John Carey, or if there was even a necessity to adopt an updated Resolution. No action was taken to adopt the proposed Resolution.

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

Alisa Cagle, CSEA DPW representative, read a statement outlining the work done for the City on behalf of the union employees of the Department of Public Works, who have been negotiating a new contract for the past 15 months and are now in mediation. She asked the Council for their support in contract negotiations so a fair agreement can be reached.

John Staino, CSEA Local 860 President, said that the members of the City DPW union are being reasonable in their negotiations and are asking for a contract that respects their work.

Jim Amico read a letter he had written regarding trust and said that a serious conversation must be had about how business is done in Rye and the Council has failed in its oversight of the City Manager. *Anne Dooley*, said that Mr. Amico does not speak for all in Rye and that many in Rye think highly of the Council for their dedication to the City. In rebuttal, *Mr. Amico* said the Council should hold itself to a higher standard.

Linda Lefkowitz spoke about the report issued on the Golf Club investigation. She also asked if an announcement would be sent out from the Golf Club inviting people to join and announcing the fees for the upcoming year.

The Council held a discussion about authorizing the funds necessary for Bill Breen to complete the final accounting that had not been completed at the time the report was issued. Corporation Wilson said that the actual amount would depend on the detail needed by the City's insurance carrier but the estimate was \$10,000 to \$12,000.

Councilman Sack made a motion, seconded by Councilwoman Brett, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the City Comptroller to transfer \$12,000 from the General Fund Contingent Account to the City Council

Legal Services Account to fund Bill Breen's final financial analysis related to the Rye Golf Club investigation.

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Jovanovich,
Killian, Parker and Sack
NAYS: None
ABSENT: None

The Resolution was adopted by a 7-0 vote

Leon Sculti said that the Golf Commission had taken a no confidence vote against the City Manager.

Sis D'Angelo spoke about the Schubert, Golf Club and Dapolite issues and called the City Manager a liar.

10. One appointment to the Conservation Commission/Advisory Council for a three-year term, by the Mayor with Council approval

Councilman Jovanovich made a motion, seconded by Councilman Filippi and unanimously approved, to appoint Erik Nimlos to the Conservation Commission/Advisory Council for a three-year term expiring on January 1, 2016.

Additionally, another appointment was made to the temporary Rye Golf Club Strategic Committee.

Mayor French made a motion, seconded by Councilman Filippi and unanimously approved to appoint Bill Gates to the Rye Golf Club Strategic Committee.

11. Bid Award for Street Materials (Bid #2-13)
Roll Call.

Councilman Filippi made a motion, seconded by Councilwoman Parker, to adopt the following Resolution:

RESOLVED, that Bid #2-13, Street Materials, is hereby awarded to Putnam Materials for crushed stone and graded processed stone; to Peckham Materials Corp. for sub-base, binder course (both types), shim course, top course (both types) and curb mix; and to Byram Concrete LLC

for class A concrete and controlled density fill, as
the bidders offering the lowest price.

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Jovanovich,
Killian, Parker and Sack
NAYS: None
ABSENT: None

The Resolution was adopted by a 7-0 vote

STREET MATERIALS

Bid #2-13

Item (Number Description, Quantity)			RCA Asphalt		Dakota Supply	
			F.O.B.	Delivered	F.O.B.	Delivered
	Crushed Stone 3/4"		\$40.00	No Bid	No Bid	No Bid
304.03	Graded Processed Stone	Ton	No Bid	No Bid	No Bid	No Bid
304.6	Sub-base NYS	Ton	No Bid	No Bid	No Bid	\$20.50
610.1403	Top Soil	Cu Yd	No Bid	No Bid	No Bid	No Bid
403.13	Binder Course Type 3 (3.5%)	CuYd	\$80.00/\$91.25*	N/A	No Bid	N/A
403.14	Binder Course Type 4 (4.0%)	Cu Yd	No Bid	N/A	No Bid	N/A
403.15	Shim Course Type 5 (8.25%)	Cu Yd	\$100.00/\$111.25*	N/A	No Bid	N/A
403.17	Top Course Type 6F (6.4%)	Cu Yd	\$85.00/\$96.25	N/A	No Bid	N/A
403.19	Top Course Type 7F (7.0%)	Cu Yd	\$90.00/\$101.25*	N/A	No Bid	N/A
714.06	Asphaltic Concrete Curb Mix (7.5%)	Cu Yd	\$100.00/\$111.25*	N/A	No Bid	N/A
502.2	Class "A" Concrete	Cu Yd	N/A	No Bid	N/A	\$145.50
8502.95	Controlled Density Fill ("K-Krete")	Cu Yd	N/A	No Bid	N/A	\$115.00

Name of Bidder

Item (Number Description, Quantity)			Peckham Materials		Putnam Materials	
			F.O.B.	Delivered	F.O.B.	Delivered
	Crushed Stone 3/4"		No Bid	No Bid	No Bid	26.50
304.03	Graded Processed Stone	Ton	No Bid	No Bid	No Bid	\$21.00
304.6	Sub-base NYS	Ton	\$7.00	\$15.50	No Bid	No Bid
610.1403	Top Soil	Cu Yd	No Bid	No Bid	No Bid	No Bid
403.13	Binder Course Type 3 (3.5%)	Cu Yd	\$78.00/\$82.32*	N/A	No Bid	No Bid
403.14	Binder Course Type 4 (4.0%)	Cu Yd	\$78.00/\$82.32*	N/A	No Bid	No Bid
403.15	Shim Course Type 5 (8.25%)	Cu Yd	\$85.00/\$89.32*	N/A	No Bid	No Bid
403.17	Top Course Type 6F (6.4%)	Cu Yd	\$78.00/\$82.32*	N/A	No Bid	No Bid
403.19	Top Course Type 7F (7.0%)	Cu Yd	\$85.00/\$59.32*	N/A	No Bid	No Bid
714.06	Asphaltic Concrete Curb Mix (7.5%)	Cu Yd	\$87.00/\$91.32*	N/A	No Bid	No Bid
502.2	Class "A" Concrete	Cu Yd	N/A	No Bid	N/A	No Bid
8502.95	Controlled Density Fill ("K-Krete")	Cu Yd	N/A	No Bid	N/A	No Bid

Name of Bidder

Item (Number Description, Quantity)			Bittig & Sons, Inc.		Byram Concrete	
			F.O.B.	Delivered	F.O.B.	Delivered

	Crushed Stone 3/4"		No Bid	No Bid	No Bid	No Bid
304.03	Graded Processed Stone	Ton	No Bid	No Bid	No Bid	No Bid
304.6	Sub-base NYS	Ton	No Bid	No Bid	No Bid	No Bid
610.1403	Top Soil	Cu Yd	\$19.72	No Bid	No Bid	No Bid
403.13	Binder Course Type 3 (3.5%)	Cu Yd	No Bid	No Bid	No Bid	No Bid
403.14	Binder Course Type 4 (4.0%)	Cu Yd	No Bid	No Bid	No Bid	No Bid
403.15	Shim Course Type 5 (8.25%)	Cu Yd	No Bid	No Bid	No Bid	No Bid
403.17	Top Course Type 6F (6.4%)	Cu Yd	No Bid	No Bid	No Bid	No Bid
403.19	Top Course Type 7F (7.0%)	Cu Yd	No Bid	No Bid	No Bid	No Bid
714.06	Asphaltic Concrete Curb Mix (7.5%)	Cu Yd	No Bid	No Bid	No Bid	No Bid
502.2	Class "A" Concrete	Cu Yd	N/A	No Bid	N/A	\$121.00
8502.95	Controlled Density Fill ("K-Krete")	Cu Yd	N/A	No Bid	N/A	\$85.00

*Mileage adjustment as per bid specifications

12. Bid Award for the Police contract for uniforms (Contract #3-13)
 Roll Call

Councilman Jovanovich made a motion, seconded by Mayor French, to adopt the following Resolution:

RESOLVED, that Bid Contract #3-13 for Police Uniforms is hereby awarded to New England Sportswear, Inc., the lowest bidder whose bid meets specifications.

ROLL CALL:

AYES: Mayor French, Councilmembers Brett, Filippi, Jovanovich, Killian and Parker
 NAYS: Councilman Sack
 ABSENT: None

The Resolution was adopted by a 6-1 vote

**CONTRACT 2013-3
 POLICE UNIFORMS**

NAME OF BIDDER	New England Sportswear	New England Uniform LLC
ISSUE ITEM	PRICE	PRICE
Blauer Style #8561P7 Trousers, color navy, braid navy	\$ 74.50	\$79.00
Blauer Style 8810 (Men's) – BDU pants	\$ 60.00	\$60.00
Blauer Style 8810W (Women's) – BDU pants	\$ 42.50	\$60.00
Long Sleeve Shirt, Blauer, French Blue Heather - Style #8900	\$ 42.50	\$48.00
Short Sleeve Shirt, Blauer, French Blue Heather - Style #8910	\$ 42.50	\$46.00
Long Sleeve Shirt, Blauer, French Blue Heather (Women's) -	\$ 37.50	\$48.00

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#8900W		
Short Sleeve Shirt, Blauer, French Blue Heather (Women's) - #8910W	\$ 37.50	\$46.00
Long Sleeve Shirt, Blauer, White – Style #8900	\$ 45.50	\$48.00
Short Sleeve Shirt, Blauer, White - Style #8910	\$ 42.50	\$46.00
Black Turtlenecks, Elbeco #7702 with RPD Monogram	\$ 24.50	\$25.00
V-Neck Commando Sweater, Blauer #200 – Black	\$ 58.00	\$68.00
V-Neck Commando Sweater, Blauer #210XCR - Black, With Windstopper Liner	\$120.00	\$124.00
Cruiser Jacket, Blauer #9010Z	\$225.00	\$225.00
Lightweight Bomber Jacket, Blauer, Black & Yellow	\$125.00	\$129.00
Raincoat & Raincap, Newport Harbor Style #02230 with stencil	\$160.00	\$160.00
Cap - Sentry #C1001 (Winter or Summer)	\$ 35.00	\$35.00
Tie, 2 ¼" x ¼", 100% wool knit, NYSPD Style with choke proof metal clip	\$ 5.00	\$9.00
Cool Mesh T-Shirts – Color White	\$ 20.00	\$25.00
Gortex Trooper Style Winter Hat, Blauer #9111	\$ 15.00	\$30.00
Point Blank Body Armor – Model BIIA; Lev IIA – Male	\$600.00	\$699.00
Point Blank Body Armor – Model BIIA; Lev IIA - Female	\$600.00	\$699.00
Point Blank Vision Ballistic Vest Cover	\$80.00	\$75.00
Uniform Dress Blouse/Formal Blouse as per specifications on page 3 of bid proposal	\$235.00	\$260.00
White Dress Gloves	\$ 2.00	\$4.00
Olympic New York Zip Sleeve Jacket - #ONY673 – Color Royal Blue	\$200.00	\$260.00
Olympic Cycling Pants - #OCP588 – Color Black	\$100.00	\$105.00
Olympic Cycling Pants with Liner - #OCP588 – Color Black	\$120.00	\$124.00
Olympic Ultraflex Shorts - #ULT189 – Color Black	\$ 80.00	\$86.00
Sam Browne Shoulder Strap	\$ 35.00	\$36.00
Sam Browne Gun Belt	\$ 50.00	\$65.00
Safariland SSIH Holster	\$100.00	\$145.00
Safariland Magazine Pouch – Double	\$ 25.00	\$40.00
Safariland Handcuff Case	\$ 20.00	\$30.00
Safariland Night Stick Holder	\$ 5.00	\$18.00
Safariland Keepers	\$ 4.00	\$4.00
Safariland Key Ring	\$ 5.00	\$9.00
Safariland Mace Holder	\$ 24.00	\$26.00
Safariland Nylon Gun Belt	\$ 45.00	\$40.00
Safariland Nylon Holster	\$125.00	\$140.00
Safariland Nylon Cuff Case	\$ 15.00	\$30.00
Safariland Nylon Magazine Pouch – Double	\$ 25.00	\$30.00
Safariland Nylon Handcuff Case	\$ 25.00	-
Safariland Nylon Keepers	\$ 3.00	\$4.00
Bianchi Nylon OC Spray Holder	\$ 18.00	\$23.00

Bianchi Nylon Expandable Baton Holder	\$ 10.00	\$22.00
Bianchi Nylon Key Holder	\$ 10.00	\$9.00
Collar Insignia, Silver R.P.D., 2 pair per officer, 3/8" shirt, 1/2" outer garment	\$ 10.00	\$14.00
Collar Insignia, Gold, D.E.T., 1 Pair per Detective, 3/8" Shirt	\$ 10.00	\$15.00
Collar Insignia, Gold, R.P.D., 1/2" outer garment (2 Pair per Lt/Sgt/Det)	\$ 10.00	\$14.00
Collar Insignia, Gold Rank for Shirts (2 Pair per Lt/Sgt)	\$ 10.00	\$10.00
Personalized Name Plates:		
Gold	\$ 8.00	\$12.00
Silver	\$ 8.00	\$12.00
Sgt. Chevrons on Shirts and Outer Garments where Required	\$ 5.00	\$6.00
Hash Marks - All Officers as Required, Priced per Mark		
Blue/White on Black - P.O./Sgt	\$ 2.00	\$3.00
Gold/White for Lieuts., Shirts	\$ 2.00	\$3.00
Gold/Black for Lieuts., Outer Garments	\$ 2.00	\$3.00
Tailoring Cost per Garment for Chevrons/Hashmarks	n/c	n/c

THE FOLLOWING ITEMS MAY BE SUBSTITUTED AT THE PURCHASER'S SOLE DISCRETION:

Conqueror: style T1775DN (ECO) Men's Cargo Pocket Trousers	\$52.50	\$55.00
Conqueror: style F1775DN (ECO) Women's Cargo Pocket Trousers	\$52.50	\$55.00
Long Sleeve Shirt, Conqueror, French Blue – Style #1525FB (ECO)	\$48.00	\$48.00
Long Sleeve Shirt, Conqueror, French Blue (Women's) – Style #L1525FB (ECO)	\$48.00	\$48.00
Short Sleeve Shirt, Conqueror, French Blue: Style #1825FB (ECO)	\$44.00	\$45.00
Short Sleeve Shirt, Conqueror, French Blue (Women's): Style #L1825FB (ECO)	\$44.00	\$45.00

TRAINING UNIFORM (Embroidery – name & shield on the front, City of Rye Police on Back)

Guildan Short Sleeve Polo (Navy)	\$35.00	\$39.00
Game 8070 Work Sweatshirt	\$60.00	\$65.00
Propper 5335 BDU (Ripstop) Trouser Tan	\$35.00	\$40.00

13. Miscellaneous Communications and Reports

Councilwoman Parker reported that she had attended a County Board of Legislators Government Operations Committee meeting where Playland was discussed. The ice casino will not be operational by September 15th, and the boardwalk will not be ready by opening day in May. It appears that it was known for some time that these deadlines would not be met. Ms. Parker will attend the next meeting of this Committee. Councilman Filippi suggested that the Council should draft a Resolution to the County regarding the delay and City Manager Pickup was asked to contact the County Parks Department. *Dierdre Curran* spoke against the Sustainable Playland option for the operation of Playland that had been endorsed by the Council. She said she felt that this was not the best option for the operation of Playland and that it would result in the loss of the amusement park.

Councilwoman Brett announced that the Rye Community Synagogue will hold a community conversation on "Civility in the City of Rye" on April 3rd from 7:00 to 8:30 p.m.

Corporation Counsel Wilson went to the last meeting of the Board of Architectural Review to discuss their proposed recommendations and will present a draft law at their next meeting.

Mayor French said that the Recreation Commission is concerned with the maintenance of playing fields and are looking for money from the Capital Improvement Plan to help restore existing fields. The Cable and Communications Committee is looking to build a communications list to network out to other user groups that can communicate for the City in emergency situations.

Councilwoman Parker announced that Larchmont is considering adopting a plastic bag ban.

14. Old Business

There was nothing discussed under this agenda item.

15. New Business

There was nothing discussed under this agenda item.

16. Adjournment

There being no further business to discuss Councilwoman Parker made a motion, seconded by Councilwoman Brett and unanimously carried, to adjourn the meeting at 12:19 a.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Council

DATE: April 3, 2013

CONTACT: Mayor Douglas French

AGENDA ITEM: Mayor's Management Report

FOR THE MEETING OF:

April 3, 2013

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 from the Landmarks Advisory Committee
- Capital Projects Update
- Legal Update



CITY COUNCIL AGENDA

NO. 7

DEPT.: City Manager

DATE: April 3, 2013

CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Resolution to amend the City of Rye's FOIL procedures.

FOR THE MEETING OF:

April 3, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Council amend the current FOIL procedures per the proposed changes.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The City has seen an increase not only in the number of FOILs submitted, but in the amount of information requested. The following changes are proposed to the City's FOIL Procedures:

- The inclusion of software from E-Gov will allow requestors to submit FOIL requests from the City website, will centralize the FOIL process, eliminate the chance of FOILs being misplaced and unanswered, and allow for greater accuracy with a complete set of FOIL request records in one location.
- Any required fee for FOIL requests can be made via credit card payments on-line.
- The City Clerk will be the only designated Records Access Officer.
- The City Manager would be the appeals officer for all appeals of FOIL requests.

See attached.

FOIL Procedure in Other Municipalities

Municipality	FOIL Process	# of FOILs /Year	FOIL Receipt	Requests made from website	# of Appeals
Harrison	Centralized in Town Clerk's Office Town Clerk receives request, sends them to the Law Dept for approval, Dept provides information to Clerk, Clerk notifies the requestor by phone and email.	575	Mostly walk-ins or fax	No	Very few
Larchmont	Centralized in Village Clerk's Office Village Clerk handles all requests and sends all responses	25	Email and mail	Yes	None
Town of Mamaroneck	Centralized in Town Clerk's Office Central from Town Clerk's Office, except for Police Reports which are given out at the Police Dept. and a copy is given to the Clerk. Clerk maintains all records.	200	Email and walk-ins	Yes Via email	Some from a particular "FOILER"
Village of Mamaroneck	Centralized in Village Clerk's Office Village Clerk handles all requests and sends all responses	300	Email, walk-ins or mail	No	15/year
Village of Port Chester	Centralized in Village Clerk's Office Village Clerk handles all requests and sends all responses		Email, walk-ins or mail	No	
Town of Rye	Centralized in Town Clerk's Office Town Clerk receives request, sends them to the appropriate Dept who provides information to Clerk, Clerk notifies the requestor..	35	Email, walk-ins or mail	No	Very few
Rye Brook	Centralized in Admin/Clerk's Office The Administrator is also the Clerk. The Clerk receives the emails, obtains information from requested department, responds to request and keeps track of responses.	200	Walk-ins and email	Yes	None
Scarsdale	Centralized in Village Clerk/Village Manager's Office All requests are submitted to the Clerk's office, but handled by the Village Manager's Office. The FOIL Officer in the Village Manager's Office works with each Department in obtaining the requested information and is the only person to respond to requests.	200	Walk-ins and email	No	1-2/year



Main Menu

Welcome to the City of Rye, NY, Action Line

Today is Wednesday, March 20, 2013.

FOIL

Click here to Login | Click here to Register

Purpose. This form is used to communicate with city personnel to request information via the Freedom of Information Law.

* Information is required.

Contact Information

* First Name:

* Last Name:

Business Name:

* Email:

* Daytime Phone: () -

* Address:

* City:

* State:

* ZIP:

* Is this a request for commercial purposes?

Yes

No

* Describe records being sought - One request per submission.

0 of 4000 characters

* Please indicate your preference:

Paper Copies

Electronic Copies

Personally Inspect Records

Please note, if more than two hours are spent in preparing records, the requestor will be charged for the additional time at the hourly rate of the lowest paid employee who has the skill level required to accomplish the task. You will be informed of any charges exceeding \$10.00. Any charges due must be paid within five (5) business days of the City notifying you. If you fail to pay fees from prior FOILs, any future FOIL requests will not be processed until all outstanding fees are paid.

By submitting this request, I agree to pay costs related to this FOIL request up to \$10 without further notification.

Check here to have email confirmation of this request sent.

SEND REQUEST

* Information is required.

Notes:

If you send us a message, you'll receive a Tracking Number allowing you to follow-up with your request, at your convenience.

Information we receive may be considered public information which is subject to disclosure under current state law. Learn more about our Privacy Policy.

Procedures for Public Access to the Records of the City of Rye

Section 1. Purpose and Scope

- (a) These regulations are established pursuant to Article 6 of the Public Officers Law, known as the Freedom of Information Law.
- (b) These regulations provide the procedures by which records of the City of Rye may be obtained.
- (c) Personnel of the City of Rye shall furnish to the public the information and records required by law and those which were furnished to the public prior to the enactment of the Freedom of Information Law, subject to the conditions contained in subdivision 2 of Section 87 of the Freedom of Information Law, or other provisions of Law.

Section 2. Designation of records access officer.

- (a) The City ~~Clerk~~ shall be the Records Access Officer responsible for assuring compliance with the ~~FOIL~~ regulations, ~~and designates the following persons as additional records access officers:~~

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- 1. ~~The City Comptroller for all records in the Department of Finance.~~
- 2. ~~The City Assessor for all records in the office of the City Assessor.~~
- 3. ~~The Building Inspector for all records in the Department of Buildings.~~
- 4. ~~The City Engineer for all records in the Department of Public Works.~~
- 5. ~~The City Planner for all records in the offices of the Planning Commission and City Planner.~~
- 6. ~~The Police Commissioner for all records in the Department of Police.~~
- 7. ~~The City Clerk for all records in the office of the City Clerk and for all other records of the City of Rye not previously mentioned.~~

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- (b) The records access officer shall be responsible for assuring appropriate responses to public requests for access to records. The records access officer shall assure that appropriate personnel are adequately instructed in and properly perform the functions described in Sections 6 and 7 of these regulations and shall supervise the administration of these regulations.

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Section 3. Designation of fiscal officer.

The City Comptroller is designated the fiscal officer, who shall certify the payroll and respond to requests for an itemized record setting forth the name, address, title and salary of every officer or employee of the City of Rye.

Section 4. Location.

Records shall be available for public inspection and copying at the office of the records access officer at City Hall, Boston Post Road, Rye, New York, or at the location where they are kept.

Section 5. Hours for public inspection.

Requests for public access to records shall be accepted and records produced during all hours City Hall is regularly open for business except that all records must be returned to their proper custodian at least 30 minutes before closing time.

Section 6. Request for public access to records.

- (a) Requests for records shall be in writing (hard copy or electronically) in accordance with New York Public Officers Law. The custodian of the records has discretion to waive the requirement for written requests in appropriate circumstances.
- (b) If records are maintained on the internet, the requestor shall be informed that the records are accessible via the internet and in printed form either on paper or other information storage medium.
- (c) Officials shall respond to a request for records no more than five (5) business days after receipt of the request. This response will acknowledge receipt of request and indicate that the requestor will receive a response within twenty (20) business days unless otherwise noted. Any electronic requests received after 5:00 P.M. will be considered received by the City on the next business day.
- (d) A request for access to records should be sufficiently detailed to identify the records. Where possible, the requestor should supply information regarding dates, titles, file designations or other information which may help identify the records.
- (e)
 - 1. A current list, by subject matter, of all records produced and retained in accordance with the Department of Education's State Archives Schedule MU-1, shall be maintained by each records access officer by the City Clerk or the appropriate records access officer and shall be available for public inspection and copying. The list shall be sufficiently detailed to permit the requestor to identify the file category of the records sought.
 - 2. The subject matter list shall be updated periodically and the date of the most recent updating shall appear on the first page. The updating of the subject matter list shall not be less than semiannual.

3. A duplicate copy of such current subject matter list shall be filed by each records access officer with the City Clerk who shall consolidate and maintain all such current lists. Each records access officer shall keep a copy of these regulations with the subject matter list.
- (f) Appropriate personnel of the City of Rye shall assist the requestor in identifying requested records.
 - (g) Upon locating the requested records, the appropriate personnel of the City of Rye shall, as promptly as possible, and within the time limits set in subsection (b) above, either:
 - (1) Make the records available by either, (i) indicating a time and date when the records are available for review and inspection, or (ii) send the records electronically if the request was for electronic copies and the records can be sent electronically, or
 - (2) Deny access in whole or in part, and explain in writing the reasons therefore.
 - (h) Upon failure to locate records, the appropriate official shall certify that:
 1. The City of Rye is not the legal custodian of the requested records; or,
 2. The requested records, after diligent search, cannot be found.

Section 7. Inspection and copying of records.

- (a) A person who has requested access to the public records of the City of Rye shall be given full opportunity to see and inspect such records unless access is denied as provided in Section 8 herein.
- (b) The requestor may also make a copy of the records he/she inspects. No record may be removed from the office where it is located without written permission of the person in charge of the office at that time.
- (c) Upon request and payment of the established fee, if any, the appropriate officer or employee shall prepare and deliver a transcript of such records.
- (d) Upon request and payment of the established fee, if any, an appropriate official of the City of Rye shall certify as correct a transcript prepared by the custodian of the records.

Section 8. Denial of access to records.

- (a) Denial of access to records shall be in writing stating the reason(s) therefore and advising the requestor of the right to appeal to the City Manager within ten (10)

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business days of the denial. Appeals heard by the City Manager are final determinations.

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- (b) If requested records are not provided promptly, as required in Section 6(c) of these regulations, such failure shall also be deemed a denial of access. In such cases, appeals must be filed within thirty (30) days of the date by which the records were to be made available.

- (c) The time for deciding an appeal by the City Manager shall commence upon receipt of a written appeal identifying:

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1. The date of the appeal.
2. The date and location of the original record request.
3. The records to which the requestor was denied access.
4. Whether the denial of access was in writing or by failing to provide records in accordance with the applicable time periods.
5. A copy of the written denial, if any.
6. The name and return address (or email address) of the requestor.

- (d) The appeal shall be determined by the City Manager's office within ten (10) business days if the receipt of the appeal. If the appeal is submitted via email, any emails received after 5:00 P.M. will be considered received on the next business day. Written notice of the determination shall be served upon the person requesting the record and the Committee on Open Government.

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- (e) A person requesting an exception from disclosure, or an agency denying access to record, shall in all appeal proceedings have the burden of proving entitlement to the exception.
- (f) A proceeding to review an adverse determination upon appeal may be commenced pursuant to Article 78 of the Civil Practice Law and Rules in accordance with all applicable provisions of the law.

Section 9. Fees.

- (a) Except as otherwise specifically authorized by law, or by established practice prior to September 1, 1974, there shall be no fee charged for:
1. Inspection of records;
 2. Search for records;
 3. Any certification pursuant to this part.
- (b) The fee for a photocopy transcript of records shall be 25 cents per single sided page for pages not exceeding 9 by 14 inches. The City has the authority to redact portions of a paper record and does so prior to the disclosure of the record by making a photocopy from which the proper redactions are made.

- (c) The fee for photocopies of records exceeding 9 by 14 inches per page or any non-paper format (such as computer disk, microfilm, etc.) shall be the actual costs of reproduction, which shall be deemed to be the average unit cost for making such a photocopy, excluding fixed costs such as operator salaries, except when a different rate is otherwise prescribed by statute.
- (d) The fee for a transcript that is typed, handwritten, or otherwise prepared by hand shall cover the clerical time involved in making the transcript, including comparison for accuracy.
- (e) The fee the City may charge for a copy of any other record is based on the actual cost of reproduction and may include only the following:
 - (1) an amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee's time is necessary to do so; and
 - (2) the actual cost of the storage devices or media provided to the person making the request in complying with such request; or
 - (3) the actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy.
- (f) The City shall inform a person requesting a record of the estimated cost of preparing a copy of the record if more than two hours of an agency employee's time is needed, or if it is necessary to retain an outside professional service to prepare a copy of the record.
- (g) A person requesting a record shall pay the City the required fee for copying or reproducing the record in advance of the City preparing such copy.

Section 10. Public Notice.

A notice containing the job title or name and business address of the records officers and the appeal body shall be posted in the Office of the City Clerk. A copy of these rules will be kept in the custody of each records officer and be made available for inspection upon request.

Section 11. Severability.

If any provision of these regulations or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment

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shall not affect or impair the validity of the other provisions of these regulation or the application thereof to other persons and circumstances.

DRAFT



CITY COUNCIL AGENDA

NO. 8

DEPT.: City Manager's Office

DATE: April 3, 2013

CONTACT: Scott Pickup, City Manager

ACTION: Discussion of the "Development and Planning Standards" Intermunicipal Agreement Compliance for the Flood Mitigation Project at the Blind Brook Dam.

FOR THE MEETING OF:

April 3, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The City of Rye and the County of Westchester entered into a Intermunicipal Agreement for a flood mitigation project at the Blind Brook dam at Bowman Avenue: the installation of a sluice gate. A condition of the agreement is that the City must adopt the *Development and Planning Standards* of the Westchester County Flood Action Task Force. The payment of County funds under this agreement for the Sluice Gate project is contingent upon the adoption of these policies.

See attached Development and Planning Standards of the Westchester County Flood Action Task Force.



Robert P. Astorino
County Executive

Department of Planning
Edward Buroughs, AICP
Acting Commissioner

July 1, 2010

Frank Culross, Manager
City of Rye
1051 Boston Post Road
Rye, NY 10580

**Subject: "Development and Planning Standards" IMA Compliance -
Blind Brook Dam at Bowman Avenue Flood Mitigation Project**

Dear Mr. Culross:

I am writing to remind you of a condition of the intermunicipal agreement (IMA) between the County of Westchester and City of Rye, dated February 16, 2010, concerning the flood mitigation project at the Blind Brook dam at Bowman Avenue. Section 2.3 of the IMA states:

The Municipality represents that within one year of the date hereof that the "Development and Planning Standards" of the Flood Action Task Force will have been adopted in the Municipality's land use regulations, guidelines and policies or in stand-alone form, and documentation of the adoption of such policies must be provided and approved by the Westchester County Planning Department (Planning Commissioner). It is understood and agreed to by the Municipality that the payment of County funds under this Agreement for the Project is contingent upon the Municipality's adoption of the aforesaid policies.

We encourage the City to begin work to document item by item compliance with the development and planning standards as the dispersal of County funds is dependent on submission of such documentation by the City to the County. We recognize that some of these best practices may have been adopted by the City prior to this IMA. To ensure that full compliance is documented, we suggest that the City include evidence of such prior adoption in its report.

Frank Culross
Rye City Manager
Development & Planning Standards IMA Compliance
Blind Brook Dam at Bowman Avenue Flood Mitigation Project
Page 2.

A copy of the "Development and Planning Standards" is enclosed. If you have any questions or need additional information, please contact Robert Doscher at rrd1@westchestergov.com or 914.995.4423.

Sincerely,


Edward Buroughs, AICP
Acting Commissioner

EEB/RRD

Enclosure: Development and Planning Standards of the Westchester County Flood Action Force

cc: Hon. Douglas French, Mayor, City of Rye
Christine Sculti, Assistant to the County Executive
John Hsu, Acting Commissioner of Public Works
Robert Doscher, Principal Environmental Planner

DEVELOPMENT AND PLANNING STANDARDS OF THE WESTCHESTER COUNTY FLOOD ACTION TASK FORCE

Flooding frequency and, in some cases, intensity, in Westchester County has increased over time, in part due to the conversion of permeable and water-absorbing land surfaces, like woodlands, meadows and wetlands, to impermeable surfaces, like parking lots, roads and buildings, and surfaces that shed water more readily than others, like lawns and agricultural fields. This conversion has often occurred without commensurate stormwater runoff management facilities. Similarly, the water quality and ecological health of the county's streams, lakes, reservoirs and estuaries has diminished as a result of polluted stormwater runoff (a.k.a., nonpoint source pollution).

Strengthening existing and implementing new municipal ordinances related to stormwater runoff and management, with similar efforts made to the policies, guidelines and orders of the County of Westchester, has the potential to lessen the damage and risk caused by flooding and to minimize the deterioration of water quality and the ecological integrity of the county's water resources. These changes would be applicable to existing and proposed land management, use and development practices throughout Westchester County.

The New York State Department of Environmental Conservation (NYSDEC) issued a revised "SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s) (GP-0-08-002)" in April 2008. This permit became effective on May 1, 2008. These revised stormwater management regulations, commonly called the Stormwater Phase II Program, requires that municipalities in Westchester County and the County of Westchester (County), all of which are classified as an MS4, develop and implement a plan for managing stormwater runoff.

However, the Flood Action Task Force (Task Force) notes that although water quality protection is emphasized in these state regulations, municipalities and the County should do more to address water quantity (i.e., flooding) considerations in their applicable ordinances, regulations, orders, policies and guidelines. Therefore, the Task Force recommends the following "Development and Planning Standards."

Note that while these standards are recommended for all Westchester County municipalities, the incorporation of the following standards will be required of every municipality prior to its receipt of funds from the County's capital program to mitigate flooding and flood damage. An informational sheet describing this program is available on the County website at www.westchestergov.com/flood.

1. All municipal and County ordinances, regulations, orders, policies and guidelines associated with land management, use and development should reference and require compliance with the:
 - New York State Stormwater Management Design Manual (2004) or any subsequent version(s) of this manual and addendums thereto, including those

concerning Alternative Stormwater Management Practices, Redevelopment Strategy and Proprietary Practices.

- New York State Standards and Specifications for Erosion and Sediment Control (2005) or any subsequent version(s) of this manual.
2. All municipalities should formally adopt, with modifications noted below, the NYSDEC's "Sample Local Law for Stormwater Management and Erosion and Sediment Control (2006)" or closely similar ordinance acceptable to the NYSDEC. A copy of this sample ordinance is available at: www.dec.ny.gov/docs/water_pdf/localaw06.pdf or at www.dec.ny.gov/chemical/9007.html, then click on "Sample Local Law for Stormwater Management and Erosion and Sediment Control."

The aforementioned sample ordinance, however, should be modified by the municipality as follows:

Article 2, Section 1, Definitions:

REVISED:

Land Development Activity – any construction activity including clearing, grading, excavating, soil disturbance or placement of fill that results in land disturbance of equal to or greater than 5,000 square feet, or activities disturbing less than 5,000 square feet of total land area that is part of a larger common plan of development or sale, even though multiple separate and distinct land development activities may take place at different times on different schedules, or activities that result in the creation of impervious (non-permeable) cover equal to or greater than 1,000 square feet, whether those activities occur in association with new development, a modification or expansion of existing development, or redevelopment of a previously developed site.

Article 2, Section 2

REVISED:

Section 2.2.2

Land development activities as defined in Section 1 of this Article and meeting Condition "A" or "B" below shall include *water quantity* and *water quality* controls (post-construction stormwater runoff controls), as set forth in Section 2.2.3 and described in the New York State Stormwater Management Design Manual, including those capable of mitigating the water quantity impacts resulting from the twenty-five (25)-year storm event in Westchester County, New York, as applicable:

Condition A - Stormwater runoff from land development and redevelopment activities discharging a pollutant of concern to either an impaired water identified on the Department's 303(d) list of impaired waters or a Total Maximum Daily Load (TMDL) designated watershed for which pollutants in stormwater have been identified as a source of the impairment.

Condition B - Stormwater runoff from land development activities disturbing five thousand (5,000) square feet or more of land or creating impervious (non-permeable) cover equal to or greater than one thousand (1,000) square feet during the course of the project.

Section 2.2.3

SWPPP Requirements for Condition A, B and C:

1. All information in Section 2.2 .1 of this local law;
 2. Description of each post-construction stormwater management practice;
 3. Site map/construction drawing(s) showing the specific location(s) and size(s) of each post-construction stormwater management practice;
 4. Hydrologic and hydraulic analysis for all structural components of the stormwater management system for the applicable design storms;
 5. Comparison of post-development stormwater runoff conditions with pre-development conditions;
 6. Dimensions, material specifications and installation details for each post-construction stormwater management practice;
 7. Maintenance schedule to ensure continuous and effective operation of each postconstruction stormwater management practice;
 8. Maintenance easements, if applicable, to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall remain in effect with transfer of title to the property;
 9. Inspection and maintenance agreement binding on all subsequent landowners served by the on-site stormwater management practices in accordance with Article 2, Section 4 of this local law.
 10. The SWPPP shall be prepared by a licensed landscape architect or professional engineer or other appropriately certified professional and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in this local law.
3. All municipalities should develop a Local Hazard Mitigation Plan with approval of the plan by the Federal Emergency Management Agency (FEMA). Grant funding is available from FEMA to assist municipalities with the development of Local Hazard Mitigation Plans. Guidance on Local Hazard Mitigation Plans is available at: www.fema.gov/library/viewRecord.do?id=3336.
 4. All municipalities and the County should reference and, where applicable, require compliance with the design principles and practices of sustainable development (a.k.a., low impact development, better site design, smart growth and green development, among other titles). This reference should be made in municipal and County ordinances, regulations, orders, policies and guidelines associated with land management, use and development. Guidance on sustainable development is available through several sources, including:
 - “Low Impact Development Design Strategies: An Integrated Design Approach” (1999), by the Prince George’s County (Maryland) Department of Environmental Resources, at: www.epa.gov/owow/nps/lid/lidnatl.pdf;
 - “Low Impact Development: Urban Design Tools” Website, by the Low Impact Development Center, at: www.lid-stormwater.net;
 - “Polluted Runoff (Nonpoint Source Pollution): Low Impact Development (LID)” Website, by U.S. Environmental Protection Agency, at: www.epa.gov/nps/lid.

5. The Task Force also recommends compliance with the following general principles in regard to flood mitigation projects (these principles are further defined in the manuals and other publications noted above):
- Increased in impervious surfaces from development and redevelopment should be discouraged, including through reduced parking areas, small building footprints, preservation of vegetation, and permeable surfaces.
 - The protection and preservation of naturally vegetated land next to streams, lakes and other watercourses and water bodies should be mandated, where appropriate and applicable, to prohibit any construction or other development activities within one hundred (100) feet of these water resources. This should include the clearing of vegetation within these aquatic buffers. Communities should, through local rules, permitting and enforcement practices, follow the principle that aquatic buffer, flood plain and wetland impacts and losses shall be avoided to the maximum extent practicable or, if these impacts cannot be avoided, that they shall be minimized to the maximum extent practicable; any unavoidable impacts that have been fully minimized should be mitigated through restoration and/or creation of aquatic buffer, flood plain or wetland.
 - Greater consideration should be given to projects that utilize a higher degree of infiltration, extended detention, and retention to manage stream flows and lessen the severity of flooding.
 - Projects that rely simply on channel “improvements” to speed the downstream flow of surface waters are discouraged, unless it can be clearly shown that (1) other preferred methods are not practical; (2) channel capacity and flood mitigation potential downstream of the project will not be adversely affected; (3) channel improvements are a more cost-efficient or -effective method of reducing flood damage in the project area; and (4) aquatic habitats and organisms would not be substantially impacted by the “improvements.”
 - Absent other counterbalancing elements, proposed projects should not result in a net decrease in the volume of stormwater storage in an existing flood plain.
 - Greater consideration should be given to projects that include water quality and fish and wildlife habitat improvement elements in stormwater management plans and details.

WCDP 02/14/09



CITY COUNCIL AGENDA

NO. 9

DEPT.: Finance

DATE: April 3, 2013

CONTACT: Joseph S. Fazzino, Acting City Comptroller

AGENDA ITEM: Resolution to transfer additional funds from the Contingency account to fund legal services for a Council investigation pursuant to Article 6, Section C6-3 of the City Charter entitled "Investigations".

FOR THE MEETING OF:
April 3, 2013

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, City staff has determined that the amounts required for the cost of legal services performed in February and March 2013 in connection with the investigation into the Rye Golf Club were not anticipated and were not provided for in the adopted 2013 budget by \$21,200, and,

WHEREAS, the General Fund Contingent Account has a balance of \$186,000, now therefore be it

RESOLVED, that the City Comptroller is authorized to transfer \$21,200 from the General Fund Contingent Account to the City Council Legal Services Account.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Use and status of the Contingent Account in 2013:

01/01/2013 Beginning balance	\$300,000
02/27/2013 Transfer to City Council Legal Services Account	(102,000)
03/20/2013 Transfer to City Council Legal Services Account	(12,000)
04/03/2013 Transfer to City Council Legal Services Account	<u>(21,200)</u>
04/03/2013 Balance	<u>\$164,800</u>



CITY COUNCIL AGENDA

NO. 10 DEPT.: FINANCE DATE: April 3, 2013
CONTACT: JOSEPH S. FAZZINO, Acting City Comptroller

AGENDA ITEM: Adoption of the 2013 County property tax rates.

FOR THE MEETING OF:

April 3, 2013
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the City Council adopt the 2013 County tax rates.

IMPACT: Environmental Fiscal Neighborhood Other

BACKGROUND:

The City must by law collect the County taxes and remit the collected amount of the tax warrant to the County in two installments: 60% on May 25th and the balance of 40% on October 15th.

The County tax rates must be adopted by the City Council in order to provide sufficient lead time for the preparation and mailing of the County tax bills, and to allow sufficient time for property owners to remit their payment within the penalty-free period (the month of May).

Failure to adopt this resolution does not relieve the City of its legal responsibility to remit to the County the amount of the tax warrant due on the dates noted above, and, by State law, the City cannot waive penalties for late payment of property taxes, even if the property owner(s) did not receive a bill or received a bill after the penalty-free period.

RESOLVED, that the tax rates for the amounts of Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District charges for the fiscal year beginning January 1, 2013, shall be as follows:

<u>Westchester County</u>	
Levy	\$23,954,938
Taxable Assessed Value	137,815,445
Taxable Rate per \$1,000 Assessed Value	173.819
<u>Blind Brook Sewer District</u>	
Levy	\$3,270,120
Taxable Assessed Value	140,772,398
Taxable Rate per \$1,000 Assessed Value	23.230
<u>Mamaroneck Valley Sewer District</u>	
Levy	\$561,392
Taxable Assessed Value	19,108,381
Taxable Rate per \$1,000 Assessed Value	29.379
<u>Refuse Disposal District No. 1</u>	
Levy	\$2,381,827
Taxable Assessed Value	140,279,179
Taxable Rate per \$1,000 Assessed Value	16.979

And be it further

RESOLVED, that the Council does hereby certify to the City Comptroller the above stated levies and tax rates for Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District No. 1 charges, and the City Comptroller is hereby directed to apportion and extend against each taxable property listed upon the assessment roll of the City of Rye for 2013 at the rates specified, the amount of taxes required to produce the total sums certified and to render tax notices for, and receive and collect, the several sums computed and determined, and, it is further

RESOLVED, that the tax warrant of Westchester County be signed by the Mayor and directed to the City Comptroller to collect the amount of said taxes with interest as provided by law and any special assessment heretofore authorized and approved.



CITY COUNCIL AGENDA

NO. 12 DEPT.: City Manager's Office DATE: April 3, 2013
CONTACT: Scott Pickup, City Manager

AGENDA ITEM: Consideration of a request by Jim Amico, owner of Rye Station Garage, for the use of City streets for a 10th Anniversary celebration on Sunday, May 19, 2013 from 12:00 p.m. to 4:00 p.m.

FOR THE MEETING OF:

April 3, 2013
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council consider granting the request.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Jim Amico, owner of Rye Station Garage, is requesting permission to close a portion of Wappanocca Avenue and utilize the Highland municipal lot on Sunday, May 19, 2013 from 12:00 p.m. to 4:00 p.m. to celebrate the 10th Anniversary of his business and as a fundraiser for the Jarrid L. Amico Memorial Scholarship. The event would be a kid friendly "Car Show" with approximately 100 cars, a DJ, music and food. Insurance will be supplied to the City and the owner will coordinate with the Rye Police Department. The rain date for the event would be Sunday, June 2, 2013.

See attached.

From: Jimmy Amico
Sent: Tuesday, March 26, 2013 11:37 AM
To: Nodarse, Dawn
Subject: PROCEDURE?

Good Morning,

This February marked 10 years for my biz in Rye. I would like to do a "10 YEAR ANNIVERSARY/GRAND RE-OPENING" type of celebration.

My plan is a "Car Show" of apprx 100 cars, DJ & Music, food, etc. and I am making it kid friendly, having the children pick the show winners and present the awards. I have also already secured the animator/cartoonist for the TV Show "The Simpsons". Every year following this I would like to continue it in Jarrid's name as a fund raiser for the Scholarship award that is presently under his name.

I would like to do this on Sunday 5/19 & secure 6/2 as the rain date. I would like to close Wappanocca from the corner of Highland to my property line, this would not interfere with any residential private property single dwelling, it would only effect parking for a short period for the residents of Highland Hall. I would also like to utilize the Highland Municipal Lot from the its center and all to the right of the center of the lot.

I have already spoken w/the RPD and I have agreed to hire 2 Officers for crossing at Highland/Wappanocca & for security purposes. There will be NO ALCOHOL what so ever at my event!

Can you please advise me on how to proceed getting this accomplished, permission for the event, permission for the lot, permission for the street closing, etc etc etc???

Thank You in advance for your attention to this event!

Thank you,

Jim Amico

Rye Station Garage

16 Wappanocca Ave.

Rye, NY 10580

914-967-WASH (9274) Shop

visit us on the web: www.ryestationgarage.com

"The Personal Touch of Rye, Inc. also encourages Pedestrian Safety and we recommend you visit our sponsored website": www.stopforjarrid.org



CITY COUNCIL AGENDA

NO. 13

DEPT.: City Council

DATE: April 3, 2013

CONTACT: Mayor French

ACTION: Designation of the Chairman of the Rye Playland Advisory Committee by the Mayor.

FOR THE MEETING OF:

April 3, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Mayor appoint Garrick Gelinis as Chairman of the Rye Playland Advisory Committee.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Current Committee Members

Expiration Date

Jerry Bourkney	1-01-15
Joan Marshall Cresap	1-01-16
Mack Cunningham	1-01-14
Lloyd Emanuel	1-01-14
Garrick Gelinis	1-01-16
Lucinda McKinnon	1-01-14
Ellen Slater	1-01-14
William Meyers	1-01-15



CITY COUNCIL AGENDA

NO. 14

DEPT.: City Council

DATE: April 3, 2013

CONTACT: Mayor French

AGENDA ITEM: One appointment to the Rye Cable and Communications Committee for a three-year term expiring on January 1, 2016, by the Mayor with Council approval.

FOR THE MEETING OF:

April 3, 2013

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the appointment of Kate Conn.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Committee may have 9 members. Current Committee Members include:

<u>Current Committee Members</u>	<u>Expiration Date</u>
Stephen Fairchild, Chair	1-01-16
Suzy Allman	1-01-14
Mark DelliColli	1-01-14
Mary Ellen Doran	1-01-16
Paula Fung	1-01-14
Ken Knowles	1-01-16
Susan Olson	1-01-14
Lisa Tidball (*non-voting member)	1-01-14
VACANCY	