

**CITY OF RYE  
1051 BOSTON POST ROAD  
RYE, NY 10580**

**AGENDA**

**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL  
Wednesday, May 23, 2018  
7:30 p.m.**

*Please Note: The Council will convene at 6:30 p.m. and it is expected they will adjourn into Executive Session at 6:31 p.m. to discuss attorney-client privileged matters, personnel matters and labor negotiations. .*

1. Pledge of Allegiance.
2. Roll Call.
3. Draft unapproved minutes of the regular meeting of the City Council held May 9, 2018.
4. Update by Ryan Coyne, City Engineer and Superintendent of DPW regarding the I-95 Sewer.
5. Update regarding new application for parking permits, parking meter collection and parking enforcement.
6. Residents may be heard on matters for Council consideration that do not appear on the agenda.
7. Discussion of proposed parking permit fees for 2019.
8. Resolution to authorize the expenditure for the design and engineering consultants with respect to, and construction of repairs or replacement (including rerouting) of, the damaged I-95 sewer line that has drained into the Locust Avenue storm drain and design and engineering consultation and work necessary to complete the Sanitary Sewer Evaluation Survey. Funds to cover the cost for consultants and construction may be made from General operations, Contingency, Fund Balance or Debt.  
Roll Call
9. Appointments to Boards and Commissions, by the Mayor with Council approval.
10. Miscellaneous communications and reports.
11. Old Business.

12. New Business.

13. Adjournment.

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The next regular meeting of the City Council will be held on Wednesday, June 6, 2018.

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”.

**The Mayor and City Council have office hours in the Mayor’s Conference Room Annex at Rye City Hall, 1051 Boston Post Road. The Mayor’s Conference Room Annex is located on the 1<sup>st</sup> floor of City Hall adjacent to the Council Chambers. Hours are as follows:**

**Mondays 9:30 a.m. to 11:00 a.m.**

**Councilwoman Danielle Tagger-Epstein & Councilwoman Julie Souza**

**Wednesdays 9:00 a.m. to 10:30 a.m.**

**Mayor Josh Cohn, Deputy Mayor Emily Hurd & Councilwoman Sara Goddard**

***DRAFT APPROVED MINUTES*** of the  
Regular Meeting of the City Council of the City of Rye  
held in the Square House and City Hall on May 9, 2018  
at 7:30 P.M.

**PRESENT:**

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

**ABSENT:** None

The special annual Square House meeting convened at 7:30 P.M. Mayor Cohn welcomed the community and thanked everyone for their service to Rye. He said he has come to understand how important volunteerism was to the City of Rye. He thanked those who have helped the City in the past and who has helped the current Council. He thanked the City staff, present at the meeting, who helps the City run on a daily basis.

Sheri Jordan, Director of Rye Historical Society, welcomed everyone to the Square House. She mentioned the strong history of Rye and the importance of the Square House, which was once a tavern in the Revolutionary War, and eventually became the City Hall.

Councilwoman Tagger-Epstein said that she was excited to be at the meeting with both new and old Councilmembers back at the annual meeting of the Square House. She said she loved being in Rye and in service to the City that she had come to love so much. She said that she had learned a great deal during her time on the Council, and that she was truly grateful to every member of the community.

Councilwoman Hurd thanked the Square House for hosting the meeting. She remembered the contributions of those who served the past, and said it was an honor and a privilege to do so. She also was grateful to the City staff who guides the Council.

Councilwoman Goddard recounted that last year, she was present as an audience member at the meeting of the Square House, and so it was a big honor to be on the Council this year. She was happy to look out and see so many friend and familiar faces. She said that when volunteering for a municipal committee it helps a person learn one aspect of local government, but she now appreciates a “bird’s eye” view of how the City runs, between the staff and the volunteers. She felt that the office hours that the new Council has imposed had been successful.

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Councilman Mecca said that looking out at the front row of those in attendance, he observed 20 years' worth of mayors. He said that he had been a volunteer in Rye for 20 years, serving on the Planning Commission and BAR before serving on the City Council. He thanked those volunteers for keeping Rye's standards and commitment to serving the community. He commented that the Planning Commission members have dedicated many years of service as a group. He was hopeful for future residents who would continue the tradition of volunteerism in Rye.

Councilman Stacks thanked everyone for their service. He acknowledged the history of the Square House since the Revolution. He thanked the volunteers, who make the community better. He stated he was humbled to help this great town.

Councilwoman Souza said that earlier in the day, she was happy to host current fourth and fifth grade students at City Hall, and that her own children took great pride in the Square House and its history. She said that George Washington had stayed in the Square House, adding to the important history. Lastly, she thanked everyone in the audience for their service.

Mayor Cohn introduced Marcus Serrano, City Manager.

City Manager Serrano said that it had been an honor and a privilege to serve as the City Manager. He introduced the following City staff and said a few words about their accomplishments:

James Buonaiuto	Golf Club General Manager
Maryann Cianci	Personnel Manager
Michael Corcoran	Public Safety Commissioner
Ryan Coyne	City Engineer
Carolyn D'Andrea	City Clerk
Kerry Donahue	IT Coordinator
Joseph Fazzino	Deputy Comptroller
George Hogben	Boat Basin Supervisor
Kerry Lenihan	Building Inspector
Nicole Levitsky	Cable Access Coordinator
Christian Miller	City Planner
Sally Rogol	Superintendent of Recreation
Chris Shoemaker	Library Director
Kurt Tietjen	Fire Lieutenant
Noreen Whitty	City Assessor
Kristen Wilson	Corporation Counsel

Mayor Cohn recognized past mayors that were present at the meeting: Mayors Otis, French and Sack.

Steve Otis, Former Mayor and current State Assemblyman, acknowledged former Mayors Ted Dunn and John Carey, who could not attend the meeting. He remembered those mayors who had passed away and thanked them for their great service to Rye. Assemblyman Otis then

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commented on the importance of Rye's history and dedication to tradition. He said that Rye was unique because of the staff and volunteers. He then recognized Shelley Mayer, new State Senator, and her chief of staff who was present at the meeting.

Douglas French, Former Mayor, thanked the Council for serving. He said that it was 30 years ago when he first stepped into public service. He said that Rye was a very special community, and then read a quote from a book about Rye's history in the first fifty years. Former Mayor French then recalled the times of the coyotes, and advised the current Council to "expect the unexpected."

Former Mayor Sack thanked Mayor Cohn, the Council and staff. He said he spoke to former Mayor Carey recently, who sends his regards. He said that Former Mayor Carey advised that to have an effective national government, it has to start on the local level. Former Mayor Sack recognized the long and deep history of public service on the local level. He thanked those who were a testament to that prior service. He then remembered Warren Ross, Former Mayor, who had passed away in recent years. Former Mayor Sack said that it was a great day, and he was so happy to be back. He said that it was the mutual love for the City of Rye that ties everyone together.

Pat Levine, Former City Councilmember, said that she had been on the Council starting in 1975. He said that the meeting was a marvelous tradition that she hoped continued for many years. She said she had been reading in the paper recently about the Westchester/ Oyster Bay bridge project. She urged the City officials to identify their inner Ed Grainger and fight against the project.

George Latimer, Westchester County Executive, recalled when he started on the Council 30 years earlier. He said that he was proud to have served on four different legislative bodies. He acknowledged those in the room who were dedicated to improving the City, and said that he was fortunate to live in the community. He recognized his former fellow Councilmembers. He said it had been a great privilege to serve. He was happy to be able to always come into the Square House at the same time once a year for the annual meeting. He said that there everyone was a part of the family tradition in Rye.

Judge Joe Latwin said that he was glad to be back in the Square House. He stated that the courts were doing fine, and that a recent report marked Rye City Court as the top court in the county.

Judge Robert Cypher said that what makes Rye City Court so good is a testament to a great staff. He recognized each member of the court staff and thanked those in the room who had recently supported him during a time of family loss. He said he hoped to continue to keep the community and court great.

Carolyn Cunningham, Former Councilwoman, said that she was happy to be present. She also said that she was very happy to see the Council carrying on so well. She said that Rye had a wealth of intelligence, service and commitment in this community. She remembered her own mentor, Edith Reed. She said that over the years, she had been happy to see a more environmental Council, with more environmental awareness in the community. Ms. Cunningham recognized the

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CCAC (Conservation Commission Advisory Council) and the Sustainability Committee. She said she was so proud of Rye and happy to be there.

Rich Filipi, former Councilmember, said it was a great day to come back and see the prior volunteers and new Council together.

Suzanna Keith, former Councilmember, said it was great to be at the meeting. She thanked all volunteers and staff for all they had done.

Laura Brett, former Councilmember, said that Rye had always thrived on the volunteers. She thanked the Council for what they are giving to the community. She said that she hoped that the Council continued the next years in the best and most nonpartisan way.

Julie Killian, former Councilmember, said that she was thrilled to be there. She recognized former Councilmembers Bucci and McCartney who could not attend.

Mayor Cohn said that the City Council relies heavily on boards, commissions and committees to for advice. He then recognized the representatives of the boards, commission and committees that were present.

Maurio Sax, Landmarks Advisory Committee, said that the mission of the committee was to preserve the historic infrastructure of Rye. He was proud of Rye for being a place that preserves its history with good community values. He was concerned over current tear-downs, over-building and historic monuments that were in disarray. In the near future, Mr. Sax reported that the committee would be presenting new welcome signs to place at the major entrances to the City.

Greg Usry, Finance Committee, said that it had been a fascinating five months. He said that he had learned a lot from other members of the committee and described the group as an extraordinary, well-informed, radically non-partial and objective group of people. He expected that in the coming month, the committee would be presenting some interesting ideas, observations and suggestions for improvement.

Lizzy Parks, Traffic and Pedestrian Safety Committee, said that she was brand new to committee and was honored to be a part of it. She thanked Chairperson Brian Dempsey and all he had contributed.

Melissa Grieco, Sustainability Committee, reported that the group was working on a number of programs and projects, including the tree fund, the healthy yards program, and a movement to prohibit the use of plastic straws. She also spoke about recent successful events in the community.

Carolyn Cunningham, CCAC, said that she was still very concerned about the City's wetlands. She said that the CCAC had the opportunity to comment on any site plan that has a wetlands permit.

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Mayor Cohn thanked the Rye Record and present staff members, Robyn Jovanovich and Tom McDermott for attending the meeting and for what they do for the community.

With no further items to discuss at the annual meeting of the Square House, the group adjourned the meeting to City Hall in Council Chambers at 8:27 P.M.

1. Pledge of Allegiance.

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

2. Roll Call.

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

3. Draft unapproved minutes of the regular meeting of the City Council held April 25, 2018.

Councilman Mecca made a motion, seconded by Councilwoman Hurd and unanimously carried, to adopt the minutes of the regular meeting of the City Council held April 25, 2018.

4. Presentation by Kevin Clarke, Wildlife Biologist, Bureau of Wildlife New York State Department of Environmental Conservation regarding Coyotes.

Mayor Cohn explained that recently, the City had heard several complaints of coyote sightings. He explained that within the last decade, there was a period when the City was similarly alarmed of coyote sightings, and as a response, the City has inquired about the State Department of Conservation (DEC) for guidance on the sightings and what to do in the community. He introduced Kevin Clarke, wildlife biologist, of the DEC who addressed members of the community.

Mr. Clarke stated that the last time he presented before the Council was in June 2010, with 200 people in attendance. At that time, there was community concern because a child had been bitten by a coyote. He explained that coyotes came into Westchester 30 to 40 years ago. He explained that some coyotes exhibit “normal” behavior, being afraid of people and avoiding them, while others are abnormal, and feel free to approach people. In terms of approaches to deal with the coyote issue, one option is to introduce them to an aversive conditioning program, which has to be undertaken by every person a coyote encounters. The approach does not let coyotes feel comfortable. He suggested that chasing, throwing rocks, spraying water and other similar acts can be effective. He also warned that coyotes and dogs do not peacefully coexist. He cautioned those with invisible dog fences who allow their pets unsupervised outside. He recommended getting rid of bird feeders. Mr. Clarke explained that at this time of year, coyotes are territorial as most have small coyotes to watch after. He recommended body armor for small dogs to protect against coyote attacks. Another option, although controversial is the lethal removal of coyotes, as recommended by DEC. He cautioned that moving coyotes to a different location is not permitted in New York State. He also warned that rabies had been a problem. In terms of removing the coyotes, Mr.

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Clarke said that recently, Greenburgh had been issued a blanket permit for lethal removal. He explained that this approach is associated with fees.

Kent Iarocci, Rye resident, said that people do not jog at night because of the dangers of coyotes. He warned against residents barbequing outside as coyotes smell meat. He stated his support for the lethal removal of coyotes, as they pose a risk to human safety.

Mr. Clarke felt that it was important to follow the DEC protocol, disturbing the harmful coyotes and leaving the ones acting appropriately alone.

Mayor Cohn asked for a handout for residents to be sent by the DEC. Mr. Clarke responded that he would provide that document. He explained that trapping season was usually October 25 to February 15.

Councilwoman Tagger-Epstein asked if the DEC had statistics on the coyotes preying on deer. Mr. Clarke responded that they did not have the data, but that coyotes have been known to primarily taking fawns during the springtime.

Councilwoman Souza asked if the DEC ever had ever relocated the coyotes, and Mr. Clarke responded that they had not.

Mayor Cohn thanked Mr. Clarke for attending the meeting and informing the public.

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

Kent Iarocci, 5 Charlotte Street, thanked the Council and staff. He then discussed the pumping station at Disbrow Park. He said that he has been told that many people in Rye have sump pumps connected to the sewer system. He said that under certain preset conditions, basements get flooded and the water is overworking the pumping station at Disbrow Park. He said he believed that it was illegal to hook up a sump pump to a sewer system. Mr. Iarocci then stated that he spoke with the County and they said they would try to help the problem.

Jeff Jacobs, 26 Allendale Drive, thanked the Council. He said he was a 28 year resident on Allendale Drive, near the 5<sup>th</sup> fairway at the Rye Golf Course. He said he had been hit by a golf ball and had many close calls. He said that they had lived with it, attempting to abate the issue with trees. He said that he was concerned that the new technology in the golfing world has caused more of a problem. He said that he and his family were very concerned about safety, and asked the Council to look at this as a safety issue. Mr. Jacobs said that there has been a new level of risk. He recommended perhaps only allowing iron shots at that hole. He also asked them to consider lowering the tee box or raising the fence.

Andrea Tate, 9 Allendale Drive, said that she sent a signed a letter that was signed by 11 residents. She expressed concern for the safety of those in the area due to the dangers of golf balls coming from the fifth hole. She said that her home collects hundreds of golf balls in a given season. She said that this had been an issue previously, but that nothing was done. She said that

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there seemed to be a correlation between the movement of the tee box and the fact that balls in the neighborhood had increased. She asked for a golf course architect's opinion as to whether moving the tee box or having a driver ban would help. She asked the Council to help with solutions.

Jason Yacavone, 50 Allendale Drive, addressed the Council. He asked the Council to take certain things into consideration, that trees that had been removed had not been replaced, communication issues with residents, and lastly, that he strongly opposed a net to catch the balls. He felt it would impair their property value. He thanked the Council for moving toward a solution that would help all parties.

Kelly LeGay, 44 Allendale Drive, said that she fully supported her neighbors' concerns. She felt that the moving of the tee box had negative consequences. However, she and her family are not in favor of installing telephone poles and high nets on their property line. She felt that moving the tee box would be helpful.

Shannan Siemens, Rye resident, addressed the Council about the zoning laws in Rye as it pertains to daycares. She said that the largest daycare in Rye was closing, displacing many families. She said that daycares want to open, but current zoning laws prohibit it. She asked the Council to amend the zoning laws to help the working families by allowing for daycares in more areas of Rye.

Mayor Cohn stated that the City Council and staff were happy to undertake the process of studying the zoning with regard to this issue. He said it might be easier to have a site-specific scenario.

Ray Tartaglione, 10 Hen Island, said that he felt he was upset to be limited in time to address the Council. He read a letter that he wrote to the CCAC into the record, dated April 25, 2018. He asked the City to authorize a member of the staff to inspect Hen Island.

Mayor Cohn responded that he had asked the County to perform the various inspections that he mentioned previously, although he had not been given a date on that yet. He also said that with respect to the Rye Golf Course issue, the Council would look into the situation.

6. Bid Award for 2018 Rye Recreation Summer Camp Bus Services (Contract #2018-02).

City Manager Serrano said that Recreation Superintendent Rogol, upon request, had provided the Council with a memo further explaining the justification of the school bus bid for the summer travel camps.

Councilwoman Souza made a motion, seconded by Councilman Mecca, that Contract #2018-02 be awarded to County Coach as they were the only bidder who met the specifications for bus service, in the amount of sixth five thousand ninety dollars (\$65,090.00).

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**ROLL CALL**

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

7. Resolution ratifying the appointment of one member to the Emergency Medical Services Committee for a three-year term expiring on June 30, 2021.

Mayor Cohn appointed Michael Borrelli as community representative to the Emergency Medical Services Committee for a three-year term expiring on June 30, 2021.

Councilwoman Tagger-Epstein made a motion, seconded by Councilman Stacks and unanimously carried, to approve the Mayor's appointment.

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

Mayor Cohn appointed Bill Walsh to the Playland Advisory Committee with a term expiring January 1, 2021. He also appointed Bill Meyers, current member, as Chairperson of the Playland Advisory Committee. Mayor Cohn thanked outgoing chair Steve Vasko for his service on the committee.

Mayor Cohn appointed Amanda Witheiler to the Human Rights Commission.

Councilwoman Tagger-Epstein made a motion, unanimously carried by the Council, to approve the Mayor's appointments.

9. Miscellaneous communications and reports.

Councilman Stacks announced that the Rye Golf Club Opening Day Scramble was a success, reporting that he and Councilman Mecca finishing third in the tournament.

Councilwoman Souza thanked the students of community members who participated in the recent Rye Youth Speak Out event. She thanked Mrs. Mary Partington and Maggie Pandl for organizing the Midland fifth grade student council coming trip to Council office hours. She also announced that the last day for camp registration for age three through eighth grade was May 14, 2018. The Annual Food Truck Festival will be held on June 23, 2018 from 1:00 to 5:00 P.M. Councilwoman Souza also reminded the community to sign up for tennis passes. Regarding Rye TV, she announced that there will be a screening of short films from the acting and directing classes at the Rye Free Reading Room on Friday, May 11, 2018 at 7:30 P.M.

Councilwoman Hurd reported from the Chamber of Commerce that the Farmers Market will open on Sunday, May 12, 2018 for the season. She also said that the Rye Historical Society had presented at the Chamber meeting, and that the Historical Society gala will be held on June 2, 2018. She also reported that on behalf of the Boat basin, the City has received the data from the dredging consultants, who will be presenting at the Boat Basin meeting on May 14, 2018.

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Councilwoman Hurd also announced that the Rye Town Park Commission has approved the restaurant concession, which will be the Barley House. Lastly, she said that Rye Town Park had its Community Conversation event on May 5, 2018.

Councilman Mecca reported that the Planning Commission recently approved a handful of outdoor dining permits. It is also currently reviewing the campus parking plan for Resurrection School. He also said that the Landmark Advisory Committee hopes to make a proposal to the City Council regarding the welcome signs for the entrances to Rye. Lastly, he said that the Rye Free Reading Room will hold its annual Vehicle Fair on Sunday, May 20, 2018 from 10:00 to 2:00.

Mayor Cohn reported that he attended a county shared services meeting on May 9, 2018 prior to the Council meeting with City Manager Serrano. He explained that there is a required program imposed on the County to put together a shared services plan. If the county comes up with enough shared service savings, there is a state subsidy that the county would receive. This shared service program requires cooperation with all municipalities.

Councilwoman Hurd added that from a conversation with the Mayor of Port Chester, there was no sale deal with Starwood currently pending. She also reported that during the fifth grade field trip to the Council's office hours, one of the students asked about the Police Department's drug recognition expert. She commented that it was so great to have someone like that in our police community.

Councilman Mecca shared enthusiasm for the benefits of electrical vehicles. He said that 90% of most driving trips are less than 30 miles, which makes electric vehicles useful. He said he was glad to hear that City of Rye would be participating in that environmentally-conscious trend.

**9a.     Occupancy Tax – Hotel Tax**

Mayor Cohn explained that the City's Home Rule legislation on hotel occupancy tax must be renewed. Mayor Cohn reported that the Council had every reason to believe that if the resolution was passed, this legislation would be passed by the State.

Councilman Mecca made a motion, seconded by Councilwoman Hurd, to adopt a Home Rule resolution supporting A10516/S8311 regarding extension of the City of Rye Hotel Occupancy Tax.

**ROLL CALL**

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

**10.     Old Business.**

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There was nothing discussed under this agenda item.

11. New Business.

Councilwoman Hurd explained that the legislation that authorized the Rye Town Park Commission to enter into an extended 20-year restaurant contract required that copies of the proposed lease or contract be given to the City Council with one month to review. She explained that being that the Council has been kept apprised of the developments, coupled with the impending summer timeline, she encouraged waiving this one month notice timeframe.

Councilman Mecca made a motion, seconded by Councilman Stacks, to waive the one month notice period to the City Council required by state legislation that authorizes Rye Town Park to enter into a 20-year lease.

**ROLL CALL**

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

12. Adjournment.

At 10:16 P.M. there being no further business to discuss, Councilman Mecca made a motion, seconded by Councilwoman Goddard, to adjourn the regular meeting of the City Council.

Respectfully submitted,

Carolyn D'Andrea  
City Clerk



# CITY COUNCIL AGENDA

NO. 8

DEPT.: City Manager's Office

DATE: May 18, 2018

CONTACT: Marcus Serrano, City Manager

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

**FOR THE MEETING OF:**

May 23, 2018

**RYE CITY CODE,**  
**CHAPTER**  
**SECTION**

**RECOMMENDATION:**

That the Mayor and Council Approve this resolution.

**IMPACT:**  Environmental  Fiscal  Neighborhood  Other: This resolution will provide flexibility in financing the project.

**BACKGROUND:** The City Council will be considering the cost for the repairs or replacement (including rerouting) of, the damaged I-95 sewer line that has drained into the Locust Avenue storm drain. Under the Local Finance law of the State of New York, expenditures cannot be recouped without first adopting this resolution. Any expenditures made before such a resolution cannot be included in a future debt service. This resolution will allow for the consideration of options to fund this expenditure including debt service.