

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

**REGULAR MEETING OF THE CITY COUNCIL
VIA ZOOM**

Wednesday, November 3, 2021

7:00 p.m.

PURSUANT TO GOVERNOR HOCHUL'S BILL PASSED ON SEPTEMBER 1, 2021, REQUIREMENTS UNDER THE OPEN MEETINGS LAW HAVE BEEN SUSPENDED AND PUBLIC BODIES MAY MEET WITHOUT ALLOWING THE PUBLIC TO BE PHYSICALLY PRESENT. THE MEETING WILL BE HELD VIA ZOOM VIDEO-CONFERENCING WITH NO IN-PERSON LOCATION AND WILL BE BROADCAST ON THE CITY WEBSITE. A FULL TRANSCRIPT OF THE MEETING WILL BE MADE AVAILABLE AT A FUTURE DATE.

RESIDENTS MAY EMAIL COMMENTS REGARDING THE PUBLIC HEARING TO: PUBLICHEARINGCOMMENTS@RYENY.GOV. ALL COMMENTS MUST BE RECEIVED BY 4:15 PM ON THE DAY OF THE MEETING. THE SUBJECT OF THE EMAIL SHOULD REFERENCE THE HEARING TOPIC. PLEASE INCLUDE YOUR NAME AND ADDRESS.

TO PARTICIPATE IN THE PUBLIC HEARING, PLEASE ATTEND THE MEETING VIA ZOOM VIA THIS LINK:

<https://zoom.us/j/95414909757?pwd=d01TUUNPclovV2NLRjFsd2VzK1NOZz09>

Or Telephone:

US: (646) 558-8656 or (312) 626-6799 or (301) 715-8592 or (253) 215-8782 or
(346) 248-7799 or (669) 900-9128

Press *9 to raise your hand to speak during the public hearing

Webinar ID: 954 1490 9757

Password: 345979

1. Roll Call.
2. Draft unapproved minutes of the Regular Meeting of the City Council held October 20, 2021.
3. Post Ida Storm Update.
4. Thanks to Lt. Anfuso.
5. Presentation of the proposed FY 2022 Budget by the City Manager.
6. Consideration to set a public hearing on the 2022 Budget for December 1, 2021.

7. Set a public hearing to adopt a Local Law to override the State enacted tax levy limitation for December 15, 2021, if necessary.
8. Continue the public hearing to create a new local law, Chapter 122, "Landscapers and Leaf Blower Regulations" requiring all landscapers to obtain an annual permit in order to operate as a landscaper and restrict the use of leaf blowers.
9. Consideration of a resolution authorizing the City Manager and City Staff to make necessary accommodations to allow for the continuation of outdoor dining facilities on sidewalks through the end of 2021.
10. Residents may be heard on matters for Council consideration that do not appear on the agenda.
11. Resolution to declare certain City equipment as surplus.
12. Adjourn until November 17, 2021 the public hearing for consideration of a petition from The Miriam Osborn Memorial Home to amend the text of the City of Rye Zoning Code Association to create new use and development standards for "Senior Living Facilities" in the R-2 Zoning District.
13. Old Business/New Business.
14. Adjournment

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The next regular meeting of the City Council will be held on Wednesday, November 17, 2021 at 6:30 p.m.

** 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".

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council via Zoom Conference
on October 20, 2021, at 6:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
CAROLINA JOHNSON
RICHARD MECCA
JULIE SOUZA
BENJAMIN STACKS
Councilmembers

The Council convened at 5:30 P.M. Councilwoman Souza made a motion, seconded by Councilwoman Johnson, to enter into executive session to discuss litigation and personnel matters at 5:31 P.M., Councilwoman Johnson made a motion, seconded by Councilwoman Souza, to exit executive session and commence the regular meeting of the City Council. The meeting began at 6:30 P.M.

1. Roll Call.

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

2. Draft unapproved minutes of the Regular Meeting of the City Council held October 6, 2021.

Councilwoman Johnson made a motion, seconded by Councilman Stacks and unanimously carried, to adopt the minutes of October 6, 2021.

3. Presentation of the Mayor John Carey Merit Award

Mayor Cohn presented the 2021 Mayor John Carey Merit Award to Councilman Richard Mecca, recognizing decades of civil contribution to the City of Rye. Councilman Mecca has served in many volunteer capacities, including years on the City Council, Planning Commission, and as a volunteer firefighter.

Councilman Mecca thanked the Mayor, Council and community for their support during his service to the City.

4. Post-Ida Storm update.

Mayor Cohn began by stating that although more time had passed since Ida, many residents are still coping with the after-effects of the storm. He discussed the actions that the City continued to provide to residents. Mayor Cohn noted that he had been in touch with many senior elected officials on behalf of the City, and there have been many helpful conversations (the

Governor's Office of Storm Recovery and DASNY). There have been discussions with the City's Harrison and Mamaroneck neighbors in an effort to work together to mitigate future flooding disasters. Discussions have been ongoing with Senator Schumer's office to obtain federal funding for the damage. The City has received information from the Army Corps of Engineers regarding the state's mitigation initiatives.

City Manager Usry stated that the City was well underway with filings on the City's damage to buildings, sidewalks and streets. Research continues to be done about the damage, and 12 to 14 locations throughout the City have been identified. He reminded everyone that the month had been the rainiest on record. He said that the City was engaging outside engineers to assist the City, and said that regular maintenance of the catch basins is imperative. The staff is doing what it can to remediate and prevent future flooding. He reminded the residents that federal filing for FEMA had been pushed to December to report the damage.

5. Bid Award for Contract 2021-02 Manhole Rehabilitation Project.

Ryan Coyne, Superintendent of Public Works, introduced all of the projects, which will remedy various infrastructure needs throughout the City.

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

WHEREAS, as part of the Save the Sound v. City of Rye, et al. Settlement Decree, the City of Rye is required to undergo significant and continuing manhole repair and replacement efforts; and

WHEREAS, the City went out to bid for the work as described in the Consent Decree; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council awards Contract #2021-02 "Manhole Rehabilitation Project" to Con-Tech Construction Technologies in the amount of Five Hundred Ninety Thousand One Hundred Eighty-two Dollars (\$590,182); and

BE IT FURTHER RESOLVED, that the City anticipates that it will be reimbursed for these costs partially through grants and the remaining costs can be reimbursed through bond proceeds or other sources of revenue.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks
NAYS: None
ABSENT: None

6. Bid Award for Contract 2021-03 Brevoort Lane Force Main Replacement.

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

WHEREAS, as part of the Save the Sound v. City of Rye, et al. Settlement Decree, the City of Rye is required to replace the Brevoort Lane Force Main; and

WHEREAS, the City went out to bid for the work as described in the Consent Decree; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council awards Contract #2021- 03 “Brevoort Lane Force Main Replacement Project” to MTS Infrastructure, LLC in the amount of One Million Forty-six Thousand Dollars (\$1,046,000); and

BE IT FURTHER RESOLVED, that the City anticipates that it will be reimbursed for these costs partially through grants and the remaining costs can be reimbursed through bond proceeds or other sources of revenue.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks
NAYS: None
ABSENT: None

7. **Bid Award for Contract 2021-04 Locust Avenue Sewer Modification.**

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

WHEREAS, as part of the Save the Sound v. City of Rye, et al. Settlement Decree, the City of Rye is required to replace the Locust Avenue Sewer; and

WHEREAS, the City went out to bid for the work as described in the Consent Decree; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council awards Contract #2021- 04 “Locust Avenue Sewer Modification Project” to Montesano Bros, Inc. in the amount of One Million Ninety-one Thousand Two Hundred Dollars (\$1,091,200); and

BE IT FURTHER RESOLVED, that the City anticipates that it will be reimbursed for these costs partially through grants and the remaining costs can be reimbursed through bond proceeds or other sources of revenue.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks
NAYS: None
ABSENT: None

8. **Bid Award for Contract 2021-05 Midland Avenue Sewer Modification.**

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

WHEREAS, as part of the Save the Sound v. City of Rye, et al. Settlement Decree, the City of Rye is required to undergo the Midland Avenue Sewer Modification Project; and

WHEREAS, the City went out to bid for the work as described in the Consent Decree; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council awards Contract #2021-05 “Midland Avenue Sewer Modification Project” to JOKEN Development Corporation in the amount of Four Hundred Seventy-five Thousand Seven Hundred Ninety-seven Dollars and Fifty Cents (\$475,797.50); and

BE IT FURTHER RESOLVED, that the City anticipates that it will be reimbursed for these costs partially through grants and the remaining costs can be reimbursed through bond proceeds or other sources of revenue.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks

NAYS: None

ABSENT: None

9. **Bid Award for Contract 2021-06 Central Avenue Pump Station.**

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

WHEREAS, as part of the Save the Sound v. City of Rye, et al. Settlement Decree, the City of Rye is required to replace the Central Avenue Pump Station Project; and

WHEREAS, the City went out to bid for the work as described in the Consent Decree; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council awards Contract #2021- 06 “Central Avenue Pump Station Project” to ELQ Industries, Inc. in the amount of One Million Two Hundred Twenty Six Thousand Four Hundred Sixty Seven Dollars (\$1,226,467); and

BE IT FURTHER RESOLVED, that the City anticipates that it will be reimbursed for these costs partially through grants and the remaining costs can be reimbursed through bond proceeds or other sources of revenue.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks

NAYS: None

ABSENT: None

10. **Consideration of proposed revisions of the Rules and Regulations of the City of Rye Police Department: General Orders #104.1.**

Interim Public Safety Commissioner, Michael Anfusio, proposed revisions of the following General Order updates the Department's procedures: G.O. 104.1 Uniform Specifications, Equipment & Identification – (2018) changes made to conform to accreditation standards. Specifically the addition of "identification" to the General Order title, Addition of business cards; Update to outer vest carriers."

Councilwoman Johnson made a motion, seconded by Councilman Mecca and unanimously carried by the Council to approve the proposed revisions of the Rules and Regulations of the City of Rye Police Department: General Orders #104.1.

11. Open the public hearing for October 6, 2021 to create a new local law, Chapter 122, "Landscapers and Leaf Blower Regulations" requiring all landscapers to obtain an annual permit in order to operate as a landscaper and restrict the use of leaf blowers.

Mayor Cohn introduced the topic. He stated that this would be a proposed update of the leaf blower law. Enforcement has been an issue, and this law seeks to address the current shortcomings in the City code as it is written. City Manager Usry added that this would address the use of gas powered leaf blowers and the noise issues associated with it.

Councilwoman Souza made a motion, seconded by Councilwoman and unanimously carried, to open the public hearing to create a new local law, Chapter 122, "Landscapers and Leaf Blower Regulations" requiring all landscapers to obtain an annual permit in order to operate as a landscaper and restrict the use of leaf blowers.

Kate Briggs addressed the Council. She stated concern about the proposed legislation, as it may inhibit landscaping operations. She also expressed concern over people not putting back trees in order to avoid the leaf blower issues.

Bob Zahm, Rye resident, asked about the timeframe of the proposed changes. He also asked about the enforcement operations. For example, if someone witnesses a leaf blower being operated and calls the police, but by the time the police arrive at the scene, nothing will happen if the leaf blower is no longer in use.

City Manager Usry responded that enforcement would be against the company operating the blower at a residence. He stated that a violation would result in a penalty up to \$1500, which in itself may be a deterrent of use. Upon a third violation, a company would lose its annual permit, which would prevent them from operating in the City of Rye for that year.

There was general discussion about the enforcement, including possible revocation for six months, concrete fines, and the fact that the landscapers obtaining this permit would need to be licensed by Westchester County.

Robert Alexander, 90 Stuyvesant, said he applauded the Council for taking action on the issue of leaf blowers and was hopeful for a positive impact on quality of life if the law was passed. However, he felt that the law should apply to all entities without exemptions. He said that the country clubs were the biggest offenders of the gas blowers and residential neighbors need to be considered.

Leslie Winters, Rye resident, commented that she felt that residents should be able to document violations to report to the police. She expressed frustration over the fact that calls are made to the Police Department, and by the time they are addressed, the offender is no longer using the leaf blower.

Curtis Spacavento stated that the electric blowers are very difficult to use and lose battery power quickly. He felt that the priority of the police should not be enforcing leaf blowers, but tending to more pressing emergencies.

Gibb Kane, 350 Stuyvesant, 30-year Rye resident, spoke in support of taking advantage of the technology now present in leaf blowers, allowing for a lower decibel level. He said that the noise issues presented by leaf blowers in recent years had gotten worse. He played an audio clip for the Council of recent leaf blower use by a local club, heard from inside his home. He stated that the clubs should not be exempt.

Councilwoman Goddard thought it might be prudent to study the laws as they apply to clubs in other municipalities.

Councilwoman Souza made a motion, seconded by Councilwoman Goddard, to keep the public hearing open for further discussion.

12. Financial update on Q3 results.

Deputy Comptroller, Joseph Fazzino, gave the Council and community an update on the 3rd Quarter results.

He commented on the following:

- Sales & Use Taxes

Actual results are for the first two quarters of 2021, (December through May) Payment for the 2nd quarter was \$329,788 or 52% more than the same time period last year. The City will receive our 3rd quarter number right around budget time, however revenue for the first two months of the quarter is up 18%. Assuming the 18% for the 3rd quarter and the City receiving the same amount for the 4th quarter that it did last year, 2021 Sales tax for the year would exceed the budget by about \$700,000.

- Parking Meter Revenue

Budgeted revenue was lowered from \$436,000, to \$292,500. If the activity is the same as the final three months of 2020, this line could be about \$100,000 better than budgeted.

- Parking Fines

Slightly better than budget, same as last year.

- Moving Violation Fines – through August

One the items that brought some concern during the beginning of the year, after falling short of budget by almost \$125,000 in 2020 and were down significantly during the first quarter.

However, from April through August, over \$158,000 has been collected, which is a combination of more cars being on the road and a “catch-up” for all of the cases that could not be heard in person during the pandemic. This has put this source of revenue back on track. After averaging the last few years, a small surplus of about \$25,000 can be expected.

- Hotel Occupancy Taxes
Revenue for the 1st quarter and 2nd quarter (ending June 30). 1st quarter was still during Pandemic and 2nd quarter began to see an uptick but still down about 25% from pre-pandemic levels. Assuming this same type of dip for the 3rd and 4th quarters, we should still see the budget met as we were very conservative with our estimates for 2020.
- Interest Income
Still have July through September to collect. Should be down significantly, about \$45,000
- Penalties & Interest – Property Taxes (NEW)
Always conservative in our budgeting, we can expect a surplus of about \$100K, to more than offset the loss in interest income.
- Mortgage Taxes
We now have the full year worth of data for the period (October – September) In light of the current situation, the Federal Reserve recently reduced interest rates to almost zero. This, along with increased activity in the real estate market. Back in July we had said based on average results for the last two years from July through September, historically bigger months, total revenues for the year could exceed budget by \$700,000. We now know that real number will be over \$806,000.
- Building Permits
Revenues are up 96% from last year, and have exceeded the 2021 budget after only 9 months of activity. Assuming the SAME level of activity for the second half as last year, revenues would exceed the budget by \$400,000.
- State Aid Revenue Sharing – Nothing changed
Last year, State aid was cut by 20% and the City budgeted accordingly. As a result of the American Rescue Plan, state aid was restored for 2020, with the final 5% (\$60,401) received after the City closed its books, therefore being applied to 2021. The City has received the first payment of \$181,413 (15%), which is the same number we had received in all years prior to 2020. Typical receipt of the remaining 85% is in mid-December, and City staff assumes the same funding it has received for over a decade, resulting in \$302,000 in unbudgeted revenues.
- American Rescue Plan
The City has received the first half of the Federal aid package, a little over \$800,000 in July and it can expect to receive the other \$800,000 next July. This is restricted for use on Capital projects.

- Recreation Programs

Regarding camp activities, the City is operating at 50% Capacity, with certain camps not offered which has translated into 50% of budgeted revenue. With other camp programs thriving, staff would not expect the budgeted net cost of the Recreation department to be impacted.

- Employee Salaries and Payroll Taxes

This number reflects all budgeted and more importantly CONTRACTED salary and step increases through June 30. There were also UNFILLED budgeted positions as of September, leading to substantial savings through June 30 of approximately \$850,000. Some of these positions are in the process of being filled.

- Employee and Retiree Health Insurance

The 2021 Budget included a conservative estimate of 10% for increased employee and retiree healthcare costs. Actual rates for 2021 for employees were 3% and remained flat for retirees.

- Workers Compensation – 2020 Budget \$1,162,561/ 2020 Projection \$1,062,561

The 2021 Budget conservatively called for a 10% increase over the 2020 premium. For the 3rd straight year the City's experience rating has gone down. The 2021 premium came in 14% less than the 2020 premium and has been paid in full. Give some small additional payments for the rest of the year, the 2021 workers comp expense will come in around \$240,000 under budget.

- Contingency

The City has only used \$50,000 of the budgeted \$350,000 of contingency this year. It was used for additional funding to EMS services. Typically used for legal fees and harsh winters, we do not anticipate any additional use of contingency this year.

13. Consent to City Manager's appointment of Mike Kopy to Commissioner of Public Safety.

City Manager Usry explained that Article IV of the Charter states that the City Manager may appoint a Commissioner of Public Safety with Council approval. Mr. Usry introduced his choice for Commissioner of Public Safety, Michael Kopy. He stated that Mr. Kopy brings many years of leadership in police and fire. Mr. Kopy has experience both at the local level and state level.

The Council approved City Manager Usry's appointment.

City Manager Usry thanked Acting Commissioner Michael Anfuso who had stepped in with tremendous leadership over the last three months.

14. Update from Westchester Power.

Paul Presendieu, Westchester Power, gave an update to the Council and on the Community Choice Aggregation Program, as required by the Public Service Commission. He reiterated that Westchester Power is a consortium of 44 local governments. He provided an overview of the program, the sustainable aspects of it, and discussed the cost of the consortium's energy. He also discussed Community Solar. He invited the Council and community to contact him with any questions.

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

Bob Zahm, Rye resident, asked about the status of the unnecessary pole that was still on Theodore Fremd. City Manager Usry responded that two other poles had been removed in the last ten days and that he would follow up.

Suki van dijk, Rye resident, inquired about the state of the trees at Rye Golf Club, concerned that healthy trees were calling to be removed. She felt that trees were important trees, particularly with issues such as flooding.

Joseph Donley, Rye resident, inquired about financials with regard to Rye Golf Club. Mr. Usry responded that Golf Manager Jim Buonaiuto would be putting together additional clarification about the Golf Club's financials in the coming weeks. He also offered to put Mr. Donley in touch with Comptroller Fazzino to explain the financials.

Councilman Stacks commented that the Golf Commission would be further discussing the plan for the course and trees, which will have a full open process. City Manager Usry added that certain trees had issues with public safety that needed to be addressed by professionals.

16. Authorization for City Manager to enter into an Inter-municipal Agreement with Westchester County for the providing a Positive Youth Development Program for 2021.

City Manager Usry explained that this was an annual program. In an effort to encourage municipalities to provide Positive Youth Development Programs, the County shall reimburse the City of Rye in an amount not to exceed \$3,159 to provide Youth Council Programs as described in the attached agreement. The Agreement covers a one-year period between January 1, 2021 through December 31, 2021.

Councilwoman Johnson made a motion, seconded by Councilman Mecca, to authorize the City Manager to enter into an Inter-municipal Agreement with Westchester County for the providing a Positive Youth Development Program for 2021.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks
NAYS: None
ABSENT: None

17. Bid rejection for Rye Golf Club 2021 Fairway Drainage Project.

City Manager Usry explained the Golf Club bid out a project to replace fairway drainage on holes 7, 11, & 16 at the club. Only one bid was received, which had a concerning bid well

above the pre-bid estimate. He also believed prices may be inflated right now due to COVID's impact on the supply chain for the materials involved in this project. As such, staff has requested that the Council reject this bid.

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

RESOLVED that the City Council rejects the bid from Con-Tech Construction Technology for the Fairway Drainage project at Rye Golf Club.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks
NAYS: None
ABSENT: None

18. Consideration to change the Budget Workshop dates from November 16th and 22nd to Monday, November 8th and Monday, November 15th.

City Manager Usry explained that the Council may decide the timing of the workshops, but that the newly-proposed dates may work better. The Council approved the new dates for the Budget Workshops of November 8, and November 15, 2021.

19. Adjourn until November 3, 2020 the public hearing for consideration of a petition from The Miriam Osborn Memorial Home to amend the text of the City of Rye Zoning Code Association to create new use and development standards for "Senior Living Facilities" in the R-2 Zoning District.

Mayor Cohn stated this item will be adjourned until the November 3, 2021 meeting.

20. CONSENT AGENDA

Councilwoman Souza, seconded by Councilwoman Johnson and unanimously carried by the Council, made a motion to affirmatively approve the following agenda items:

- a. Consideration of a request by the Rye YMCA to use City streets for the 34th Annual Rye Derby on Sunday, April 24, 2022 from 7:00 a.m. to 10:30 a.m. As part of the request, the Rye YMCA would like to restrict parking on Purdy and Locust Streets for the same time period.
- b. Consideration of a request by the American Legion Post 128 to conduct its usual Veterans' Day observance on the Village Green on Thursday, November 11, 2021 from 10:30 a.m. to 11:15 a.m. In case of rain, the American Legion Post 128 requests the use of City Hall on that date and time.
- c. Consideration of a request from Longford's, to have a food truck on Elm Place in front of the store from November 2, 2021 - November 4, 2021 from 1:00 pm – 8:00 pm to accommodate interior repairs. The City Council will have to waive § 144-8D and G of the City Code.

- d. Consideration of a request by the Rye Free Reading Room to extend their approval for usage of the Village Green for select outdoor events through November 17, 2021. The previous end date was October 30, 2021.

21. Old Business/New Business.

There was nothing to report on this agenda item.

22. Adjournment

There being no further business to discuss, Councilman Mecca made a motion, seconded by Councilwoman Souza and unanimously carried, to adjourn the regular meeting of the City Council at 8:26 P.M.

Respectfully submitted,

Carolyn D'Andrea
City Clerk



CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: November 3, 2021

CONTACT: Greg Usry, City Manager

AGENDA ITEM:

Presentation of the proposed FY 2022 Budget by the City Manager.

FOR THE MEETING OF:

November 3, 2021

RECOMMENDATION: That the Council hear the presentation

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: This is an annual message.



CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: November 3, 2021

CONTACT: Greg Usry, City Manager

AGENDA ITEM:

Consideration to set a public hearing on the 2022 Budget for December 1, 2021.

FOR THE MEETING OF:

November 3, 2021

RECOMMENDATION: That the Council set the public hearing.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: This is an annual hearing.



CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: October 26, 2021

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Set the public hearing to adopt a Local Law to override the State enacted tax levy limitation, if necessary.

FOR THE MEETING OF:

November 3, 2021

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Mayor and the Council set a public hearing to adopt a Local Law to override the State enacted tax levy limitation.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: New York State enacted a 2% tax cap on June 24, 2011. A provision in the law allows a municipality to override this tax cap under certain provisions including:

- Local governments may override the tax levy limit only by first passing a local law that allows for the tax levy limit to be exceeded.
- This override vote requires a 60 percent vote of the total voting power of the governing body to pass.
- In a case where a weighted vote is used to pass the budget, the override will require a 60 percent weighted vote of the local government 's governing body.
- The override vote must precede the vote on adoption of the budget although both votes may occur on the same day.

See attached draft Local Law.

CITY OF RYE

LOCAL LAW NO. ____ FOR THE YEAR 2021

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C**

Be it enacted by the City Council of the City of Rye as follows:

Section 1. Legislative Intent: It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the City of Rye pursuant to General Municipal Law §3-c, and to allow the City of Rye to adopt a budget for the fiscal year beginning January 1, 2022 and ending December 31, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

The City Council finds that this local law would provide the City the flexibility it may need when it adopts the 2022 budget. Thus, the City Council of the City of Rye finds that it is in the best interests of the City to enact the local law.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the City Council to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the City Council.

Section 3. Tax Levy Limit Override: The City Council of the City of Rye, County of Westchester is hereby authorized to adopt a budget for the fiscal year 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon filing with the Secretary of State.



CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: September 22, 2021

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Continue the public hearing to create a new local law, Chapter 122, "Landscapers and Leaf Blower Regulations" requiring all landscapers to obtain an annual permit in order to operate as a landscaper and restrict the use of leaf blowers.

FOR THE MEETING OF:

November 3, 2021

RECOMMENDATION: That the Council continue the public hearing.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: See attached law and proposed changes.

Summary of Differences: Leaf Blowers/Landscapers

	Previous Law	Proposed Changes
Permit	Landscaping permit not required	<p>Landscapers must register ANNUALLY to operate within the City limits.</p> <ul style="list-style-type: none"> • Proof of a valid and current Westchester County Home Improvement License and insurance information required • Stated and signed agreement that leaf blower laws are understood and will be followed • Landscaper Registration Tag issued and must be visible in vehicle
Permissible Dates to Operate Leaf Blowers and Other Lawn Equipment	<p>October 1 and April 30</p> <p>Weekdays 8 am – 8 pm</p> <p>Weekends 10 am – 6 pm</p>	<p>October 1 and April 30</p> <p>Weekdays 8 am – 6 pm</p> <p>Weekends 10 am – 4 pm</p>
Storm Exemption	Rye Department of Public Works may permit the use of leaf blowers from May 1 to September 30 for a period of time not to exceed seven days after significant storm events or during other emergency situations circumstances.	Rye Department of Public Works may permit the use of leaf blowers from May 1 to September 30 for a period of time not to exceed fourteen days after significant storm events or during other emergency situations circumstances.
Leaf Blower Noise	Gas and Electric leaf blower 85 db(A)	<p>Gas and Electric leaf blowers 85 db(A)</p> <p>Effective January 2023, electric leaf blowers ONLY with maximum permitted intensity of 65 db(A)</p>
Penalties	Owner of the property OR the person performing such violation shall be notified to suspend all work and be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.	The party operating the leaf blower AND the party who employed the person to operate the leaf blower at the time of violation AND the party who owns the property where the violation occurs will be subject to a fine of \$250 for the first offense, a fine not to exceed the sum of \$350 for the second offense and revocation of the Landscaper's permit for the next 6 (six) months upon the third offense. Any Landscaper found operating without a permit or after the permit has been revoked, or a property owner on the third offense, shall be punished by a fine of up to \$1,500.

CITY OF RYE

LOCAL LAW NO. __ 2021

A local law to add a new Chapter 122 “Landscapers and Leaf Blower Regulations” of the Code of the City of Rye to set forth permit requirements for Landscaping Companies and to regulate the use of gas and electric powered leaf blowers as follows:

Section 1: Chapter 122, Landscapers and Leaf Blower Regulations

§ 122-1 Purpose.

The City Council finds that landscaping activities generate noise, disseminate dust particles and other airborne pollutants into the air and onto other nearby properties and that the use of leaf blowers specifically can increase environmental pollution. In addition, there are numerous landscaping companies providing services to properties in the City and the City Council finds that it is in the City’s interest to ensure that such companies are properly licensed and are aware of the applicable regulations in the City. It is the intent and purpose of this Chapter to preserve and improve air quality, decrease the high and low-frequency noise pollution and decrease carbon and non-carbon emissions and dust particulate. It is the policy of the City to regulate the use of all leaf blowers and minimize and mitigate the harmful impacts of their use.

§ 122-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

LANDSCAPER – Any person, corporation, partnership or business entity of any form who tends, plants, installs, maintains, or repairs lawns, or performs general yard maintenance work or leaf collection of any kind on real property which such person or business entity does not own or at which s/he does not reside. A Landscaper shall not include landscape designers or landscape architects.

LEAF BLOWER – a portable, handheld or backpack-style device powered by fuel or electricity and used for the purpose of blowing, moving, removing, dispersing, vacuuming or redistributing leaves, dust, dirt, grass clippings, cuttings, and trimmings from trees and shrubs or any other type of litter or debris.

§ 122-3 Registration required; requirements; fee; exemption

- A. No Landscaper shall operate or provide services within the City of Rye unless the Landscaper is registered annually pursuant to this Chapter.
- B. Registration requirements.
 - 1. All Landscapers shall submit a completed registration form provided by the City Clerk and pay a nonrefundable fee in an amount to be determined by the City Council.
 - 2. The registration form, at a minimum, shall state that the landscaper has read, understands and agrees to comply with the City’s leaf blower regulations and other relevant City laws and policies.

3. In addition, the Landscaper shall submit proof of a valid and current Westchester County Home Improvement License and such other insurance information that the City deems relevant.
- C. When the City Clerk determines that all requirements have been met, s/he shall issue a Landscaper Registration Tag, which must be placed on the rear view mirror of each vehicle the landscaper uses in the City. The Tag is not transferable.
- D. The Landscaper Registration Tag shall be valid from January 1 through December 31 each year, unless revoked.

§ 122-4 Use of Gas Powered Leaf Blowers Prohibited.

Effective January 2023, during the time that leaf blower use is permitted, only electric blowers shall be permitted. Gas powered leaf blowers are prohibited at all times.

§ 122-5 Maximum Sound Pressure [db(A)] and hours of operation of leaf blowers

- A. Effective January 2023, leaf blowers (electric only) shall have a maximum permitted intensity of 65 db(A). Effective immediately, all other lawn equipment, including, but not limited to, outdoor vacuum cleaners shall have a maximum permitted intensity of 85 db(A).
- B. Use of lawn equipment, including, but not limited to, leaf blowers and outdoor vacuum cleaners is permitted only between 8:00 a.m. and 6:00 p.m. weekdays and 10:00 a.m. and 4:00 p.m. on weekends and holiday. The permitted intensity and hours described in this subsection will apply to leaf blowers during months when the use of leaf blowers is permitted.
- C. The use of leaf blowers shall be prohibited between May 1 and September 30 every year.
- D. The head of the Rye Department of Public Works may permit the use of leaf blowers from May 1 to September 30 for a period of time not to exceed fourteen (14) days after significant storm events or during other emergency situations.
- E. Additional rules for any person operating a leaf blower between the dates of October 1 and April 30 are as follows:
 1. No leaf blower shall be operated simultaneously on the same lot with any other type of machine-powered lawn equipment.
 2. Two or more leaf blowers shall not be operated simultaneously except in R-1 Residence Districts as indicated on the City of Rye Zoning Map.

- F. This section shall not apply to the following entities and activities: municipal, schools, religious institutions, membership clubs, golf courses, hospital and retirement communities, cemeteries, and driveway/road paving and sealing activities, except that any leaf blower use shall be minimized to the maximum extent practicable in proximity to residences.
- G. Moving leaves or yard debris to City streets, public property, storm drains or abutting lots is prohibited at all times.

§ 122-6 Enforcement.

The provisions of this chapter shall be enforced by the City of Rye Police Department or the City of Rye Building Department.

§ 122-7 Penalties for offenses.

- A. The following parties shall have committed a violation of this laws if it is not complied with:
 - (1) The party operating the leaf blower; and
 - (2) The party who employed the person to operate the leaf blower at the time of violation; and
 - (3) The party who owns the property where the violation occurs.
- B. Any party violating any of the provisions of this chapter shall be guilty of a violation and, upon conviction thereof, shall be punished by a fine not to exceed the sum of \$250 for the first offense. A second offense shall be punishable by a fine not to exceed the sum of \$350 and a third offense shall result in the revocation of the Landscaper's permit for the next 6 (six) months, or, if you are the property owner, a fine not to exceed the sum of \$1,500. Any Landscaper found operating without a permit or after the permit has been revoked shall be punished by a fine of up to \$1,500.

Section 2. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

Section 3: Effective Date.

This local law will take effect on January 1, 2022.



CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: November 3, 2021

CONTACT: Greg Usry, City Manager

AGENDA ITEM:

Consideration of a resolution authorizing the City Manager and City Staff to make necessary accommodations to allow for the continuation of outdoor dining facilities on sidewalks.

FOR THE MEETING OF:

November 3, 2021

RECOMMENDATION: That the Council adopt the resolution.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND:

The original outdoor dining authorization expired on October 31st. See attached resolution.

**RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY STAFF TO MAKE
NECESSARY ACCOMMODATIONS TO ALLOW FOR THE CONTINUATION OF OUTDOOR
DINING FACILITIES ON SIDEWALKS**

WHEREAS, as the authorization to use Purchase Street and other streets and sidewalks within the Central Business District ended on October 31, 2021, the City would like to provide some flexibility for eating establishments to continue to provide outdoor dining facilities on sidewalks through the end of 2021.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council wishes to allow eating establishments to continue to use sidewalks through December 31, 2021; and

BE IT FURTHER RESOLVED, that the City Council authorizes the City Manager and City staff to take any necessary steps to to allow for outdoor dining facilities to continue to use sidewalks while maintaining sufficient emergency access and providing for pedestrian/cyclist safety; and

BE IT FURTHER RESOLVED, that all outdoor seating shall be in compliance with the normal and ordinary conditions that the Planning Commission and/or City staff typically require; and

BE IT FURTHER RESOLVED, that the City Council hereby waives any outdoor dining permit fees or other similar fees for the remainder of 2021 only; and

BE IT FURTHER RESOLVED, that this discretion and extension of time for outdoor dining shall only be for the remainder of 2021 and future applications shall be submitted to the Planning Commission.

Where there is conflict between this Resolution and any other law, this Resolution shall control.

This Resolution shall take effect immediately and shall be in effect until December 31, 2021.

On a motion by Councilperson _____, seconded by Councilperson _____, the foregoing Resolution was adopted on a vote of ____ ayes and ____ nays.



CITY COUNCIL AGENDA

DEPT.: CCity Manager

DATE: October 29, 2021

CONTACT: GGreg Usry, City Manager

AGNDA ITEM: Resolution to declare certain City equipment as surplus.

FOR THE MEETING OF:

November 3, 2021

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the City Council adopt the following resolution:

WHEREAS, the City has been provided with a list of City equipment identified as being obsolete or has become obsolete during 2022, and,

WHEREAS, the Fire Department recommended that said inventory be declared surplus, now, therefore, be it

RESOLVED, that said equipment is declared surplus, and, be it further

RESOLVED, that authorization is given to the City Comptroller to sell or dispose of said equipment in a manner that will serve in the best interests of the City.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other

BACKGROUND: The Fire Department has provided the attachedd list of inventory that has become obsolete. They are recommending the City Council declare the items as surplus so the items can be disposed of in accordance with City Policy.



Captain. John McDwyer
Fire Inspector

Rye Fire Department

15 Locust Avenue
Rye, NY 10580
Phone: (914) 967-4530
FAX: (914) 967-8761

TO: Greg Usry, City Manager
Mike Kopy, Public Safety Commissioner

FROM: Cpt. John McDwyer, Fire Inspector

SUBJECT: Storm Ida Surplus

DATE: October 29, 2021

INTERNAL MEMO

Attached please find the spreadsheet of damaged inventory that can no longer be used by the Fire Department. I respectfully request that the City Council declare these items surplus so that we may properly dispose of them.

Please reach out to me if you have any questions or concerns.

Cpt. John McDwyer
Fire Inspector

Inventory Surplus

Item #	Item Category	Name of Item	Quantity of Items	Serial Number of item	Cost per Unit	Cost	Product Web Link
1	Gear/Clothing	White dress gloves	7 dozen (4 dozen xl/ 3 dozen L	XI #87193. L87162	\$5.95 / pr	\$499.80	https://www.galls.com/george-glove-co-parade-gloves-with-sure-grip-pvc-palm-dots?PMOPV1=xL&PMSRCE=GAPLA&gclid=EAlaQobCnMlqIn-ah8wIvKhCh1Lzw8KEAQYASAEqL76ID_BwE
2	Electronics	DSR Pro Series Battery Charger	1	PSJ-4424		\$567.67	https://www.granger.com/product/DSR-PROSERIES-Portable-Power-Source-SURF0
				Alternate			https://www.granger.com/product/DSR-PROSERIES-Battery-Jump-Starter-417Y967opre-PDPDAM
3	Other	Thera-Band Exercise Ball	3	N/a	\$44.95 each	\$134.85	https://www.performbetter.com/Thera-Band-Pro-Series-SCP-Stability-Ball
4	Other	All-Pro contour weighted vests	2	N/a	\$114.95 each	\$229.90	https://www.healthycin.com/p-2653-all-pro-adjustable-weight-vest.aspx
5	Other	PERFECT weighted vest 40lb	1	31004		\$109.99	https://perfectfitness.implus.com/products/strength40lb-weight-vest
6	Other	LL Bean Backpack	1	N/a		\$59.95	https://www.llbean.com/llb/shop/8167?page=backpacks&cp=a&q=3102609_GOOGL&Matchtype=e&gclid=EAlaQobChMvXde6eh8wIvEY7ICh1pOgRIEAAAYASAAEgIKDPD_BwE&gclid=aw.ds
7	Other	Thruway Report Binder	1	N/a			
8	Electronics	Motorola radio chassis	1	Apz6500. Model# m25sss9pw1an s/n 527cur1051	\$4,176.00 Per Unit	\$4,176.00	https://www.motorolasolutions.com/en_us/products/two-way-radios/project-25-radios/mobile-radios/apx-6500-single-band-p25-mobile-radio-enhanced.html#tabproductinfo
9	Electronics	Motorola Radio Chassis	1	S/n 527cw0908. Mod# m25sss9pw1an	\$4,176.00 Per Unit	\$4,176.00	
10	Electronics	Motorola Radio Chassis xtl2500	1	S/n. 518chb0229 /mod m21ssm9pw1an	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	https://www.motorolasolutions.com/en_us/products/two-way-radios/project-25-radios/discontinued/xtl-2500.html#tabproductinfo
							https://used-radios.com/motorola-xtl2500-700-800mhz-mobile-radio-35w-dash-mount/?gclid=EAlaQobChMsiSVoPah8wIvId7ICh1Vtw4OEAOYBCABEqlaa_D_BwE
11	Electronics	Motorola radio chassis xtl 2500	1	Mod m21ssm9pw1an/ s/n 518cfz1034	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	
12	Electronics	Motorola radio chassis xtl2500	1	Mod m21ssm9pw1an / s/n 518chb0228	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	
13	Electronics	Motorola Radio Chassis	1	Mod m21ssm9pw1an / s/n 518cfz0809	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	
14	Electronics	Motorola Remote Mic	1	Model # hmn1090a	\$75.00 per unit	\$75.00	https://www.twowaydirect.com/motorola-hmn1090-standard-palm-remote-speaker-microphone-apx4000-series-apx6000-series-apx7000-series/
15	Electronics	Motorola remote Mic	1	Hmn1090d	\$75.00 per unit	\$75.00	
16	Electronics	Motorola portable trucked	1	407CJFC379	\$7,100.00 per Unit	\$7,100.00	
17	Electronics	Motorola Impres hand held battery	2	500001A38240, 5000025CC5D3	\$93.00 per unit	\$186.00	
18	Electronics	Motorola speakers	4	H5N4040A	\$76.00 per unit	\$304.00	
19	Electronics	Motorola charging station	1	7173mk001	\$472.00 per unit	\$472.00	
20	Electronics	Motorola radio power cable	1	HKN4192B	\$38.33 per unit	\$38.33	
21	Electronics	ExGO 56 volt blower	1	N/a	\$444.22	\$444.22	https://www.granger.com/product/EGO-Cordless-Blower-Kit-56LM10
22	Other	Battery Charger (Associated)	1	8400a. 002797	\$1,421.70	\$1,421.70	https://www.granger.com/product/ASSOCIATED-Battery-Charger-52NU31
23	Gear/Clothing	511 work shoe size 13	1 pair	ABR Trainer	\$82.49	\$82.49	
24	Gear/Clothing	511 ATAK 6" with side zip size 10	1 pair	ATAK	\$82.49	\$82.49	
25	Electronics	Motorola Impres 2	4	50000287E117, 5000025EE50B, 500002562C39, 500002248C96	\$193.00 per unit	\$772.00	
26	Electronics	Motorola Impres 7.5 v radio battery	3	500001A266B8, 500001A23AE9, unreadable	\$93.00 per unit	\$279.00	
27	Other	Staples copy paper	1 case		\$39.99	\$39.99	https://www.staplesadvantage.com/TRU-RED-8482--8-5-x-11-Copy-Paper-20-lbs--92-Brightness-500-Sheets-Ream--10-Reams-Carton--TR56958-/product_135848_135848
28	Other	Rubbermaid container (bin) 22 gal	1		\$20.17	\$20.17	https://www.granger.com/product/RUBBERMAID-Storage-Tote-60VZ207?internalSearchTerm=Storage+Tote%2C++Color+Dark+Indigo+Metallic%2C++Outside+Height+16+3%2F8+in%2C++Outside+Length+23+7%2F8+in&suggestConfigId=8&searchBar=true&op=THKS
29	Electronics	Box Fan	1	40101604	\$50.14	\$50.14	https://www.granger.com/product/AIR-KING-20-in-Box-Fan-4CH71
30	Other	Surgical mask	40 boxes, 50 masks per box	You ii bear	\$47.72 / box	\$1,908.80	https://www.granger.com/product/3M-Disposable-Respirator-495J12
31	Other	Dream Seat Recliners	3	XZ418301RHTBLK	\$999.00	\$2,997.00	https://www.dreamseat.com/product/relax-recliner/?gclid=EAlaQobChMlfzc4P_g8wIvJZ-zCh1F3g_REAAAYASAAEgJ8OID_BwE
32	Other	Desk (Dayroom)	1	N/a			
33	Other	Water Cooler (Crystal Mountain)	1	18063350346	\$333.05	\$333.05	https://www.granger.com/product/CRYSTAL-MOUNTAIN-POU-Free-Standing-Inline-Water-60JH78
34	Electronics	Fellowes paper shredder	1		\$156.55	\$156.55	https://www.granger.com/product/HSM-OF-AMERICA-Paper-Shredder-54JH99
35	Other	Orion Fire Bag	1	N/a	\$29.95	\$29.95	https://www.nationalfirefighter.com/orion-flare-fusee-storage-bag.aspx
36	Other	RIT rescue harness (class 2)	1	Unreadable		\$219.00	
37	Other	Gym Floor Matting	170 sq/ft	N/a			
38	Gear/Clothing	Cairns Helmet	1	00178725 mod# CRT-D	\$370.00	\$370.00	https://www.granger.com/product/CAIRNS-Black-Fire-Helmet-SRY45
39	Gear/Clothing	MTR Gear bags	2	N/a			

40	Electronics	Motorola APX6000 Mod# h98sdd9pw5bm	1	S/n 481cth1036	\$4,600.00 with Battery and Shoulder Mic		
41	Other	RIT Bailout Descender	1	N/a		\$414.00	
42	Other	Desk (Capt room)	1 of 2	X012869532 Mod/31-2442RWCW			
43	Other	Desk (Capt office)	2 of 2				
44	Electronics	DeWalt Impact driver 18volt with charger				\$228.14	https://www.grainger.com/product/DEWALT-Cordless-55CJ60
45	Other	Husky air tool set 1/2 inch set	1 box	N/a			
46	Other	DeWalt circular saw	1	226831		\$211.84	https://www.grainger.com/product/DEWALT-7-1-4-in-34RD41
47	Other	DeWalt angle grinder 4-1/2"	1	Mod# dwe402		\$574.94	https://www.grainger.com/product/DEWALT-Grinder-361CF6
48	Other	DeWalt cordless drill	1	Mod dc987		\$302.40	https://www.grainger.com/product/DEWALT-Drill-Kit-54DD12
49	Other	Zip Ties Commercial Electric	3000		\$14.10/ pack of 100	\$423.00	https://www.grainger.com/product/POWER-FIRST-Cable-Tie-35J162
50	Other	Grinding discs and attachments	13	DeWalt/ Diablo			https://www.grainger.com/content/general-catalog?pagelabel=2377&search=232452
51	Other	Screwdrivers Nut drivers	1	440A42	\$149.15	\$149.15	https://www.grainger.com/product/WIHA-TOOLS-Ratchet-Multi-Bit-Screwdriver-440A42
52	Other	Wretched and sockets	6 sets		\$297.62 each	\$1,785.72	https://www.grainger.com/product/WESTWARD-Socket-Wrench-Set-33HD78
53	Other	Wrenches (metric and standard)	3 sets		\$ 395.32 per set	\$1,185.96	https://www.grainger.com/product/SK-PROFESSIONAL-TOOLS-Combination-Wrench-Set-21A270
54	Other	Pliers , channel locks, adjustable wrenches	10+		\$119.79 per set	\$1,197.90	https://www.grainger.com/product/CHANNELLOCK-Steel-Plier-Set-3UWD3
55	Other	2 volt meters	2		\$167.43 per set	\$334.86	https://www.grainger.com/product/KLEIN-TOOLS-KLEIN-TOOLS-R-MM700-Series-522K85
56	Other	Terminals (box) VACO	1 box	Na		\$123.79	https://www.grainger.com/product/3M-Wire-Terminal-Kit-2FZJ9
57	Other	Drill bit sets	6 sets		\$172.57 per set	\$1,035.42	https://www.grainger.com/product/DEWALT-Jobber-Length-Drill-Set-45CZ02
58	Other	Husky work station/ cabinet	1				
59	Other	DeWalt bench grinder	1	DW758		\$197.59	https://www.grainger.com/product/DEWALT-Bench-Grinder-4PC40
60	Other	Husqvarna chain saw 22"	1	61		\$2,903.77	https://www.grainger.com/product/VENTMASTER-16-in-to-36-in-56EC17
61	Other	Hurst Rabbit Tool	1				
62	Electronics	Miscellaneous plugs	10				
63	Other	Milwaukee		6528 Sn 0077563464			
65	Other	Milwaukee chainsaw blades	2		\$30.16 per set	\$60.32	https://www.grainger.com/product/MILWAUKEE-Replacement-Chain-60UF65
66	Other	Mop heads	8		\$7 each	\$56.00	https://www.grainger.com/product/TOUGH-GUY-Quick-Change-1TY12
67	Other	Seagrave jump seat	1	Na			
68	Other	Seagrave jumpseat (? 192)	1	3b1640X11751			
69	Electronics	Motorola 12v power supply	1	E226001625			
70	Electronics	APC	1				
71	Electronics	Am/fm radio	1				
72	Electronics	APC power block	1				
74	Electronics	Fire ground radio	1	481cp2611	\$4,600.00 with Battery and Shoulder Mic	\$4,600.00	
75	Electronics	Fire ground radio	1	481cth1034	\$4,600.00 with Battery and Shoulder Mic	\$4,600.00	
76	Electronics	Fire ground radio	1	481csf1064	\$4,600.00 with Battery and Shoulder Mic	\$4,600.00	
77	Electronics	Survivor light	2	Missing item			
78	Gear/Clothing	Boots	13 pairs	N/a	\$475.00	\$6,175.00	
79	Gear/Clothing	Turnout Coats	2	N/a	\$1,938.00	\$3,876.00	
80	Gear/Clothing	Turnout Pants	2	N/a	\$1,555.00	\$3,100.00	
81	Gear/Clothing	Gloves (structure firefighting gloves)	4 pairs	N/a	\$71.00	\$284.00	
82	Other	SuperVac Positive pressure Fan	1	71864-H		\$3,051.00	https://www.thefirststore.com/store/product.aspx?productid=12252/selectedVariationId/31287/Super-Vac-PPV-Gas-Power-Ventilator?utm_source=googlebase&utm_campaign=googlebase&utm_content=31287&qclid=EAlaQobChM8aDnt5vwwRwV/CabiCh3RZwnFAQYAvABEgLIUD_RwE
83	Other	RYL I Pressure Washer	1			\$138.00	https://www.grainger.com/product/WESTWARD-Pressure-Washer-49C153
84	Other	Ryobi 6500w Generator	1	DN18446D012288 / Ry9065005		\$918.51	https://www.grainger.com/product/GENERAC-Portable-Generator-493T11
85	Other	Husqvarna 365 20" Chainsaw	1	N/a		\$581.17	https://www.grainger.com/product/ECHO-20-in-52WN51
86	Other	Ridged Wet/Drv Vac HD16000 16 Gal	1	19254R124310		\$163.72	https://www.grainger.com/product/DAYTON-Shop-Vacuum-3VE21
87	Other	3M particulate respirators (n95)	8 boxes of 50		\$44.97 per box	\$359.76	https://www.grainger.com/product/3M-Disposable-Respirator-6KXU0
88	Electronics	Fire ground radio	1	481csf1061	\$4,600.00 with Battery and Shoulder Mic	\$4,600.00	
89	Gear/Clothing	Barrier Hoods	3	N/a	\$99.00	\$297.00	
90	Gear/Clothing	High Visibility Vest	1	N/a	\$49.00	\$49.00	
89	Other	Hammers, Level	15				tools/levels-accessories/box-beam-torpedo-levels?lv_optin=true&searchQuery=levels&searchBar=true

Inventory Surplus

Item #	Item Category	Name of Item	Quantity of Items	Serial Number of item	Cost per Unit	Cost	Product Web Link
1	Electronics	DSR Pro Series Battery Charger	1	PSJ-4424		\$567.67	https://www.granger.com/product/DSR-PROSERIES-Portable-Power-Source-SURF0
				Alternate			https://www.granger.com/product/DSR-PROSERIES-Battery-Jump-Starter-417Y967oprePDPDM
2	Electronics	Motorola radio chassis	1	Apz6500_ Model# m25sss9pw1an s/n 527cur1051	\$4,176.00 Per Unit	\$4,176.00	https://www.motorolasolutions.com/en_us/products/two-way-radios/project-25-radios/mobile-radios/apx-6500-single-band-p25-mobile-radio-enhanced.html#tabproductinfo
3	Electronics	Motorola Radio Chassis	1	S/n 527cud0908. Mod# m25sss9pw1an	\$4,176.00 Per Unit	\$4,176.00	
4	Electronics	Motorola Radio Chassis xtl2500	1	S/n. 518chb0229/mod m21ssm9pw1an	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	https://www.motorolasolutions.com/en_us/products/two-way-radios/project-25-radios/discontinued/xtl-2500.html#tabproductinfo
							https://used-radios.com/motorola-xtl2500-700-800mhz-mobile-radio-35w-dash-mount/?cid=EAlaCobChMleSVoPah8wVid7lCh1Vtw4QEAOY8CABEqLga_D_BwE
5	Electronics	Motorola radio chassis xdl 2500	1	Mod m21ssm9pw1an/ s/n 518cfz1034	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	
6	Electronics	Motorola radio chassis xtl2500	1	Mod m21ssm9pw1an / s/n 518chb0228	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	
7	Electronics	Motorola Radio Chassis	1	Mod m21ssm9pw1an / s/n 518cfz0809	\$4,176.00 per unit APX6500. XTL2500 is no longer made	\$4,176.00	
8	Electronics	Motorola Remote Mic	1	Model # hmn1090a	\$75.00 per unit	\$75.00	https://www.twowaydirect.com/motorola-hmn1090-standard-palm-remote-speaker-microphone-apx4000-series-apx6000-series-apx7000-series/
15	Electronics	Motorola remote Mic	1	Hmn1090d	\$75.00 per unit	\$75.00	
16	Electronics	Motorola portable trucked	1	407CJFC379	\$7,100.00 per Unit	\$7,100.00	
17	Electronics	Motorola Impres hand held battery	2	500001A38240, 5000025CC5D3	\$93.00 per unit	\$186.00	
18	Electronics	Motorola speakers	4	HSN4040A	\$76.00 per unit	\$304.00	
19	Electronics	Motorola charging station	1	7173mk001	\$472.00 per unit	\$472.00	
20	Electronics	Motorola radio power cable	1	HKN4192B	\$38.33 per unit	\$38.33	
21	Electronics	EzGO 56 volt blower	1	N/a	\$444.22	\$444.22	https://www.granger.com/product/EGO-Cordless-Blower-Kit-56LM10
22	Other	Battery Charger (Associated)	1	8400a_ 002797	\$1,421.70	\$1,421.70	https://www.granger.com/product/ASSOCIATED-Battery-Charger-52NU31
23	Gear/Clothing	511 work shoe size 13	1 pair	ABR Trainer	\$82.49	\$82.49	
24	Gear/Clothing	511 ATAK 6" with side zip size 10	1 pair	ATAK	\$82.49	\$82.49	
25	Electronics	Motorola Impres 2	4	50000287E117, 5000025EE50B, 500002562C39, 500002248C96	\$193.00 per unit	\$772.00	
26	Electronics	Motorola Impres 7.5 v radio battery	3	500001A266B8, 500001A23AE9, unreadable	\$93.00 per unit	\$279.00	
27	Other	Staples copy paper	1 case		\$39.99	\$39.99	https://www.staplesadvantage.com/TRU-RED-8482-8-5-x-11-Copy-Paper-20-lbs--92-Brightness-500-Sheets-Ream--10-Reams-Carton--TR56958-/product_135848_135848
29	Electronics	Box Fan	1	40101604	\$50.14	\$50.14	https://www.granger.com/product/AIR-KING-20-In-Box-Fan-4CH71
30	Other	Surgical mask	40 boxes, 50 masks per box	You ji bear	\$47.72 / box	\$1,908.80	https://www.granger.com/product/3M-Disposable-Respirator-495J12
31	Other	Dream Seat Recliners	3	XZ418301RHTBLK	\$999.00	\$2,997.00	https://www.dreamseat.com/product/relax-recliner/?cid=EAlaCobChMlfcz4P_q8wlvjZ_zCh1F3q_REAAYASAAEqJ8OID_BwE
32	Other	Desk (Dayroom)	1	N/a			
34	Electronics	Fellowes paper shredder	1		\$156.55	\$156.55	https://www.granger.com/product/HSM-OF-AMERICA-Paper-Shredder-54JH99
35	Other	Orion Fire Bag	1	N/a		\$29.95	https://www.nationalfirefighter.com/orion-flare-/fusee-storage-bag.aspx
36	Other	RIT rescue harness (class 2)	1	Unreadable		\$219.00	
38	Gear/Clothing	Caims Helmet	1	00178725 mod# CRT-D	\$370.00	\$370.00	https://www.granger.com/product/CAIRNS-Black-Fire-Helmet-8RY45
39	Gear/Clothing	MTR Gear bags	2	N/a			

40	Electronics	Motorola APX6000 Mod# h98sdd9pw5bm	1	S/n 481cth1036		\$4,600.00	
44	Electronics	DeWalt Impact driver 18volt with charger				\$228.14	https://www.grainger.com/product/DEWALT-Cordless-55CJ60
45	Other	Husky air tool set 1/2 inch set	1 box	N/a			
46	Other	DeWalt circular saw	1	226831		\$211.84	https://www.grainger.com/product/DEWALT-7-1-4-in-34RD41
47	Other	DeWalt angle grinder 4-1/2"	1	Mod# dwe402		\$574.94	https://www.grainger.com/product/DEWALT-Grinder-361CF6
48	Other	DeWalt cordless drill	1	Mod dc987		\$302.40	https://www.grainger.com/product/DEWALT-Drill-Kit-54DD12
49	Other	Zip Ties Commercial Electric	3000		\$14.10/ pack of 100	\$423.00	https://www.grainger.com/product/POWER-FIRST-Cable-Tie-36J162
55	Other	2 volt meters	2		\$167.43 per set	\$334.86	https://www.grainger.com/product/KLEIN-TOOLS-KLEIN-TOOLS-R-MM700-Series-52ZK85
57	Other	Drill bit sets	6 sets		\$172.57 per set	\$1,035.42	https://www.grainger.com/product/DEWALT-Jobber-Length-Drill-Set-45C202
58	Other	Husky work station/ cabinet	1				
59	Other	DeWalt bench grinder	1	DW758		\$197.59	https://www.grainger.com/product/DEWALT-Bench-Grinder-4PC40
60	Other	Husqvarna chain saw 22"	1	61		\$2,903.77	https://www.grainger.com/product/VENTMASTER-16-in-to-36-in-56EC17
61	Other	Hurst Rabbit Tool	1				
62	Electronics	Miscellaneous plugs	10				
63	Other	Milwaukee		6528, Sn 0077563464			
65	Other	Milwaukee chainsaw blades	2		\$30.16 per set	\$60.32	https://www.grainger.com/product/MILWAUKEE-Replacement-Chain-60UF65
66	Other	Mop heads	8		\$7 each	\$56.00	https://www.grainger.com/product/TOUGH-GUY-Quick-Change-1TYT2
67	Other	Seagrave jump seat	1	Na			
68	Other	Seagrave jumpseat (? 192)	1	3b1640X11751			
71	Electronics	Am/fm radio	1				
72	Electronics	APC power block	1				
78	Gear/Clothing	Boots	13 pairs	N/a	\$475.00	\$6,175.00	
79	Gear/Clothing	Turnout Coats	2	N/a	\$1,938.00	\$3,876.00	
80	Gear/Clothing	Turnout Pants	2	N/a	\$1,555.00	\$3,100.00	
81	Gear/Clothing	Gloves (structure firefighting gloves)	4 pairs	N/a	\$71.00	\$284.00	
82	Other	SuperVac Positive pressure Fan	1	71864-H		\$3,051.00	https://www.thefirestore.com/store/product.aspx/productId/12252/selectedVariationId/31287/Super-Vac-PPV-Gas-Power-Ventilator?utm_source=googlebase&utm_campaign=googlebase&utm_content=31287&qclid=EAlaQobChM8aDnt5vwbwVCabICh3RZwg_EAQYAYABEgLUUID_BwE
83	Other	RYL I Pressure Washer	1			\$138.00	https://www.grainger.com/product/WESTWARD-Pressure-Washer-49C153
84	Other	Ryobi 8500w Generator	1	DN18446D012288 / Ry9065005		\$918.51	https://www.grainger.com/product/GENERAC-Portable-Generator-493T11
85	Other	Husqvarna 365 20" Chainsaw	1	N/a		\$581.17	https://www.grainger.com/product/ECHO-20-in-52WN51
86	Other	Ridged Wet/Dry Vac HD16000 16 Gal	1	19254R124310		\$163.72	https://www.grainger.com/product/DAYTON-Shop-Vacuum-3VE21
87	Other	3M particulate respirators (n95)	8 boxes of 50		\$44.97 per box	\$359.76	https://www.grainger.com/product/3M-Disposable-Respirator-6KXU0
89	Gear/Clothing	Barrier Hoods	3	N/a	\$99.00	\$297.00	
90	Gear/Clothing	High Visibility Vest	1	N/a	\$49.00	\$49.00	



CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: October 20, 2021

CONTACT: Greg Usry, City Manager

AGENDA ITEM: Adjourn until November 17, 2021 the public hearing for consideration of a petition from The Miriam Osborn Memorial Home to amend the text of the City of Rye Zoning Code Association to create new use and development standards for "Senior Living Facilities" in the R-2 Zoning District.

FOR THE MEETING OF
November 3, 2021

RECOMMENDATION: That the City Council adjourn the public hearing.

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND:

The City Council has received a petition from Miriam Osborn Memorial Home Association ("The Osborn") to amend Chapter 197, *Zoning*, of the City Code to allow "Senior Living Facilities" ("SLF") in the City's R-2, *Single-Family Residence*, District. The petition submitted by The Osborn seeks to amend the text of the City Zoning Code to allow SLF in the City's R-2 District. The proposed amendment would allow SLF as a new permitted use in the R-2 Residence District on those properties with 50 or more contiguous acres. The proposed amendment also includes new restrictions and requirements regarding maximum floor area, building setbacks, lot coverage and other development standards.

As currently proposed, the amendment would only apply to property currently owned by The Osborn. This property is the only property currently located in the R-2 District that meets the proposed 50-acre minimum lot area requirement. Currently, The Osborn is regulated outside of the City Zoning Code by way of a Declaration of Covenants and Restrictions, dated October 15, 1993.

The proposed amendment would regulate land use at The Osborn to include new standards that would allow The Osborn to make improvements to its campus that the current Covenants and Restrictions do not allow.

The latest submission (February 19, 2021), which includes findings from a traffic and sewer evaluation is attached. For prior submissions and other related information, please visit: [Osborn Zoning](#) on our website.