

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

**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS, CITY HALL
Wednesday, April 17, 2024
6:30 p.m.**

Please note: The Council will convene at 5:30 p.m. and it is expected they will adjourn into 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 April 3, 2024.
4. Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
5. Award bid for 2024-2026 street resurfacing.
6. Consideration of a request from Apple Studios, LLC to film an episode of “Swipe” on Purchase Street and Purdy Avenue on Monday, April 29th, 2024 with certain accommodations in exchange for a fee to be negotiated.
7. Council discussion of Nursery Field
8. Adoption of the 2024 County property tax rates.
9. Resolution adopting rules for agenda setting and conducting business at City Council meetings.
10. Old Business/New Business.
11. Adjournment

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The next regular meeting of the City Council will be held on Wednesday, May 1, 2024, at 6:30 p.m.

** City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at www.ryeny.gov under “RyeTV Live”.

UNAPPROVED MINUTES of the Regular Meeting of
the City Council of the City of Rye held in City Hall on
April 3, 2024, at 6:30 P.M.

PRESENT:

JOSH COHN, Mayor
BILL HENDERSON
JAMIE JENSEN
JOSH NATHAN
JULIE SOUZA
Councilmembers

ABSENT:

KEITH CUNNINGHAM
SARA GODDARD
Councilmembers

ALSO ATTENDING:

GREG USRY, CITY MANAGER
KRISTEN WILSON, CORPORATION COUNSEL
JOE FAZZINO, DEPUTY COMPTROLLER
RYAN COYNE, CITY ENGINEER
MIKE KOPY, COMMISSIONER OF PUBLIC SAFETY

The Council convened in a public meeting at 6:34 P.M. The meeting was streamed live at www.ryeny.gov for public viewing.

1. [Pledge of Allegiance.](#)

Mayor Cohn led the Pledge of Allegiance.

2. [Roll Call.](#)

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

3. [Draft unapproved minutes of the Regular Meeting of the City Council held March 20, 2024.](#)

On motion by Councilman Henderson, seconded by Councilman Nathan, it was

RESOLVED to approve the draft unapproved minutes of the Regular Meeting of the City Council held March 20, 2024.

Adopted by the following vote:

AYES: Mayor Cohn, Councilpersons Henderson, Jensen, Nathan, Souza
NAYS: None

UNAPPROVED MINUTES – Regular Meeting - City Council
April 3, 2024

ABSENT: Councilpersons Cunningham, Goddard

4. [Members of the public may be heard on matters for Council consideration that do not appear on the agenda.](#)

- George Ford, Jr. of Port Chester discussed his FOIL requests.
- Mark Cunningham of 502 Forest Avenue, spoke about Peck Avenue/Boston Post Rd and the impact of the development of United Hospital.

5. [Consideration of proposed additions to the Rules and Regulations of the City of Rye Fire Department.](#)

- Policy 608 – Hazardous Materials (HAZMAT) Training
- Policy 609 – Hearing Conservation and Noise Control Training
- Policy 610 – Heat Illness Prevention Training
- Policy 612 – National Incident Management Systems (NIMS) Training
- Policy 613 – Repetitive Motion Injuries and Ergonomics Training
- Policy 701 – Use of Department Vehicles

Commissioner of Public Safety, Mike Kopy, gave an overview of the policies proposed for the Fire Department.

6. [Consideration of proposed revisions of the Rules and Regulations of the City of Rye Police Department](#)

- Policy 320 – Standards of Conduct

Commissioner of Public Safety, Mike Kopy, gave an overview of Policy 320.

7. [Police update.](#)

Commissioner of Public Safety, Mike Kopy, gave a brief overview of Police matters.

8. [Review of City investments.](#)

Deputy Comptroller, Joe Fazzino, presented an overview of the City's investments.

9. [Review of preliminary first quarter revenue results.](#)

Deputy Comptroller, Joe Fazzino, presented an overview of Q1 revenue results.

10. [Update on the Boat Basin Dredge.](#)

City Engineer, Ryan Coyne, introduced Mark Jackson of Coastline Consulting to discuss the dredging results to date.

UNAPPROVED MINUTES – Regular Meeting - City Council
April 3, 2024

11. [Home rule resolution supporting S8736 / A9138, extension of City of Rye Hotel Occupancy Tax.](#)

On motion by Councilwoman Souza, seconded by Councilman Henderson, it was

RESOLVED, that the City Council supports S8736 / A9138 extension of the City of Rye Hotel Occupancy Tax.

ROLL CALL

AYES: Mayor Cohn, Councilpersons Henderson, Jensen, Nathan, Souza

NAYS: None

ABSENT: Councilpersons Cunningham, Goddard

12. [Consideration of License Agreement for improvements along the City's right of way at 2 Grace Church Street/19 Palisades.](#)

On motion by Councilwoman Souza, seconded by Councilman Nathan, it was

RESOLVED, that the City Council authorize adoption of a License Agreement for improvements along the City's right of way at 2 Grace Church Street/19 Palisades.

ROLL CALL

AYES: Mayor Cohn, Councilpersons Cunningham, Henderson, Jensen, Nathan, Souza

NAYS: None

ABSENT: Councilpersons Cunningham, Goddard

13. [Old Business/New Business](#)

Nothing for Old Business/New Business.

14. [Adjournment](#)

On motion of Councilwoman Souza, seconded by Mayor Cohn, and with the Council in favor, the meeting was adjourned at 7:53 PM.

Respectfully submitted,

Noga Ruttenberg
City Clerk



CITY COUNCIL AGENDA

DEPT.: Engineering

CONTACT: Ryan X. Coyne, City Engineer

ACTION: Award bid for the 2024-2026 Street Resurfacing Contract (Contract #2024-05).

FOR THE MEETING OF:

April 17, 2024

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: The Contract #2024-05 be awarded to the low bidder, Laura Li Industries, LLC, in the amount of Three Million Four Hundred Twenty-Eight Thousand Four Hundred Ninety Dollars and Zero Cents (\$3,428,490.00) as recommended by the City Engineer.

IMPACT: Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: The Engineering Department has prioritized a list of streets for resurfacing per presentations at prior City Council Meetings with input from the Council and public. The City Engineer's recommendation and bid results are attached for your review.

Ryan Coyne, P.E.
City Engineer
1051 Boston Post Road
Rye, New York 10580



Tel: (914) 967-7464
E-mail: rcoyne@ryeny.gov
<http://www.ryeny.gov>

CITY OF RYE DEPARTMENT OF PUBLIC WORKS

To: Greg Usry, City Manager
From: Eric Kingsbury, ASDPW
Date: April 10, 2024
Re: Contract 2024-05, 2024-2026 Street Resurfacing Program

This office has reviewed and tabulated the bid received on April 10, 2024 for the above reference project. A copy of the bid results, aerial map and street section tabulation are attached.

I hereby recommend that the bid be award to Laura Li Industries, LLC, in the amount of Three Million Four Hundred Twenty-Eight Thousand Four Hundred Ninety Dollars and Zero Cents (\$3,428,490.00).

Street Resurfacing Program - Contract 2024-05
Bid Tabulation



				1. Laura Li Industries, LLC		2. ELQ Industries, Inc.		3. Petrillo Contracting Inc.		4. Montesano Brothers, Inc.	
Item Number	Item	Unit	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Unclassified Excavation and Disposal NYSDOT Item 203.02	CY	20	250.00	\$ 5,000.00	\$166.00	\$3,320.00	\$150.00	\$3,000.00	\$75.00	\$1,500.00
2	9.5 F3 Top Course Asphalt, 80 Series NYSDOT Item 404.098301	Tons	13,500	147.00	\$ 1,984,500.00	\$156.00	\$2,106,000.00	\$158.00	\$2,133,000.00	\$167.00	\$2,254,500.00
3	12.5 F3 Top Course Asphalt, 80 Series NYSDOT Item 404.128301	Tons	10	149.00	\$ 1,490.00	\$155.00	\$1,550.00	\$158.00	\$1,580.00	\$159.00	\$1,590.00
4	Milling of Asphaltic Concrete Pavement NYSDOT Item 490.10	SY	120,000	6.75	\$ 810,000.00	\$7.25	\$870,000.00	\$9.18	\$1,101,600.00	\$7.90	\$948,000.00
5	Tack Coat NYSDOT Item 407.0103	Gallons	7,200	9.00	\$ 64,800.00	\$9.73	\$70,056.00	\$7.00	\$50,400.00	\$12.00	\$86,400.00
6	Full Depth PCC Lift Out NYSDOT Item 502.31010018	SY	50	120.00	\$ 6,000.00	\$99.00	\$4,950.00	\$400.00	\$20,000.00	\$175.00	\$8,750.00
7	PCC Placement for Full Depth Pavement Repairs NYSDOT Item 502.36RC0018	CY	10	1,400.00	\$ 14,000.00	\$1,140.00	\$11,400.00	\$2,000.00	\$20,000.00	\$2,490.00	\$24,900.00
8	Driveway Restoration Item 529	SF	60	200.00	\$ 12,000.00	\$35.00	\$2,100.00	\$150.00	\$9,000.00	\$115.00	\$6,900.00
9	Asphalt Concrete Wedge Course Item 545	Tons	1,200	149.00	\$ 178,800.00	\$154.00	\$184,800.00	\$158.00	\$189,600.00	\$158.00	\$189,600.00
10	Remove, Replace and Adjust Manhole Castings for Resurfacing Work NYSDOT Item 604.07	Ea	30	1,100.00	\$ 33,000.00	\$818.00	\$24,540.00	\$1,000.00	\$30,000.00	\$1,700.00	\$51,000.00
11	Concrete Sidewalks and Driveways NYSDOT 608.0101	CY	25	1,500.00	\$ 37,500.00	\$1,235.00	\$30,875.00	\$1,700.00	\$42,500.00	\$365.00	\$9,125.00
12	Concrete Curb Ramp NYSDOT Item 608.0105	SY	230	260.00	\$ 59,800.00	\$382.00	\$87,860.00	\$360.00	\$82,800.00	\$425.00	\$97,750.00
13	Embedded Detectable Warning Unit NYSDOT Item 608.21	SY	15	400.00	\$ 6,000.00	\$304.00	\$4,560.00	\$250.00	\$3,750.00	\$300.00	\$4,500.00
14	Belgian Block Curb NYSDOT 609.0112	LF	10	350.00	\$ 3,500.00	\$52.00	\$520.00	\$200.00	\$2,000.00	\$95.00	\$950.00
15	Concrete Curb NYSDOT 609.04	LF	750	60.00	\$ 45,000.00	\$70.00	\$52,500.00	\$56.00	\$42,000.00	\$110.00	\$82,500.00
16	Flagmen - Calendar Year 2024 Item 619.01-2024	Hr	140	100.00	\$ 14,000.00	\$103.00	\$14,420.00	\$70.00	\$9,800.00	\$111.00	\$15,540.00
17	Flagmen - Calendar Year 2025 Item 619.01-2025	Hr	150	105.00	\$ 15,750.00	\$106.00	\$15,900.00	\$74.00	\$11,100.00	\$115.00	\$17,250.00
18	Flagmen - Calendar Year 2026 Item 619.01-2026	Hr	170	110.00	\$ 18,700.00	\$108.20	\$18,394.00	\$78.00	\$13,260.00	\$119.00	\$20,230.00
19	Frames and Grates Item 655	Ea	12	1,200.00	\$ 14,400.00	\$1,827.00	\$21,924.00	\$1,400.00	\$16,800.00	\$2,700.00	\$32,400.00
20	White Epoxy ReflectORIZED Pavement Stripes, 20 Mils NYSDOT 685.1102	LF	450	3.00	\$ 1,350.00	\$1.30	\$585.00	\$6.00	\$2,700.00	\$81.60	\$36,720.00
21	Yellow Epoxy ReflectORIZED Pavement Stripes, 20 Mils NYSDOT 685.1202	LF	15,500	0.80	\$ 12,400.00	\$0.65	\$10,075.00	\$1.00	\$15,500.00	\$0.85	\$13,175.00
22	Thermoplastic ReflectORIZED Pvement Markings (Crosswalk) NYSDOT 687.0101	LF	1,700	5.00	\$ 8,500.00	\$4.25	\$7,225.00	\$3.00	\$5,100.00	\$5.94	\$10,098.00
23	Asphalt Price Adjustment NYSDOT 698.04										
24	Pavement Repair - Asphalt Concrete Pavement	SY	1,000	73.00	\$ 73,000.00	\$28.00	\$28,000.00	\$30.00	\$30,000.00	\$170.00	\$170,000.00
25	Temporary Protection of Drainage Structures Item 902	Ea	60	150.00	\$ 9,000.00	\$169.00	\$10,140.00	\$300.00	\$18,000.00	\$225.00	\$13,500.00
	Total			\$3,428,490.00		\$3,581,694.00		\$3,853,490.00		\$4,096,878.00	

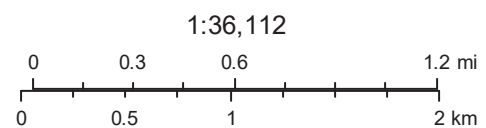
City of Rye 2024-2026 Street Resurfacing Program



March 20, 2024

THEMEMAP - [Pavement] Road Program by Year (3 Year)

- 2024
- 2025
- 2026
- Pavement



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Name	From	To	Length (ft)	Width	Area(sq)	Treatment	Milling (sy) #490.10	Top Course - 2" on HMA, 1.5" on PCCP (Tons) #404.098301	1.5" Wedge Course 16' wide (Tons) #404.098301	Flagger Hours #619.01	Replace CB Frame & Grate #655	Adjust Manholes #604.07	Adjust Water Valves	Concrete Curb @ Ramps (lf) #526	Concrete Ramps (sy) #608.010 5	Replace Concrete Curb (lf) #526	Restore Driveways (sf) #529	Full Depth Repair (sy) #740SS
2024 Program																		
BOSTON POST ROAD	315' N OF PECK ST	507' N OF PECK ST	193	44	944	Mill & Overlay	944	109.69		3.51						200		
CAYUGA STREET	MANDOTA AV	HIGHLAND RD	554	28	1,724	Mill & Overlay	1,724	200.36		6.41								
DRAKE SMITH LANE	CUL DE SAC (S)	CUL DE SAC (N)	1,036	19	2,759	Mill & Overlay	2,759	320.78		10.26		1						
GLENDALE AVENUE	LOCUST AV	NORTH ST	1,246	20	2,769	Wedge & Overlay	2,769	241.41	193.13	13.91		4		34	12			81
GRACE CHURCH STREET	FOREST AVENUE	CITY LINE	3,033	25	8,425	Mill & Overlay	8,425	979.41		31.34								
HIGHLAND ROAD	PURCHASE ST	CLUB RD	995	36	3,980	Wedge & Overlay	3,980	347.01	154.23	16.04	5	9	4	18	12	100		788
HIGHLAND ROAD	CLUB RD	MOHAWK ST	1,170	30	3,900	Wedge & Overlay	3,900	340.03	181.35	16.68	4	6	6			50		
HIGHLAND ROAD	MOHAWK ST	CITY LINE	480	30	1,600	Mill & Overlay	1,600	186.00		5.95								
KIRBY LANE NORTH (section B)	GRACE CHURCH S	CUL DE SAC	1,568	20	3,808	Mill & Overlay	3,808	442.73		14.17								
MEAD PLACE	LOCUST AV	LOCUST AV	1,083	27	3,249	Wedge & Overlay		0.00	167.87	5.37	3	7	3			50	50	31
ONONDAGA STREET	HIGHLAND RD	MENDOTA AV	555	28	1,727	Mill & Overlay	1,727	200.73		6.42								
SENECA STREET	MENDOTA AV	HIGHLAND RD	450	28	1,400	Mill & Overlay	1,400	162.75		5.21				19	12			
THIRD STREET	PURDY AV	130' S OF STATION PLAZA	389	30	1,297	Wedge & Overlay	1,297	113.05	60.30	5.55		1	4			25		
						Sub Totals:	34,332	3,534.25	756.87	141	12	28	17	71	36	425	50	900
2025 Program																		
BARLOW LANE	BOSTON POST RD	NEIL PL	1,469	23	3,754	Mill & Overlay	3,754	436.42		13.97								
CEDAR PLACE	MANURSING AV	200' S OF SYLVAN PL	778	25	2,161	Mill & Overlay	2,161	251.23		8.04								
CEDAR PLACE	200' S OF SYLVAN PL	GOLDWIN ST	330	25	917	Mill & Overlay	917	106.56		3.41				19	12			
CEDAR PLACE	GOLDWIN ST	DEAD END	147	21	343	Mill & Overlay	343	39.87		1.28								
CENTRAL AVENUE	111' S OF CLINTON AVE	THEODORE FREMD	712	25	1,978	Mill & Overlay	1,978	229.92		7.36								
GOLDWIN STREET	CEDAR PL	DEAD END	505	26	1,459	Mill & Overlay	1,459	169.60		5.43								
HERITAGE LANE	MARTIN RD	CUL DE SAC	492	30	1,932	Mill & Overlay	1,932	224.54		7.19								
LEA PLACE	MIDLAND AV	CUL DE SAC	268	30	1,185	Mill & Overlay	1,185	137.74		4.41								
LOCUST AVENUE	RIDGEWOOD DR	209' N OF THEODORE FREMD	413	20	918	Mill & Overlay	918	106.69		3.41								
MARTIN ROAD	FOREST AV	CUL DE SAC	752	20	1,943	Mill & Overlay	1,943	225.87		7.23								
MILTON ROAD	PARSONS ST	500' N OF CROSS ST	500	30	1,667	Mill & Overlay	1,667	193.75		6.20								
ORMOND PLACE	HILL ST	HALSTED PL	690	23	1,763	Mill & Overlay	1,763	204.99		6.56								
OVERDALE ROAD	BOSTON POST ROAD	GREENHAVEN RD	982	20	2,182	Mill & Overlay	2,182	253.68		8.12								
PETER JAY PLACE	BARLOW LA	JOHN JAY PL	448	30	1,493	Mill & Overlay	1,493	173.60		5.56								
ROSEMERE STREET	ROOSEVELT AV	FOREST AV	852	24	2,272	Mill & Overlay	2,272	264.12		8.45								
SHARON LANE	MARLENE CT	PONDVIEW RD	804	31	2,769	Mill & Overlay	2,769	321.94		10.30								
STUYVESANT AVENUE	VANWAGENEN AV	GREEN AV	2,532	21	5,908	Wedge & Overlay	5,908	515.10	392.46	29.04			11					95
SYLVAN PLACE	MIDLAND AV	CEDAR PL	251	21	586	Mill & Overlay	586	68.08		2.18								
SYLVAN PLACE	CEDAR PL	DAVIS AV	312	21	728	Mill & Overlay	728	84.63		2.71				18	12			
WALNUT STREET	CENTRAL AV	ORCHARD AV	472	28	1,468	Mill & Overlay	1,468	170.71		5.46				100	57			
						Sub Totals:	37,426	4,179	392	146	-	-	11	137	81	-	-	95
2026 Program																		
ALLENDALE DRIVE	OAKLAND BEACH (N)	OAKLAND BEACH (S)	1,454	23	3,716	Mill & Overlay	3,716	431.96		13.82								
BRADFORD AVENUE	FLORENCE AVE	DEAD END	731	24	1,949	Mill & Overlay	1,949	226.61		7.25								
DEARBORN AVENUE	MILTON RD	FOREST AV	1,560	30	5,200	Mill & Overlay	5,200	604.50		19.34								
DEVEREAUX CT	JOHNSON PL	CUL DE SAC	191	27	790	Mill & Overlay	790	91.88		2.94								
ELLEN COURT	OAKLAND BEACH	CUL DE SAC LOOP	368	30	1,227	Mill & Overlay	1,227	142.60		4.56								
FLORENCE AVENUE	PARK AV	HARDING DR	1,321	18	2,642	Mill & Overlay	2,642	307.13		9.83								
FOREST AVENUE	CORNELL PL	OAKLAND BEACH AVE	849	30	2,830	Mill & Overlay	2,830	328.99		10.53				70	90			
GRIFFON PLACE	OAKLAND BEACH	ALLENDALE DR	314	26	907	Mill & Overlay	907	105.45		3.37								
HICKORY DRIVE	WHITE BEACH DR	CUL DE SAC LOOP	434	20	964	Mill & Overlay	964	112.12		3.59								
JOHNSON PL	BOSTON POST ROAD	CUL DE SAC	2,384	26	7,161	Mill & Overlay	7,161	832.47		26.64								
KEENE CT	JOHNSON PL	CUL DE SAC	441	27	1,540	Mill & Overlay	1,540	179.07		5.73								
LASALLE AVENUE	HARDING DR	GLEN OAKS DR	518	19	1,094	Mill & Overlay	1,094	127.13		4.07								
OAKLAND BEACH AVENUE	MILTON RD	FOREST AV	1,531	30	5,103	Mill & Overlay	5,103	593.26		18.98								
OAKLAND BEACH AVENUE	BOSTON POST ROAD	TERRACE DR	3,200	27	9,600	Mill & Overlay	9,600	1116.00		35.71								
WOODS LANE	OSBORN RD	CUL DE SAC LOOP	379	21	884	Mill & Overlay	884	102.80		3.29								
						Sub Totals:	45,608.40	5,301.98	-	170	-	-	-	70	90	-	-	-
						Grand Total:	117,366	13,015	1,149	457	12	28	28	278	207	425	50	995
						Say:	120,000	13,500	1,200	460	12	30	30	300	230	450	60	1,000



CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM:

Consideration of a request from Apple Studios, LLC to film an episode of "Swipe" on Purchase Street and Purdy Avenue on Monday, April 29th, 2024, with certain accommodations in exchange for a fee to be negotiated.

FOR THE MEETING OF:

April 17, 2024

RECOMMENDATION: That the Council consider the request.

RESOLVED, that specific parking restrictions of City Code Chapter 191 are hereby waived on Purchase Street and Purdy Avenue in the City of Rye, in the designated area of Car Park 4, the Highland Cedar Lot and the MTA Lot from 9am - 7pm for the film shoot scheduled for April 29th, 2024, rain date to be decided.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:

Apple Studio's film request requires the following accommodations:

- Waive parking restrictions in the MTA lot from 9am – 7pm
- Restrict use of parking in the Highland Cedar Lot
- Occupy 35 spots of Car Park 4 on April 29th from 7:30 am to 7pm
(see attached map)
- Occupy up to 3 parking spots in front of 57 Purchase St from 7 am – 12 pm.
- Occupy up to 2 parking spots in front of 3 Purdy Ave from 11 am – 3 pm.
- Occupy up to 2 parking spots in front of 12 Purdy Ave from 3 pm – 6 pm

SWIPE BLOCK 1
D16
April 29, 2024

EXT. DARK HORSE PARKING LOT
RYE MUNICIPAL CAR PARK 4
35 SPACES
12 Purdy Avenue

5





CITY COUNCIL AGENDA

DEPT.: City Manager

CONTACT: Greg Usry, City Manager

AGENDA ITEM:

Nursery Field Discussion

FOR THE MEETING OF:

April 17, 2024

RECOMMENDATION:

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:



CITY COUNCIL AGENDA

NO. DEPT.: FINANCE

CONTACT: JOSEPH S. FAZZINO, Deputy City Comptroller

AGENDA ITEM: Adoption of the 2024 County property tax rates.

FOR THE MEETING OF:
April 17, 2024

RECOMMENDATION: That the City Council adopt the 2024 County tax rates.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other

BACKGROUND:

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

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

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

For the 2024 Tax Year, the combined county tax rate for the Blind Brook Sanitary Sewer District increased by 6.79% and the combined county tax rate for the Mamaroneck Valley Sanitary Sewer District increased by 6.68%.

RESOLVED, that the tax rates for the amounts of Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District charges for the fiscal year beginning January 1, 2024, shall be as follows:

Westchester County

Levy	\$26,484,150
Taxable Assessed Value	144,494,725
Taxable Rate per \$1,000 Assessed Value	183.285960

Blind Brook Sewer District

Levy	\$6,101,452
Taxable Assessed Value	144,577,182
Taxable Rate per \$1,000 Assessed Value	42.202040

Mamaroneck Valley Sewer District

Levy	\$903,548
Taxable Assessed Value	19,852,372
Taxable Rate per \$1,000 Assessed Value	45.513352

Refuse Disposal District No. 1

Levy	\$3,450,603
Taxable Assessed Value	145,799,017
Taxable Rate per \$1,000 Assessed Value	23.666847

And be it further

RESOLVED, that the Council does hereby certify to the City Comptroller the above stated levies and tax rates for Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District No. 1 charges, and the City Comptroller is hereby directed to apportion and extend against each taxable property listed upon the assessment roll of the City of Rye for 2024 at the rates specified, the amount of taxes required to produce the total sums certified and to render tax notices for, and receive and collect, the several sums computed and determined, and, it is further

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



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Josh Cohn, Mayor

AGENDA ITEM: Resolution adopting rules for agenda setting and conducting business at Council meetings.

FOR THE MEETING OF:

April 17, 2024

RECOMMENDATION: That the Council consider adopting the resolution.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:

See attached.

RYE CITY COUNCIL

RESOLUTION

[_____] , 2024

Rules for Agenda Setting and Conducting Business at Council Meetings

WHEREAS, under Rye City Charter Section C6-7(G) the City Council may prescribe rules to govern its proceedings; and

WHEREAS, the City Council has not previously adopted rules to govern how the Council sets agendas, conducts meetings, and acts on agenda items; and

WHEREAS, the Council finds that adopting the rules set forth below will enhance good governance, transparency, and civil discourse in conducting Council business;

NOW, THEREFORE, BE IT RESOLVED THAT, The Council hereby adopts the following rules to govern its proceedings:

COUNCIL RULES

A. City Council Meetings

1. Regularly Scheduled Meetings:

- a. **Schedule:** The annual schedule of all regularly scheduled meetings of the City Council shall be prepared by the City Manager in accordance with City Charter Section C6-7A and approved by the Council before December 31 of the preceding year.
- b. **Required Agenda Items:** Each regularly scheduled meeting shall, at a minimum, include the following agenda items:
 - Pledge of Allegiance.
 - Roll Call.
 - Approval of Minutes.
 - Report of the City Manager.
 - Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
 - Old Business/New Business.

2. **Special Meetings:** Special meetings of the City Council may be called for by the Mayor or two or more Councilmembers as set forth in City Charter Section C6-7A and in accordance with New York State Open Meetings Law § 104. The purpose of the meeting must be specified by the person(s) calling the special meeting. In scheduling a special

meeting, attempts should be made to maximize participation of all Councilmembers where possible. In accordance with the Open Meetings Law, unless there is an emergency necessitating immediate action, notice shall be provided at least 72 hours before such special meeting.

B. Preparation of Agendas for Regularly Scheduled Meetings

1. **Preliminary Agenda:** A preliminary agenda, including topics for executive session, shall be drafted by the City Manager, and circulated to all Councilmembers by or before 6:00pm the Wednesday one week prior to the Council meeting.
2. **Final Agenda:** Two or more Councilmembers may add items to the agenda by making a written request for such to be added for the public session or the executive session. The Mayor may add or subtract items to or from the agenda at his sole discretion but may not strike any items added by other Councilmembers. Amendments by Councilpersons or the Mayor must be made by or before 5:00pm of the Thursday prior to the Council meeting.
3. **Concerning Executive Session Agenda Items:**
 - a. **For Councilmembers:** Any item to be discussed in executive session shall be set forth on an executive session agenda describing with specificity the item to be considered and the basis for discussion in executive session and shall include any relevant materials in an executive session packet as part of the Friday distribution set forth below.
 - b. **For the Public:** The public agenda, to be posted as set forth below, shall include a general description of the topics to be discussed in executive session and the basis for discussion in executive session in accordance with New York State Open Meetings Law.
4. **Concerning Mayoral and Council Appointments:** The names and biographical descriptions of proposed appointments to City Boards, Commissions, and Committees under the City Council shall be included in the Friday distribution and agenda posting set forth below. Absent additional Council action, no appointments shall be approved if such requirements are not met¹
5. **Distribution and Posting of the Final Agenda:** The City Manager shall send the final agenda and information packet to Councilmembers and post the agenda and related public materials on the City's website by close of business on the Friday prior to the Council meeting.
6. **Amendments to the Final Agenda:** Absent exigent circumstances, no substantive amendments to the final agenda, including items to be discussed in executive session, shall be made after the Friday prior to the Council meeting. All Councilmembers are to be notified immediately by email of any amendments made following the Friday distribution and posting and such amended agenda shall be posted on the City's website as promptly as practicable.

¹ A synopsis of the Mayor and Council's powers of appointment is attached at Exhibit A.

C. **Conducting Council Business**

1. **Meeting Guidelines:** The following guidelines shall be observed in all City Council meetings:
 - a. The Mayor shall preside over all meetings of the Council. In the Mayor's absence, the Deputy Mayor shall preside. In the absence of both the Mayor and the Deputy Mayor, the Council shall select a Councilmember to preside over the meeting.
 - b. All Councilmembers and members of the public shall be respected, permitted to speak without undue interruption, are expected to act with decorum, and shall refrain from any personal attacks against Councilmembers or members of the public.
 - c. All Councilmembers may request by motion or resolution that the Council act on any matter under consideration. For Council action to carry, the motion must be seconded or made by joint motion of two Councilmembers and approved by a majority of the Council unless otherwise required by law.
 - d. After a motion is seconded (or jointly made), the Councilmember(s) making the motion shall have the courtesy of the floor first, followed by any other Councilmember wishing to speak. All Councilmembers shall be given an opportunity to speak on the issue and no vote shall be commenced until the discussion is completed.
 - e. Any Councilmember can request a roll call vote on any matter requiring Council action even if a roll call vote is not required by law. Upon such request, a roll call vote shall take place.
2. **New Business/Old Business:** Councilmembers may, at their individual discretion, raise items not on the Meeting Agenda for Council consideration and action in the "New Business/Old Business" portion of the agenda.
3. **Public Input and Participation:** At the Council's discretion, members of the public wishing to speak during a Council meeting may do so for up to three minutes. The Mayor (or other Councilmember presiding over the meeting) shall advise the speaker when the three minutes has run. The Council also may, at its discretion, allow the speaker to continue past three minutes. Members of the public may address the Council more than once on the same topic at the Council's discretion. **[The current use of an alarm buzzer signaling a speaker's time has expired is to be discontinued.]**
4. **Hearing of the Public on Non-Agenda Items:** For the convenience of the public, at all regularly scheduled City Council meetings, the agenda segment "Members of the public may be heard on matters for Council consideration that do not appear on the agenda," shall take place as the fifth item on the City Council Agenda, following the Pledge of Allegiance, Roll Call, the Approval of the prior meeting's minutes, and the City Manager's Report. The Council may, at its discretion, adjust the agenda where a number of speakers are scheduled in advance to present on a specific agenda item or topic.

5. **Consent Agenda Items:** Any matter appearing on the consent agenda may be moved to the regular agenda for a discussion at the request of any one Councilmember.
6. **Changing the Agenda:** Upon a majority vote of the Council, an agenda item may be moved, taken out of order, or tabled.

D. Significant Council Action - Opportunity for Public Discussion:

It is the Council's intent to conduct business in a manner that is open, transparent, and welcoming of public dialogue. Items of significant public interest should be fully vetted, and the public given an adequate opportunity to weigh in. Accordingly, the following guidelines shall apply for all legislative action by the Council and significant non-legislative action except where process (e.g., budget hearings), law (e.g., telecom shot-clock rules), or exigent circumstances (e.g., storm recovery actions) require otherwise.

1. **Legislative Action - Minimum of Three Meetings:** When the Council is considering non-emergency legislation or amendments to legislation, there shall be at least three public meetings during which the legislation is addressed as follows:
 - a. At the first meeting:
 - Presentation introducing and explaining such proposed legislation and/or amendments thereto,
 - Council questions and discussion, if any, and
 - Noticing of a public hearing if the Council desires to proceed with considering the proposed legislation.
 - b. At the second meeting:
 - Recap presentation of the proposed legislation,
 - Council questions and discussion,
 - Opening of a public hearing if the Council desires to proceed with considering the legislation, and
 - Hearing from the public.
 - c. At the third or subsequent meetings:
 - Further hearing from the public on the final version of the legislation, if any,
 - The Council may close the public hearing,
 - Council discussion, and
 - The Council may vote on the proposed legislation.

- d. Any substantive changes to the proposed legislation made during the course of the public hearing shall cause (i) the revised proposed legislation to be posted on the City's website, and (ii) the public hearing to remain open through, and no vote taken until, the following meeting,
- e. A separate majority vote of the Council is necessary prior to any vote on the proposed legislation if there is a desire to act more expeditiously on proposed legislation (i.e., action taken prior to three meetings).

2. Significant Non-Legislative Actions – Minimum of Two Meetings: When the Council is considering a non-emergency matter that requires Council action and where two or more Councilmembers deem such matter to be of "significant public interest" there shall be at least two public meetings during which the matter is addressed as follows:

- a. At the first meeting:
 - Presentation introducing and explaining the matter and the proposed Council action,
 - Council questions and discussion,
 - The Council may choose to notice such other workshops, work sessions, or formal public hearings on the matter as the Council may deem appropriate,
 - Hearing from the public, either informally or in a formal public hearing.
- b. At the second meeting:
 - Recap presentation of the matter and the proposed Council action,
 - Council questions and discussion,
 - Hearing from the public (formally or informally) if requested by the Council, and
 - The Council may vote on the proposed action.
- c. Any substantive changes to the language of the proposed action made during the course of Council discussions or the public hearing shall cause (i) the revised language to be posted on the City's website, and (ii) the hearing to continue to a subsequent meeting prior to a vote being taken.
- d. A separate majority vote of the Council is necessary prior to any vote on the proposed action item if there is a desire to act more expeditiously on non-legislative action of significant public interest.

E. Reservation of Rights and Waiver:

These Council Rules are not intended to override existing law or regulations of the City of Rye or the State of New York and should be interpreted in a manner consistent with such laws and regulations. The City Council, by majority vote, may choose to modify or waive any of the above provisions with respect to any matter at any time.

F. Review:

These Council Rules shall be reviewed by the Council at a regularly scheduled meeting within 12 months of their adoption and thereafter as the Council may desire.

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