

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

**REGULAR MEETING OF THE CITY COUNCIL  
COUNCIL CHAMBERS, CITY HALL  
Wednesday, September 14, 2022  
6:30 p.m.**

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.

*Please note: The Council will convene at 5:30 p.m. and it is expected they will adjourn into a Executive Session at 5:31 p.m. to discuss pending litigation, personnel matters and pending contracts.*

1. Pledge of Allegiance
2. Roll Call.
3. Draft unapproved minutes of the Regular Meeting of the City Council held August 10, 2022.
4. Flooding Update.
5. Bedrock Presentation
6. Presentation by Public Safety Commissioner, Mike Kopy, with an Emergency Preparedness and Response update 1-year post Ida.
7. Consideration of Boat Basin dredging matters.
8. Continue the public hearing to create a new local law, Chapter 122, "Landscapers and Leaf Blower Regulations".
9. Residents may be heard on matters for Council consideration that do not appear on the agenda.
10. Authorization for City Manager to enter into an Inter-municipal Agreement with Westchester County to provide a Positive Youth Development Program for 2022 (Rye Youth Council).
11. Consideration of a 4-month extension of the moratorium in the City of Rye temporarily limiting the approval of any new mechanical rock removal, drilling or boring application

to fifteen (15) calendar days and prohibiting the review, processing or approval of any blasting applications for the duration of this moratorium.

12. Resolution expressing the City's support for Rye Sustainability Committee's (RSC) campaign seeking to earn credit for the Community Campaigns High-Impact Action under NYSERDA's Clean Energy Communities Program, specifically Electric Vehicles.
13. Resolution to accept 13 Smart TV's, valued at \$32,500 from RCDS for use by the City in various City buildings.  
Roll Call

#### CONSENT AGENDA

14. Consideration of a request by the Rye YMCA to use City streets for the 35th Annual Rye Derby on Sunday, April 30, 2023 from 7:00 a.m. to 10:30 a.m.
15. Consideration of a request from the Rye Chamber of Commerce for use of Purchase Street from the Village Green to Purdy on Sunday, November 27, 2022 for the Mistletoe Magic event.
16. Consideration of a request by the Sole Ryeders & Friends and the Rye High School Breast Cancer Awareness Club to have a TieTheTownPink breast cancer awareness campaign in the City of Rye during the month of October, 2022.
17. Appointments to Boards and Commissions by the Mayor with Council approval.
18. Old Business/New Business.
19. Adjournment

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The next regular meeting of the City Council will be held on Wednesday, October 12, 2022 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](http://www.ryeny.gov) under "RyeTV Live".

***DRAFT UNAPPROVED MINUTES*** of the  
Regular Meeting of the City Council of the City of  
Rye held in City Hall on August 10, 2022, at 6:30  
P.M.

PRESENT:

JOSH COHN, Mayor  
BILL HENDERSON  
EMILY HURD  
JOSHUA NATHAN  
JULIE SOUZA  
BENJAMIN STACKS  
Councilmembers

ABSENT:

CAROLINA JOHNSON, Councilmember

The Council convened at 5:30 P.M. by videoconference pursuant to the NYS Legislature waiving requirements of the Open Meetings Law. Councilman Henderson made a motion, seconded by Councilman Stacks, to adjourn into executive session to discuss litigation and personnel matters. The Council reconvened in a public videoconference at 6:30 P.M. The meeting was streamed live at [www.ryeny.gov](http://www.ryeny.gov) for public viewing.

1. Roll Call.

The City Clerk called the roll and there was a quorum.

2. Draft unapproved minutes of the Regular Meeting of the City Council held July 13, 2022.

The City Clerk confirmed there were non-substantive changes contributed by Mayor Cohn and Councilman Henderson to the unapproved meeting minutes. Councilmember Henderson made a motion, seconded by Councilman Stacks, to draft the unapproved minutes of the Regular Meeting of the City Council held July 13, 2022.

3. Rose/Bedrock presentation.

Mayor Cohn stated that City Council will hear the new Rose/Bedrock presentation after it is presented in Port Chester.

4. Flooding Update.

City Manager Greg Usry informed the Council that the contract with DCMC had been executed and DCMC should be ready to present in September after an initial review of Rye's flood mitigation program and Ramboll's work. City staff met with Ramboll as they continue to advance the Council's follow-up requests; they will also present in September. The comments from SUNY regarding the berms will be incorporated in the Ramboll design. Mr. Usry spoke with DEC staff

regarding the status of the Blind Brook Study, and SLR has produced a preliminary report sent to DEC and state DOT for review; it should be back before the Council in September.

5. Presentation of the six-month financial results from Comptroller Joe Fazzino.

Comptroller Joe Fazzino presented six-month financial results with comparisons for the same period in 2021. 2022 General Fund revenues are up \$1.5 million or 4.7% higher than 2021. Property tax revenues substantiated the largest increase in revenue at \$806,000. The conservative budget for 2022 sales tax proved accurate at \$3.8 million. Mortgage tax is up \$199,000, up 21.7% from 2021. Higher interest rates for property owners may affect the numbers going forward. Non-property taxes increased 16% at \$45,000, with increases in hotel occupancy taxes of \$18,000 and utility taxes of \$29,000.

Charges for services include increased fees for recreation, land use, camp, parking fees and vital records, totaling \$256,000, up 27% from '21, led by day camp fees. License and permit revenues are up \$82,000 which is attributed to filming permits and building permits. Other income that increased by \$107,000 in 2022 includes inter-government charges, use of money and property, other than interest income, donations, inter-fund revenues, sales and loss compensation, state aid, and federal aid, led by Police overtime reimbursement of \$66,000.

Current expenditures for 2022 are \$820,000 which is up 4.9% from 2021. Overall salaries and wages increased by \$457,000 or 6%, mostly a result of 4 vacant positions being filled in 2022. Employee benefits increased by \$288,000, led by employee health insurance of \$177,000, retire health insurance of \$176,000 and FICA expenses went up by \$34,000. The worker's Compensation experience rating is under 1%, which allowed the number to drop about \$115,000. Materials and supplies increased by \$56,000 or 6.2% from 2021 to 2022. Overall contractual costs were up \$159,000, up 3.9% from last year.

Councilman Stacks asked Mr. Fazzino if numbers are tracked in comparison to the budget, and if total revenues and expenses will be roughly the same percentages or levels as in the past. Mr. Fazzino said the budget was tracking in the right direction. Councilwoman Souza asked about adding a column to show percent of budget, and Mr. Fazzino confirmed the information is ready to go and easy to add. Mr. Usry stated that the percentages of budget were not included because their cyclical or linear nature could cause confusion.

6. Consideration of a resolution to modify various City permit fees and charges.

City Manager Usry reminded Council members that in 2018-19 the City staff and Council reexamined all fees and permit expenses in Rye, and some no longer reflected the cost of service. The City decided to regularly review fees and permit expenses to reflect cost of service or need for modification. A list of proposed fee changes was provided to the Council. The increase in MTA commuter parking lot fees will be subject to MTA board action.

Mayor Cohn noted the MTA permit proposal fee was actually a sequence of 3% and 2% fee increases and asked how many years the request covered. Mr. Usry responded that ideally it would be a three to five year program of periodic increases of 2-3%, all of which would be subject

to Council action. City Clerk Carolyn D'Andrea confirmed for Councilman Henderson that despite the pandemic, there was no shortage of demand for commuter parking permits. Five hundred people still remain on the wait list.

Councilwoman Hurd commented on the fees attempting to reconcile the increased cost-of-service to the City. Mr. Usry reiterated that City staff will consider the cost of services and bring them to the Council on an annual basis. Mr. Usry confirmed for Mayor Cohn that the list presented included the most significant requests for zoning text amendments. Mr. Usry explained to Councilman Henderson that four years ago MTA denied the City's request for residents and non-residents to pay different commuter parking fees.

Councilman Souza made the motion, seconded by Councilman Hurd, to adopt the changes to the 2023 Fees and Charges schedule.

**ROLL CALL**

Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Nathan, Souza, Stacks  
Nays: None  
Absent: Councilwoman Johnson

**7. CapEx Update.**

City Manager Usry introduced the annual capital improvement plan, presented in compliance with a charter requirement for City Council to review the plan 90 days before the budget. All of the information is now available on the City website. The information will pertain to the General Fund only. Per the mayor's request, the city manager said the large book of prior capital improvement projects was still available and in the process of refinement.

Superintendent of Public Works Ryan Coyne gave an overview of the plans previously prioritized by the Council. DPW Building 5 is 60% designed and is on an upcoming agenda with BAR. Neighbors have been consulted and minor adjustments were made regarding the south-facing building façade. The project should be up for Council approval and bid award in the fall of '22 with construction starting in spring '23 and lasting 18-24 months.

The DPW Building 7 is a reconstruction of the left portion of the old salt shed. The project is ready to start but there have been lead-time delays for the trusses. The DPW salt shed was referred to the Planning Commission last month and suggested modifications will be addressed and reviewed again in September. City staff will return to the Council in fall or winter for LWRP/SEQR and bid award, and construction should start next spring.

DPW fuel tanks are in design, on contract, and not a public bid requirement. The Forest Avenue sidewalk project is mostly funded by a DOT grant. The sidewalk project will be back to the Council in the near future for SEQRA and review of preliminary design, then submitted to DOT for a rigorous review process. The bid and build timeframe is likely spring 2023. Councilwoman Souza asked if the plan still included walkways crossing over Forest Ave. Mr. Coyne replied that while it was not set in stone, the basic design was a sidewalk on the west side

of Forest crossing to the east side around Hook Road or Fieldstone, and there would likely be a crossing at an intersection.

The construction documents for the City Hall HVAC are nearly completed and have been submitted to BAR and Landmarks Committee to review for the exterior condensing units. By September, the project will be ready for bid award by the Council and construction should begin in the winter.

The Milton Channel and Boat Basin dredging project will be open to bids at the end of August for an anticipated Council award at the September meeting. The short window to dredge is October 1 to December 31. Councilman Henderson asked if the City was confident the bids would match the expected \$1.5 million. Mr. Coyne responded that the cost estimates were regionally appropriate according to consultants. Mr. Usry added that the estimated cost from the consultants was about \$60/cubic yard and there is a 20% contingency baked into the numbers.

Improvement plans to the police station and the court are 90% underway. It was decided that a trailer will be used to temporarily house court proceedings during construction. The improvements should be back before the Council by summer 2023.

Councilman Henderson commented that the CCAC expressed concerns about the location of the salt shed and asked if the Planning Commission was still working through it. Mr. Coyne responded that City staff was working with consultants to address substantial comments which may or may not change the location of the building. The issue should be revisited by CCAC in September and the City expects an approval.

City Manager Usry highlighted the comprehensive list of all project expenses, including street resurfacing and stormwater system improvements, line items not historically in the CIP. The total for all priority capital programs is \$44 million, of which \$10 million is dedicated to public works projects. Cost estimates for the Forest Ave sidewalks and police/court facilities are outdated and will change considerably.

The sources of funds secured by this, and prior City Councils are quite significant. In February, the City bonded for the maximum authorized amount and the money is in-hand. The Ramboll expense will count against the reserve. Federal monies for the Recovery Act were received for '22 and '23. Importantly, a second grant was requested for the water quality improvement program (WQIP), and it has the potential to make or break the capital program going into the second half of the year. Tremendous work was put into the grant and the City expected it to be approved. However, if the grant is not approved the City will need to reprioritize because the sewer work is a court-mandated obligation to be completed before the end of 2024. Councilman Henderson reminded the Council that flood prevention projects were not included in this plan.

Mr. Usry explained that state funds had expanded to include state touring routes and the City of Rye will receive \$1.1 million a year to offset the cost of maintaining Boston Post Road and other roads in the community. The City collects \$600,000 in the tax rate that is dedicated to roads, and there are street opening surcharges that generate about \$100,000 annually. The three

projection of total CapEx revenue is \$42.2 million. Budget surpluses and the aggressive pursuit of grant opportunities are not reflected in the numbers. Another impact on the capital budget could be the state-wide environmental bond referendum coming to ballot in November to provide significant monies to localities for storm water and sanitary sewer improvements.

Councilwoman Souza asked how the WQIP grant has historically been awarded, and Mr. Usry replied that last time the City of Rye received 100% of requested funds. The current application is similar; significant engineering information was provided for the court-mandated, shovel-ready projects. Mayor Cohn encouraged everyone to vote on the matter in November.

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

Mayor Cohn prefaced any public discussion of trapshooting with the comment that the City Council has been active in trying to promote discussion between Westchester Country Club and its neighbors, and thus far there have been no results.

Edward Lamanna, 232 Central Avenue, stated that Gagliardo Park is in desperate need of a remodel. The increase in home values on Central should provide the tax money to fix up the park. The playground is not fun or safe and therefore not used by children, though teenagers looking for a place to drink seem to enjoy its deserted condition. Mr. Lamanna noted the lack of a slide. Families tend to drive to Rye Rec Park but driving presents its own inconveniences, and they would much prefer a short walk to the park where their children can play safely on updated equipment.

Bob Zahm, 7 Ridgewood Drive, said there was a nice communication done recently of the road planned for re-pavement in the summer of '22 by the City. He asked where it could be found or if it could include the roads that should be repaved because of either excessive utility work that lacks curb-to-curb repaving, as well as county-planned paving this calendar year. The mayor stated that the county intends to repave Midland Ave from Playland Parkway to Portchester, but he was not aware of any other county project. Mr. Usry added that the City's resurfacing program is scheduled to start around August 15th and wrap up shortly after Labor Day, and he is still waiting to hear from the County on the Midland schedule. Mr. Usry said he would reach out to ConEd and Suez for their updated schedule.

Julia Karinsky, 66 Milton Road, asked where she could get information about the new antennas being added to the residential buildings in Rye, to address her concerns about potential health effects of antennas. Mayor Cohn explained to Ms. Karinsky that the City Council was precluded from discussing or distributing information about possible health and safety effects associated with radiofrequency transmission. Corporation Counsel Kristen Wilson informed Ms. Karinsky that the item would be discussed by the Council and public further down the agenda.

Bob Friedman, 68 Island Drive, commented on the Westchester Country Club trapshooting plan. He hears constant gunshot noise for six hours every Sunday. There are two homes less than 500 feet from the trapshooting site which is a clear violation of New York State's Environmental Conservation Law prohibiting the discharge of firearms within 500 feet of any dwelling. The

Club's only response to 150 neighbors' objections to relentless gunshot noise is that trapshooting took place at its beach club over 30 years ago and no one complained. He and his neighbors are also concerned about the adverse impact on the birds and other wildlife that flourish in the area, but he maintained the club is not concerned at all. Trapshooting is not permitted in the zone it is located within, which is a wetland/watercourse and will require a permit from the Planning Commission.

Bob Flower, 127 Warwick Road, Bronxville, NY, Chairman of the Westchester Trap Club, stated that trapshooting had occurred for 71 years at the location in discussion without incident of injury to neighbor, participant, or waterfowl. He believes the neighbors' concerns about sound are unfounded. A package was presented to the Council showing scientific studies relative to decibel ratings. Rock concerts played at the beach club and a shotgun blast have similar ratings of around 150 decibels, and the club does not receive complaints about frequent concerts. He maintained that a shotgun blast sound decreases to 73 decibels across 441 feet, which is distance of the closest house to the club. If the sound proves too bothersome the Club will pay for and build a sound retention wall to decrease another 30 decibels.

Robert Gottlieb, 62 Island Drive, resident of Rye for over 40 years, has concerns about the sound of gunshots in her very quiet neighborhood, which is very different than music. Due to the increase in gun violence in this country it has become an increasingly frightening and upsetting sound to kids and adults alike. She hopes the Council will consider how the sound of gunfire will dispel the feelings of peace, safety, and security in her home and while walking around the island.

Adam Tuckman, 8 Island Drive, also represents his three sons, and they are vehemently opposed to trapshooting, and he echoed the concerns raised by Mr. Friedman and other neighbors. One of his sons was upset to tears about the possibility of being hit by errant bullets. An unidentified woman with Mr. Tutman stated that they could not change the reality that children are facing about gun violence. She does not see a valid comparison between music and gunshots. As good neighbors they have tried to ignore the music and go to sleep, but it is not the same thing as gunshots all day on a Sunday while trying to enjoy their back yards.

Richard Bott, 34 Island Drive, a long term resident of Manursing Island, is also against trapshooting in its current location. It is a bad idea meant to benefit a few people while disrespecting the rest of the residents. He encouraged the Council to figure out what regulation should be put in place so things like this cannot slip through without considering neighbors.

Gavin Molinelli, resident of Manursing Island, has three young sons and a daughter on the way, and he is concerned about trapshooting at Westchester. The Westchester beach club area and the public beach are connected with no barriers or signage. He estimates there are 25 children under the age of 10 living in the area around the trapshooting, and they love to use the beach year-round. Those children are not safe on the beach while there are guns being fired by people who likely have consumed alcohol. Other skeet shooting venues in the region are not placed so close to homes, and Mr. Molinelli thought it would be a real travesty to allow this to happen in Rye.

Marty Bradt, 164 Kirby Lane, lives directly behind Westchester Beach Club on a pond, and while she and her husband enjoy trapshooting, they do so upstate in a designated area far from



people and wildlife. She appreciates the discussion about decibel levels, but said that Rye would never allow fireworks at 150 decibels for six hours ever, much less every Sunday for four months. She empathizes with the scared children in the area and said the City and police department would not have done this if they had considered all the ramifications.

Dr. Flower commented again regarding ballistics and safety. The bird shot used at Westchester, 12-gauge #7, has an effective injury range of just 65 yards according to one of the many studies included in the packet submitted to the City, and at 100 yards there is no risk of injury. The nearest house is 441 feet which is well past the effective injury range of the bird shot. He discouraged the Council from ignoring 71 years of Olympic shooting without incident, and he contended safety analysis technology was better now than it ever has been. Westchester takes its trapshooting program seriously and has certified range officers approved by the American Trap Association and the NRA. He suggested a meeting with Westchester and neighbors to discuss ways of circumventing the anticipated problems.

Bob Friedman, in response to Dr. Flowers' assertion that the closest home was over 441 feet away from the trap shoot range, maintained that violated New York State environmental conservation law that prohibits the discharge of firearms within 500 feet of any dwelling. He attempted to reach out to the president of the country club countless times and received only one returned phone call wherein he was told "do what you have to do" without further discussion. He felt the solution was to put the trap shoot range at Westchester's 600-acre Harrison property.

Carrie Andrews, 20 Hunter Place, Hudson, NY, Saw Mill River Audubon board member and an active birder, comes to marshlands to frequently. The concerns about the effects on the Edith Reed Sanctuary are tremendous, as it is an important bird area designated by National Audubon. The sound of skeet shooting would be deafening and injurious to birds in the winter, which is when the club will be most active. Thousands of birds spend their winters in this special sanctuary. As far as decibels, a shotgun boom is a shotgun boom, and it is very threatening to birds who will abandon their nests and the sanctuary. The metals in the discharged shot could be damaging to fish and water in the area.

9. 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.

Mayor Cohn stated there was a document missing from the meeting package, which was a request for City Council to hear comment on a proposal to allow electric leaf blowers to be used throughout the year, and to limit gas leaf blowers to spring and fall clean-up periods to be defined. The mayor said the new idea could be discussed now or at a future meeting to allow time for consideration. Corporation Counsel Wilson confirmed for Councilwoman Souza that the described change was substantive, and if implemented would require another public hearing on the matter. Mayor Cohn opened the public hearing on the matter.

Archibald Martin, 8 Elmwood Avenue, commented that mowing lawns is a great way for young people in Rye to learn to responsibly run a business and help their neighbors. He would not be able to register as a landscape under the new law due to its definition of a landscaper. The

registration requirements are impossible for him and other young people pursuing a lawn business, and too expensive for a part-time landscaper. He checked the Westchester County Home Improvement license and the rules to not apply to him because he is a full-time student under the age of 22 engaged in seasonal or part-time employment. Archie asked the City Council to include the same language in the new law.

To the electric power point, Mayor Cohn added that Rye's DPW is working primarily with electric blowers in 2022, and they have kept a list of tasks they are unable to accomplish with electric blowers. The City's proposal is based on DPW's experience that electric blowers are very effective and user-friendly.

The next public comment came from Kate Branch, a service provider for Rye, and she does not care to have more permitting and registration. They have worked on drafts and sent them in and have not heard anything from the City Council. They are open to discussion to see how they can come to an agreement of a timeline to switch over. They are ecstatic to hear the possibility of using electric blowers during the summer for hedge trimmings. There has been no talk of tree laws and having more fines on trees to protect the trees in Rye. People take down trees constantly without replacing them properly or at all. The use of solar panels is increasing, and she does not want neighbor wars over where trees can grow.

Bob Zahm, 7 Ridgewood Drive, finds the revised and simplified draft much more readable. He is concerned it does not appear to have extended the coverage of the law to any of the excluded groups in the active law, specifically not-for-profits, country clubs, large landowners, government, and school districts. Given the R-1 zoning district that has been excluded, those who can afford to buy large properties can opt out of the law. He seeks a clear and cogent rationale for why the R-1 district should be excluded from the scope of the ordinance and would like to see a change to remove the R-1 exclusion.

Curtis Spacavento, 176 Theodore Fremd Avenue, thanked the Council for the compromise versus a complete leaf blower ban. He is aware of fires in the area caused by batteries and electric lawnmowers and is concerned about increased fires if gas equipment is banned.

Mayor Cohn continued the public hearing to the next meeting to allow time for information gathering and for councilmembers to discuss among themselves the next move. Councilman Nathan suggested City staff should delve into the law regarding the points Mr. Martin raised, and that electric leaf blowers were a good way to start a transition. Councilman Henderson reiterated that a new draft was needed, as well as more discussion among the Council.

Councilman Nathan made the motion, seconded by Councilman Stacks, to carry the issue over to the September 14th City Council meeting. The motion was unanimously approved.

10. Open the public hearing for consideration of an application from DISH Wireless, LLC to modify an existing support structure for the installation of wireless communication equipment to support the 5G connectivity needs of residents, businesses and first responders.

Maximillian Mahalek, attorney, spoke on behalf of DISH Wireless. He presented the proposal to add three antennas and accessory infrastructure on the roof of the Blind Brook Lodge at 66 Milton Road. Because there is preexisting telecommunication infrastructure on the roof, it is considered a Section 6409A-eligible colocation request. This allows for expediting of review processes by municipalities. The drawings were presented to the BAR last month and DISH received approval. The three antennas will be installed on the tower facades facing north, south, and west, and they are in line with the heights of the existing antennas on the building.

Mr. Mahalek shared images of the proposed painted screenings to disguise the antennas. Councilwoman Souza asked why there was no uniformity in the appearance of the screenings. Mr. Mahalek thought that past applicants must have had trouble matching the paint to the building. Mr. Mahalek was confident the design consultants could improve upon the screening. Radio units would be mounted inside the cupola as to not be seen from the street, and a cabinet would be added to an existing platform and be partially screened by a triangle roof. The City consultant Libella had no comments on the plans other than how to proceed with the building permit application once the plan was approved.

Mr. Mahalek addressed radio frequencies and radiation. DISH was designated by the federal government to undertake the project of installing 5G accessibility and were thus limited to safe frequency ranges determined by the FCC. Julia Karinsky, who previously expressed her concern about radiation, asked Mr. Mahalek what the maximum radiation levels would be. She quoted a number from the BAR of up to 500 watts. Mr. Mahalek did not want to give an incorrect number, but all standards were complied with.

Councilwoman Souza made a motion, seconded by Councilman Stacks, to open a public hearing on the matter. The Council unanimously approved the motion.

Ms. Karinsky wanted to make sure the measurements were actually being done, and Mr. Mahalek reassured her a thorough review ensures the reality of the radiation limit is not exceeded, and while he could not speak for the day-to-day actions of the FCC, the agency had strict program to ensure that everything is complied with as approved.

Nancy Vincent, 66 Milton Road, appreciated the discussion about cumulative 5G radio waves and its safety. From a structural safety standpoint, she had concerns about severe weather affecting the tower with the antennas. Mr. Mahalek replied that structural analysis within the application does factor in all equipment and base stabilization. Ms. Vincent asked who would pay for repairs if the tower was damaged. Mr. Mahalek stated DISH would fix their own equipment and he was sure an appropriate agreement had been met between the landlord and DISH. He confirmed for Ms. Vincent that projection of the transmission was lateral.

Mayor Cohn asked Ms. Wilson to explain the next steps. Ms. Wilson replied that the "shot clock" was 60 days from the complete application, and at this point the applicant's consent was needed to push the matter to the next meeting. Mayor Cohn was satisfied with Mr. Mahalek's comments on aesthetics and safety, the two concerns within the purview of City Council. Ms. Wilson stated this colocation project qualifies as an eligible facility request under Rye law.

Councilman Stacks made a motion, seconded by Mayor Cohn, to close the public hearing, and the Council unanimously agreed.

Councilman Souza made a motion, seconded by Councilman Stacks, to approve the DISH Wireless application for installation of 5G antennas at 66 Milton Road.

**ROLL CALL**

Ayes: Mayor Cohn, Councilmembers Henderson, Johnson, Nathan, Souza, Stacks  
Nays: Councilwoman Hurd  
Absent: Councilwoman Johnson

11. Open the public hearing for consideration of an application from Verizon Wireless for antenna work at the existing public utility wireless communications services facility at 66 Milton Rd.

Ms. Angela Poccia, attorney, appeared on behalf of Verizon Wireless. The application is for antenna work at 66 Milton Road, Blind Brook Lodge. The scope of work is replacing and installing antennas and ancillary equipment on the roof of the building. The antennas were designed with concealment techniques to match the façade. The BAR approved the application without comment in July. Ms. Poccia noted the 60-day window for approval and requested that City Council allow the antenna work.

Ms. Poccia shared images of the tower, identified current Verizon antennas, and the location for two new antennas, which would bring their total to nine antennas on the tower. Councilwoman Souza asked if the antennas could be consolidated. Ms. Poccia could not speak to that point, stating radio frequency engineers had designed the site based on need for service in the area. Ms. Poccia did not think it was feasible to collocate any additional antennas and Verizon had no plans to request more other than the application before the Council. Ms. Poccia stated that the need had evolved since the lease began in 1997, and the proposed antennas are an effort to keep up with service demands in the area.

Councilwoman Souza asked Ms. Wilson if poles and other additions will eventually be allowed on the tower. Ms. Wilson responded that if the location is full it ceases to be a viable site, and Rye is not obligated to change the building to accommodate more antennas. Councilwoman Hurd acknowledged the Council had limited ability to control the collocation, but they can control the aesthetics. Councilwoman Souza asked if there was recourse to fix screenings that did not match the façade, and Ms. Wilson replied that would be violation of the building permit. Councilwomen Souza and Hurd expressed the need to revisit an aesthetic redesign in the future.

Councilwoman Souza made a motion, seconded by Councilman Nathan, to open the public hearing, and the Council unanimously agreed.

Ms. Karinsky asked if it was possible to make public what the FCC recommendations were and what radiation level is happening at the Blind Brook Lodge. Ms. Poccia replied that she was not an engineer and could not speak to FCC regulations, but EVI Consulting prepared a report for Verizon regarding health and safety which demonstrates that the project adheres to FCC

regulations and considers the new DISH antennas. Councilwoman Souza suggested City Council should decide after they have the report. Mayor Cohn was happy to approve the application subject to getting the report immediately.

Councilman Nathan asked why they would approve it without seeing the report. Mayor Cohn said it was a matter of the shot clock. Ms. Wilson stated the Council could ask for the consent of the applicant to hold the matter until the next meeting, or they could condition the issuance of the building permit on the City's receipt of the report.

Councilwoman Souza asked why the report was not part of the original application. Ms. Poccia replied the report was not a required part of a standard building permit application and it was requested after the application was referred to Council for special permit review. Ms. Wilson argued that under Chapter 196, the RF compliance certification is a required part of a building permit application, so the application was not complete and therefore the shot clock had not begun. Mayor Cohn preferred to approve the permit subject to immediate receipt of the report, and Ms. Poccia agreed to send it by tomorrow.

Councilman Henderson made a motion, seconded by Councilwoman Souza, to end the public hearing, and the Council unanimously agreed.

Councilman Henderson made a motion, seconded by Councilman Stacks, to approve the Verizon Wireless application to add antennas to 66 Milton Road, subject to City Council's receipt tomorrow (8/11/22) of a satisfactory report on compliance with federal radiofrequency standards.

#### ROLL CALL

Ayes: Mayor Cohn, Councilmembers Henderson, Stacks

Nays: Councilmembers Hurd, Nathan

Abstain: Councilwoman Souza

Absent: Councilwoman Johnson

The motion did not receive four aye votes, and failed. Councilwoman Souza objected to the precedent set by the process of approving an incomplete application and asked if the report could be sent immediately. Councilwoman Hurd suggested they take a recess upon receipt, so Ms. Wilson had time to review the report. Mayor Cohn asked Ms. Poccia to send the report via email and adjourned the item until later in the agenda.

(After the consent agenda, discussed below, the matter was revisited). Corporation Counsel Wilson had an opportunity to review the report and determined the project was compliant with the required standards. The report included a total of 41 antennas, counting the three new DISH antennas, to address the cumulative impacts. Mayor Cohn explained the Council was approving now pursuant to the present day jurisdiction of the wireless law, but subject to highly restrictive federal law.

Councilman Henderson made the motion, seconded by Councilman Stacks, to approve the Verizon application to add antennas to 66 Milton Road.

**ROLL CALL**

Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Nathan, Souza, Stacks  
Nays: None  
Absent: Councilwoman Johnson

- 11a. Resolution to retain Sive, Paget, and Riesel to represent the City's interests in the VCW v. Rye, et al litigation, and to authorize Corporate Counsel to finalize the terms. (Item was added to the agenda.)

Councilman Hurd made a motion, seconded by Councilman Henderson, to retain Sive, Paget, and Riesel to represent the City's interests in the VCW v. Rye, et al litigation, and to authorize Corporate Counsel to finalize the terms.

**ROLL CALL**

Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Nathan, Souza, Stacks  
Nays: None  
Absent: Councilwoman Johnson

12. Resolution to transfer \$200,000 from the General Fund contingency balance to the Building and Vehicle Fund to cover rising fuel costs.

Councilman Henderson asked if the volume of used gasoline was consistent with last year. City Manager Usry replied the amount of fuel used was the same, but the price had doubled since the fuel was last budgeted 15 months ago. The contingency fund currently has a \$225,000 balance. Mr. Usry confirmed for Councilman Henderson that Rye charges back the entities that use the fuel.

Councilwoman Nathan made a motion, seconded by Councilman Henderson, to transfer \$200,000 from the General Fund to the Building and Vehicle Fund for fuel costs.

**ROLL CALL**

Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Nathan, Souza, Stacks  
Nays: None  
Absent: Councilwoman Johnson

13. Resolution to plant a tree at Fireman's Circle in honor of former Deputy Mayor Richard Mecca.

Mayor Cohn noted that former Deputy Mayor Richard Mecca was active in many capacities on behalf of the City, including decades as a Rye volunteer firefighter. The mayor thought planting the tree was an excellent way to recognize Richard and his long-standing role as a volunteer.

Councilwoman Souza made a motion, seconded by Councilwoman Hurd, to approve the resolution to plant a tree in honor of former Deputy Mayor Richard Mecca.

**ROLL CALL**

***DRAFT UNAPPROVED MINUTES*** – Regular Meeting - City Council  
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Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Nathan, Souza, Stacks  
Nays: None  
Absent: Councilwoman Johnson

14. Adoption of 2022/2023 tax levy and tax rate for the Rye Neck Union Free School District.

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

**WHEREAS**, the Rye Neck Union Free School District (District) has certified to the City of Rye Comptroller taxes in the amount of \$11,430,188 to be raised on property within the District located in the City of Rye, with established tax rates of \$968.366065 per \$1,000 of taxable assessed value on homestead property and \$1,208.197250 per \$1,000 taxable assessed value on non-homestead property, for the fiscal year beginning July 1, 2022 and ending June 30, 2023, now, therefore, be it

**RESOLVED**, that in accordance with the provisions of the City Charter, the City Comptroller is commanded to levy and collect said taxes, subject to any further amendments or approvals required by the Rye Neck Union Free School District.

ROLL CALL

Ayes: Mayor Cohn, Councilmembers Henderson, Hurd, Nathan, Souza, Stacks  
Nays: None  
Absent: Councilwoman Johnson

15. Resolution to declare certain City equipment as surplus.

City Manager Usry explained that City staff had been undergoing a process to identify obsolete or broken items to scrap. Nothing on the list provided was valuable, as further described in the memorandum attached to the agenda.

Councilman Henderson made a motion, seconded by Councilman Stacks, to 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 City has recommended that said equipment be declared surplus, now, therefore, be it

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

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

**ROLL CALL**

Ayes: Mayor Cohn, Councilmembers Hurd, Nathan, Souza, Stacks  
Nays: None  
Absent: Councilwoman Johnson

**CONSENT AGENDA**

Councilwoman Stacks made a motion, seconded by Councilwoman Souza, to approve the entire consent agenda (Items 17-21). The Council was unanimously in favor.

16. Consideration of a request from the Recreation Department for permission to close a section of Purchase Street for the 70th Annual Celebration of the Halloween Window Painting Event on Sunday, October 23, 2022.
17. Consideration of a request by the Recreation Department to hold the Annual Food Truck Festival Saturday, September 10, 2022.
18. Consideration of a request by the Recreation Department to hold their 46th annual Turkey Run on Saturday, November 26, 2022.
19. Consideration of a request from SOUL RYEDERS for use of City streets on Sunday, May 21, 2023, from 7:30am - 11:00am for a half-marathon/5k fundraising event.
20. Consideration of a request by Christ's Church to switch the date of its Annual Christmas Tree Sale from 8:00am - 5:00pm on 11/26/22 to Saturday, 12/3/22 from 8:00am - 5:00pm (for the associated road closure).
21. Old Business/New Business.

Councilman Nathan commented that Con Ed customers were getting notes about their power being switched from Westchester Power, and then asked the city manager to elaborate so the public better understood. Mr. Usry explained that given commodity and energy prices, Sustainable Westchester and Westchester Power were not able to meet the original renewal contract and two successive leases. The options are auctioned annually, and it is a fixed price for the term of the year. Because Westchester Power was not able to meet the schedule, the old agreement lapsed, which is why customers received the notice. After the June billing cycle, they were moved back to the normal Con Ed energy cost which is a price that changes every month.

Mr. Usry continued and explained that the Council approved a new contract in the last Council meeting which is almost complete. After a successful auction, any resident who was previously subscribed will automatically be put back into the contract, likely in the next two or three months. Customers can opt out of the contract at any time. The information is included on every bill.



Regarding the trapshooting issue, Councilman Nathan thought it would helpful if Corporation Counsel provided a summary or outline of the legal aspects so City Council could consider the options.

22. Adjournment

There being no further business to discuss, Councilman Henderson made a motion, seconded by Councilman Souza and unanimously carried, to adjourn the City Council meeting at 9:55pm.

Respectfully submitted,

Carolyn D'Andrea  
City Clerk



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: August 14, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Flooding Update.

**FOR THE MEETING OF:**

September 14, 2022

**RECOMMENDATION:** That the City Council hear the update.

**IMPACT:** ☒ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: August 15, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Rose/Bedrock presentation.

**FOR THE MEETING OF:**

September 14, 2022

**RECOMMENDATION:** That the Council hear the presentation.

**IMPACT:** ☐ Environmental ☐ Fiscal ☒ Neighborhood ☒ Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: August 15, 2022

CONTACT: Mike Kopy, Commissioner of Public Safety

**AGENDA ITEM:** Presentation by Public Safety Commissioner, Mike Kopy, with an Emergency Preparedness and Response update 1-year post Ida.

**FOR THE MEETING OF:**  
September 14, 2022

**RECOMMENDATION:** That the Council hear the presentation.

**IMPACT:** ☐ Environmental ☐ Fiscal ☒ Neighborhood ☒ Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager

September 1, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of Boat Basin and channel dredging.

**FOR THE MEETING OF:**

September 14, 2022

**RECOMMENDATION:**

**IMPACT:** ☐ Environmental ☐ Fiscal ☒ Neighborhood ☒ Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: August 11, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Continue the public hearing to create a new local law, Chapter 122, "Landscapers and Leaf Blower Regulations".

**FOR THE MEETING OF:**  
September 14, 2022

**RECOMMENDATION:** That the Council continue the public hearing.

**IMPACT:** ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

**BACKGROUND:** See attached law and proposed changes.

## Leaf Blower Law Discussion – September 14, 2022

Shortly before our last meeting, the Council introduced for discussion the idea of amending our existing leaf blower law to permit the use of electric leaf blowers throughout the year and to permit the use of gasoline blowers only in spring and fall cleanup periods. More time to discuss this idea was promised and will be available at the September 14 meeting as the predicate to later circulation of a revised draft leaf blower law.

Included in this agenda package is our original discussion draft of a revised law, which we hope will serve as a useful tool in considering the following questions:

1. Should the City move to a more permissive regime with respect to electric blowers?
2. Enforcement of our existing leaf blower law is problematic. Our original discussion draft law included a landscaper permit regime intended to provide the City with a means to educate landscapers as to our City Code and a means to penalize landscapers who fail to comply. Would such a landscaper permit regime still be of interest if the new law becomes more permissive with respect to electric leaf blowers? Note, please, that the Police Department now is pursuing a strategy of ticketing leaf blower operators, their employers and the property owners in an effort to improve enforcement efficacy.
3. Should there still be special treatment/exceptions for large properties, clubs, schools, etc.?
4. Should the numbers of blowers permitted to be in operation at the same time on a property be varied according to how the blowers are powered?

Other issues/questions will be welcome.

## Summary of Differences: Leaf Blowers/Landscapers

	Previous Law	Proposed Changes
<b>Permit</b>	Landscaping permit not required	Landscapers must register ANNUALLY to operate within the City limits. <ul style="list-style-type: none"> <li>• Proof of a valid and current Westchester County Home Improvement License and insurance information required</li> <li>• Stated and signed agreement that leaf blower laws are understood and will be followed</li> <li>• Landscaper Registration Tag issued and must be visible in vehicle</li> </ul>
<b>Permissible Dates to Operate Leaf Blowers and Other Lawn Equipment</b>	October 1 and April 30 Weekdays 8 am – 8 pm Weekends 10 am – 6 pm	October 1 and April 30 Weekdays 8 am – 6 pm Weekends 10 am – 4 pm
<b>Storm Exemption</b>	Rye Department of Public Works may permit the use of leaf blowers from May 1 to September 30 for a period of time <b>not to exceed seven days</b> 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 <b>not to exceed fourteen days</b> after significant storm events or during other emergency situations circumstances.
<b>Leaf Blower Noise</b>	Gas and Electric leaf blower 85 db(A)	Gas and Electric leaf blowers 85 db(A)  Effective January 2023, electric leaf blowers <b>ONLY</b> with maximum permitted intensity of 65 db(A)
<b>Penalties</b>	Owner of the property <b>OR</b> 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 <b>AND</b> the party who employed the person to operate the leaf blower at the time of violation <b>AND</b> 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.



## **POLICE DEPARTMENT**

City of Rye, New York  
21 McCullough Place  
Rye, N. Y. 10580  
Phone: (914) 967-1234  
FAX: (914) 967-8341



Michael A. Kopy  
*Public Safety*

*Commissioner*

December 8, 2021

To: Greg Usry, City Manager  
From: Michael A. Kopy, Public Safety Commissioner  
Subject: Leaf Blower Violations

During the month of November 2021, the Police Department responded to or observed 70 possible violations of Section 133-7 of the city code. These responses resulted in 36 summons being issued. No summons were issued for the remaining calls due to a variety of factors including:

- 1) the violators may have been gone prior to the arrival of the patrol, or
- 2) that a violation of the code ceased prior to the arrival of the patrol.

During the month of November 2020, there were 14 calls for potential violations of Section 133-7 with one summons issued.

I expect that enforcement levels will drop significantly during the month of December as the fall leaf clean up season ends.



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: September 1, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Authorization for City Manager to enter into an Inter-municipal Agreement with Westchester County for the providing a Positive Youth Development Program for 2022 (Rye Youth Council).

**FOR THE MEETING OF:**

September 15, 2022

**RYE CITY CODE,**

CHAPTER  
SECTION

**RECOMMENDATION:** That the Mayor and Council authorize the City Manager to enter into the agreement.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

**BACKGROUND:**

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, 2022 through December 31, 2022.

See attached documentation.

**INTERMUNICIPAL AGREEMENT**

**THIS INTER MUNICIPAL AGREEMENT** (“Agreement”), made the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between:

**THE COUNTY OF WESTCHESTER**, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601, (hereinafter referred to as the “County”),  
and

**CITY OF RYE**, a municipal corporation of the State of New York, having an office and place of business at 21 Locust Lane, Rye, New York 10580 (hereinafter referred to as the “Municipality”).

**WITNESSETH:**

**WHEREAS**, the County, acting by and through its Youth Bureau, desires that the Municipality provide a Positive Youth Development program entitled “Youth Council” (the “Program”); and

**WHEREAS**, the Municipality is willing to provide such Program, upon the terms and conditions set forth herein.

**NOW, THEREFORE**, in consideration of the promises and the covenants and agreements herein contained, the parties hereto agree as follows:

**FIRST:** The Municipality shall provide the Program, as more fully described in Schedule “A” attached hereto and made a part hereof. In consideration for providing the Program, the County shall reimburse the Municipality an amount not to exceed Three Thousand One Hundred Fifty-Nine Dollars (\$3,159.00), as budgeted in accordance with Schedule “B,” which is attached hereto and made a part hereof, payable upon full contract execution and approval of the same as to form and manner by the Office of the Westchester County Attorney.

Except as otherwise expressly stated in this Agreement, no payment shall be made by the County to the Municipality for out of pocket expenses or disbursements made in connection with the services rendered or the work to be performed hereunder.

The Municipality shall provide the County with a report to be submitted within thirty (30) days of the expiration of this Agreement which shall set forth in detail the services performed under the Agreement, the activities, progress and accomplishments under the Agreement, the amount of funds

expended for each task performed and the extent and manner in which the goals, objectives and standards established for the Agreement have been met by the Municipality. The above report shall be certified by an officer or director of the Municipality.

The County shall have the right, at its option and at its sole cost and expense, to audit such books and records of the Municipality as are reasonably pertinent to this Agreement to substantiate the basis for payment. The County may withhold payment of funds hereunder for cause found in the course of an audit or because of failure of the Municipality to cooperate with an audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one (1) year following termination of this Agreement, and to perform random audits during the term of this Agreement. In the event an audit performed by the County reflects overpayment by the County or that monies were not fully expended or that monies were improperly expended, then the Municipality shall reimburse to the County the cost of such audit (if the audit was done by the County or on the County's behalf) and the amount of such overpayment, underpayment or improper payment, within thirty (30) days of notice from the County.

The Municipality further agrees to permit designated employees or agents of the County reasonable on-site inspection of the work being performed by the Municipality under this Agreement, its books, accounts, financial audits and records and agrees to keep records necessary to disclose fully the receipt and disposition of funds received under this Agreement. Unless the County shall, in writing, advise the Municipality to the contrary, the Municipality shall retain all financial records related to this Agreement for a period of ten years after the expiration or termination of this Agreement.

In no event shall final payment be made to the Municipality prior to completion of all services, the submission of reports and the approval of same by the County Executive or his duly authorized designee.

**SECOND:** The Municipality agrees to procure and maintain insurance naming the County as additional insured, as provided and described in Schedule "C," entitled "Standard Insurance Provisions," which is attached hereto and made a part hereof. In addition to, and not in limitation of the insurance provisions contained in Schedule "C," the Municipality agrees:

(a) that except for the amount, if any, of damage contributed to, caused by, or resulting from the sole negligence of the County, the Municipality shall indemnify and hold harmless the County, its officers, employees, agents and its elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the Municipality or third parties under the direction or control of the Municipality; and

(b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto; and

(c) In the event the Municipality does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of this provision, then the Municipality shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this provision of the Agreement.

**THIRD:** The term of this Agreement will commence January 1, 2022 and terminate December 31, 2022, unless terminated earlier as provided herein.

**FOURTH:** (a) The County reserves the right to cancel this Agreement on thirty (30) days' prior written notice to the Municipality when it deems it to be in its best interests to do so. In such event, the Municipality shall be compensated and the County shall be liable only for payment for services already rendered under this Agreement prior to the effective date of termination at the rates specified in Schedule "B".

In the event of a dispute as to the value of the services rendered by the Municipality prior to the date of termination, it is understood and agreed that the County shall determine the value of such services rendered by the Municipality. Such reasonable and good faith determination shall be accepted by the Municipality as final.

(b) In the event the County determines that there has been a material breach by the Municipality of any of the terms of the Agreement and such breach remains uncured for ten (10) days after service on the Municipality of written notice thereof, the County, in addition to any other right or remedy it might have, may terminate this Agreement and the County shall have the right, power and authority to complete the services provided for in this Agreement, or contract for their completion, and any additional expense or cost of such completion shall be charged to and paid by the Municipality. Notice hereunder shall be effective on the date of receipt.

**FIFTH:** The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to annual appropriations by its Board of Legislators pursuant to the Laws of Westchester County. Therefore, this Agreement shall be deemed executory only to the extent of the monies appropriated and available. The County shall have no liability under this Agreement beyond funds appropriated and available for payment pursuant to this Agreement. The parties understand and intend



that the obligation of the County hereunder shall constitute a current expense of the County and shall not in any way be construed to be a debt of the County in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the County, nor shall anything contained in this Agreement constitute a pledge of the general tax revenues, funds or moneys of the County. The County shall pay amounts due under this Agreement exclusively from legally available funds appropriated for this purpose. The County shall retain the right, upon the occurrence of the adoption of any County Budget by its Board of Legislators during the term of this Agreement or any amendments thereto, and for a reasonable period of time after such adoption(s), to conduct an analysis of the impacts of any such County Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates set forth herein. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

This Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

**SIXTH:** All notices given pursuant to this agreement shall be in writing and effective on mailing. All notices shall be sent by registered or certified mail, return receipt requested and mailed to the following addresses:

To the County:           Executive Director – Youth Bureau  
112 E. Post Road, 3<sup>rd</sup> floor  
White Plains, New York 10601

with a copy to:       County Attorney  
Michaelian Office Building, Room 600  
148 Martine Avenue  
White Plains, New York 10601

to the Municipality:   City of Rye  
21 Locust Avenue

Rye New York 10580

or to such other addresses as may be specified by the parties hereto in writing.

**SEVENTH:** This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, comments and writings. It shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

**EIGHTH:** This Agreement is entered into solely between, and may be enforced only by, the County and the Municipality and shall not be deemed to create any rights in third parties, or to create any obligations of a party to any such third parties.

**NINTH:** The Municipality shall not delegate any duties or assign any of its rights under this Agreement without the prior express written consent of the County. The Municipality shall not subcontract any part of the Work without the express written consent of the County, subject to any necessary legal approvals. Any purported delegation of duties, assignment of rights or subcontracting of Work under this Agreement without the prior express written consent of the County is void. All subcontracts that have received such prior written consent shall provide that subcontractors are subject to all terms and conditions set forth in this Agreement. It is recognized and understood by the Municipality that for the purposes of this Agreement, all Work performed by a County-approved subcontractor shall be deemed Work performed by the Municipality and the Municipality shall insure that such subcontracted work is subject to the material terms and conditions of this Agreement. All subcontracts for the Work shall expressly reference the subcontractor's duty to comply with the material terms and conditions of this Agreement and shall attach a copy of the County's contract with the Municipality. The Municipality shall obtain a written acknowledgement from the owner and/or chief executive of subcontractor or his/her duly authorized representative that the subcontractor has received a copy of the County's contract, read it and is familiar with the material terms and conditions thereof. The Municipality shall include provisions in its subcontracts designed to ensure that the Municipality and/or its auditor has the right to examine all relevant books, records, documents or electronic data of the subcontractor necessary to review the subcontractor's compliance with the material terms and conditions of this Agreement.

**TENTH:** The Municipality expressly agrees that neither it nor any contractor, subcontractor, employee, or any other person acting on its behalf shall discriminate against or intimidate any employee

or other individual on the basis of race, creed, religion, color, gender, age, national origin, ethnicity, alienage or citizenship status, disability, marital status, sexual orientation, familial status, genetic predisposition or carrier status during the term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County. The Municipality acknowledges and understands that the County maintains a zero tolerance policy prohibiting all forms of harassment or discrimination against its employees by co-workers, supervisors, vendors, contractors, or others.

**ELEVENTH:** The Municipality shall comply, at its own expense, with the provisions of all applicable state and municipal requirements and with all state and federal laws applicable to this Agreement and the Municipality.

**TWELFTH:** The Agreement shall not be enforceable unless signed by the parties and approved by the Office of the County Attorney.

**IN WITNESS WHEREOF,** the County and the Municipality have caused this Agreement to be executed:

**COUNTY OF WESTCHESTER**

By: \_\_\_\_\_  
Kenneth W. Jenkins  
Acting County Executive

**CITY OF RYE**

By: \_\_\_\_\_  
(Insert Name and Title)

Approved by the Westchester County Board of Legislators of the County of Westchester by Act No. 2022 - 63.

Approved:

\_\_\_\_\_  
Assistant County Attorney  
The County of Westchester

**MUNICIPAL ACKNOWLEDGMENT**  
(Municipal Corporation)

STATE OF NEW YORK        )  
                                      )     ss.:  
COUNTY OF WESTCHESTER)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me personally came \_\_\_\_\_ to me known, and known to me to be the \_\_\_\_\_ of \_\_\_\_\_, the corporation described in and which executed the within instrument, who being by me duly sworn did depose and say that he/she, the said \_\_\_\_\_ resides at \_\_\_\_\_ and that he/she is \_\_\_\_\_ of said corporation and knows the corporate seal of the said corporation; that the seal affixed to the within instrument is such corporate seal and that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his name thereto by like order.

\_\_\_\_\_  
Notary Public

**CERTIFICATE OF AUTHORITY**

(Municipality)

I, \_\_\_\_\_, certify that I am the  
(Officer other than officer signing contract)

\_\_\_\_\_ of the \_\_\_\_\_  
(Title) (Name of Municipality)

(the "Municipality") a corporation duly organized in good standing under the \_\_\_\_\_

\_\_\_\_\_  
(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement that \_\_\_\_\_  
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution

\_\_\_\_\_ of the Municipality,  
(Title of such person),

that said agreement was duly signed for on behalf of said Municipality by authority of its

\_\_\_\_\_ thereunto duly authorized,  
(Town Board, Village Board, City Council)

and that such authority is in full force and effect at the date hereof.

\_\_\_\_\_  
(Signature)

STATE OF NEW YORK                    )  
  )  
COUNTY OF WESTCHESTER        )       ss.:

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_  
\_\_\_\_\_ whose signature appears above, to me known, and know to be the  
\_\_\_\_\_ of \_\_\_\_\_,  
(Title)

the municipal corporation described in and which executed the above certificate, who being by me duly sworn did depose and say that he, the said \_\_\_\_\_  
resides at \_\_\_\_\_, and that he/she is  
the \_\_\_\_\_ of said municipal corporation.  
(Title)

\_\_\_\_\_  
Notary Public       County

**SCHEDULE "A"****PROGRAM TITLE:** Youth Advocacy/Social Emotional Learning and Development

<b>PROJECTED TOTAL PROGRAM ENROLLMENT</b>	<b>1393</b>
<p><b>PROGRAM SUMMARY:</b> Rye Youth Council (RYC) is a nonprofit 501(c)3 that supports the social, emotional health and mental health of children, teens and young adults in our community. We do this by engaging, educating and empowering youth through workshops, experiential and service learning, skills-based programs, leadership opportunities, and school-based curricula in partnership with families, the Rye City School District, and the entire Rye community.</p> <p>Incorporated in 1971, RYC is the only local organization that focuses solely on the social, emotional, and mental well-being of the youth in our community. All RYC programs are provided for free or a nominal charge and are based on the 5 Social Emotional Learning (SEL) core competencies. We primarily serve individuals who live or attend schools in Rye and Rye Neck, though our programs are open to all young people. RYC is on the steering committee for RyeACT, our City's Substance Use Prevention Coalition, and serves as the Coalition's lead for the Youth &amp; Youth Serving Sector. RYC provides resources for building community awareness, increasing access to support and treatment, and providing positive alternatives to Rye's youth.</p> <p>This program funding focuses on the SEL Curriculum pushed-in to Rye's 3<sup>rd</sup> and 4<sup>th</sup> grade classes, the DBT-Steps A curriculum taught to every 6<sup>th</sup> grade student in Rye, and the new Peer to Peer Depression Awareness and Suicide Prevention Program implemented in Rye High School.</p> <p>DBT-Steps A is a universal SEL curriculum designed to help all adolescents develop coping strategies and decision making abilities for school and the future. It's based on the skills of comprehensive dialectical behavior therapy that have shown to be effective with adults and adolescents experiencing mild to severe levels of emotional and behavioral difficulties</p> <p>Peer to Peer (P2P) is an evidence-based program centered on a student-led campaign that seeks to raise awareness and reduce stigma around mental health, and encourage help-seeking with in-school mental health professionals.</p> <p>This funding will focus on the social and emotional development/curriculum and programs delivered by our Youth Educator to students grades 3-6, and to our student-led Peer to Peer Depression Awareness and Suicide Prevention Program in our high school, particular grades 9 &amp; 10.</p>	

<b>PROGRAM SITES- Most significant (3 Maximum)</b>					
Type	Address (Street, City, State, Zip)	Assembly District #	NYS Senate District #	Local Planning Board	City Council District
Main office	21 Locust Ave, Rye, NY 10580	091	37	Rye	Rye
School	Rye City School District,	091	37	Rye	Rye
Retirement community	The Osborn, 101 Theall Road, Rye, NY 10580	091	37	Rye	Rye

Use whole numbers when entering information for Gender, Ethnicity, Ages, and Target Population areas, NOT percentages.

<b>GENDER OF PROGRAM PARTICIPANTS:</b> <i>(Enter number participants per gender)</i>				<b>MALE</b>	<u>737</u>	<b>FEMALE</b>	<u>656</u>
<b>ETHNICITY:</b> <i>(Enter number of participants per ethnic group)</i>	WHITE	<u>1162</u>	BLACK OR AFRICAN AMERICAN	<u>19</u>	HISPANIC OR LATINO	<u>41</u>	
	AMERICAN INDIAN OR ALASKAN NATIVE		<u>13</u>	ASIAN		<u>144</u>	
	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER		<u>3</u>	TWO OR MORE RACES		<u>11</u>	

<b>AGES</b>	0-4 <u>0</u>	5-9 <u>459</u>	10-14 <u>465</u>	15-17 <u>455</u>	18-20 <u>14</u>	21+ <u></u>
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<b>IS TARGET POPULATION SERVING DISCONNECTED YOUTH:</b>		No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>
<i>(Enter number of participants per population described)</i>			
IF "YES",		Youth aging out of foster care	Children of incarcerated parents
		Youth in the juvenile justice system who re-enter the community	Runaway and Homeless Youth

PLEASE DESCRIBE HOW THE PROGRAM FOR WHICH YOU ARE APPLYING FOR FUNDING, ADDRESSES EACH OF THE FOLLOWING **8 FEATURES OF POSITIVE YOUTH DEVELOPMENT SETTINGS**:

(These eight features of effective youth development settings serve as quality standards for youth programs)

**1. Physical & Psychological Safety:** Safe and health-promoting facilities; practices that increase safe peer group interaction and decrease unsafe or confrontational peer interactions.

RYC programs occur in school and public settings that meet NY State safety and health requirements and are facilitated by trained counselors. Programs encourage experiential learning and foster positive and respectful peer group interaction.

The elementary school youth educator teaches a 13-lesson classroom-based social and emotional learning curriculum that educates youth on topics including conflict resolution, violence reduction, bullying, healthy decision making, Peer pressure, feelings, and relationships.

The Youth Educator also teaches a school-provided Dialectical Behavioral Therapy Steps-A curriculum to all 6th grade students, which is an extension of similar topics learned in the 3<sup>rd</sup> and 4<sup>th</sup> grade. RYC provides mediation services where the youth educator works directly with youth and classes in conflict to resolve differences and demonstrate respectful interaction. This work nurtures the development of positive peer relationships, respect for diversity, service learning, self-esteem, self-advocacy, self-awareness, leadership and citizenship.

The new Peer to Peer program in Rye High School is a school-wide evidence-based depression awareness and suicide prevention program led by a team of 20 students who are guided by RYC and in-school faculty mentors. The student leaders learn as much as they can about depression, anxiety, and related illnesses and are guided and taught to:

- Know the in-school resources where students can get help if they are struggling emotionally;
  - Create a school-wide public awareness campaign to share knowledge and info with their peers;
- The campaign is youth-led with guidance from RYC and RHS Faculty Mentors.



- Through their actions and words, students help to reduce stigma and create an environment in their school where peers feel comfortable talking about how they are feeling, and understand that it is OK to ask for help if they need it;
- Be identified as someone whom other students feel comfortable talking with, because they will listen and connect peers with an adult in the school who can help;
- Commit to participating in regularly scheduled team meetings throughout the school year in order to effectively design and implement their team's depression awareness campaign.

**2. Appropriate Structure:** Limit setting; clear and consistent rules and expectations; firm enough control; continuity and predictability; clear boundaries; age appropriate monitoring.

RYC program staff and advisors are trained youth educators, social work, mental health and counseling professionals whose expertise focuses on youth population grades K-college. RYC understands the developmental needs of each age group and the importance of setting clear boundaries, rules and controls. Each program is designed age appropriately, with relevant rules, expectations, and monitoring built into its foundation. While RYC staff establish themselves as trusted and understanding adults, their authority and consistency is clear to all who interact with them.

**3. Supportive Relationship:** Warmth; closeness; connectedness; good communication; caring; support; guidance; secure attachment; responsiveness.

RYC programs foster social and emotional learning and character development in stimulating and secure environments. The program creates learning opportunities for youth to gain an understanding of themselves and the world around them. Program staff are passionate about developing caring and supportive relationships with participants. They are sought after by school administration, teachers, parents and students themselves to provide guidance and to offer support around social/emotional issues and concerns, and are viewed as caring but firm role models for youth of all ages.

**4. Opportunities to Belong:** Opportunities for meaningful inclusion, regardless of one's gender; ethnicity; sexual orientation, or disabilities; social inclusion; social engagement, and integration; opportunities for socio-cultural identity formation; support for cultural and bicultural competence.

Rye Youth Council programs create learning environments where all youth are accepted, participate and feel accomplished. RYC creates service and educational opportunities for all ages that teach awareness, acceptance and the importance of socio-cultural differences. Programs bring groups of people together who then emerge with a respect and admiration for each other's differences. The organization is an ally and voice for marginalized students, and many of our programs directly address the need to increased acceptance, understanding, and support. Our staff is multi-cultural, multi-racial, multi-lingual.

**5. Positive Social Norms:** Rules of behavior; expectations; injunctions; ways of doing things; values and morals; obligations for service.

Trained staff and supervisors will ensure appropriate boundaries and expectations for youth and for staff. Staff will model appropriate pro-social behavior and interactions between youth and staff. Staff will intervene as necessary to correct inappropriate behavior and will acknowledge positive social norms. Many RYC programs are experiential learning opportunities, where youth absorb the impact of positive social behavior and interactions firsthand. Clear expectations are set around social interactions and engagement in RYC activities. Through their own actions and words, RYC staff model positive behavior, communication, values and morals. Discussions and positive role modeling occur while youth are actively



engaged in programs, creating a deeper understanding and awareness not found through passive learning.

**6. Support for Efficacy & Mattering:** Youth-based; empowerment practices that support autonomy; making a real difference in one's community, and being taken seriously. Practices that include enabling, responsibility granting, and meaningful challenge. Practices that focus on improvement rather than on relative current performance levels.

RYC programs foster independence, self-awareness, social responsibility and character development. For elementary school aged children, the in-classroom social and emotional learning curriculum focuses on the 5 core competencies of Social Emotional Learning: (1) Self-awareness (2) Self-management (3) Responsible Decision Making (4) Social Awareness, and (5) Relationship Skills. The curriculum provides children with the tools to understand how to resolve their own conflicts, make safe and healthy decisions, and gain awareness of the impact of their actions and words on others, especially peers.

For older youth, RYC programs place them in environments where they interact with people of all ages – younger kids, peers and senior citizens. Participants engage in decision making, take on leadership roles and get to experience firsthand the impact their time and actions have on their community.

The DBT Steps-A curriculum taught by our Youth Educator to District 6th graders is a Universal SEL curriculum designed to help all adolescents develop coping strategies and decision-making abilities for school and the future. It is based on the skills of comprehensive dialectical behavior therapy that have shown to be effective with adults and adolescents experiencing mild to severe levels of emotional and behavioral difficulties. It also has been shown to be effective with high-risk adolescents engaging in suicidal and non-suicidal self-injury behavior.

**7. Opportunities for Skill Building:** Opportunities to learn physical, intellectual, psychological, emotional, and social skills; exposure to intentional learning experiences, opportunities to learn cultural literacy, communication skills and good habits of mind; preparation for adult employment, and opportunities to develop social and cultural capital.

RYC programs are designed to support and promote the 5 core competencies of social emotional learning: (1) Self-awareness (2) Self-management (3) Responsible Decision Making (4) Social Awareness, and (5) Relationship Skills. Our staff focus on the development of social skills, promote an awareness and understanding of communication skills, increase self-esteem, instill a sense of personal and societal identity, encourage teamwork and a positive work ethic. The DBT-Steps A curriculum that RYC delivers to every 6<sup>th</sup> grade student is part of the Rye City School District's Habits of Mind curriculum.

All RYC programs increase protective factors that guard against substance use and misuse and strive to decrease negative behavior. Connection to community and trusted adults is a central theme in all we do.

Through the 3<sup>rd</sup> and the grade SEL and 6<sup>th</sup> grade DBT-Steps A curricula, and the 9<sup>th</sup> & 10<sup>th</sup> grade Peer to Peer Depression Awareness & Suicide Prevention Programs, RYC achieves the following:

\*Increases Stability: students gain positive role models with whom they interact on a regular basis, as well as positive relationships to civic attitudes

\*Strengthen Communities: preserve historical and cultural traditions through intergenerational programming, enhance community spirit through community-based events, and strengthen partnerships and collaboration among youth-serving community organizations and individuals.

\* Encourage Cultural Exchange: Intergenerational programs and in-school curriculum promote the transmission of cultural traditions and values, creating a sense of personal and societal identity while encouraging tolerance

**8. Integration of Family, School, & Community Efforts:** Concordance; coordination and synergy among family, school, and community.

The Rye Youth Council (RYC) supports and promotes the social and emotional health and mental well-being of children, teens and young adults in our community. Utilizing the CASEL SEL model, RYC understands and embraces the need to serve as a support to schools, parents and caregivers, students, and community. RYC programs are based within and outside of the schools and are offered throughout the day, afternoon and evening.

RYC actively participates and often takes a leadership role in key community efforts:

- RYC serves on the steering committee and is the lead Youth Serving Organization for RyeACT, the community's substance use prevention coalition;
- RYC is a co-founder and lead in a new collective effort entitled, "Growing the Positive", that promotes improved coordination and collaboration among Rye's youth-serving organizations;
- RYC is a critical partners for the Rye City School District, offering support and guidance for youth mental health services, parent education, and support.
- All RYC programs are implemented in collaboration with another youth-serving organization. We firmly believe that collaboration is key to best serve our youth.

### ***Monitoring and Evaluation Methods***

**9. Monitoring Methods:** Monitoring is defined as a systematic review of a funded program based upon the requirements of a contract, rules, regulations, policies, and/or State and Local Laws. It identifies the degree to which a program or operation accomplishes the activities specified in a contract/ application, and how it complies with requirements. Describe your process to be used to monitor on a regular basis. Include who will be responsible, frequency, and documentation of monitoring activities.

RYC staff develops a Program Guide for each of its programs and services, with key information such as Program History, Objective, Target Audience/Participation, Delivery, Key Stakeholders, Main Benefits, Key Impact/Outcomes, and Success Measures. For each program offered, the RYC staff leading the program captures following data:

Date, Time, Duration of Program

Attendance

Session/Program Goal

Outcomes (based on user surveys when possible)

RYC Executive Director is responsible for ensuring compliance of the reports and ensuring that all funding contracts meet specified policies and regulations.

**10. Evaluation Methods:** Evaluation methods are the process to determine the value or amount of success in achieving a pre-determined program or operational goal. Evaluations can identify program strengths and weaknesses in order to improve the program. Evaluations can verify if the program is really running as originally planned. Describe the process to be used to evaluate the attainment of the objectives. Include what will be measured, who will conduct the evaluation, when it will be conducted, and how the results will be used.

**(100 words maximum)**

RYC will perform internal program evaluations at the end of each program or the school year (end of June), whichever is more appropriate. Evaluations will include a written summary by program directors/youth educators summarizing activities, including data captured in the program reports. A review of each program and service will take place between Executive Director and Program Directors/Educator, with support by relevant Board Committees. The curriculum delivered by the Youth Educator to the students in the Rye City School District is chosen and measured by the District. RYC fully participates in the curriculum development and assessment.

NEW YORK STATE  
OFFICE OF CHILDREN AND FAMILY SERVICES  
**INDIVIDUAL PROGRAM APPLICATION**  
Program Summary-Program Components

IMPLEMENTING AGENCY: Rye Youth Council

PROGRAM TITLE:  
Youth Advocacy/Social and Emotional learning and Development

<b>LIFE AREA:</b> (ENTER CODE AND DESCRIPTION)	<b>4CVC</b>	<b>Citizenship/Civic Engagement</b>
<b>GOAL CODE:</b> (ENTER CODE AND DESCRIPTION)	<b>41</b>	Children and youth will demonstrate good citizenship as law-abiding, contributing members of their families, schools and communities.
<b>OBJECTIVE:</b> (ENTER CODE AND DESCRIPTION)	<b>411</b>	Children and youth will assume personal responsibility for their behavior.
<b>SOS:</b> (ENTER CODE AND DESCRIPTION)	<b>0420</b>	<b>Youth Leadership/Empowerment Opportunities</b>
<b>Performance Measures: (ENTER CODE AND DESCRIPTION)</b>		
<b>How Much:</b>	<b>0420A.1</b>	<b># of youth participating (unduplicated)</b>
<b>How Well:</b>	<b>0420C.2</b>	% of participants returning to program the following year (if applicable)
<b>Better Off:</b>	<b>0420C.2</b>	#/% of youth with increased leadership skills (as measured on a pre/post test of leadership skills) or skills empowering them in community engagement.

**SCHEDULE "B"**

For the Period of Operation: 1/1/2022 - 12/31/2022	Contract #: "To Be Assigned"
Agency/Municipality Name: Rye Youth Council/City of Rye	Program Title: Youth Advocacy/SEL and Development

**1. PERSONAL SERVICES**

Position Title	Rate of Pay	Basis (H,W,BW, SM)	Total Program Amount	Total Funds Requested for this Program
Youth Educator	36,878.06		3,159	
<b>TOTAL SALARIES AND WAGES</b>			3,159	
<b>TOTAL FRINGE BENEFITS</b>				
<b>TOTAL PERSONNEL SERVICES (1)</b>			\$ 3,159	

**2. CONTRACTED SERVICES AND STIPENDS**

Type of Service or Consultant Title	Rate of Pay	Base (S,M,HR)	Total Program Amount	
<b>TOTAL CONTRACTED SERVICES AND STIPENDS (2)</b>			\$ -	

**3. MAINTENANCE & OPERATION**

Complete Attachment "E"	Total Program Amount	
<b>TOTAL MAINTENANCE AND OPERATION (3)</b>		

**TOTAL PROGRAM AMOUNT** \$ 3,159

**TOTAL WCYB FUNDS REQUESTED** \$ 3,159

List Other Funding Sources	\$ 3,159	Reimbursable Total
	\$ 55,000	Municipal Funding
	\$ 30,000	Rye City School District

**SCHEDULE "C"**  
**STANDARD INSURANCE PROVISIONS**  
**(Contractor)**

1. Prior to commencing work, and throughout the term of the Agreement, the Contractor shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. The Contractor shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Contractor and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Contractor shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Contractor to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Contractor to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Contractor from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Contractor concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Contractor's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Contractor until such time as the Contractor shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Contractor maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2. The Contractor shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- i. Premises - Operations.
- ii. Broad Form Contractual.
- iii. Independent Contractor and Sub-Contractor.
- iv. Products and Completed Operations.

c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

- i. Owned automobiles.
- ii. Hired automobiles.
- iii. Non-owned automobiles.

e) Abuse and Molestation Liability, either by separate policy of insurance or through endorsement to the General Liability Policy or Professional Liability Policy. (Limits of \$1,000,000.00 per occurrence/3,000,000 aggregate). This insurance shall include coverage for the following, including coverage for client on client, counselor client, and third parties :

- i. Misconduct
- ii. Abuse (including both physical and sexual)
- iii. Molestation

This insurance shall, if it is a separate policy rather than an endorsement to an above-specified policy, name the "County of Westchester" as additional insured.

3. All policies of the Contractor shall be endorsed to contain the following clauses:

- a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.
- b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.
- c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.
- d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Contractor.





# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: September 1, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a 4-month extension of the moratorium in the City of Rye temporarily limiting the approval of any new mechanical rock removal, drilling or boring application to fifteen (15) calendar days and prohibiting the review, processing or approval of any blasting applications for the duration of this moratorium.

**FOR THE MEETING OF:**

September 14, 2022

**RECOMMENDATION:** That the Council consider extending the moratorium.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

## BACKGROUND:

To ensure sufficient time is dedicated to the creation of these laws, the moratorium deadline will need to be extended.



## **CITY OF RYE**

### **LOCAL LAW NO. 5 OF 2022**

**A Local Law adopting a six-month moratorium in the City of Rye temporarily limiting the approval of any new mechanical rock removal, drilling or boring application to fifteen (15) calendar days and prohibiting the review, processing or approval of any blasting applications for the duration of this moratorium.**

WHEREAS, in recent years, the City of Rye has experienced an increase in the number of mechanical rock removal and blasting activities related to numerous projects on properties; and

WHEREAS, as a result of this increase, the City Council is becoming increasingly concerned about whether the current regulations in the Rye City Code are adequate to protect the interests of Rye residents; and

WHEREAS, properties that have remained unchanged for many years because they are constrained by topographic features, such as the presence of rock outcroppings, steep slopes, and other environmental features that can now be altered because of new technologies (for example, rock removal techniques and sump and sewer pumps); and

WHEREAS, mechanical rock removal, drilling, boring and blasting can be very disruptive and noxious activities, cause excessive noise, dust and vibrations and significantly affect the surrounding neighborhood, the environment and the overall quality of life of its residents;

WHEREAS, the City Council has determined that it is appropriate to review the City's existing mechanical rock removal, drilling, boring and blasting regulations to ensure that there are appropriate mitigation measures in place, that there is an appropriate balance between individual projects and the impacts to the existing neighborhood, and that any adverse environmental impacts are understood and properly addressed; and

WHEREAS, it is the intent of the Council to include rock drilling and boring within the definition of Mechanical Rock Excavation activities as defined in Chapter 133 of the Rye City Code, thereby requiring a permit; and

WHEREAS, the City expects that it may require up to six months to consider the aforementioned issues and prepare any necessary legislative amendments.

NOW, THEREFORE, Be It Enacted by the City Council of the City of Rye as follows:

Section 1. Findings and Purpose.

The City Council wishes to review the existing mechanical rock removal, drilling, boring and blasting regulations currently in place. The goals of the City Council include, but are not limited to, protecting sensitive environmental features of property, ensuring that the appropriate mitigation measures are in place to best protect the quality of life of its residents, and that the health, welfare and safety of its residents can be maintained while enabling reasonable and appropriate development.

Section 2. Enactment of Moratorium. Prohibited Actions.

For a period of six months from the effective date of this local law, the City Council hereby declares a moratorium restricting the following action in the City:

- A. Any approval of any new mechanical rock removal, drilling or boring applications submitted after the date this moratorium law takes effect shall be limited to a maximum of fifteen (15) calendar days.
- B. If any mechanical rock removal or drilling or boring permit is necessary for utility infrastructure, as defined under Rye City Code Section 133-10(B), such activity shall be exempt from this moratorium for a maximum of two (2) – three (3) day periods (a total of 6 days). Such utility applications must be submitted to the City Building Department in accordance with Section 133-10(B). No utility exemptions shall be permitted if there was a permit issued for mechanical rock removal, drilling or boring related to the same property or project after the effective date of this moratorium.
- C. There shall be no review, processing or approval of any mechanical rock removal or drilling or boring permit for a property that is located within a 1,000 foot radius of another property that has received a permit for such activities for at least thirty (30) days as counted from the last day of permitted mechanical rock removal, drilling or boring.
- D. There shall be no review, processing or approval of any blasting permits.
- E. **Test boring shall be exempt from the moratorium but shall be limited to one drill operating for two days on the property.**

Section 3. Appeals/waiver.

- A. An aggrieved property owner may petition the City Council for a waiver of the 15-calendar day limit or the prohibition on blasting permits and the City Council shall have the discretion to grant such waiver, or as much relief as said City Council may determine to be necessary and appropriate. In determining the suitability of a waiver under this section, the City Council shall consider the following factors:
  - 1. Hardship to the petitioner, which hardship is substantially greater than any harm to the general public welfare that would result from the granting of the waiver.

The property owner shall have the burden of demonstrating to the City Council that a waiver is warranted due to extreme hardship and that such extreme hardship was not the result of an act or omission by the applicant or property owner. Delay in construction plans alone will not be considered extreme hardship. In considering this factor, the City Council may request information regarding alternatives in site planning or construction techniques that the Applicant has considered or whether there are additional long-term plans for the project or site; and

2. The project's harmony (or lack thereof) with the existing character of the community as a whole and the area of the community in which the property is located; and
  3. Whether the application for which the relief is requested is consistent with any recommendations, or conclusions which may be drawn at the time of the public hearing from the aforementioned City Council's review and study; and
  4. Whether the applicant is in compliance with all other City Code requirements with respect to its City's operations; and
  5. Whether the application for which the relief is requested is consistent with any proposed regulations, if and as such may exist at the time of the public hearing.
- B. Waiver procedure. Such petition shall be the subject of a public hearing before the City Council. Upon submittal of a written petition to the City Manager's office by the property owner or applicant seeking a waiver of this moratorium, and supported by such documentation as the applicant deems relevant, the City Council shall, within thirty (30) days of receipt of such petition, conduct a public hearing on said petition upon five (5) days public notification in the official newspaper of the City. The City Council shall, within ten (10) days of the close of the hearing, render its decision in writing, either granting or denying the petition.
- C. It shall be within the discretion of the City Council to grant, in whole or in part, grant with conditions, or deny, the petition for relief from the terms of this moratorium. In granting a waiver, in whole or in part, the City Council must find that the waiver will not adversely affect the purpose of this Local Law.
- D. If the City Council does grant a waiver, in whole or in part, the Applicant must still submit an application for any necessary permits to the appropriate department, board or commission and proceed through the necessary review process set forth in the Rye City Code.

Section 4. Length of Time. Early Termination or Extension of this Local Law

This moratorium shall be in effect for six (6) months from the effective date. In the event any new Local Law which addresses the substantive issues set forth herein, should be enacted and adopted by the City Council prior to the date that the moratorium imposed by this Local Law expires, then in that event, the moratorium imposed by this Local Law shall expire on the date such new Local Law takes effect in accordance with § 27 of the Municipal Home Rule Law.

In like manner, if more than six (6) months have passed since the implementation of this Local Law, and it shall be determined by a finding of the City Council that an extension of this moratorium is required, then the City Council by resolution, may extend this moratorium for such a period of time as it deems necessary in order to further the purposes of this law up to and including an additional 180 days from the date of the original expiration of this Local Law.

Section 5. Conflicts with State Statutes and Authority to Supersede

A. To the extent any provisions of this Local Law are in conflict with or are construed as inconsistent with the provisions of New York State Law, this Local Law shall control. The City Council adopts this local law pursuant to authority in the New York State Constitution, Article IX, Section 2; Section 10 of the New York State Municipal Home Rule Law; Section 10 of the Statute of Local Governments; the relevant provisions of the General City Law of the State of New York; and the general police power vested with the City of Rye to promote the health, safety and welfare of all residents and property owners in the City.

B. During the time that this law is in effect, it shall take precedence over and shall be considered controlling over contrary laws, ordinances and provisions. It is the intent of the City Council, pursuant to its authority under section 10, subdivision 1(ii)(d)(3), and section 22 of the Municipal Home Rule Law, to supersede inconsistent provision of the New York State General City Law and the City of Rye Code.

- a. In particular, it is the intent of the City Council, pursuant to authority under Sections 10 and 22 of the Municipal Home Rule Law, to supersede inconsistent provisions of the New York State General City Law and the City of Rye City Code relating to the time limits in connection with zoning and planning determinations and with respect to the jurisdiction and authority of the Board of Appeals with respect to hearing variances or waivers related to this local law.

Section 6. All other sections of Chapter 133 not modified by this Moratorium shall remain in effect and shall apply to any mechanical rock removal, drilling or boring activity permitted during this effective period of this Moratorium.

Section 6. Severability

If any part of this Local Law is deemed by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Local Law.

Section 7. Effective Date

This Local Law shall take effect immediately upon filing with the New York Secretary of State.



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: September 14, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution expressing the City's support for Rye Sustainability Committee's (RSC) marketing campaign seeking to earn credit for the Community Campaigns High-Impact Action under NYSERDA's Clean Energy Communities Program.

**FOR THE MEETING OF:**

September 14, 2022

**RECOMMENDATION:** That the Council adopt the attached resolution.

**IMPACT:** ☒ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

## BACKGROUND:

Electric Vehicles is a campaign to initiate and develop partnerships with car dealerships, platform providers, and/or other EV industry partners to offer local residents and businesses a variety of makes and models of electric vehicles. The offer may be promoted through ride and drive events and other outreach efforts.

RSC will promote Electric Vehicles via newsletter and social media and through community education at events.



# Community Campaigns - Scoping Document

Version 1 – City of Rye

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## Purpose

This scoping document is intended for use by local government officials seeking to earn credit for the Community Campaigns High-Impact Action under NYSERDA's Clean Energy Communities Program. The purpose is to help municipal officials, campaign teams, and NYSERDA clearly understand the individual jurisdiction's goals and objectives, milestones, and deliverables, as well as the roles and responsibilities of project partners, to help ensure the success of the campaign.

## Introduction

Community-scale campaigns can be an effective way to encourage adoption of new, innovative technologies to generate value and savings for consumers while advancing New York's clean energy goals. The goal is for local residents and businesses to gain increased access to clean energy. Community Campaigns are generally short-term efforts that identify potential customers through widespread outreach and education.

## What is the focus of your Campaign? (Check all that apply)

### ☐ Community Solar

The intent of the campaign is to encourage residential and/or commercial customers to participate in the following solar opportunities (Check all that apply):

- ☐ Community Solar
- ☐ Solar-For-All

### ☒ Electric Vehicles

The intent is for the local government along with partner organizations and volunteers to initiate and develop partnerships with car dealerships, platform providers, and/or other EV industry partners to offer local residents and businesses a variety of makes and models of electric vehicles. The offer may be promoted through ride and drive events and other outreach efforts.

☐ **Clean Heating and Cooling and Energy Efficiency**

The intent is for the local government to develop partnerships with NYSERDA-approved Clean Heating and Cooling Community Campaigns if they are available in the area. The local government along with partner organizations and volunteers organize a structured campaign to encourage the adoption of clean heating and cooling technologies (e.g., ground- and air- source heat pump systems and heat pump water heaters) as well as energy efficiency retrofits to homes, businesses, and community institutions.

☐ **Demand Response**

Demand response is important because the actions of individual customers can be aggregated in ways that deliver significant value to the grid. Local governments are uniquely positioned to help customers benefit directly from this opportunity. The local government should consider developing partnerships with providers of demand response products and services, like smart thermostat deployments, battery energy storage, and peak saver campaigns. The objective is to increase resilience and leverage capacity markets for the benefit of participating customers.

## **Part 1: Project Overview, Primary Contact, and Lead Organization**

### **What is the name of the campaign?**

Electric Vehicles in Rye

### **What community/communities will be served, and who are the intended participants?**

*Specify the geographic area that your campaign falls within i.e., village, town, city, or county?  
Who are the intended participants?*

This Electric Vehicles in Rye campaign will serve the residents in the City of Rye. The intended participants are residents looking to make the switch to electric and would benefit from the information we will provide.

### **Who is the project manager for your campaign?**

*This person serves as the primary contact and is the liaison between NYSERDA and the core team for the duration of the campaign. All communication between NYSERDA and the campaign will go through this individual. This person can be a volunteer, official, or staff member of the local government or lead organization. The project manager may not have financial relationships with vendors that may apply to participate in the campaign. The project manager should expect to make a significant time commitment to the campaign.*

First Name: Donna

Last Name: Providenti

E-mail: donnacprovidenti@gmail.com

Phone Number: 646-808-5122

Title / Position: Member, Rye Sustainability Committee



**Who is the lead organization?**

*The lead organization must be a local government, school district, or nonprofit organization (Partnerships are strongly encouraged). The lead organization is responsible for coordinating with NYSERDA and among the other partners.*

Name of Lead Organization: City of Rye

Mailing Address: 1051 Boston Post Road, Rye, NY 10580

The Lead Organization is a: Local Government

**Part 2: Partners and Core Team****Provide the names of all members of your Core Team.**

*The Core Team may consist of volunteers from the community, officials, and/or staff members of the local government, or other partners. At least one official and/or staff member from the applying jurisdiction shall be a member of the Core Team and identified below. Include each Core Team member's role along with any specialty i.e., marketing, social media, specific software such as MS Excel, community outreach, etc. Core Team members may not have financial relationships with vendors that may apply to participate in the campaign. Core Team members should expect to make a significant time commitment to the campaign.*

Listed below are the core team members. Volunteer recruitment is ongoing throughout the campaign.

City of Rye:

- Mayor Josh Cohn (Providing campaign guidance)

The City of Rye Sustainability Committee:

- James Ward, Chairman, (Coordinating Outreach & Marketing Efforts)
- Donna Providentii, Member, (Project Manager, Community Outreach)
- Pamela Haas, Member, (Marketing)

**List the names of all local partner organizations.**

*Local partners may be community groups, local businesses, local governments, school districts, etc. These partners should contribute to the overall success of the campaign. Describe the role each organization will play in the campaign. It is strongly encouraged that the local government(s) be either the lead entity or a partner. It is encouraged that the campaign obtains a letter of commitment from the jurisdiction's chief elected official describing their level of assistance and/or a local resolution expressing support of the campaign.*

Name of Organization (Specify if Primary or Secondary)	Outreach / Support Offered / Notes
City of Rye - Primary	City proclamation, publicity via social media
Rye Sustainability Committee -Primary	Publicity via newsletter and social media channels community education/events – committed to support
Sustainable Westchester - Secondary	Publicity/education materials
Other partners will be secured ( for ex. Farmer's Market, Rye Garden Club, Town of Rye Sustainability, Jay Estate) - Secondary	Publicity/community outreach

### Part 3: Community Profile and Preparation

#### **Describe the community served by the campaign.**

*Include population and number of owner-occupied residences. Include any information that would be relevant to the scheduling of a seasonal campaign. For example, is your community a vacation destination, college town, consisting largely of renters, etc?*

The City of Rye Population: The City of Rye has a population of approximately 15,820 per the 2019 US Census [census.gov](https://www.census.gov).

Number of Owner-Occupied Residences: Approximately 70% (4,007/5,762) of all housing units in the City of Rye are owner-occupied, per 2019 US Census ([census.gov](https://www.census.gov)).

#### **Describe your community's participation in local sustainability and clean energy initiatives.**

*Describe your community's participation in Clean Energy Communities and Climate Smart Communities. Has your community been in contact with a former Solarize campaign? Do you have plans to coordinate with another campaign?*

The City of Rye ran previous campaigns for Community Solar and Demand Response in the spring of 2021 and Clean Heating and Cooling in spring of 2022. We plan to tap into the local resources of other communities during the National Drive Electric week (for example promoting in person drive electric events nearby).

#### **Part 4: Campaign Goals, Vendor Selection, and Preliminary Marketing and Outreach Plan.**

Electric Vehicles in Rye seeks to educate residents about the benefits of going electric including reduced fuel costs, rebates, and zero emissions.

Our goals are to provide easy access to information for those in the market for a new vehicle and promote electric vehicle adoption. We will work to document five sales/leases of electric vehicles in Rye in order to obtain an action grant of \$5,000 and 200 Clean Energy Community points.

We plan to use resources developed and vetted by Sustainable Westchester from their Clean Transportation program related to residential vehicles. The resources include local dealership and rebate/incentive information.

The City of Rye and the Rye Sustainability Committee will market the campaign and deliver information using the following tools:

**Newsletter:** 1,200 environmentally minded residents comprise the Friends of Rye Sustainability database

**Social Media:** Instagram/Facebook posts with a heavy focus on Electric Vehicle Week

**Partner channels:** Work with like-minded organizations in the City of Rye to promote the information

**Media:** myrye.com and Rye Record create articles to provide to local media outlets

#### **Campaign Goals**

*State your goals for the number of purchases that will result from your campaign within the applying jurisdiction's municipal boundaries:*

Number of Purchases/Leases: ELECTRIC VEHICLES	5 + (By 12/1/2022 with more purchases as a result of our efforts later in the year)
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# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: August 22, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Resolution to accept 13 Smart TV's, valued at \$32,500, from RCDS for use by the City in various City buildings.

**FOR THE MEETING OF:**  
September 14, 2022

**RECOMMENDATION:** That the Council accept the donation.

**IMPACT:** ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

**BACKGROUND:** Please see attached memo from Rye Country Day School.



Rye Country Day School, Cedar Street, Rye, New York 10580-2034 • (914) 967-1417 • Fax (914) 967-1418

August 4, 2022

Mr. Greg Usry  
City Manager  
City of Rye  
Rye, NY 10580

Email: [gusry@ryeny.gov](mailto:gusry@ryeny.gov)

Dear Greg ;

Rye Country Day School has up to 15 Samsung QE82R TVs with stands that we would like to offer to City of Rye for distribution to City agencies. These units are two years old and have minimal use. They are available for pick up anytime from now until August 22, 2022.

Please let me know if I should be contacting anyone else to discuss this issue. Please contact me at [pam\\_macaffer@ryecountryday.org](mailto:pam_macaffer@ryecountryday.org) or 518-469-5929 with and questions.

Sincerely,

A handwritten signature in blue ink, which appears to read "Pam MacAffer".

Pam MacAffer  
Assistant Head of School for Finance and Operations



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: September 14, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a request by the Rye YMCA to use City streets for the 35th Annual Rye Derby on Sunday, April 30, 2023 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.

**FOR THE MEETING OF:**

September 14, 2022

**RECOMMENDATION:** That the Council consider granting the request.

**IMPACT:** ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

## BACKGROUND:

The Rye YMCA is requesting the Council approve use of City streets for the Annual Rye Derby on Sunday, April 30, 2023 from 7:00 a.m. to 10:30 a.m. as well as restrict parking on Purchase St. during that time.

See attached letter from Sabrina Murphy, YMCA Executive Director



FOR YOUTH DEVELOPMENT®  
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**TRUSTEE EMERITUS**

Michael T. Tokarz

August 10, 2022

Ms. Carolyn E. D'Andrea, City Clerk  
City of Rye  
1051 Boston Post Road  
Rye, New York 10580

Dear Ms. D'Andrea:

We are writing to request permission from the City of Rye for use of city streets on Sunday, April 30, 2023 for the 35<sup>th</sup> Annual Rye YMCA Derby.

The 5-mile run and 5K will start at 9:15 am and the one-mile "Family Fun Run" will begin at 11:00 am, using the same course used in previous years. As always, the Rye Y will be the focal point of festivities before and after the race. This is a community event that attracts as many as 600 participants and several hundred spectators. The racecourse map is enclosed for your review.

Prior to race day, the Rye Y will provide a certificate of insurance naming the City of Rye as additionally insured for that day. We also have instructed our race advisors not to use paint or chalk on city streets and we will follow the course that has been agreed upon with the Rye City Police department for this race. NAME OF RACE DIRECTOR our Race Director, will be coordinating her efforts with Lt. Michael Kopy, Public Safety Commissioner.

We would also like permission to restrict parking on Purchase Street between Purdy Avenue and Locust Avenue the morning of April 30th until 10:30am with your approved signs. The safety of our runners is paramount and the beginning of the race is crowded, especially when there are cars parked on Purchase.

Thank you in advance for your consideration.

Sincerely,

Sabrina Murphy  
Chief Executive Officer

cc: Lt. Michael Kopy – Public Safety Commissioner  
Greg Usry – Rye City Manager

The Rye YMCA is a 501(c)(3) nonprofit organization dedicated to strengthening the foundation of families and community.



**5M & 5K Road Races Start Time: 9:15 am**



**Rye YMCA**  
**21 Locust Avenue**  
**Rye, NY**  
**914-967-6363**  
**[www.ryeymca.org](http://www.ryeymca.org)**



# The Rye Derby

**1M Fun Run/Walk Start Time :11:00 AM**





# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: September 1, 2022

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a request by the Rye Chamber of Commerce for use of Purchase Street from the Village Green to Purdy on Sunday, November 27, 2022 for the Mistletoe Magic event.

**FOR THE MEETING OF:**

September 14, 2022

**RECOMMENDATION:** That the City Council approve the request for the Village Green.

RESOLVED that the Council approves this request for use of Purchase St in the CBD on Sunday, November 27, 2022 for the Mistletoe Magic event.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

**BACKGROUND:** his request is for use of Purchase St in the Central Business District for the annual Mistletoe Magic festival.



August 16, 2022

Ms. Noga Ruttenberg  
Secretary to City Manager  
City Clerk  
City of Rye  
1051 Boston Post Road  
Rye, New York 10580

Re: Rye Chamber of Commerce Mistletoe Magic Event

Dear Ms. Noga Ruttenberg

On behalf of the Rye Chamber of Commerce, I am writing to request permission from the city for use of Purchase Street, from the Village Green to Purdy Avenue, on **Sunday, November 27, 2022** for our annual Mistletoe Magic Festival.

I will contact the Commissioner of the Rye City Police Department to make sure the village officer has extra help to cover the extra traffic and shoppers. An insurance certificate will be provided upon approval.

Thank you in advance for your consideration.

Very truly yours,

Brian Jackson  
President,  
Rye Chamber of Commerce



# CITY COUNCIL AGENDA

DEPT.: City Manager

DATE: September 14, 2021

CONTACT: Greg Usry, City Manager

**AGENDA ITEM:** Consideration of a request by the Sole Ryeders & Friends and the Rye High School Breast Cancer Awareness Club to have a TieTheTownPink breast cancer awareness campaign in the City of Rye during the month of October, 2022.

**FOR THE MEETING OF:**

September 14, 2021

**RECOMMENDATION:** That the Council consider granting the request.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

**BACKGROUND:** SOUL RYEDERS' TieTheTownPink began in 2014 as a breast cancer awareness campaign. Now, their goal is to adorn the City of Rye and surrounding towns with natural burlap pink ribbons beginning on October 1st to show the communities' support for individuals and families affected by all types of cancer and to highlight the importance of regular prevention screenings.

They seek permission from the City of Rye to tie large pink ribbons around trees and lampposts throughout the City and on downtown Purchase Street from October 1 – 31, 2021. They would also like permission to tie ribbons at Disbrow Park and Nursery Field. SOUL RYEDERS will take responsibility for placing the ribbons around town and will take all ribbons down at the end of the campaign.

**From:** [Lesley Findlay](#)  
**To:** [Souza, Julie A.](#)  
**Cc:** [Ruttenberg, Noga P.](#); [Pietrosanti, Euka N.](#)  
**Subject:** Re: 2022 TieTheTownPink  
**Date:** Tuesday, September 06, 2022 7:28:28 PM  
**Attachments:** [image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)

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Hi all -

Thank you so much for adding our request to your agenda for this month.

I took the opportunity to update what you have used in the past as SOUL RYEDERS has evolved in the 9 years this campaign has been running! Thank you all so much for your support and please don't hesitate to let me know if there are any questions.

SOUL RYEDERS' [TieTheTownPink](#) began in 2014 as a breast cancer awareness campaign. Now, their goal is to adorn the City of Rye and surrounding towns with natural burlap pink ribbons beginning on October 1st to show the communities' support for individuals and families affected by *all types of cancer* and to *highlight the importance of regular prevention screenings*.

They seek permission from the City of Rye to tie large pink ribbons around trees and lampposts throughout the City and on downtown Purchase Street from October 1 – 31, 2021. They would also like permission to tie ribbons at Disbrow Park and Nursery Field. SOUL RYEDERS will take responsibility for placing the ribbons around town and will take all ribbons down at the end of the campaign.

-----  
Lesley Findlay  
Pronouns: she/her  
Director of Operations  
**SOUL RYEDERS**  
1091 Boston Post Road  
Rye, NY 10580  
cell # 917.837.9844  
[soulryeders.org](http://soulryeders.org)



Email Reality Check: You may see emails & messages from me at irregular hours. I often work at times that fit my family's needs - especially during this time. Please don't feel pressure to reply immediately, if at all, depending on the context of the communication.

On Tue, Sep 6, 2022 at 10:18 AM Souza, Julie A. <[jsouza@ryeny.gov](mailto:jsouza@ryeny.gov)> wrote: