

## **CITY OF RYE**

### **NOTICE**

There will be a regular meeting of the City Council of the City of Rye on Wednesday, May 22, 2013, at 8:00 p.m. in Council Chambers at City Hall. *The meeting will be preceded by an Audit Committee Meeting beginning at 7:30 p.m. in the Mayor's Conference room.*

### **AGENDA**

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Draft unapproved minutes of the regular meeting of the City Council held May 8, 2013.
5. Mayor's Management Report
  - Presentation of the City of Rye Stormwater Management Program 2012 Annual Report
  - Capital Projects Update
  - Legal Update
6. Presentation on City Financials by Scott Oling of the auditing firm of O'Connor, Davies, Munns & Dobbins, LLP.
7. Consideration to set a Public Hearing for June 12, 2013 to establish the 2014 Budgeted Fees and Charges.
8. Discussion of the Report from the Rye Golf Club Strategic Committee.
9. Discussion and Update on a Conflict of Interest form.
10. Consideration to set a Public Hearing for June 12, 2013 to amend local law Chapter 15, "Code of Ethics", to reflect the addition of the Conflict of Interest form.
11. Resolution for the City Council adoption of a community-wide Civility Statement.
12. Residents may be heard on matters for Council consideration that do not appear on the agenda.
13. Miscellaneous communications and reports.
14. Old Business.
15. New Business.
16. Adjournment.



\* \* \* \* \*

The next regular meeting of the City Council will be held on Wednesday, June 12, 2013 at 8:00 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".

\* Office Hours of the Mayor by appointment by emailing [dfrench@ryeny.gov](mailto:dfrench@ryeny.gov).





# CITY COUNCIL AGENDA

NO. 4

DEPT.: City Clerk

DATE: May 22, 2013

CONTACT: Dawn Nodarse

**AGENDA ITEM** Draft unapproved informal minutes of the regular meeting of the City Council held May 8, 2013, as attached.

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the Council approve the draft minutes.

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

**BACKGROUND:**

Approve the minutes of the regular meeting of the City Council held May 8, 2013, as attached.



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

PRESENT:

DOUGLAS FRENCH Mayor  
LAURA BRETT  
RICHARD FILIPPI  
PETER JOVANOVICH  
JULIE KILLIAN  
CATHERINE F. PARKER  
JOSEPH A. SACK  
Councilmembers

ABSENT:     None

The Council convened at 7:10 p.m. Councilman Filippi made a motion, seconded by Councilman Jovanovich and unanimously carried to immediately adjourn into executive session to discuss personnel matters related to the City Manager's Office. Councilwoman Brett arrived at 7:45 p.m. Councilman Sack made a motion, seconded by Councilwoman Killian and unanimously carried, to adjourn the executive session at 8:02 p.m. The ceremonial portion of the meeting held at the Square House convened at 8:10 p.m.

The ceremonial portion of the meeting was held in the Square House. Jeanine Scott of the Rye Historical Society welcomed everyone to the building which was once Rye's City Hall. Sheri Jordan, Director of the Square House said that the Square House is about to open an exhibit on World War II and showed one of the artifacts from the exhibit that she said was found in the basement.

Mayor French said this was one of his favorite events because it is an opportunity to celebrate the City's volunteers, staff and the Council and Manager form of government. He said that his desire to serve the City of Rye was inspired by others in the room who preceded him.

City Manager Pickup acknowledged the members of City staff who were present. He said he appreciates their hard work and that they do not always get recognition for it. Staff members present included:

Joseph Fazzino	Acting City Comptroller
Maureen Eckman	Building Inspector
Nicole Levitsky	Cable Access Coordinator
Noreen Whitty	City Assessor
Dawn Nodarse	City Clerk
Ryan Coyne	City Engineer
Eleanor Militana	Assistant to the City Manager
Christian Miller	City Planner
Kristen Wilson	Corporation Counsel



Kurt Tietjen

William Connors

Sally Rogol

Fire Lieutenant

Police Commissioner

Superintendent of Recreation

Mayor French echoed the City Manager's praise of staff and added that City Manager Pickup does a terrific job. Councilman Jovanovich said it is not the Council but the staff that make things run. Councilwoman Parker said everyone who attends this meeting is here because they love Rye and everyone pulls together for the good of the community. Councilwoman Brett said it was a great night for the Council to renew their commitment to the community by seeing those who came before. Councilman Sack said the evening was similar to baseball's opening day or a high school reunion. Councilwoman Killian said she enjoys being on the Council and appreciates the support of the boards, commissions and staff. Councilman Filippi thanked everyone who had served on the Council in the past and said they were part of what attracted him to Rye.

Mayor French then asked former Mayors and Councilmembers and Judges and current members of Boards and Commissions to speak:

Former Mayor John Carey read a version of Rudyard Kipling's poem *If* that he had written regarding serving on the City Council. Former Mayor and current State Assemblyman Steve Otis called the evening close to a "civic/religious" event and spoke of the bond between the Village and City of Rye and of all who have served over the years.

Former Judge and Councilman John Alfano said he liked this traditional meeting and wished everyone the best. He also extended greetings on behalf of former Mayor Ted Dunn who could not be present. Former Councilman and Current City Court Judge Joseph Latwin said the Courthouse is still standing and justice is being served in Rye. Former Councilman and current State Senator George Latimer noted that the actions of some of his colleagues on the State level were embarrassing to him but said that no one who has served on the City Council has ever embarrassed the City of Rye with their actions. Former Councilman Bob Cypher spoke about the level of base and personal criticism being directed at Council members. He said Council's can be criticized for their results but personal attacks must stop because it will be difficult to get good people to serve, which will be everyone's loss. Former Councilman Jim Burke thanked the Council for serving and said the community realizes what they do.

Several representatives of Boards and Committees also spoke. Jack Zahringer of the Landmarks Advisory Committee said the agenda of his Committee was to "Keep Historical Rye, Rye". Joseph Murphy of the Senior Advocacy Committee said that changes from this board would be coming to the Council and thanked Recreation Superintendent Sally Rogol for all of her support. Bertrand de Frondeville of the Finance Committee thanked Councilwoman Killian for her support of the Committee and City Manager Pickup and Acting Comptroller Fazzino for their help. Elinore White of the Rye Town Park Advisory Committee said the Committee was a true testament to what neighbors can do to make a difference. Steve Fairchild said the Rye Cable and Communications Committee was a fun committee because they work with young and old and praised the work of Cable Access Coordinator Levitsky. Scott Beechert of the Board of Appeals said volunteers make Rye fabulous and offered thanks to Building Inspector Eckman



and the City Clerk for their help. Lisa Urban of the Traffic and Pedestrian Safety Committee said it was an active committee with a lot going on and they were trying to make the City safe. Bernie Althoff of the Flood Advisory Committee commented on the help the Committee received from staff and the support of the Council.

Mayor French thanked the Historical Society for hosting this portion of the meeting, which adjourned at 8:50 p.m. The Council reconvened at 9:05 p.m. in Council Chambers for the regular meeting.

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements

The sale of 1037 Boston Post Road is final. The closing took place on May 3<sup>rd</sup> for a price of \$5.6 million. The County will be offering free minnows to the public for use in controlling West Nile disease in ornamental ponds. They will also be starting their larvacide program this month. The State Comptroller has announced that more communities are expected to override the property tax cap. There were also announcements made regarding various activities and events of interest to the community.

4. Draft unapproved minutes of the informal minutes of the Joint Meeting of the City Council and Board of Education held April 13, 2013 and the regular meeting of the City Council held April 17, 2013

Councilwoman Brett made a motion, seconded by Councilwoman Parker and unanimously carried, to approve the informal minutes of the Joint Meeting of the City Council and Board of Education held on April 13, 2012, as submitted.

Councilman Jovanovich made a motion, seconded by Councilwoman Brett and unanimously carried, to approve the minutes of the regular meeting of the City Council held on April 17, 2013, as submitted.

5. Mayor's Management Report

- Update on the City of Rye 2012 Result of Operations



City Manager Pickup said that the auditors will be coming on May 22<sup>nd</sup> to speak to the Audit Committee and City Council. Acting Comptroller Joseph Fazzino provided an overview of 2012 results. General fund revenues exceeded general fund operating expenditures by \$1,824,000. Actual revenues realized for 2012 exceeded the amount budgeted by \$2,173,000. State aid and revenue sharing remained flat for 2012, which is over what had been budgeted. The City received about \$628,000 in disaster reimbursement aid. Actual expenditures for 2012 were \$400,430 less than anticipated. At the end of 2012 the General Fund's unassigned fund balance was \$4,982,000 or 16.4% of 2012 General Fund appropriations. Contributing to this number was the removal of \$700,000 in reserved fund balance for the advance to the building and vehicle fund for 1037 Boston Post Road. The sale of 1037 Boston Post Road will be reflected in the 2013 building and vehicle results. The Boat Basin's end of year unrestricted fund balance was up \$168,000 from 2011 and the Golf Club's unrestricted fund balance was down \$94,000 from 2011.

- Update from the Landmarks Advisory Committee

Jack Zahringer, Maurio Sax and Richard Hourahan gave an update on the following activities that the Landmarks Committee is focusing on: (1) landmarking the Rye Meeting House and the Bird House; (2) the historic significance of the milestones and the need to landmark, restore and preserve them, which they hope can begin over the summer; (3) creation of historic districts in the Central Business District and throughout the City; and (4) encouraging the Council to consider passing legislation similar to the "Ithaca" law in order to grant tax relief to owners who landmark their properties. There was also a discussion with the Council regarding amending the law placing a moratorium on banks in the Central Business District.

- Legal Update

There was nothing reported under this item.

- Capital Projects Update

City Manager Pickup reported on the following projects:

- Central Avenue Bridge – The contractors have been communicative with the neighbors and so far, there have been no complaints from the neighbors in connection with this project. The project is on schedule.
- Dredging Project – The project is underway and loads have been removed to the disposal site. Approximately 5,000 of the 20,000 cubic yards of this project have been removed so far.
- Rye Free Reading Room Bond Projects – A viewpoint had been put together about how the process should work since the building is not owned by the City.
- Sluice Gate – A ribbon cutting event should be scheduled for June 3<sup>rd</sup> or 4<sup>th</sup>.

6. Discussion and Update on a Financial Disclosure and Conflict of Interest form

Corporation Counsel Wilson said that significant changes to the Code of Ethics have been worked on. A draft law will be before the Council at the next meeting in order to set a public hearing for the June 12<sup>th</sup> meeting. The appropriate time to adopt the Financial Disclosure and Conflict of Interest form would be when the changes to the Code are adopted. The Board of



Ethics had raised some questions in connection with the form. It was suggested that language could be added to the Oath card that members of the Boards and Commissions would sign to indicate that they are aware of their responsibilities under the Code of Ethics. The City Manager was asked to get feedback from City staff on the draft form.

7. Discussion of City Council support for a community-wide Civility Statement

Mayor French said that the statement was put together by the Rye Youth Council. City Manager Pickup said that principal organizations have been asked to review the proposal with a goal of having the Council adopt the statement. The item was adjourned to the May 22<sup>nd</sup> meeting.

8. Discussion regarding the possible sale of a City-owned unit at The Ives at Rye Condominium located at 234 North Street

Corporation Counsel Wilson said the unit in question is Unit J on a previously approved Site Plan of the Ives. The unit was never built. The City foreclosed on it several years ago and has paid out approximately \$136,000 to \$137,000 to the County and School District. The City has the right to take title through a Comptroller's Deed, which has not been filed. Ms. Wilson has been in contact with Tom Grace, President of The Ives Board, and their attorney. There is a pending Declaratory Judgment action filed by The Ives alleging that the City owes back common charges. She recommended that if the Council would like to discuss in further detail the ways it can dispose of the property that it should be done in executive session. City Manager Pickup said that if the Council wants to pursue a transaction with The Ives, they would need to discuss the process and the parameters. Tom Grace and George Grossman said that the residents of The Ives would like to find a way to keep the property undeveloped and believe that the members of the Condominium Association have also been damaged financially.

9. Authorization of a Special Permit Application submitted by United Water Westchester, Inc. for the installation of towers and telecommunications equipment to collect billing information

City Manager Pickup said this application grew out of the rate increase discussions that required United Water to find more efficient ways to capture lost water. They are looking to invest in their system to capture that data as well as additional data. Christopher Graziano, Paul Cabral and Lynda DiMenna presented. The proposal is to put in advanced metering infrastructure which will capture data transmitted from the radio frequency meters that are located in 99% of homes. This will allow United Water to know how much water goes into and is used in zones in order to pick out where there is a leak or unauthorized usage. There was a discussion about how this could affect water rates.

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

**RESOLVED**, that the City Council of the  
City of Rye hereby approves the Special Permit



Application submitted by United Water Westchester, Inc. for the installation of towers and telecommunications equipment to collect billing information.

**ROLL CALL:**

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

The Resolution was adopted by a 7-0 vote

**10. Resolution to establish a temporary Technology Committee**

Councilman Filippi said that everyone relies on technology today and the idea is to bring some additional expertise in order to create a long term vision to the City's technology needs.

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

**WHEREAS**, the Rye City Council has decided to appoint an independent, five-member temporary Technology Committee to explore how technology can enhance services to residents; and

**WHEREAS**, it is proposed that the Committee will expand the use of the existing City listserv to broadcast important notifications to Rye residents; and

**WHEREAS**, the Committee will explore how social media can be used to provide information and services; and

**WHEREAS**, the Committee will investigate the establishment of a City WiFi network providing open access to the Internet at select areas within Rye; and

**WHEREAS**, the Committee will make recommendations on user experience with the City website; and

**WHEREAS**, the Committee will identify technology trends that are happening with other local governments and within the industry; and

**WHEREAS**, the Committee shall work in partnership with City staff in moving new technologies and services forward;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Rye Technology Committee is hereby established; and be it further



**RESOLVED**, that the Committee is temporary in nature and shall function and report to the Council independently; and be it further

**RESOLVED**, that the members of the Technology Committee shall be appointed by the Mayor with approval of the City Council.

ROLL CALL:

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

The Resolution was adopted by a 6-0 vote

11. Three appointments to the Technology Committee for a three-year term, by the Mayor with Council approval

Councilman Filippi made a motion, seconded by Councilman Jovanovich and unanimously carried, to appoint Peter Esler, John Mayo-Smith and Edmund Szamborski to the Technology Committee for three-year terms expiring on January 1, 2016.

12. Two appointments to the Landmarks Advisory Committee to fill a term expiring January 1, 2014 and a term expiring January 1, 2015, by the Mayor with Council approval

Councilman Jovanovich made a motion, seconded by Councilman Killian and unanimously carried, to appoint Jerome Coleman to the Landmarks Advisory Committee to fill a term expiring on January 1, 2015 and to appoint Joan Steere to the Landmarks Advisory Committee to fill a term expiring on January 1, 2014.

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

*John Carolin, 66 Milton Road*, spoke about an application pending before the Planning Commission related to parking for residents of Blind Brook Lodge (66 Milton Road) who will no longer be able to park in the lot located at the Methodist Church. He said he believed there will be traffic safety issues created for the residents of Blind Brook Lodge due to the need to cross Milton Road to access the additional parking spaces that will be created in the lot owned by the condominium at 75 Milton Road. Councilwoman Killian noted that the issue was on the agenda of the Traffic and Pedestrian Safety Committee.

14. Miscellaneous Communications and Reports

Mayor French said the annual forum for Rye Town Park was held at Rye Recreation with a primary focus on the capital plan around the building. They are looking for a potential partner;



similar to what was done with Playland. Councilwoman Parker said that area residents are concerned about giving up control of the park, if the Town of Rye issues an RFP for running the park. Councilman Jovanovich said it was important to know what the goal of the Town of Rye is in issuing an RFP. Councilwoman Brett said there should be a long-term plan for the use of the building at Rye Town Park. Ms. Parker noted that the landscaping company being utilized at the park is using pesticides, which had not been the practice in the past; that the parking lot has been closed in the morning; and that a specific type of paint should be used to paint the building in order to slow the deterioration of the building.

15.     Old Business

Mayor French noted that at the joint meeting with the School Board there was discussion of reissuing the Joint Resolution on Mandate Relief. He asked the City Manager to recirculate the resolution to both boards so it can be resubmitted to the State Legislators.

16.     New Business

There was nothing discussed under this agenda item.

17.     Adjournment

There being no further business to discuss Councilman Filippi made a motion, seconded by Councilman Jovanovich and unanimously carried, to adjourn the meeting at 11.25 p.m.

Respectfully submitted,

Dawn F. Nodarse  
City Clerk





# CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: May 22, 2013

CONTACT: Mayor Douglas French

**AGENDA ITEM:** Mayor's Management Report

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE,**

CHAPTER  
SECTION

**RECOMMENDATION:** That the City Manager provide a report on requested topics.

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

**BACKGROUND:** The Mayor has requested an update from the City Manager on the following:

- Presentation of the City of Rye Stormwater Management Program 2012 Annual Report
- Legal Update
- Capital Projects Update







**MS4 Annual Report Cover Page****MCC form for period ending March 9,**

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Provide SPDES ID of each permitted MS4 included in this report.

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## MCC form for period ending March 9,

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"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-08-002 Part VI.J.

First Name

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Last Name

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Title (Clearly print title of individual signing report)

[illegible]

Signature

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Date \_\_\_\_\_

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Send completed form and any attachments to the DEC Central Office at:

MS4 Permit Coordinator  
Division of Water  
4th Floor  
625 Broadway  
Albany, New York 12233-3505



## MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,**

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

SPDES ID

Name of MS4/Coalition

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## Water Quality Trends

The information in this section is being reported (check one):

☐ On behalf of an individual MS4

☐ On behalf of a coalition

How many MS4s are contributed to this report?

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**1. Has this MS4/Coalition produced any reports documenting water quality trends related to stormwater? If not, answer No and proceed to Minimum Control Measure One.**

☐ Yes    ☐ No

If Yes, choose one of the following

☐ Report(s) attached to the annual report

☐ Web Page(s) where report(s) is/are provided below

Please provide specific address of page where report(s) can be accessed - not home page.

URL


URL


URL


URL




## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition



SPDES ID

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### Minimum Control Measure 1. Public Education and Outreach

The information in this section is being reported (check one):

- ☐ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?

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### 1. Targeted Public Education and Outreach Best Management Practices

Check all topics that were included in Education and Outreach during this reporting period:

- |   |  |
|---|--|
| <input type="radio"/> Construction Sites<br><input type="radio"/> General Stormwater Management Information<br><input type="radio"/> Household Hazardous Waste Disposal<br><input type="radio"/> Illicit Discharge Detection and Elimination<br><input type="radio"/> Infrastructure Maintenance<br><input type="radio"/> Smart Growth<br><input type="radio"/> Storm Drain Marking<br><input type="radio"/> Green Infrastructure/Better Site Design/Low Impact Development<br><input type="radio"/> Other: | <input type="radio"/> Pesticide and Fertilizer Application<br><input type="radio"/> Pet Waste Management<br><input type="radio"/> Recycling<br><input type="radio"/> Riparian Corridor Protection/Restoration<br><input type="radio"/> Trash Management<br><input type="radio"/> Vehicle Washing<br><input type="radio"/> Water Conservation<br><input type="radio"/> Wetland Protection<br><input type="radio"/> None |
|---|--|



Other

### 2. Specific audiences targeted during this reporting period:

- |  |   |
|--|---|
| <input type="radio"/> Public Employees<br><input type="radio"/> Residential<br><input type="radio"/> Businesses<br><input type="radio"/> Restaurants<br><input type="radio"/> Other: | <input type="radio"/> Contractors<br><input type="radio"/> Developers<br><input type="radio"/> General Public<br><input type="radio"/> Industries<br><input type="radio"/> Agricultural |
|--|---|



Other



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Name of MS4/Coalition

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

#### 4. Evaluating Progress Toward Measurable Goals MCM 1

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

--

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

--

**C. How many times was this observation measured or evaluated in this reporting period?**

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(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this Measurable Goal during this reporting period?**

☐ Yes      ☐ No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

☐ Yes      ☐ No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

--



## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,       

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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### Minimum Control Measure 2. Public Involvement/Participation

The information in this section is being reported (check one):

- ☐ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?       

**1. What opportunities were provided for public participation in implementation, development, evaluation and improvement of the Stormwater Management Program (SWMP) Plan during this reporting period? Check all that apply:**

<input type="radio"/> Cleanup Events		# Events	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Comments on SWMP Received		# Comments	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Community Hotlines	Phone # ( <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> ) <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> - <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span>	Phone # ( <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> ) <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> - <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span> <span style="border: 1px solid black; padding: 0 5px;">  </span>	
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<input type="radio"/> Community Meetings		# Attendees	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Plantings		Sq. Ft.	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Storm Drain Markings		# Drains	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Stakeholder Meetings		# Attendees	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Volunteer Monitoring		# Events	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Other:	<span style="border: 1px solid black; display: inline-block; width: 600px; height: 20px;"></span>		

**2. Was public notice of availability of this annual report and Stormwater Management Program (SWMP) Plan provided?**

☐ Yes    ☐ No

<input type="radio"/> List-Serve		# In List	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Newspaper Advertising		# Days Run	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> TV/Radio Notices		# Days Run	<span style="border: 1px solid black; display: inline-block; width: 40px; height: 20px;"></span>
<input type="radio"/> Other:	<span style="border: 1px solid black; display: inline-block; width: 600px; height: 20px;"></span>		
<input type="radio"/> Web Page URL: Enter URL(s) on the following two pages.			



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Name of MS4/Coalition

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**Please provide specific address(es) where notice(s) can be accessed - not home page.**

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**MS4 Annual Report Form****This report is being submitted for the reporting period ending March 9,**

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

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Name of MS4/Coalition

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**3. Where can the public access copies of this annual report, Stormwater Management Program SWMP) Plan and submit comments on those documents?**

Enter address/contact info and select radio button to indicate which document is available and whether comments may be submitted at that location. Submit additional pages as needed.

☐ MS4/Coalition Office☐ Annual Report☐ SWMP Plan☐ Comments

Department

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☐ Library☐ Annual Report☐ SWMP Plan☐ Comments

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☐ Other☐ Annual Report☐ SWMP Plan☐ Comments

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Please provide specific address of page where report can be accessed - not home page.

☐ eMail☐ Comments

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☐ Yes      ☐ No

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☐ Yes      ☐ No

☐ Yes      ☐ No

☐ Yes    ☐ No

☐ Yes      ☐ No

MCM 2 Page 5 of 6



**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9,

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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**7. Evaluating Progress Toward Measurable Goals MCM 2**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

--

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

--

**C. How many times was this observation measured or evaluated in this reporting period?**

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(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

☐ Yes ☐ No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

☐ Yes ☐ No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

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Name of MS4/Coalition

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Name of MS4/Coalition

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- ☐ Broken Lines From Sanitary Sewer
- ☐ Cross Connections
- ☐ Failing Septic Systems
- ☐ Floor Drains Connected To Storm Sewers
- ☐ Illegal Dumping
- ☐ Other:
- ☐ Industrial Connections
- ☐ Inflow/Infiltration
- ☐ Pump Station Failure
- ☐ Sanitary Sewer Overflows
- ☐ Straight Pipe Sewer Discharges
- ☐ None

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☐ Yes      ☐ No

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☐ Yes      ☐ No

☐ Yes      ☐ No

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

SPDES ID							

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- 11. What percent of staff in relevant positions and departments has received IDDE training?**
- |  |  |  |  |   |
|--|--|--|--|---|
|  |  |  |  | % |
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

## 12. Evaluating Progress Toward Measurable Goals MCM 3

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

--

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

--

**C. How many times was this observation measured or evaluated in this reporting period?**

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(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

☐ Yes      ☐ No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

☐ Yes      ☐ No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

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## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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### Minimum Control Measures 4 and 5. Construction Site and Post-Construction Control

The information in this section is being reported (check one):

- ☐ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?

**1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities?** ☐ Yes ☐ No

**1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook?** ☐ Yes ☐ No ☐ NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.

☐ 09/2004 ☐ 03/2006 ☐ NT

**2. Does your MS4/Coalition have a SWPPP review procedure in place?** ☐ Yes ☐ No

**3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?**

**4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs?** ☐ Yes ☐ No ☐ NT

If Yes, how many public comments were received during this reporting period?

**5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process?** ☐ Yes ☐ No



**6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:**

<input type="radio"/> Notices of Violation	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Stop Work Orders	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Criminal Actions	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Termination of Contracts	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Administrative Fines	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Civil Penalties	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Administrative Orders	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority
<input type="radio"/> Enforcement Actions or Sanctions	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						
<input type="radio"/> Other	#	<table border="1"><tr><td></td><td></td><td></td><td></td><td></td></tr></table>						<input type="radio"/> No Authority



## MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,**

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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SPDES ID

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### Minimum Control Measure 4. Construction Site Stormwater Runoff Control

The information in this section is being reported (check one):

- ☐ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?

--	--	--

**1. How many construction projects have been authorized for disturbances of one acre or more during this reporting period?**

--	--	--

**2. How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period?**

--	--	--

**3. What percent of active construction sites were inspected during this reporting period?** ☐ NT

--	--	--

%

**4. What percent of active construction sites were inspected more than once?** ☐ NT

--	--	--

%

**5. Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual?**

☐ Yes ☐ No ☐ NT

**6. Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval?**

☐ Yes ☐ No ☐ NT

**If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review?**

☐ Yes ☐ No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.







If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

## 7. Evaluating Progress Toward Measurable Goals MCM 4

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

--

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

--

**C. How many times was this observation measured or evaluated in this reporting period?**

--	--	--	--

(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

☐ Yes      ☐ No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

☐ Yes      ☐ No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

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### **Minimum Control Measure 5. Post-Construction Stormwater Management**

- On behalf of an individual MS4
- On behalf of a coalition

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**1. How many and what type of post-construction stormwater management practices has your MS4/Coalition inventoried, inspected and maintained in this reporting period?**

	# Inventoried	# Inspections	# Times Maintained
<input type="radio"/> Alternative Practices	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Filter Systems	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Infiltration Basins	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Open Channels	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Ponds	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Wetlands	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="radio"/> Other	<input type="text"/>	<input type="text"/>	<input type="text"/>

☐ Yes      ☐ No

**3. What types of non-structural practices have been used to implement Low Impact Development/Better Site Design/Green Infrastructure principles?**

- ☐ Building Codes
- ☐ Overlay Districts
- ☐ Zoning
- ☐ None
- ☐ Watershed Plans
- ☐ Other:
- ☐ Municipal Comprehensive Plans
- ☐ Open Space Preservation Program
- ☐ Local Law or Ordinance
- ☐ Land Use Regulation/Zoning
- ☐ Other Comprehensive Plan

[illegible]



If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

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**This report is being submitted for the reporting period ending March 9,**

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Name of MS4/Coalition

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SPDES ID

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Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

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(ex.: samples/participants/events)

☐ Yes    ☐ No

☐ Yes    ☐ No

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## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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### Minimum Control Measure 6. Stormwater Management for Municipal Operations

The information in this section is being reported (check one):

- ☐ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?

- 1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.**

<u>Operation/Activity/Facility</u>	<u>Self-Assessment</u>					
	<u>Operation/Activity/Facility</u>			<u>performed within the past 3</u>		
	<u>Addressed in SWMP?</u>			<u>years?</u>		
Street Maintenance.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Bridge Maintenance.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Winter Road Maintenance.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Salt Storage.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Solid Waste Management.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
New Municipal Construction and Land Disturbance..	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Right of Way Maintenance.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Marine Operations.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Hydrologic Habitat Modification.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Parks and Open Space.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Municipal Building.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Stormwater System Maintenance.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Vehicle and Fleet Maintenance.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	
Other.....	<input type="radio"/> Yes	<input type="radio"/> No	.....	<input type="radio"/> Yes	<input type="radio"/> No	



**MS4 Annual Report Form****This report is being submitted for the reporting period ending March 9,**

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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SPDES ID

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**2. Provide the following information about municipal operations good housekeeping programs:**

- ☐ Parking Lots Swept (Number of acres X Number of times swept) # Acres 

--	--	--	--	--
- ☐ Streets Swept (Number of miles X Number of times swept) # Miles 

--	--	--	--	--
- ☐ Catch Basins Inspected and Cleaned Where Necessary # 

--	--	--	--	--
- ☐ Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary # 

--	--	--	--	--
- ☐ Phosphorus Applied In Chemical Fertilizer # Lbs. 

--	--	--	--	--
- ☐ Nitrogen Applied In Chemical Fertilizer # Lbs. 

--	--	--	--	--
- ☐ Pesticide/Herbicide Applied # Acres 

					.	
--	--	--	--	--	---	--

  
 (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.)

**3. How many stormwater management trainings have been provided to municipal employees during this reporting period?**

--	--	--	--	--

**4. What was the date of the last training?**

		/			/				
--	--	---	--	--	---	--	--	--	--

**5. How many municipal employees have been trained in this reporting period?**

--	--	--

**6. What percent of municipal employees in relevant positions and departments receive stormwater management training?**

			%
--	--	--	---



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Name of MS4/Coalition

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☐ Yes      ☐ No

☐ Yes      ☐ No

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## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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### Additional Watershed Improvement Strategy Best Management Practices

The information in this section is being reported (check one):

- ☐ On behalf of an individual MS4  
☐ On behalf of a coalition

How many MS4s contributed to this report?

**MS4s must answer the questions or check NA as indicated in the table below.**

MS4 Description	Answer	Check NA	(POC)
<b>NYC EOH Watershed</b>	-	-	-
Traditional Land Use	1,2,3,4,5,6,7a-d,8a,8b,9	10,11,12	Phosphorus
Traditional Non-Land Use	1,2,3,4,7a-d,8a,8b,9	5,10,11,12	Phosphorus
Non-Traditional	1,2,77a-d,8a,8b,9	3,4,5,10,11,12	Phosphorus
<b>Onondaga Lake Watershed</b>	-	-	-
Traditional Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Non-Traditional	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
<b>Greenwood Lake Watershed</b>	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
<b>Oyster Bay</b>	-	-	-
Traditional Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Non-Traditional	1,4,7a-d,9	2,3,4,5,8a,8b,10,11,12	Pathogens
<b>Peconic Estuary</b>	-	-	-
Traditional Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Traditional Non-Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Non-Traditional	1,4,7a-d,8a,9	2,3,4,5,8b,10,11,12	Pathogens and Nitrogen
<b>Oscawana Lake Watershed</b>	-	-	-
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
<b>LI 27 Embayments</b>	-	-	-
Traditional Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Non-Traditional	1,2,3,4,7a-d,9	5,6,8a,8b,10,11,12	Pathogens

**1. Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies?**

☐ Yes   ☐ No   ☐ N/A

**2. Has 100% of the MS4/Coalition conveyance system been mapped in GIS?**

☐ Yes   ☐ No   ☐ N/A

If N/A, go to question 3.

If No, estimate what percentage of the conveyance system has been mapped so far.

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 %

Estimate what percentage was mapped in this reporting period.

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 %



## MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

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**3. Does your MS4/Coalition have a Stormwater Conveyance System (infrastructure) Inspection and Maintenance Plan Program?** ☐ Yes ☐ No ☐ N/A

**4. Estimate the percentage of on-site wastewater treatment systems that have been inspected and maintained or rehabilitated as necessary in this reporting period?**  %

**5. Has your MS4/Coalition developed a program that provides protection equivalent to the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001) to reduce pollutants in stormwater runoff from construction activities that disturb five thousand square feet or more?** ☐ Yes ☐ No ☐ N/A

**6. Has your MS4/Coalition developed a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre that provides equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001), including the New York State Stormwater Design Manual Enhanced Phosphorus Removal Standards?** ☐ Yes ☐ No ☐ N/A

**7a. Does your MS4/Coalition have a retrofitting program to reduce erosion or phosphorus/nitrogen/pathogen loading?** ☐ Yes ☐ No ☐ N/A

**7b. How many projects have been sited in this reporting period?**

**7c. What percent of the projects included in 7b have been completed in this reporting period?**  %

**7d. What percent of projects planned in previous years have been completed?**  %

☐ No Projects Planned

**8a. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper fertilizer application on municipally owned lands?** ☐ Yes ☐ No ☐ N/A

**8b. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper disposal of grass clippings and leaves from municipally owned lands?** ☐ Yes ☐ No ☐ N/A



**MS4 Annual Report Form**

**This report is being submitted for the reporting period ending March 9,**

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

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SPDES ID

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**9. Has your MS4/Coalition developed and implemented a program of native planting?**

☐ Yes ☐ No ☐ N/A

**10. Has your MS4/Coalition enacted a local law prohibiting pet waste on municipal properties and prohibiting goose feeding?**

☐ Yes ☐ No ☐ N/A

**11. Does your MS4/Coalition have a pet waste bag program?**

☐ Yes ☐ No ☐ N/A

**12. Does your MS4/Coalition have a program to manage goose populations?**

☐ Yes ☐ No ☐ N/A





# CITY COUNCIL AGENDA

NO. 6

DEPT.: Finance

DATE: May 22, 2013

CONTACT: Joseph S. Fazzino, Acting City Comptroller

**AGENDA ITEM:** Presentation on City Financials by Scott Oling of the auditing firm of O'Connor, Davies, Munns & Dobbins, LLP.

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE,**  
CHAPTER  
SECTION

**RECOMMENDATION:**

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

**BACKGROUND:**

A presentation will be made by Scott Oling of the auditing firm of O'Connor, Davies, Munns & Dobbins, LLP on City Financials.





# CITY COUNCIL AGENDA

NO. 7

DEPT.: Finance

DATE: May 22, 2013

CONTACT: Joseph S. Fazzino, Acting City Comptroller

**AGENDA ITEM:** Consideration to set a Public Hearing for June 13, 2012 to establish the 2014 Budgeted Fees and Charges.

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE:**

CHAPTER  
SECTION

**RECOMMENDATION:**

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

**BACKGROUND:**

A Public Hearing will be held to establish the 2014 fees and charges which will be incorporated into the City's 2014 Budget.

See attached proposed 2014 fees and charges.



CITY OF RYE, NEW YORK  
GENERAL FUND  
ANNUAL BUDGET  
FOR FISCAL YEAR ENDING DECEMBER 31, 2014

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
<b><u>ASSESSOR'S OFFICE</u></b>							
GENERAL							
Standard Photocopy Fee							
Letter/Legal per page		1999	0.25	0.25	0.25	-	
MAPS							
City Maps 3'x5"		1996	15.00	15.00	15.00	-	
Aerial Map		1996	15.00	15.00	15.00	-	
Drain & Sewer map from blueprints (blue on white)		1996	60.00	60.00	60.00	-	
Standard Tax Map		1996	15.00	15.00	15.00	-	
Tax index map (40"x64")		1996	15.00	15.00	15.00	-	
Topographical maps		1996	60.00	60.00	60.00	-	
<b><u>BOARD OF APPEALS</u></b>							
GENERAL							
Multi & Commercial Appeals	197-84	2012	500.00	500.00	500.00	-	
Single Family Appeals	197-84	2012	300.00	300.00	300.00	-	
Adjourned Applications		2003	100.00	100.00	100.00	-	
Revised Plans		2003	75.00	75.00	75.00	-	
<b><u>BUILDING</u></b>							
ELECTRICAL							
Electrical permits in existing building where a building permit is not required: for multiple residences, commercial or industrial buildings	68-12	2011	100.00	100.00	100.00	-	
Electrical Permits in existing buildings where a building permit is not required: for one & two family dwellings with contracts valued at \$500 or more	68-12	2011	70.00	70.00	100.00	30.00	
GENERAL							
Building Permits (1) - minimum fee	68-12	2011	75.00	75.00	75.00	-	
Building Permits (2a) - add'l charge per \$1,000 est. work (residential)	68-12	2013	16.00	17.00	17.00	-	
Building Permits (2b) - add'l charge per \$1,000 est. work commercial)	68-12	2012	30.00	30.00	30.00	-	
Building Permit (3) - penalty for work begun without permit	68-12D, 197-84E	2003	1,000.00	1,000.00	1,250.00	250.00	About 10 issued per year
Certificate for Commercial Buildings	68-12	2011	175.00	175.00	175.00	-	



CITY OF RYE, NEW YORK  
GENERAL FUND  
ANNUAL BUDGET  
FOR FISCAL YEAR ENDING DECEMBER 31, 2014

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
Certificate of Occupancy: to be paid with application for building permit	68-12	2011	100.00	100.00	100.00	-	
Changes in Approved Plans	68-12	2011	100.00	100.00	250.00	150.00	20-30 issued per year
Demolition Permits - Commercial and residential structures	68-12	2010	2,000.00	2,000.00	2,000.00	-	
Demo Pmts - In-ground pools tennis crts detached garages	68-12	2010	750.00	750.00	750.00	-	
Demo Pmts - Sheds, above ground pools, pool decks, gazebo	68-12	2011	200.00	200.00	200.00	-	
Fence Permit	68-12	N/A	50.00	50.00	50.00	-	
Generator Permit	68-12	N/A	140.00	140.00	300.00	160.00	
Sign Permit	68-12	N/A	75.00	75.00	75.00	-	
New Certificate for old buildings	68-12	2011	100.00	100.00	100.00	-	
Pre-date letters		2006	80.00	80.00	150.00	70.00	4-5 Issued per year
<b>PLUMBING</b>							
<i>Oil or gas heating permits in existing building w/o building permit required:</i>							
New heating equipment installation or replacement	68-12	2013	100.00	150.00	150.00	-	
Plumbing - No building permit required (min)	68-12	2011	70.00	70.00	100.00	30.00	
Plumbing - for each fixture above 5	68-12	2011	5.00	5.00	5.00	-	
Sewer or storm drain connection (per)	68-12	2011	70.00	70.00	70.00	-	
<b><u>CITY CLERK</u></b>							
<b>ALARMS</b>							
Alarms permit - Fire/Burglar	46-5	2006	35.00	35.00	35.00	-	
False alarm: 2nd call per annum*(Requires change to Code)	46-8	2010	50.00	50.00	50.00	-	
False alarm: 3rd, 4th call each per annum		2003	100.00	100.00	100.00	-	
False alarm: over 4 per annum		2003	200.00	200.00	200.00	-	
<b>FIRE PREVENTION</b>							
Explosive Inspection Fee	98-41	2005	115.00	115.00	115.00	-	
Fireworks Display (each)	98-45	2010	750.00	750.00	750.00	-	
Installation of liquefied petroleum gas	98-82	2005	57.00	57.00	57.00	-	
Place of assembly 100 or more people	98-101	2005	115.00	115.00	115.00	-	
Storage of Flammable liquids (permits & insp.)	98-51	2005	115.00	115.00	115.00	-	
Storage of lumber (in excess of 100,000 bd. ft.)	98-85	2005	57.00	57.00	57.00	-	
Storage of underground tanks <1100 gal.(permits & insp.)	98-57	2005	57.00	57.00	57.00	-	



CITY OF RYE, NEW YORK  
GENERAL FUND  
ANNUAL BUDGET  
FOR FISCAL YEAR ENDING DECEMBER 31, 2014

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
Storage of underground tanks >1100 gal. (permits & insp.)		2005	115.00	115.00	115.00	-	
Welding & cutting	98-130	2001	55.00	55.00	55.00	-	
GENERAL							
Auctioneer	56-3	2010	500.00	500.00	500.00	-	
Birth Certificate	NYS-Governed		10.00	10.00	10.00	-	
Blasting Permit	98-41	2012	300.00	300.00	300.00	-	
Cabaret	50-5	2012	200.00	200.00	200.00	-	
Christmas Tree Sale Refundable Bond	98-124	2001	45.00	45.00	45.00	-	
Christmas Tree Sales: Inspection	98-124	2003	100.00	100.00	100.00	-	
Code of the City of Rye	AT-COST	2005	300.00	300.00	300.00	-	
Code of the City of Rye - Supplement		2005	60.00	n/a	n/a	-	<b>Billed separately by General Code</b>
Codes: Zoning	AT-COST	2005	30.00	n/a	n/a	-	<b>Can be purchased online</b>
Coin operated Dry Cleaning Establishment	98-29	2005	90.00	n/a	n/a	-	<b>Establishments do not exist in City of Rye</b>
Coin operated Laundry: Establishment	98-36	2005	90.00	n/a	n/a	-	<b>Establishments do not exist in City of Rye</b>
Death Transcript	NYS-Governed		10.00	10.00	10.00	-	
Dog License: Nuetered Dog - Owner's Cost	76-5	2012	14.00	14.00	14.00	-	
Breakdown of Owner's Cost:							
City of Rye Fee	76-5	2012	13.00	13.00	13.00	-	
NYS Fee	NYS-Governed		1.00	1.00	1.00	-	
Dog License: Non-Nuetered Dog - Owner's Cost		2012	22.00	22.00	22.00	-	
Breakdown of Owner's Cost:							
City of Rye Fee	76-5	2012	19.00	19.00	19.00	-	
NYS Fee	NYS-Governed		3.00	3.00	3.00	-	
Dog Redemption: with current license	76-4	1977	10.00	n/a	n/a	-	<b>Redeemed by Humane Society</b>
Dog Redemption: without current license	76-4	1977	25.00	n/a	n/a	-	<b>Redeemed by Humane Society</b>
Dry Cleaning Establishment	98-22	2005	90.00	90.00	90.00	-	
Debris Collection Container:	167-14	2001	40.00	40.00	40.00	-	
Foil Production Rates:	NYS-Governed						
Office Assistant		New	n/a	n/a	32.00	32.00	
Legal Review		New	n/a	n/a	65.00	65.00	
Police Department		New	n/a	n/a	27.00	27.00	
Fire Department		New	n/a	n/a	27.00	27.00	



CITY OF RYE, NEW YORK  
GENERAL FUND  
ANNUAL BUDGET  
FOR FISCAL YEAR ENDING DECEMBER 31, 2014

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
Filming: Private Property Per Day	93-6	2012	450.00	450.00	500.00	50.00	
Filming: Public Property (Maximum)	93-6	2012	25,000.00	25,000.00	25,000.00	-	
Filming: Public Property (Minimum)	93-6	2001	1,600.00	1,600.00	1,600.00	-	
Junk Merchant: Establish place of business	113-4	2005	275.00	n/a	n/a	-	Establishments do not exist in City of Rye
Junk Peddler	113-4	2005	60.00	n/a	n/a	-	Establishments do not exist in City of Rye
Laundromat	121-4	2005	150.00	n/a	n/a	-	Establishments do not exist in City of Rye
Marriage License	NYS-Governed	2003	40.00	40.00	40.00	-	
Marriage Transcript	NYS-Governed	2002	10.00	10.00	10.00	-	
Non-refundable Bid fee (per every \$50 of bid)		2001	15.00-100.00	15.00-100.00	15.00-100.00	-	
Other Pamphlet Codes	AT-COST		8.00	8.00	8.00	-	
Peddler, Hawker, Solicitor	144-6	2012	300.00	300.00	300.00	-	
Additional Permit Issued		2013	n/a	75.00	75.00	-	
Lost Permit Replacement		2013	n/a	5.00	5.00	-	
Sign posting @ Boston Post Road & Cross Street		2011	35.00	35.00	35.00	-	
Tourist Park or Camp App. 5 units or less	157-9	2001	50.00	n/a	n/a	-	Establishments do not exist in City of Rye
Tourist Park or Camp App. 6 units or less	157-9	2001	10.00	n/a	n/a	-	Establishments do not exist in City of Rye
Tourist Park or Camp license (per unit)	157-12	2001	60.00	n/a	n/a	-	Establishments do not exist in City of Rye
MECHANICAL INSTALLATION LICENSE							
Gas Heat	68-12	2012	150.00	150.00	150.00	-	
Oil Heat	68-12	2012	150.00	150.00	150.00	-	
MISCELLANEOUS LICENSES							
Bowling Alleys	50-5	2005	90.00	n/a	n/a	-	Establishments do not exist in City of Rye
Circus	50-5	2005	90.00	n/a	n/a	-	Establishments do not exist in City of Rye
Driving Range	50-5	2005	90.00	n/a	n/a	-	Establishments do not exist in City of Rye
Miniature Golf	50-5	2005	90.00	n/a	n/a	-	Establishments do not exist in City of Rye
Moving Picture House	50-5	2005	90.00	n/a	n/a	-	Establishments do not exist in City of Rye
Public Exhibition	50-5	2005	90.00	90.00	90.00	-	
Public Hall	50-5	2005	90.00	90.00	90.00	-	
Shooting Gallery	50-5	2005	90.00	n/a	n/a	-	Establishments do not exist in City of Rye
Skating Rink	50-5	2012	90.00	n/a	n/a	-	Establishments do not exist in City of Rye
Taxi Cab License	180-12	2012	130.00	130.00	130.00	-	
Taxi Driver License	180-8	2012	75.00	75.00	75.00	-	
Theater	50-5	2005	90.00	n/a	n/a	-	Establishments do not exist in City of Rye



CITY OF RYE, NEW YORK  
GENERAL FUND  
ANNUAL BUDGET  
FOR FISCAL YEAR ENDING DECEMBER 31, 2014

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
<b><u>PARKING</u></b>							
Non-Resident Commuter (Includes Tax)	191-47	2011	720.00	720.00	760.00	40.00	PLEASE SEE MEMO
Resident Commuter (Includes Tax)	191-47	2011	720.00	720.00	760.00	40.00	
Merchant Parking (Non-Taxable)	191-47	2013	410.00	420.00	420.00	-	
Taxi Stall Rental (Plus tax)	2005	2005	700.00	700.00	700.00	-	
Guest Parking Overnight (max. 14 days per night)		2012	10.00	10.00	15.00	5.00	
Replacement Sticker (without old sticker)	191-47	2012	60.00	60.00	60.00	-	
Replacement Sticker (with old sticker)	191-47	2012	10.00	10.00	10.00	-	
Resident All Day/All Night	191-47	2012	684.00	684.00	684.00	-	
Resident All Night	191-47	2012	342.00	342.00	342.00	-	
Special Permits (Theo. Fremd Lot)*		2003	n/a	n/a	n/a	-	N/A due to work on Theo Fremd Wall
Commuter Parking Waitlist Fee (Per Year)		2012	50.00	50.00	50.00	-	
Commuter Meters - Daily Rate (12 hours)		2013	4.00	5.00	5.00	-	
Paystation rate per hour		2012	1.00	1.00	1.00	-	
<b><u>PARKING VIOLATIONS</u></b>							
No Handicapped Permit (including NYS Surcharge)	191-32 to191-35	2011	150.00	150.00	150.00	-	
Parking in Front of a Fire Hydrant	191-32 to191-35	2011	150.00	150.00	150.00	-	
Beach Area Parking	191-32 to191-35	2011	75.00	75.00	75.00	-	
Parking on the Street During the Snow Ordinance	191-32 to191-35	2011	75.00	75.00	75.00	-	
Parking in a Crosswalk	191-32 to191-35	2011	75.00	75.00	75.00	-	
<b><u>ENGINEERING</u></b>							
GENERAL							
Constructed or Replaced Curb		1993	30.00	30.00	50.00	20.00	
Constructed or Replaced Depressed Curb (min)		1993	30.00	30.00	50.00	20.00	
Constructed or Replaced Driveway (min)		1993	30.00	30.00	50.00	20.00	
Constructed or Replaced Sidewalks (min)	167-8	1993	30.00	30.00	50.00	20.00	
Construction Debris Containers (per day)	167-14	1997	50.00	50.00	100.00	50.00	
Street Obstructions, Storage of Materials, Operating Machinery, loading & unloading, scaffolding & bridging	167-13	1993	100.00	100.00	150.00	50.00	
Street Opening: Curbing-Asphalt/Concrete/Flag		1997	180.00	180.00	250.00	70.00	
Street Opening: Sidewalk Area-Asphalt/Concrete/Flag		1997	180.00	180.00	250.00	70.00	
Street Opening: Street Area-Asphalt	167-9	1997	180.00	180.00	250.00	70.00	



CITY OF RYE, NEW YORK  
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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
Street Opening: Street Area-Concrete		1997	180.00	180.00	250.00	70.00	
Street Opening: Test Holes (keyhole method) (each)	167-9	1990	60.00	60.00	250.00	190.00	
Street Opening: Unpaved Areas		1997	180.00	180.00	250.00	70.00	
Street Opening Permit Surcharge		2003	175.00	175.00	200.00	25.00	
Street Opening Public Service Fee(per LF, over 72 FT length)	167-9	2010	2.50	2.50	5.00	2.50	
Surface Water Control Application fee (Stand Alone)	173-9	2013	150.00	200.00	200.00	-	
 STREETS/SIDEWALKS							
Construction Manhole/Catch Basin (min)		2012	180.00	180.00	180.00	-	
Driving Pipes (min)		2012	100.00	100.00	100.00	-	
Install Underground Tank/Vault (min)		2012	110.00	110.00	110.00	-	
Plumbing Connection to Structures:							
Manholes/Catch Basin (min)	1.67	2012	45.00	45.00	45.00	-	
Plumbing Connection to Structures:							
Sewer or Drain Line (min)		2012	35.00	35.00	35.00	-	
 <u><b>FIRE</b></u>							
GENERAL							
Inspection Fee (per inspection)		2012	135.00	135.00	135.00	-	
Return Inspection		2012	50.00	50.00	50.00	-	
Tank Removal Inspection		2010	100.00	100.00	100.00	-	
 <u><b>PLANNING</b></u>							
COASTAL ZONE MANAGEMENT							
Waterfront Consistency Review Application	73-6	2012	825.00	825.00	825.00	-	
 GENERAL							
Copies of Subdivision or site plans - complete sets only (per sheet)		2012	12.00	12.00	12.00	-	
 SITE PLAN REVIEW							
Informal review	197-84.F. (1) (A)	2012	675.00	n/a	n/a	-	No longer used. No loss in revenue.
Preliminary Application (up to 10 parking spaces)	197-84.F. (1) (B)	2013	985.00	1,000.00	1,000.00	-	
Preliminary Application - Add'l charge per required parking space over 10 spaces		2012	30.00	n/a	n/a	-	No longer used. No loss in revenue.



CITY OF RYE, NEW YORK  
GENERAL FUND  
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FOR FISCAL YEAR ENDING DECEMBER 31, 2014

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
Modification or Extension of Preliminary Application	197-84.F. (1) (D)	2012	825.00	n/a	n/a	-	<b>No longer used. No loss in revenue.</b>
Final Application ( up to 10 parking spaces)	197-84.F. (1) (C)	2013	1,225.00	1,300.00	1,300.00	-	
Final Application - Add'l charge per required parking space over 10		2012	30.00	n/a	n/a	-	<b>No longer used. No loss in revenue.</b>
Modification or Extension of Preliminary Application	197-84.F. (1) (G)	2012	900.00	n/a	n/a	-	<b>No longer used. No loss in revenue.</b>
Inspection Fee (Fee + 7.0% cost of improvement)	197-84.F. (1) (H)	2012	550.00	550.00	550.00	-	
Construction and Use without prior approval	197-84.F. (1) (J)	2013	2,730.00	2,800.00	2,800.00	-	
Modification of Tree Preservation Plan by the City Planner		2012	500.00	500.00	500.00	-	
Tree Replacement, fee in lieu of	170-15.D. (9)	2013	1,850.00	1,900.00	1,900.00	-	
<b>SUBDIVISION REVIEW</b>							
Informal Review	170-5.D.	2013	450.00	675.00	675.00	-	
Preliminary Application	170-6.B. (4)	2012	825.00	825.00	825.00	-	
Preliminary Application - Add'l charge per lot		2012	390.00	390.00	390.00	-	
Waiver of Preliminary Application - Add'l charge per lot		2012	360.00	n/a	n/a	-	<b>No longer used. No loss in revenue.</b>
Modification or Extension of Preliminary Application	170-11.B.	2012	650.00	n/a	n/a	-	<b>No longer used. No loss in revenue.</b>
Final Application	170-7.A.	2012	1,120.00	1,120.00	1,120.00	-	
Final Application - Add'l charge per lot		2012	385.00	385.00	385.00	-	
Modification or Extension of Final Application	170-11.B.	2012	675.00	n/a	n/a	-	<b>No longer used. No loss in revenue.</b>
Waiver of Penalty Application	170-7.A.	2012	550.00	n/a	n/a	-	<b>No longer used. No loss in revenue.</b>
Inspection Fee - 7% of cost of improvement plus \$50 per lot, or \$500, whichever is greater	170-8.B. (3)	2012	550.00	550.00	550.00	-	
Modification of Tree Preservation Plan by City Planner		2012	500.00	500.00	500.00	-	
Tree Replacement, fee in lieu of	170-17.A.(1)	2013	1,850.00	1,900.00	1,900.00	-	
Fee in lieu of Parkland - In trust-minimum (dollars per square foot of lot area)	170-17.A. (1)	2012					
<i>R-1 One Family District</i>			0.14	0.14	0.14	-	
<i>R-2 One Family District</i>			0.25	0.25	0.25	-	
<i>R-3 One Family District</i>			0.35	0.35	0.35	-	
<i>R-3 One Family District (Floodplain)</i>			0.25	0.25	0.25	-	
<i>R-4 One Family District</i>			0.40	0.40	0.40	-	
<i>R-4 One Family District (Floodplain)</i>			0.25	0.25	0.25	-	
<i>R-5 One Family District</i>			0.49	0.49	0.49	-	
<i>R-5 One Family District (Floodplain)</i>			0.25	0.25	0.25	-	
<i>R-6 One Family District</i>			0.57	0.57	0.57	-	



CITY OF RYE, NEW YORK  
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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
<i>R-6 One Family District (Floodplain)</i>			0.25	0.25	0.25	-	
<i>RT Two-Family district (1 and 2 Family Residence)</i>			0.57	0.57	0.57	-	
<i>RS School &amp; Church District (1 Family Residence)</i>			0.35	0.35	0.35	-	
<i>RA-1 District (1 Family Residence)</i>			0.57	0.57	0.57	-	
<i>RA-1 District (2 Family Residence)</i>			0.41	0.41	0.41	-	
<i>RA-2 District (1 Family Residence)</i>			0.57	0.57	0.57	-	
<i>RA-2 District (2 Family Residence)</i>			0.49	0.49	0.49	-	
<i>RA-3 District (1 and 2 Family Residence)</i>			0.57	0.57	0.57	-	
<i>RA-4 District (1 and 2 Family Residence)</i>			0.57	0.57	0.57	-	
<i>B-1 Business District (1 and 2 Family Residence)</i>			0.57	0.57	0.57	-	
Apportionment Application	170-11.C.	2012	650.00	650.00	650.00	-	
Construction and Use without prior approval	170-6.B.	2006	2,730.00	2,730.00	2,730.00	-	
RE-ZONING APPLICATIONS		2013	1,120.00	1,300.00	1,300.00	-	
WETLANDS/WATER COURSES							
Application Fee	195	2012	985.00	985.00	985.00	-	
Inspection Fee	195	2012	550.00	550.00	550.00	-	
Appeal of Determination	195	2012	550.00	550.00	550.00	-	
Extension of Prior Approval		2012	600.00	600.00	600.00	-	
Outdoor Dining Fee		2009	500.00	500.00	500.00	-	
<b><u>POLICE</u></b>							
GENERAL							
Auxiliary Police Services Event Fee		2012	200.00	200.00	200.00	-	
Defensive Driving Course		2012	50.00	50.00	50.00	-	
Fingerprinting Fees		2012	100.00	100.00	100.00	-	
Good Conduct Certificates		2012	75.00	75.00	75.00	-	
Mooring Permits (per permit)		2003	150.00	150.00	150.00	-	
Police report copies (per copy)		1990	0.25	0.25	0.25	-	
Redemption of Shopping Carts	164-6	2012	50.00	50.00	50.00	-	
Reprints of Photographs		2012	30.00	30.00	30.00	-	
Subpoena Fees for Records (min)		2012	30.00	30.00	30.00	-	
LOCAL ORDINANCE							
Failure to shovel snow after a storm	167-48	2011	50.00	50.00	50.00	-	



CITY OF RYE, NEW YORK  
GENERAL FUND  
ANNUAL BUDGET  
FOR FISCAL YEAR ENDING DECEMBER 31, 2014

FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
<b><u>PUBLIC WORKS</u></b>							
GENERAL							
Collection of bulky metals at curbside (minimum)	157-34	2012	35.00	35.00	35.00	-	
Collection of bulky waste in excess of 2 cubic yards (min)	157-34	2012	35.00	35.00	35.00	-	
Penalty for amounts not paid within 60 days	157-34	2001	25.00	25.00	25.00	-	
Penalty for amounts not paid within 90 days	157-34	2001	25.00	25.00	25.00	-	
Add'l penalty for amounts not paid if collection by levy is required	157-34	2001	25.00	25.00	25.00	-	
<b><u>RECREATION</u></b>							
ATHLETIC FIELD USE SURCHARGE (per person/per prog)		2011	15.00	15.00	15.00	-	
BUILDING FEES							
*Descriptions changed to be more relevant to Rec facilities							
Lower Level Multi Purpose Room (per hour)		2009	100.00	100.00	100.00	-	
Upper Level Rooms (per hour)		2009	75.00	75.00	75.00	-	
Lower Level Multi Purpose Room: Non-Profit (per hour)		2009	75.00	75.00	75.00	-	
Upper Level Rooms: Non-Profit Rate (per hour)		2009	50.00	50.00	50.00	-	
Lower Level Multi Purpose Room Event Party (4 Hours)		2011	575.00/675.00	575.00/675.00	575.00/675.00	-	
Birthday Party: Basic Program Restricted time frame (2 hrs)		2011	200.00/300.00	200.00/300.00	200.00/300.00	-	
Upper Level Room Event Party: (4 hours)		2011	475.00/575.00	475.00/575.00	475.00/575.00	-	
Maintenance Coverage (per hour) Full-time		2006	50.00	50.00	60.00	10.00	
Maintenance Coverage (per hour) Part-time		2006	35.00	35.00	40.00	5.00	
Alcohol Permit Fee - Event Parties		2010	50.00	50.00	70.00	20.00	
Event Party Security Deposit (Refundable)		2011	100.00	100.00	150.00	50.00	
DAY CAMP							
Day Camp - 1/2 day program (resident)		2013	575.00	585.00	600.00	15.00	
Day Camp - 2 week full day session (resident)		2013	505.00	515.00	525.00	10.00	
Day Camp - 6 week basic (non-resident)		2013	1,480.00	1,510.00	1,540.00	30.00	
Day Camp - 6 week basic (resident)		2013	730.00	745.00	760.00	15.00	
Day Camp - 6 week extended program (resident)		2012	1,145.00	n/a	n/a	-	Omitted
Day Camp - Swim group		2011	80.00	80.00	85.00	5.00	
Day Camp - Swim lessons (with group)		2011	115.00	115.00	120.00	5.00	
Kiddy Camp (resident)		2013	670.00	680.00	700.00	20.00	
Kiddy Camp - 2 week session (resident)		2012	475.00	n/a	n/a	-	Omitted



CITY OF RYE, NEW YORK  
GENERAL FUND  
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FEE SCHEDULE

FEE DESCRIPTION	CITY CODE	LAST CHANGED	2012	2013	2014	\$\$ Increase Over 2012	Comments
Registration fee after deadline		2010	180/30 wk	180/30 wk	180/30 wk	-	
Camp 78 - 6 weeks		2013	1,020.00	1,260.00	n/a	-	Omitted
Camp 78 - 2 weeks		2012	500.00	n/a	n/a	-	Omitted
Camp 78 - 1 weeks		2013	n/a	210.00	225.00	15.00	
Camp Withdrawal Fee		2011	100.00	25/wk	Omit*	-	Fee omitted to allow change of policy - eg. 25% as of May 15;75% as of June 15
INDOOR RECREATION							
Daily Fees (resident/non-resident)		2010	5.00/10.00	5.00/10.00	5.00/10.00	-	
OUTDOOR RECREATION							
All day field permit (10am-6pm)		2011	700.00	700.00	700.00	-	
Field permit (2 hrs.)		2011	200.00	200.00	200.00	-	
Field/Facility Use - Basketball - Outdoor lights (2hrs)		2009	160.00	160.00	160.00	-	
Softball - Men's Adult (per team)		2011	360.00	360.00	375.00	15.00	
Softball - Woman's Adult (per team)		2011	315.00	315.00	325.00	10.00	
PICNIC							
Non-profit/Sport League Groups		2012	50.00	50.00	50.00	-	
Refundable Deposit (Part of Fee)		2011	50.00	50.00	50.00	-	
Weekday Picnic ( 4-Dark)		2011	165.00	165.00	165.00	-	
Up to 75 (Resident/Non Resident)		2011	200.00/300.00	200.00/300.00	200.00/300.00	-	
75 to 150 (Resident/Non Resident)		2011	400.00/500.00	400.00/500.00	400.00/500.00	-	
Security Deposit		New			50.00	50.00	
TENNIS							
Permit - Adult (19 & over)		2011	110.00	110.00	110.00	-	
Permit - Family (max. 5)		2011	285.00	285.00	285.00	-	
Permit - Individual (non-resident)		2011	220.00	220.00	220.00	-	
Permit - Junior (6-18 years)		2011	60.00	60.00	60.00	-	
Permit - Senior (60+)		2011	75.00	75.00	75.00	-	
Clinic - Adult Tennis (4 classes)		2012	90.00/115.00	90.00/115.00	90.00/115.00	-	
Clinic - Youth Tennis (4 classes)		2011	80.00/90.00	80.00/90.00	80.00/90.00	-	
Daily Fee (resident only; Adult/Junior or Senior)		2011	13.00/7.00	13.00/7.00	13.00/8.00	0.00/1.00	
Guest of Permit Holder - Hourly fee (Adult/Junior or Senior)		2011	13.00/7.00	13.00/7.00	13.00/8.00	0.00/1.00	
Private lessons: Per half hour		2011	38.00	38.00	38.00	-	
Private lessons: Per hour		2011	52.00	52.00	52.00	-	
Non-Resident Senior		2011	145.00	145.00	150.00	5.00	



CITY OF RYE, NEW YORK  
 RYE TELEVISION SPECIAL REVENUE FUND  
 ANNUAL BUDGET  
 FOR FISCAL YEAR ENDING DECEMBER 31, 2013

FEE SCHEDULE

FEE DESCRIPTION	Last Changed	Adopted 2012	Adopted 2013	Proposed 2014	Comments
<b><u>Duplication Fees:</u></b>					
Dubbing Fee (per tape)	2012	\$ 20.00	\$ 20.00	20.00	
DVD Dubbing Fee (per DVD) Includes cost of media.	2012	20.00	20.00	20.00	
<b><u>Duplication Stock Fees:</u></b>					
Mini DV 60	2013	8.00	6.00	6.00	
Mini DV 80	2006	10.00	10.00	8.00	
DVD-R	2012	4.00	4.00	1.00	
CD-R	2010	1.00	1.00	N/A	
<b><u>Equipment Rental:</u></b>					
Camcorder - per day	2013	150.00	100.00	100.00	
Camcorder Canon XHA1 per day (misc extra)	2013	N/A	250.00	250.00	Kit includes tripod & mic
Tripod per day	2013	N/A	50.00	50.00	
Light kit: Arri or lowell per day	2013	N/A	100.00	100.00	
Shotgun mic and cables per day	2013	N/A	30.00	30.00	
Digital Editing Suite without Personnel (per hour)	2008	150.00	150.00	100.00	
Studio without RTV personnel (per hour)	2008	200.00	200.00	200.00	
<b><u>Personnel:</u></b>					
Staff Audio/Graphics In-Studio (per hour)	2006	35.00	35.00	25.00	
Staff Cameraperson In-Studio (per hour)	2008	50.00	50.00	50.00	
Staff Cameraperson On-Location (per hour)	2005	75.00	75.00	75.00	
Staff Editor (per hour)	2012	125.00	125.00	125.00	
Staff Other On-Location (per hour)	2012	75.00	75.00	75.00	
Staff Producer/Director In-studio (per hour)	2012	150.00	150.00	150.00	
Staff Technical Supervisor (per hour)	2012	150.00	150.00	150.00	





# CITY COUNCIL AGENDA

NO. 8

DEPT.: City Council

DATE: May 22, 2013

CONTACT: Mayor Douglas French

**AGENDA ITEM:** Discussion of the Report from the Rye Golf Club Strategic Committee.

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the Council review the report from the Rye Golf Club Strategic Committee.

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

**BACKGROUND:** The Rye Golf Club Strategic Committee was appointed at the City Council Meeting of October 24, 2012 and was charged with developing strategic recommendations for the long-term use and operation of the Rye Golf Club.

See attached report.



# **RGC Strategic Committee**

## **INITIAL REPORT TO RYE CITY COUNCIL**

**5/1/2013**

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1. Overview
2. Background
3. Mission Statement
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6. Conclusion – Initial Report

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Schedule A - Charters for RGC Commission (1966-present)

Schedule B - Municipal Golf Course Financial Statements

Schedule C - Fee Assessment



# 1. OVERVIEW

This INITIAL progress report from the RGC Strategic Committee provides a recap of historical governance models for RGC as well as some alternatives for consideration. The RGC Strategic Committee requests feedback from the City Council on the content in this report to ensure the assessment is meeting expectations, to determine whether there is a strong preference to delve deeper into one or two specific options, and to align on next steps.

# 2. BACKGROUND

The Rye Golf Club (RGC) was purchased by the City of Rye in 1965 and has operated successfully as a valuable community asset for 48 years at zero cost to City of Rye taxpayers. The club provides recreational activities (golf, pool) for resident and non-resident members as well as a public restaurant and catering facility. It is positioned as a lower cost alternative to a private country club and is more expensive than a public fee based alternative.

In 2012, RGC enjoyed 1,370 memberships and about 4,500 members including 940 residents (19% of Rye Households based 4,900 households estimated in the 2000 census) and 422 non-residents. Membership peaked in 2008 with 1,613 total.

The organizational structure is setup as an Enterprise Fund, separate from the City of Rye General Fund. RGC has generated a surplus over time and, as of 12/31/2012, the Balance Sheet reflected \$725,886 in Unrestricted Fund Balance and \$195,349 in unspent project funds. It is somewhat concerning however that the fund balance has been reduced significantly over the past several years largely driven by net operating losses during a very difficult economy and while the restaurant was operated as a City owned facility. Prior fund balances were: \$820,256 in 2011; \$1,205,349 in 2010; \$2,478,431 in 2009; \$3,493,929 in 2008, \$2,244,589; and \$2,781,516 in 2006.

The historical P&L Statements reflect significant losses 2009-2011, as expenses rose dramatically, after years of net income previously (actually back to 2002).

	Revenue	Op Expense	Op Profit	Non Op Exp	Net Income
2006-A	\$5,378,934	\$5,110,614	\$268,320	(\$52,461)	\$215,859
2007-A	\$6,990,360	\$6,596,429	\$393,931	(\$18,847)	\$375,084
2008-A	\$7,264,208	\$6,816,864	\$447,344	\$95,066	\$352,278
2009-A	\$6,575,095	\$7,112,248	(\$537,153)	\$169,809	(\$706,962)
2010-A	\$6,276,272	\$7,553,839	(\$1,277,567)	\$73,622	(\$1,351,189)
2011-A	\$6,504,603	\$6,912,568	(\$407,965)	\$105,991	(\$513,956)
2012-A	\$6,759,393	\$6,900,086	(\$140,693)		(\$140,693)
2013-B	\$6,455,025	\$6,379,621	\$75,404		\$75,404

The Balance Sheet reflects \$11.6 million in assets (capital assets and cash) and only \$3.5 million in liabilities.

The capital investment plan is in development so future needs (pool, Whitby, etc.) are not yet defined.



RGC currently has the following outstanding obligations to the City of Rye.

1. RGC has required bond financing from the City of Rye for major capital investments and has funded all bond principal and interest payments from operations. The initial \$1.6 million bond issued in 1965, fully repaid by RGC, was used to purchase the property from the Rye Wood Country Club, and was supplemented by Westchester County and Federal grants as well as a small general fund contribution. A subsequent \$2 million bond, issued in 1989, also fully repaid by RGC, funded new Swimming Pools, a multi-purpose building, and a locker refurbishment. Two bonds totaling \$3.863 million (\$2.12 million Series A Tax Free and \$1.743 million Series B Taxable) issued in 1997, which are currently being repaid from RGC operations, funded the Whitby Castle renovation, a Pro Shop building and expanded parking. As of 12/31/2012 there was \$2,210,000 principal remaining on the two outstanding notes (\$1.465 million and \$765 thousand respectively), both of which are scheduled to be fully repaid by September 2018. RGC is currently scheduled to pay \$330,000 combined principal plus \$97,085 interest in 2013. The taxable bond is being refinanced in 2013 to reduce remaining interest expenses by \$86,000.

2. RGC funds ongoing retiree medical and pension obligations, totaling \$260,350 in 2012.

3. RGC currently contributes about \$375,000 per year to the City of Rye General Fund to cover city allocated expenses for administration (\$296,176), insurance (\$26,762), and financial audit (\$9,609) as well as to cover taxes on city property (\$12,444) and non-resident road surcharges (\$29,925). Some of these cost recoveries help to effectively reduce the City tax assessment. The basis for the 'Interfund' allocations was defined in the 2001 Maximus Consulting Study. The pro/con assessment of these allocations and appropriate dollar levels versus hiring external services is not analyzed in this report.

In total, RGC has approximately \$1.1 million in annual commitments through 2018.

The club experienced significant financial fraud, which was exposed in 2012 and had apparently been occurring since 2006. At this time, to our knowledge, it is believed the fraud was perpetrated by one individual, the former RGC General Manager. The extent of the loss has not yet been finalized. The ability to collect on the City of Rye insurance policy has not yet been determined, and may be connected to the Westchester District Attorney decision whether to pursue criminal charges.

The fraud was undetected by the RGC Commission and the City of Rye, the implication being that internal controls and governance need to be evaluated and improved.

Mayor Doug French and the City Council formed the RGC Strategic Committee in December 2012. The Mayor provided the following mandate:

"To recommend the right strategic model for the Club's future to include the needs of members and Rye residents as a public asset. In your recommendations to the Council, include parameters that would be needed in an RFP to go to market if warranted. In addition, include recommendations in operating policies that would be incorporated in the new model. Let me know if there are additional aspects of your committee's work the committee would like to add. Please reach out to club members and commission members for their feedback as needed or as per their survey."



### **3. RGC Mission Statement**

In the 2007 City of Rye Annual Financial Report, it states that the purpose of the club is to provide safe, high quality, leisure time activities by operating and maintaining an environmentally sensitive publicly-owned membership golf club and swimming pool complex on a self-sustaining basis.

It is notable that the mission does not currently mention “affordability”, although some stakeholders would like to provide more public access by reducing fees (ie. residents, non-residents, seniors, for demonstrated financial need, etc.) and/or to eliminate the \$300 minimum food requirement. RGC is currently offered as a non-equity fee based service, positioned in between public facilities and private clubs. We have not yet found a public fee model which delivers about \$400,000 per year to the Municipal General Fund, full debt repayment and retirement obligations, presumably because the rates charged are not sufficient to generate a significant surplus. In addition to financial challenges, a model with more affordable public access could impact local traffic, parking, and operating expenses as the course will get more rounds of play.

If a privatization model was to be investigated, significant research would be required to assess private club competition (ie. no current tennis, paddle, or driving range capabilities at RGC) and to review the public use requirement mandated by the Federal and County Grants provided to the City of Rye to purchase the club.

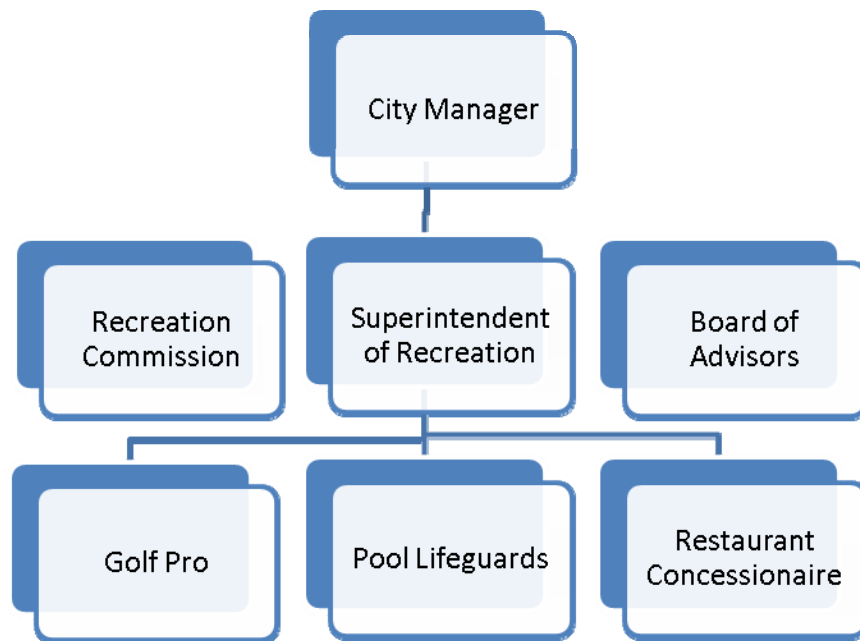
In summary, our assumption is that the Mission is generally being achieved and no major changes are needed. Accordingly, modification of operating policies and/or governance to achieve a different mission statement is not analyzed in this report.

### **4. Historical Governance**

## **Governance: 1965-1977 (12 years)**

Adopted 6/21/65-1/5/66, largely as recommended by the Citizens Advisory Committee





#### **Board of Advisors:**

- Nine People (maximum)
  - Councilman (1)
  - Rec Commission (2 max)
- Appointed by Mayor
- 1 year term
- Sub Committees as needed (golf, swim, house).

#### **Staffing Plan**

Club Manager (eventually) to report to Superintendent of Recreation.

City managed day-to-day operations through the Recreation Commission.

Board of Advisors comprised of 9 members appointed by Mayor to 1-year term.

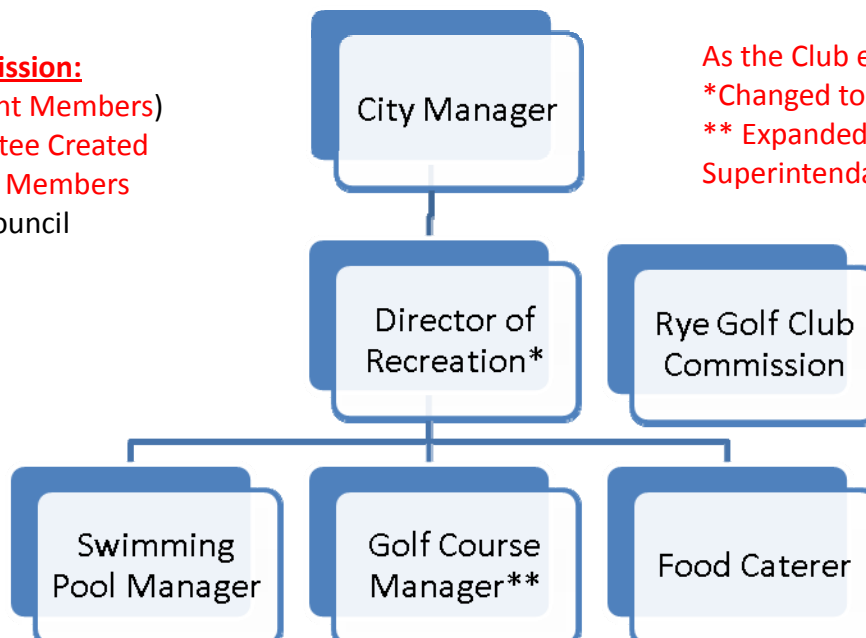
See Appendix for City Council resolutions 6/21/1995 and 1/5/1966 establishing BOA.

## Governance: 1977-2005 (28 years)

Adopted 5/18/77

#### **Rye Golf Club Commission:**

- Nine People (**Resident Members**)
- Nominating Committee Created**
- Election by Resident Members**
- Appointed by City Council
- Two** Year Terms



As the Club experienced growth:

- \*Changed to Club Manager
- \*\* Expanded to Golf Pro and Golf Superintendant



Eliminated external Board of Advisors and created the Rye Golf Club Commission.

Commission nominated & elected by Members, comprised entirely of Members.

Term extended to 2-years (presumably for more experience and continuity).

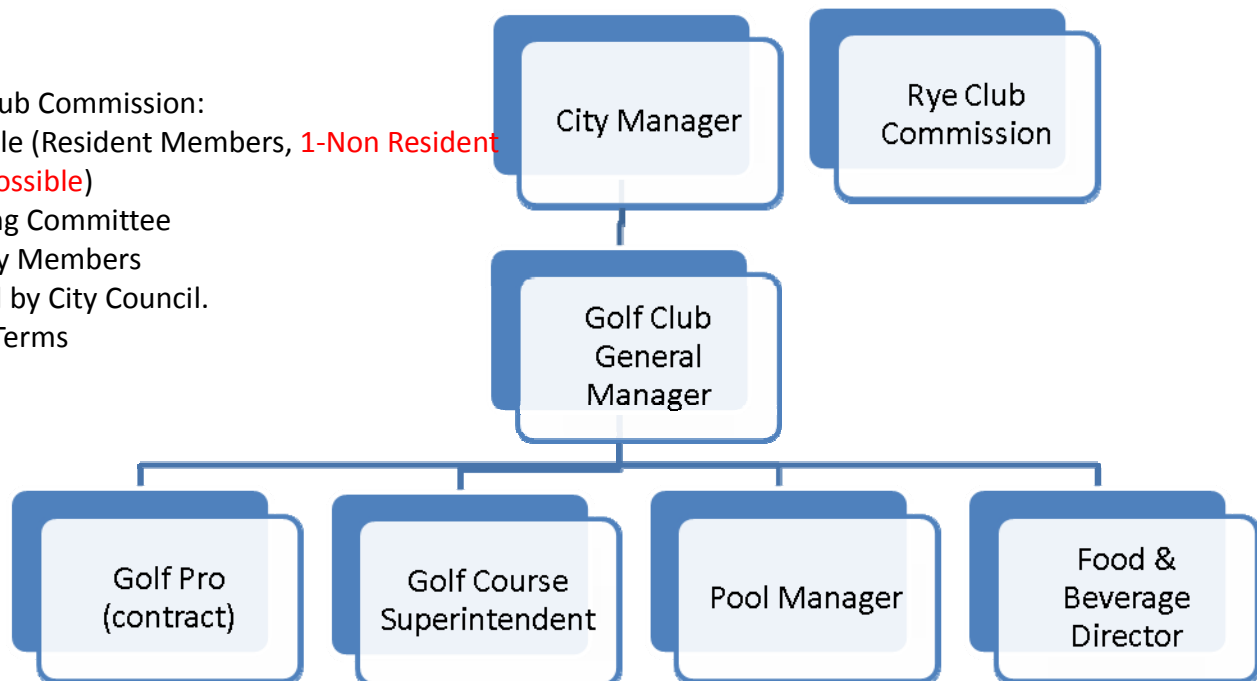
Responsibilities expanded to “approve annual budget estimates, prepared by staff personnel, including membership categories and proposed fee schedules, prior to submission to City Manager.”

## Governance: 2006-present (7 years)

See Appendix for City Council Resolution 5/18/1977 establishing RGC Commission.

Rye Golf Club Commission:

- Nine People (Resident Members, 1-Non Resident Member possible)
- Nominating Committee
- Election by Members
- Appointed by City Council.
- Two Year Terms



-Restaurant management taken over by City after food concessionaire opted out of contract.

-Added potential to have one non-resident serve on RGC Commission.

-Expanded clarification of RGC Commission role.

See Appendix for City Council Resolution 11/28/2012 expanding RGC Commission role.



## 5. Alternatives for Consideration – INITIAL ASSESSMENT

### ORGANIZATIONAL STRUCTURE

1. Enterprise Fund - RGC is currently structured as an Enterprise Fund, similar to the Boat Basin, separate from the General Fund. It is our understanding that the RGC operation meets governmental criteria for an Enterprise Fund basis of accounting and reporting because the cost of providing services, including capital costs (such as depreciation or debt service), are fully recovered with fees and charges, rather than with taxes or similar revenues. At times, surplus monies are retained for use by RGC either to fund operating losses when needed, since the business is cyclical and sensitive to the economy and local competition, or to fund capital improvements.
2. General Fund - Presumably, if the City was to eliminate the 'self-sufficient' criteria, similar to the Rye Recreation model, where 60% of the operating cost is funded by the General Fund, the Enterprise Fund structure could be modified. There is risk that RGC surplus funds would be utilized for other City initiatives or budget balancing needs so, when needed, a bank balance might not be sufficient for RGC needs.
3. Land Development Corporation – Transferring the land to an LDC, to be managed by the City of Rye “off balance sheet” was deemed out of scope due to classification as a property sale.
4. Other Alternatives – We are not aware of other structural alternatives and need General Counsel and City Manager assistance to identify other options as appropriate.

### GOVERNANCE

RGC is a city owned asset where the City of Rye has ultimate responsibility for debt repayment, retirement obligations, and operational funding (ie. if the reserve is ever eliminated or if bond offerings are not passed). The fiduciary responsibility element is important when considering alternate governance models.

#### 1. City Managed with Independent Commission Oversight –

The current model gives City of Rye full decision making responsibility, with an independent Commission acting as an advise/consent body to create club policies and approve budgets, subject to final approval by the City Manager. The Commission can appeal to the City Council as needed. The Commission is comprised of nine people elected by membership and appointed to two year terms of service, without term limits. There are no qualification requirements to serve on the Commission. The Commission operates sub committees as needed, which currently includes: Finance, Marketing, Tournaments, and Greens.

#### 2. Alternative Oversight Models

-RGC Commission with possible modification to include term limits, qualifications to serve, City representative(s) as voting member(s), and/or expanded responsibility.

-Board of Directors representative of broader interest groups (City of Rye, Taxpayers, Members, etc.) with term limits, qualifications to serve and possibly some level of fiduciary responsibility.

-Recreation Department/Commission oversight, particularly if restaurant is outsourced.



## MANAGEMENT

### 1. City of Rye Management

The current organization includes a General Manager (Interim-contract position) responsible for overall Club Management and for supervising Department Managers for Golf Maintenance (Superintendent-employee), Golf Operations (Golf Pro-contract position), Food & Beverage (Director-contract position), and Pool Operations (employee).

If the restaurant was to be outsourced, it would need to be explored whether the GM position is required and whether an alternate management reporting structure would be appropriate. Options could include eliminating the GM position in favor of a Club Manager position, and changing the reporting relationship to the Recreation Department rather than to the City Manager.

### 2. Outsourced Management –

There are several outsourcing alternatives including, but not limited to:

- a) Hiring an outside management company to run all or part of the operation.
- b) Leasing the property to an operating company (ie. 501(c)(7) or otherwise)
- c) Creating a Local Development Corporation (LDC) to own and manage the property.

After evaluating numerous alternatives, the options have been summarized into the following three major categories.

#### 1-- Maintain RGC as City of Rye managed facility (golf, pool, restaurant/catering).

- Obtain 1-2 more years of experience to determine food/beverage viability under new management
- Immediately enhance internal controls and better define roles/responsibilities.

#### 2-- Outsource restaurant to concessionaire (City of Rye exits restaurant business by 2014/2015)

- RFP Restaurant/Catering operation and become landlord with food/beverage tenant
- Modify governance and management as appropriate.

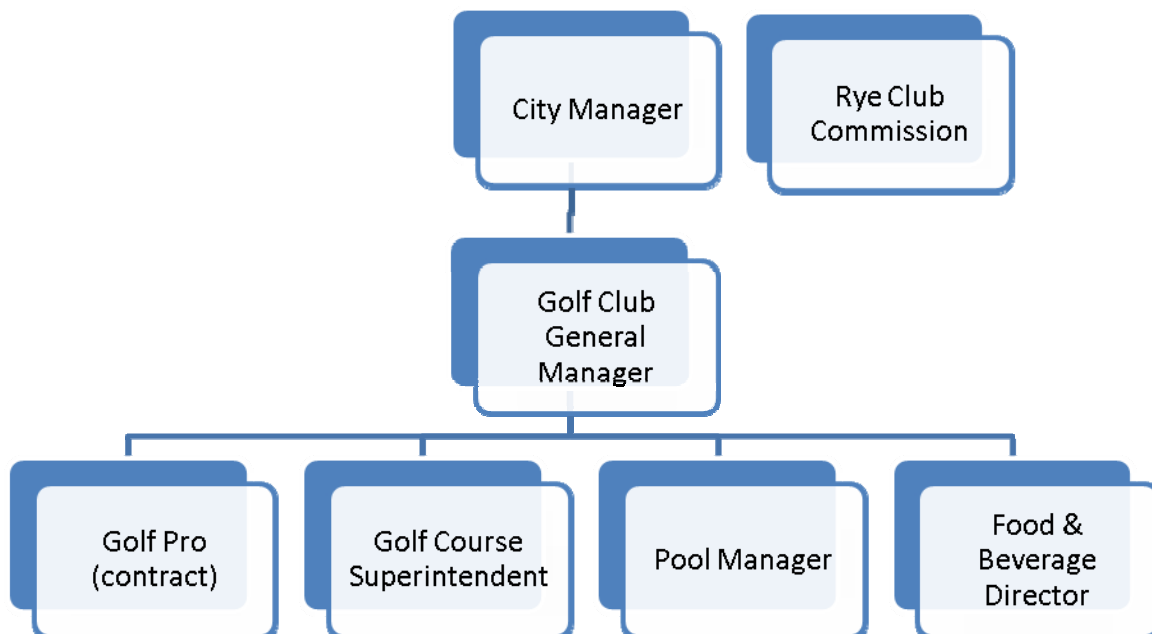
#### 3-- Outsource entire facility so City of Rye exits golf, pool, and restaurant business.

- RFPentire golf/pool/food operation for professional Club Management
- Enter into Management Agreement (IMA) with 501(c)(7) company to operate RGC
- Create Local Development Corporation to own and operate RGC



# 1a – Current Structure w City Restaurant

Improve internal controls and clarify the role of the GolfCommission.



## City Managed Restaurant

The Teplica Wirth & Trapp, Ltd consulting study commissioned in 1996, which was used to justify the Whitby Castle expansion of 1998, indicated that operating revenues could approach \$4-6 million in 5-years comprised of catering (\$3-5 million) and restaurant (\$1 million). The profit estimate ranged from slightly above breakeven to \$1.1 million per year. The restaurant environment in Rye, Mamaroneck, and Port Chester was less developed at that time.

Restaurant Associates achieved a run rate delivering \$2.6 million revenue (\$2.2 million catering, \$400k restaurant) in 2005. RGC received \$200,000-\$325,000 rent per year from 2001-2005 based on a percentage of gross receipts model. RA claimed to have lost up to \$800,000 per year as a restaurant and catering facility, and preferred to operate solely as a catering facility.

	Initial Term	Renewal
Restaurant & Meeting Rooms	6%	7.5%
Snack Bar	7%	8.5%
Banquet Facilities		
First \$2 Million	15%	16.5%



Second \$2 Million ..... 17.5% ..... 19%

Since 2006, when the restaurant has been managed by RGC, the revenues were approximately \$1.6-\$2.0 million including \$1 million in catering, \$0.8 million in restaurant, and \$0.2 million in snack bar sales. Using historical financial statements by department as a directional barometer, it appears that the Restaurant lost money in each year of operation since being managed by the City of Rye.

In 2013, the Whitby Castle operation is budgeted to achieve \$1.9 million revenue with an operating loss of \$0.2 million, however, those numbers are largely based on 2012 actuals, with inflated labor costs, and cannot be used for decision making purposes. It is notable that departmental allocations by cost center (golf, pool, restaurant, administration) are not 100% precise, for example, no gas utility is reflected in the Whitby numbers at this time.

This year is a pivotal juncture for the RGC managed food operation, after hiring a Food/Beverage specialist, and a new chef, there are plans to market the facility and grow revenues. One option is to wait through the 2013 season, and possibly the 2014 season, to see the results achieved by the new management team before deciding whether to run the Whitby Castle by RGC or whether to outsource the restaurant/catering business. More likely than not, it will take several years to grow the business.

Another option is to complete a Request For Proposal (RFP) in 2013 and outsource the food and beverage operation, or a portion of the operation (ie. ex snack bar and potentially a modest grill room for members only). We have learned that there are several challenges in running a restaurant as a municipality. The RFP process is sometimes restrictive in comparison to opportunistic spot buys. The employee labor and benefit programs are mandated by municipal law, less relevant if using a 10-month model with agency, contract, or seasonal labor.

## **Summary - City Managed Restaurant**

### **PRO'S**

- The City of Rye has control over the entire Club, including the restaurant, and the membership is solicited for advice on club policy and financial matters.
- The Whitby location is unique and there is a chance the food operation can be profitable with solid management.

### **CON'S**

- The City of Rye is responsible for managing the food/beverage business, which is not a core competency and can distract from other priorities.
- The RGC surplus has been dramatically reduced since the City started managing the food/beverage operations.
- The City of Rye bears financial risk if the restaurant is not successful and further depletes reserves.
- The City is exposed to health care costs for employees working over 30 hours per week even under seasonal or agency staffing models, and to municipal benefit programs for full time employees.



## Internal Controls

The RGC Commission represents membership interests in setting Club policies and is a steward of fiscal responsibility to the City of Rye taxpayers. Over time, the financial responsibility was compromised as the General Manager was empowered to make decisions without full knowledge of the RGC Commission and the City Manager.

### 2013 Operational Changes

The City of Rye hired an interim General Manager who reports directly to City Manager. Membership is on pace or slightly ahead of 2012 levels and the thought is that eliminating the inflated labor costs will bring the club back to breakeven or better. A new chef was hired for the Whitby operation and the tip policy has been modified. That said, the City Council's 2012 Investigation Report and prior City of Rye Audit Reports clearly indicate that enhanced checks/balances are needed. The following internal control recommendations should be considered:

#### A. ORGANIZATIONAL ROLES / RESPONSIBILITIES

- i. The RGC Commission advisory role for financial matters should be expanded beyond budgeting, to include an advisory role for expenditures throughout the year. Specifically, the RGC Commission should be consulted on all spending decisions exceeding \$2,500. The City Manager should maintain final decision-making authority.
- ii. The responsibilities of the RGC Standing Committees should be clearly defined. For example, what role is the Finance Committee to perform with regards to spending decisions throughout the year?
- iii. The RGC Office Manager should report directly to the City Comptroller rather than to the RGC General Manager. This reorganization is intended to ensure that the financial policies of the City are followed.

#### B. TRANSPARENCY

In order to perform the mandated role to recommend budgets, the RGC Commission needs access to financial information throughout the year. The City of Rye Finance Committee, and perhaps the Audit Committee as well, should also be provided with a monthly reporting package.

Internal management reporting which covers financial and operational performance should be implemented.

-Weekly Posting email from Department Managers to RGC Commission Chair and Committee Chairpersons.

Golf Superintendent	Greens Committee
Golf Pro	Tournament Committee
Pool Manager	Pool Committee
Food/Beverage Director	Finance Committee (consider creating Food/Bev Committee)
Accounting	Finance Committee
Membership	Marketing Committee

-Weekly Financial Reporting from Comptroller to RGC Finance Committee to include Check Register and Purchase Order Commitments by Vendor. **Implemented.**



-Monthly Financial Reporting from Comptroller (or RGC Accounting) to RGC Finance Committee including (a) Actual Spending Versus Budget and Prior Year by cost center (Golf Operations, Golf Maintenance, Pool, Restaurant, Catering, Snack Bar, and Administration), and; (b) Trial Balance by general ledger account. **Being Implemented.**

### **C. PURCHASING**

Purchase Orders (PO's) - Past practice was for the General Manager to sign all Purchase Orders. The City Manager would sign most Purchase Orders as well. Currently the City Manager signs all Purchase Orders. The City Comptroller also has limited PO Signature Authority. Currently Department Managers can authorize spending up to \$1,500 without issuing a Purchase Order.

(a) PO's are currently required for all transactions in excess of \$2,500. A new process, implementing simplified Supply Requisition should be required for all procured goods and services which do not require a City of Rye Purchase Order. That way there is written record of all commitments made on behalf of the City of Rye.

(b) Department Managers should be responsible to sign all Requisition and PO requests for their areas of expertise.

(c) RGC Commission should be consulted prior to writing PO's over \$2,500 and given a reasonable time to respond.

(d) Signature Authorization Levels should be implemented (ie. Department Managers given formal approval to sign for say, up to \$2,500, provided expenditure is budgeted).

(e) Utilize RFP process based on dollar spend including professional services. The dollar threshold should be recommended by the RGC Commission, with the final decision made by the City Manager.

It is notable that an RFP was completed in 2013 for Whitby Staffing rather than using rate cards. The RFP assumptions (who participated), scope (I-9 verification, background & reference checks, pass-through with allowable markup, etc.), and results (what rates were received), should be provided to the RGC Commission.

### **D. ACCOUNTS PAYABLE PROCEDURES – SEPARATION OF DUTIES**

The prior General Manager utilized significant autonomy without adequate checks/balances to identify misuse of funds. The General Manager selected vendors, prepared PO's, signed PO's, and approved invoices. Rate sheets were used for contract staffing versus an RFP. The Staffing Agency proof of performance backup did not include payroll registers documenting payments to personnel.

Options to segregate purchasing, receiving and invoice approval responsibilities include:

Receiving – Receipts and/or proof of performance should be signed and provided to Accounting by authorized personnel. Qualified personnel to receive goods/services and attest to quantity and condition should be defined. Ideally, the receiver should be someone other than the person ordering the goods/services and the receipt should be dual signed if the person issuing the order is also a receiver.

Invoices – Invoices should be mailed directly to RGC Office Manager for processing rather than to Department Managers. The RGC Office Manager would complete a three way match (PO, Receipt, Invoice validated by three different individuals) and submit for payment if no price/quantity discrepancies. Any (price, quantity, or quality) discrepancies are resolved with Vendors or Department Managers as needed. Invoice backup must include proof of payment for all cost plus arrangements.



## E. FINANCIAL ACCOUNTABILITY

Provide Departmental Managers with annual budgets to manage rather than having GM handling in isolation.

**Implemented for Golf Course Maintenance and Operations. Restaurant and Pool are TBD.**

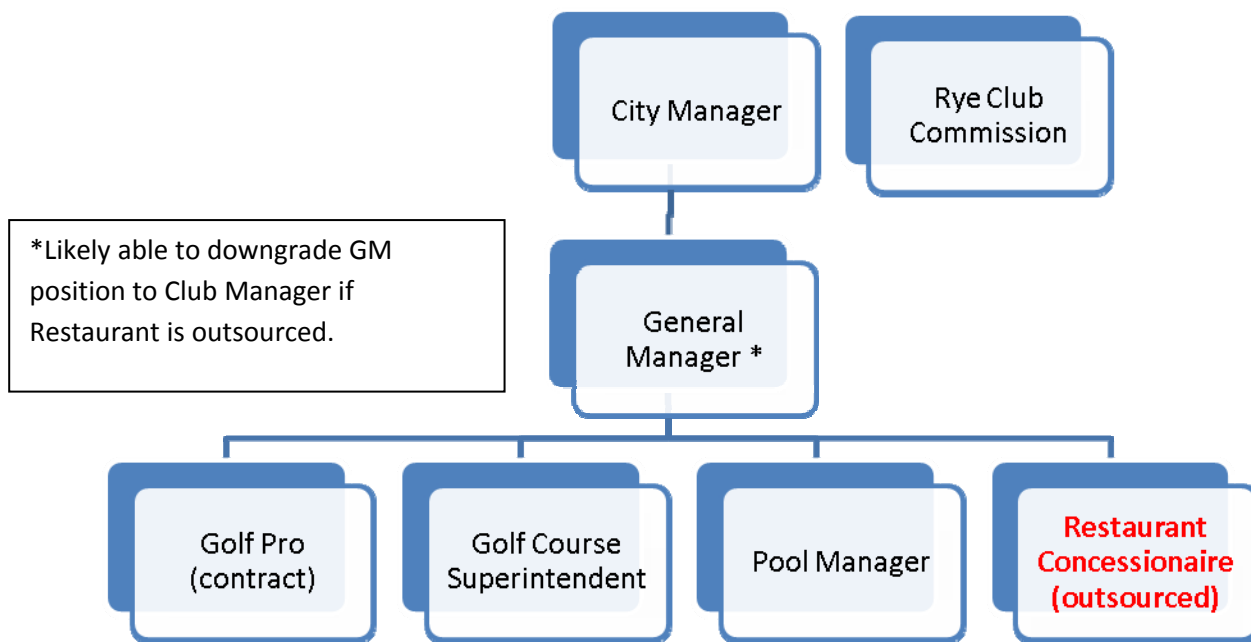
The accounting firm Condon O'Meara McGinty & Donnelly has been identified as having a strong specialty in Club Management, and is uniquely qualified to assess the RGC policies and procedures. Their references include Westchester Country Club, Apawamis, Winged Foot, Manursing, American Yacht and more. A proposal should be solicited from them to review RGC procedures in comparison to best practices.

## F. SUMMARY of INTERNAL CONTROLS

Expanding RGC Commission Roles/Responsibilities and implementing improved Management Reporting should be fully resolved AS SOON AS POSSIBLE, by May 15 if possible, to improve necessary transparency and checks/balances. The RGC Commission can act as a consultative resource which will ease the burden on the City Manager who has more RGC direct reports (Food & Beverage Director, Golf Pro, Golf Superintendent) than ever.

# 1b – Current Structure w Whitby RFP

**Complete RFP to outsource the food/beverage concession. Improve internal controls for golf/pool operations and clarify the role of the Golf Commission.**





When last outsourced, the Restaurant generated \$200,000-\$325,000 in “rent” on a percentage of revenue basis. Since the 2013 budget indicates a \$200,000 loss, a deal commensurate with the RARye contract would generate a \$400,000-\$500,000 improvement from current operations.

The Restaurant RFP scope would need to be developed over the coming weeks to determine: Will a public restaurant be mandatory or could it be catering only? If catering only, would RGC be able to operate a modest ‘Grill Room’ restaurant in the Whitby Castle or would RGC need to build space in the ‘Member Lounge’ area connected to the Pool Snack Bar? Would the snack bar be included in the RFP? Would the financial options include a fixed rent or a percentage of sales? What would be the other criteria (ie. responsibility for Building R&M and capital improvements)? Where would the RFP be published and who would be invited to respond?

The timeline for the RFP process, if appropriate, is roughly estimated to be:

RFP Preparation .....	May/June
City Council Approval .....	June
RFP Responses .....	September 1
Evaluation .....	September
Vendor Selection & Contract Negotiation .....	October
Startup .....	January - March 2014

A RGC member survey, completed by the RGC Commission in December 2012, addressed several relevant topics:

7. How important is maintaining Whitby Castle as a restaurant/clubhouse to your membership?

Not At All Important .....	34.4% (173)
Somewhat Important .....	25.2% (127)
Important .....	25.0% (126)
Very Important .....	15.3% (77)

9. Does it matter to your membership to have Whitby Castle managed directly by the Rye Golf Club as opposed to a third party?

Yes .....	17.4%
No .....	82.6%



10. How important is it to you to have Whitby Castle maintained as a public restaurant?

Not At All Important ..... 42.3% (215)

Somewhat Important ..... 21.1% (107)

Important ..... 23.8% (121)

Very Important ..... 12.8% (65)

11. How willing would you be to give up some access to Whitby Castle due to an increase in events by a 3rd party?

Not At All Willing ..... 10.9% (55)

Willing ..... 52.4% (265)

Very Willing ..... 36.8% (186)

12. If the club created a more traditional Grill Room (Bar with bar menu), would you use it more than Whitby?

Yes ..... 72.6% (366)

No ..... 27.4% (138)

The RGC Commission has requested that the membership be polled further about an RFP alternative prior to issuance. The May/June time period is targeted to obtain updated member feedback.

## **Summary - Whitby RFP**

### **PRO'S**

-City of Rye would exit the food/beverage business and devote less resources to that operation.

-Demonstrated financial improvement as landlord versus food/beverage operator.

### **CON'S**

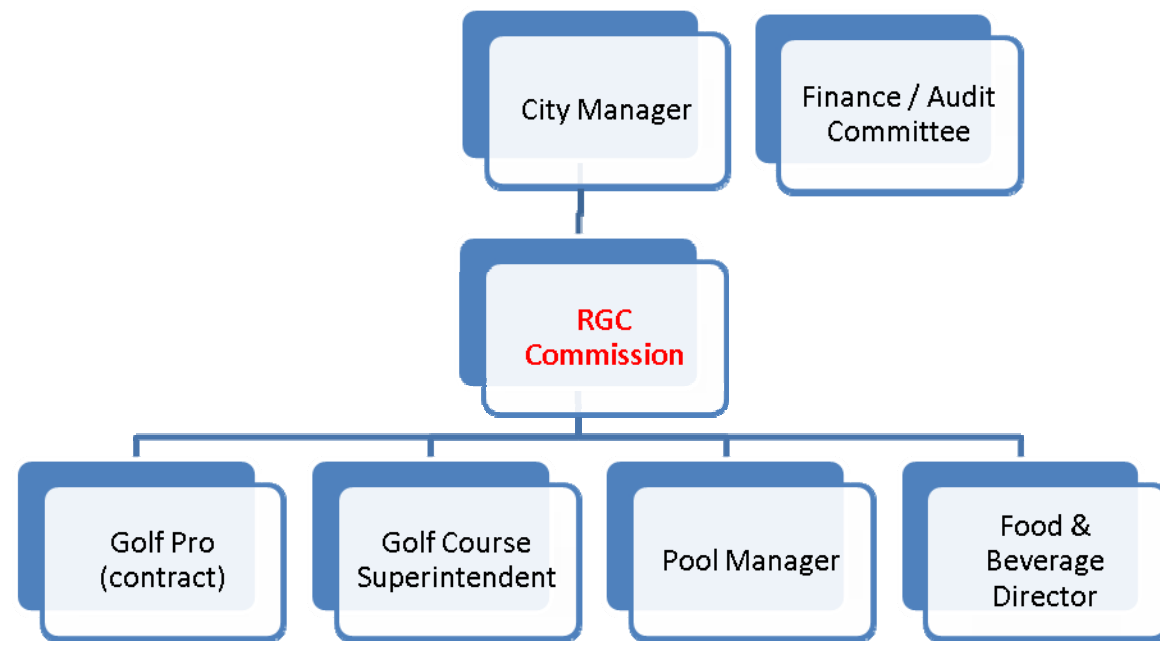
-City of Rye would not realize entire upside if food/beverage was managed profitably.

-Membership may be restricted in restaurant offerings (hours, menu, cost, etc.).



## 2a – Modify Governance w RGC Commission

Expand role of RGC Commission under advise/consent or decision making model.



### Alternate Municipal Governance Examples

#### CITY OF NORWALK - OAK HILLS SUMMARY

The City of Norwalk created the Oak Hills Park Authority for the purpose of acquiring, constructing, operating, maintaining, and managing the Oak Hills Park, including the golf course, tennis courts and related recreational facilities.

The powers are exercised by an Authority consisting of nine electors of the City of Norwalk, who are appointed by the Mayor and confirmed by the Common Council for a term of three years. [No member shall serve for more than two consecutive terms](#), and, after serving on the authority for two consecutive terms, no member shall be reappointed to the Authority for at least two years. [The Common Council has the power to remove a member of the Authority for inefficiency, neglect of duty or malfeasance in office, after an investigation, notice and public hearing.](#)

The Authority submits an annual budget to the City for approval. No Authority member, nor any immediate family member may accept employment at the Oak Hills Park, during the time the person is serving on the Authority and for a 2-year period afterwards.

The Authority cannot mandate cart rentals, close the course for tournament play more than 50 days per year, discriminate based on playing ability, provide free or discounted rounds of golf.



The Authority is authorized to enter into a lease agreement with the City of Norwalk. The Common Council may charge the Authority such annual rent for the use of the Park. Any and all contracts entered into by the Authority shall be subordinate to the lease with the City.

Before any fee schedule is enacted or modified, the Authority shall hold a public hearing in the City of Norwalk.

[Note that Oak Hills is facing significant financial issues as they took on significant restaurant debt without adequate income streams. The City of Norwalk recently provided \$100,000 to fund operations.]

#### CITY OF STAMFORD - STERLING FARMS SUMMARY

The City of Stamford created the Stamford Golf Authority in accordance with the provisions of State of Connecticut Public Act 460 of the 1965 General Assembly by adoption of an ordinance on April 26, 1967. The Authority is considered a related organization to the City of Stamford.

The Golf Authority operates the Sterling Farms Recreation Complex. The Authority is a separate governmental unit that, under the criteria of the Governmental Accounting Standards Board, need not be combined with any other component unit to form the reporting entity.

The Golf Authority is comprised of a nine member board appointed by the Mayor.

**We are trying to obtain the full Charter detailing the Stamford Golf Authority roles and responsibilities.**

Sterling Farms is a public use facility which generated \$2.9 million in revenue and a \$284k net operating loss in 2010. The 18-hole fee for residents is \$26.00. (see appendix for financial summary).

#### CITY OF STAMFORD - E. GAYNOR BRENNAN SUMMARY

The City of Stamford created the City of Stamford Golf Commission to operate the E. Gaynor Brennan Golf Course. The Commission consists of a five member panel, who serve overlapping terms of three years. Members are appointed by the Mayor and approved by the Board of Representatives in accordance with the Stamford Charter.

**We are trying to obtain Charters from additional Municipal Golf Courses including:**

#### TOWN OF EASTCHESTER - LAKE ISLE

#### TOWN OF RAMAPO – SPOOK ROCK

#### NEW YORK STATE - BETHPAGE

#### WESTCHESTER COUNTY – Maple Moor, Saxon Woods, Sprain Lake, Dunwoodie, Mohansic

#### VILLAGE OF SANDS POINT – SANDS POINT



## Summary - RGC Commission Expansion – Advisory or Fiduciary (tbd)

### PRO'S

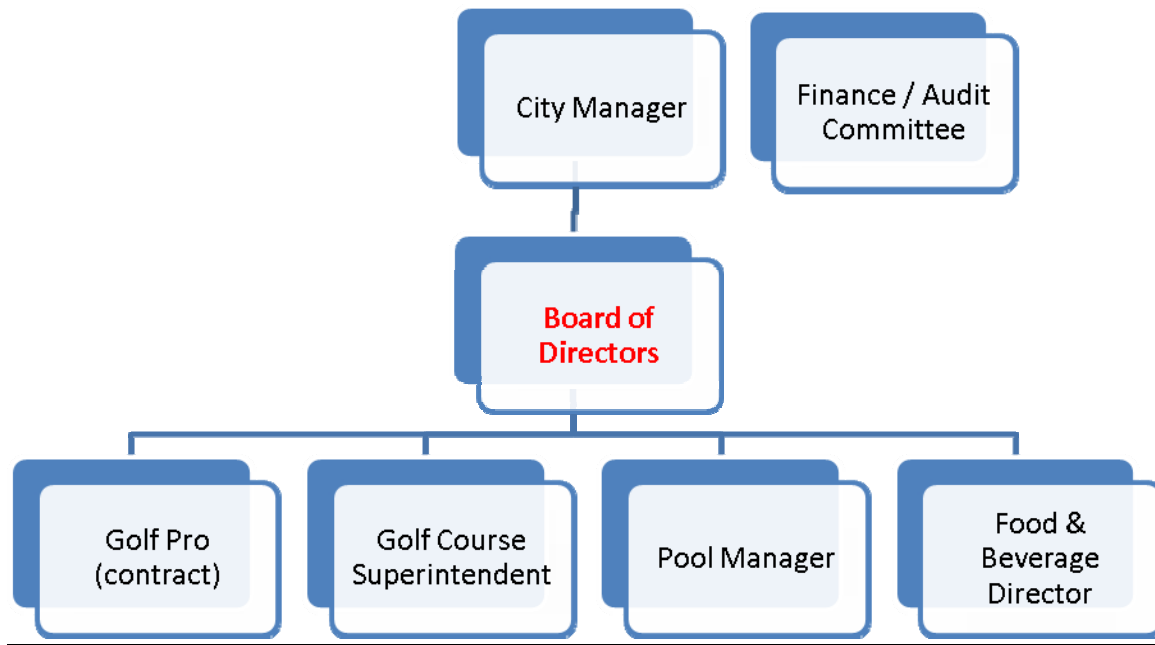
- Relieves the City Manager from some RGC responsibility to focus on other priorities.
- Commission would like a greater voice since membership monies have sustained the Club since inception.
- Commission Charter could be modified: scope, qualifications, term limits, removal from office (if needed).

### CON'S

- City would maintain ultimate financial liability, possibly without maintaining full decision making control.
- May be difficult to find qualified volunteers to serve on Commission, given greater responsibility.

## 2b – Modify Governance w Board of Directors

Create BOD to oversee club operations with finance/audit committee review.



The Board of Directors could be appointed by the Mayor and confirmed by the City Council. The qualifications for service could be predetermined using a process similar to other City of Rye Boards. The Board (5, 7, 9, etc.) could include representation from a wider array of Stakeholders (Membership, City Council, Taxpayers, and Professional Experts (Finance, Legal, HR, Club Management, etc.)). The term could be 2-3 years to enhance continuity. Members could be removed if appropriate.



The responsibilities of the Board of Directors could either be an 'Advise and Consent' model or could be granted more authority for decision making to include (a) Set Prepare annual operating budget for approval by City Council; (b) hire and fire personnel; (c) recommend contracts for City Manager to execute; (d) And so forth.

## **Summary - Board of Directors**

### PRO's

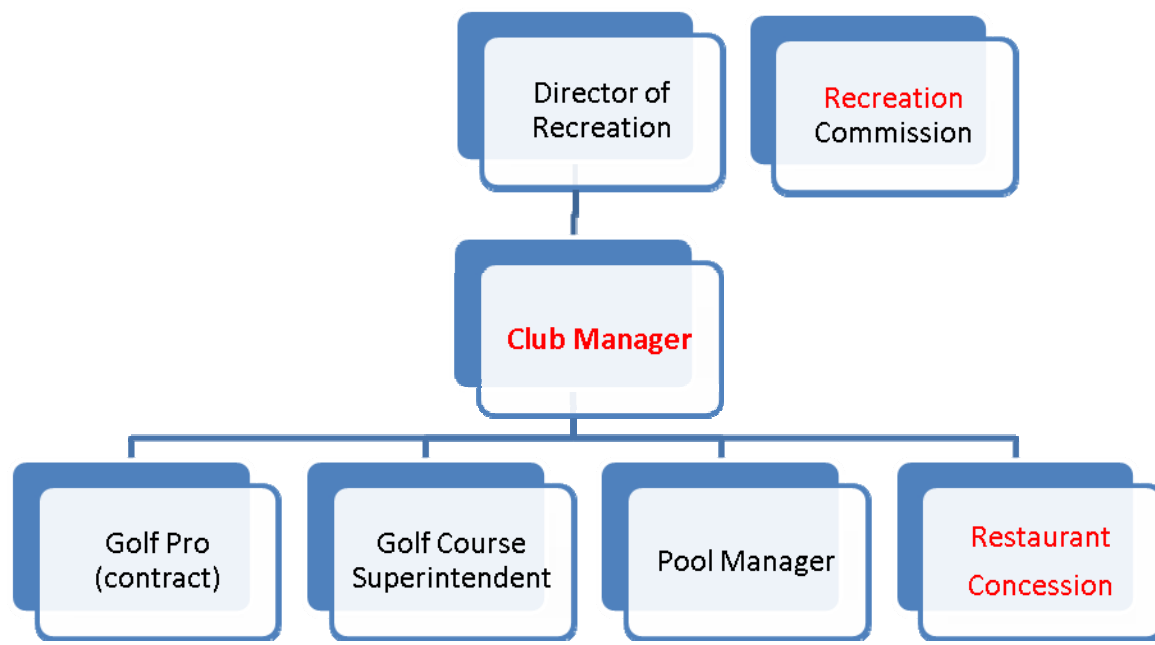
- Relieves the City Manager and support staff from some RGC responsibility to focus on other priorities.
- Broader representation (City Council, Taxpayers, Members, functional experts, etc.) on governing organization.
- BOD Charter to define things like scope, qualifications to serve, term limits, removal from office (if needed).

### CON's

- Membership would not have 100% of voice.
- May be difficult to find qualified volunteers to serve.

## **2c – Modify Governance to Recreation Dept**

Movemanagerial responsibility to Recreation Department.





The operation of the RGC would be simplified if the restaurant operation is outsourced. The golf and pool activities could possibly be reassigned under the Recreation Department with oversight from the Recreation Commission. An additional headcount at the Recreation Department could be needed.

## **Summary – Recreation Department**

### **PRO'S**

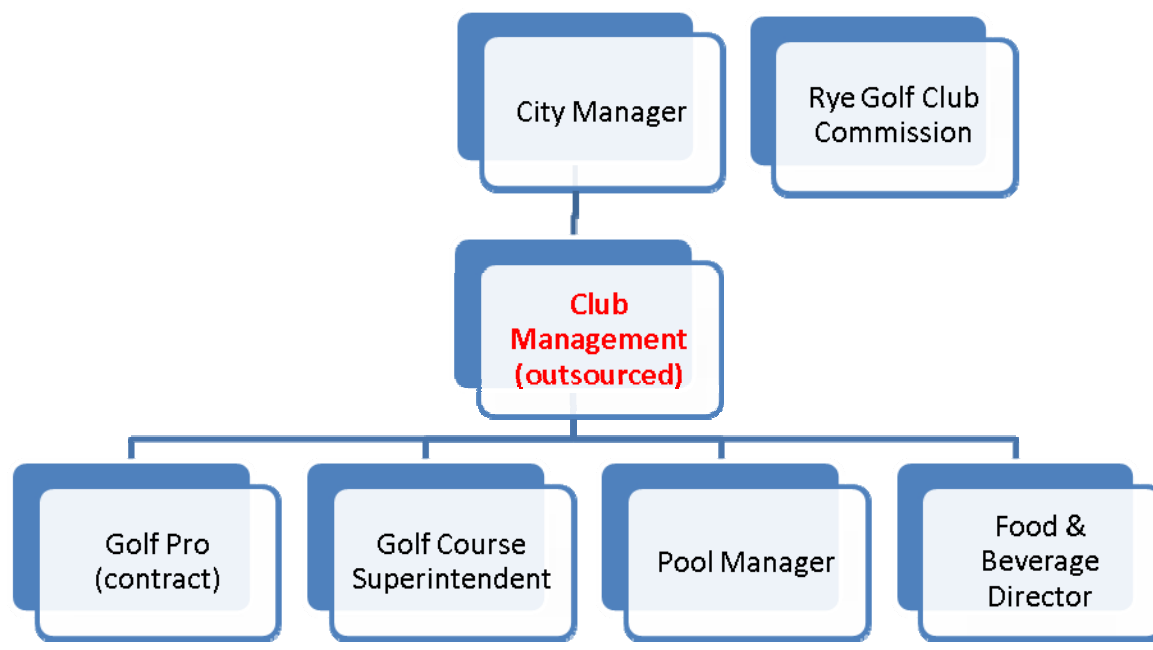
- Moves direct reporting relationship responsibility from City Manager to allow focus on alternate priorities.
- Possible efficient consolidation of services (procurement, accounting, maintenance, etc.)

### **CON'S**

- Additional workload for Recreation Commission, with staffing level and skill set assessment tbd.
- Removes oversight from officials elected by members, unless composition of Recreation Commission is modified.

## **3a – Outsource Club Management**

Lease facility to professional club management company.



City of Rye would lease the property to a professional management company, like Troon, Billy Casper Golf, KemperSports, American Golf, etc.. The lease would presumably need to cover the Interfund commitment, debt repayment, and retiree obligations. Theoretically, if the management company defaulted on a lease payment, the agreement would terminate and the Club would revert back to the City of Rye. The decision making authority (ie. membership rates) would need to be explored further, some loss of membership/City control is likely.



## Summary – Outsource Club Management

### PRO'S

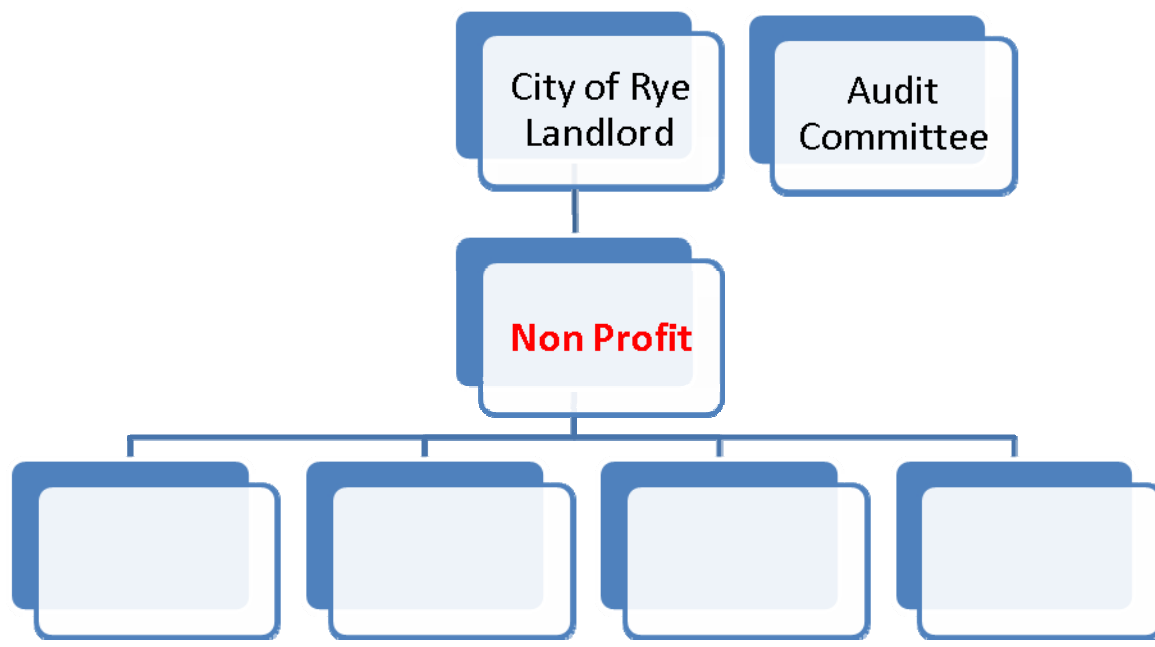
- Relieves the City Manager and support staff from some RGC responsibility to focus on other priorities.
- Removes City of Rye from golf/pool/restaurant business and limits financial risk related to operating losses.

### CON'S

- Some loss of decision making control related to City owned asset and taxpayer amenity.
- Not necessarily low cost alternative due to profit requirements, may lead to membership rate increases over time.
- Implications for existing City employees (termination, bumping, etc.).

## 3b – Outsource to Non Profit

### Lease property to manage RGC via Non-Profit or Pass-Through Corporation



The City of Rye could lease the property to a separate entity, preferably a non-profit organization, possibly owned and managed by the Members and represented by the RGC Commission. The lease would presumably cover the Interfund commitment debt repayment, and retiree obligations. If the non-profit defaulted on the lease payment, the contract would terminate and the Club would revert back to the City of Rye. The City of Rye would not be responsible for any commitments made by the separate entity. The non-profit may be exempt from municipal requirements. If City of Rye bonds were used to improve infrastructure, the lease payment would be adjusted accordingly.



This model is utilized for the Rye Nature Center and Rye Arts Center. A similar model is utilized by the Village of Sands Point.

## **Summary - Management by Non-Profit or Pass Through Corporation**

### **PRO'S**

- Relieves the City Manager and support staff from some RGC responsibility to focus on other priorities.
- Removes City of Rye from golf/pool/restaurant business and limits financial risk related to operating losses.

### **CON'S**

- Some loss of decision making control related to City owned asset and taxpayer amenity.
- Not necessarily low cost option, may lead to membership rate increases over time.
- Viability of Corporation must be maintained and borrowing capacity to be determined versus City of Rye.

## **Alternatives Excluded From Scope**

1. Privatization with equity membership was presumed to be excluded, as it would reduce public access by increasing the cost of entry.
2. The sale of the restaurant or the entire operation was excluded.
3. Transfer of the property to a Land Development Corporation (LDC).
4. Alternate use was excluded.



## 6. CONCLUSION – INITIAL REPORT

The most significant issues at RGC relate to inadequate internal controls and possibly the financial viability of the food/beverage operation under a Municipal Managed model. Effective immediately, significant changes in responsibilities and operating policies should be considered:

1. Governance – Improve checks/balances by including the RGC Commission in an advisory role for all Club decisions with an impact in excess of \$2,500 per year. Final decisions remain with the City Manager.
2. Transparency – Comptroller to provide monthly financial reporting to RGC Commission. Department Managers to provide weekly operational updates to the RGC Commission as follows:

-Golf Superintendent	Greens Committee
-Golf Pro	Tournament Committee
-Pool Manager	Pool Committee
-Membership	Marketing Committee
-Food/Beverage Director	Finance Committee (creation of Food Committee tbd)
-Office Manager	Finance Committee

3. Internal Controls – Require written documentation for all purchase commitments, even if below requirement for City of Rye PO.. Enforce Segregation of Duties and Signature Authorization Limits.

The RGC Strategic Committee needs feedback from the City Council on the ideas presented in this [INITIAL REPORT](#).

A) Maintain the existing model or modify the governance

B) Outsource the restaurant or outsource the entire operation. If the decision is to pursue an RFP for 2014, we envision completing the preparation in May and gain City Council approval of the document(s) in June.

Please let us know if you need any further information.



# APPENDIX

## SCHEDULE A – Historical Charters for RGC Board/Commission

### ESTABLISH BOARD OF ADVISORS – 6/21/1965

RESOLVED that this Council hereby confirms its intention to have the Rye Golf Course placed under the jurisdiction of the Recreation Commission pursuant to Article 16, Section 16.2 of the City Charter and to have the operation and maintenance thereof placed under the Department of Recreation pursuant to Article 16, Section 16.2 of the City Charter, subject to the following conditions:

- (1) Determinations of major policy with respect to the Rye Golf Course shall be reserved to the Council, including but not limited to the final approval of the annual budget, membership eligibility rules, membership fees, contracts with concessionaires and projects for substantial construction or alteration of facilities.
- (2) There is hereby created a Board of Advisors for the Rye Golf Course consisting of members of the Recreation Commission, ex officio, plus the nine persons who comprise the “Golf Course Committee” heretofore designated by this Council. The Board of Advisors shall elect its own Chairman.
- (3) The Board of Advisors shall have authority to appoint subcommittees and to delegate thereto advisory duties with respect to the various areas of operation.
- (4) Nothing herein contained shall derogate from the administrative and supervisory authority of the City Manager under said Article 16, Section 16.4 of the City Charter.

### TERMS AND DUTIES OF THE BOARD OF ADVISORS – 1/5/1966

WHEREAS, the Council desires to control the operation of Rye Golf Course through the City Manager and to establish an advisory board in connection with such operation, NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

Section 1. There shall be a Board of Advisors to consist of not more than nine members to be appointed by the Mayor for a term of one year, during which time they shall serve at the pleasure of the Mayor. One of the members thereof shall be a Councilman and not more than two members thereof shall be members of the Recreation Commission. The Mayor shall designate the Chairman of such Board.

Section 2. The Board shall act only in an advisory capacity to the Council with respect to the use of the Rye Golf Course. Except insofar as it may make recommendations to the Council, the Board shall not make any contract on behalf of the City nor cause any act to be done involving any expenditure by the City.

Section 3. The Board shall develop and recommend to the Council programs, facilities, and regulations with respect to the use of the Rye Golf Course.

Section 4. The use, operation and maintenance of the Rye Golf Course shall be under the direction and supervision of the City Manager.



Section 5. The Board shall have the power to organize and supervise social events, games and tournaments at the Rye Golf Course, including the club house and swimming pool, and to make such rules as may be reasonably necessary to conduct such activities, subject to review and modification thereof by the City Manager. It shall also have authority to appoint sub-committees for various activities of the Golf Course.

## **ESTABLISH RYE GOLF CLUB COMMISSION – 5/18/1977**

RESOLVED, that a Rye Golf Club Commission be and the same hereby is established as follows:

### **Section 1. Commission; Appointment**

(a) There shall be a Rye Golf Club Commission to consist of nine resident members of the Rye Golf Club to be appointed by the City Council from the resident members elected by the members of the Rye Golf Club. The members of the Commission shall elect a Chairman from its members.

(b) During the first two years, five of the members of the Commission shall be appointed for a term of two years and four shall be appointed for a term of one year, and the successors thereof shall be appointed for a term of two years from and after the expiration of the term of their predecessors. The term of the members shall commence on October 1, except that if a vacancy shall occur otherwise than by expiration of term, it shall be filled by appointment by the City Council for the unexpired term.

### **Section 2. Nominating Committee; Election**

(a) The City Council shall appoint a nominating committee of five members of the Rye Golf Club.

(b) The nominating committee shall, for the first election, submit to the membership a ballot containing the names of twelve resident members of the Rye Golf Club for the election of nine members therefrom for submission to the City Council for appointment to the Commission. Thereafter, the nominating committee shall submit to the membership a ballot containing the names of two or more resident members than the number of vacancies to be filled for the election of the number of resident members to fill the vacancies. The names of the nominees receiving the highest number of votes for the vacancies to be filled, including anyone with a tie vote, shall be submitted to the City Council for appointment.

(c) Any person who is 18 years of age or over that age and a member of the Rye Golf Club at the time of the election shall be entitled to vote.

(d) The nominating committee shall prepare a ballot containing the required number of names selected by them as candidates to be elected for appointment by the City Council; and it shall conduct an election by the members by mail and/or by any other method designated by the committee for returning the ballot so that the results of the election are received by the committee no later than September 1.

(e) The nominating committee shall submit a list of the elected nominees to the City Council by September 10.

(f) The City Council shall appoint the members to the Commission no later than the third Wednesday in September.

### **Section 3. Responsibilities**



(a) The Commission shall adopt rules and regulations relating to the recreational use of the golf course, swimming pool, club house, social and recreational activities and other future activities of the Rye Golf Club, which are not inconsistent or in conflict with any agreement of the City of Rye or any declared policy of the City Council, and subject to the approval of the City Manager.

(b) It shall appoint a Greens Committee, Golf Committee, Pool Committee, and a House Committee, each of which shall consist of four members of the Rye Golf Club and one thereof shall be designated Chairman of the Commission. It may appoint such other committees as it may deem necessary.

(c) It may make recommendations to the City Council and City Manager with respect to the future recreation programs and activities of the Rye Golf Club and one thereof shall be designated Chairman by the Commission. It may appoint such other committees as it may deem necessary.

(d) It shall approve annual budget estimates, prepared by staff personnel, including membership categories and proposed fee schedules, prior to submission of such estimates to the City Manager.

(e) The City Manager is responsible for implementation of the City Council's policy, the rules and regulations of the Commission and the supervision of employees assigned to the Rye Golf Club.

### **Voting Eligibility Procedures & Commission Responsibilities – 11/28/2012**

#### RESOLUTION regarding Rye Golf Club Commission Responsibilities

##### 1) The Commission

a) Role. The Commission shall serve in an advisory capacity on behalf of the members of the Golf Club and shall have the responsibilities set forth in Section 1(c) below. Neither the Commission, any Committee of the Commission nor any member of the Commission or member of and Committee thereof, shall have any direct authority or responsibility for execution, implementation or management of any activity, program, employment matter, or contract involving the Golf Club. The Golf Club Manager (who reports to the City Manager) shall be responsible for the execution, implementation and management of the authorized operation of the Golf Club.

b) Advisory Recommendations. The Commission shall make such recommendations as it deems proper in respect of the current and proposed activities, programs, policies, and other matters related to the Golf Club, the Commission shall also make recommendations concerning the duties and responsibilities of independent contractors (e.g. Golf Professional), including recommendations concerning employment of prospective individuals to fill those positions, and any other areas the Commission deems appropriate; such recommendations shall be made directly to the Golf Club Manager. The Commission shall also make recommendations concerning the duties and responsibilities of the Golf Club Manager, including recommendations concerning employment of prospective individuals to fill the position, and any other areas the Commission deems appropriate; such recommendations shall be made directly to the Rye City Manager.

c) Responsibilities. The Commission shall:

i) Adopt, interpret, apply, and enforce such rules and regulations relating to the use of the Golf Club as it deems appropriate, which rules and regulations shall not be inconsistent or conflict with any agreement of the City of Rye or any published policy of the Rye City Council;



ii) review, advise on and approve an annual budget for the Golf Club provided and prepared by the Golf Club staff and finance committee. Annual budgets shall include proposed annual membership categories and fees and proposed charges for other services provided by the Golf Club, prior to timely submission of such annual budget to the Rye City Manager;

iii) select a Commission Chairperson; and

iv) decide such matters as may be properly brought before the Commission for a decision.

d) Commission Chairperson. The responsibilities of the Commission Chairperson shall be:

i) to appoint a chairperson to each Standing Committee of the Commission;

ii) to organize limited duration Ad Hoc Committees of the Commission as may be necessary from time to time for the purpose of making recommendations to the Commission in respect of matters not properly within the scope of the usual and customary advisory role of a Standing Committee of the Commission;

iii) to appoint a chairperson to each Ad Hoc Committee of the Commission;

iv) to serve as an ex-officio member on each Committee of the Commission;

v) to appoint a Vice-Chairperson of the Commission who shall serve as Chairperson during the absence of the Chairperson; and

vi) to direct such matters as the Chairperson deems necessary and appropriate to a Committee of the Commission for the advice and recommendation of such Committee.

## 2) Committees of the Commission

a) Standing Committees. The Commission shall have Standing Committees to advise and make recommendations to the Commission on such matters that properly come before a Standing Committee or as may be directed to such Committee by the Commission or the Commission Chairperson. The Standing Committees of the Commission initially shall include Committees relating to Golf, Pool, House, and Finance.

b) Ad Hoc Committees. The Commission shall have such Ad Hoc Committees as may be constituted from time to time pursuant to Section 1(d)(ii) above.

c) Nominating Committee. The Nominating Committee shall not be considered a Standing Committee or Ad Hoc Committee and shall be subject solely to the rules set forth in the **Rye Golf Club Nominations, Elections and Voting Eligibility** Section 2 concerning Nominating Committee and Nominations.

## d) Committee Members and Chairpersons

i) Each Standing Committee and Ad Hoc Committee of the Commission shall be constituted with no fewer than three members and no more than seven members; provided that a Committee may be constituted with two members and up to nine members in appropriate circumstances with the approval, by majority vote, of the Commission.

ii) A Committee member shall be a member of the Golf Club holding a valid current membership entitling such member to voting privileges.



iii) The Chairperson appointed to each Standing Committee shall be a Member of the Commission, other than the Chairperson of the Commission.

iv) The Chairperson of an Ad Hoc Committee may be a Member of the Commission.

v) The Chairperson of a Committee shall make efforts to seek out qualified members to serve as members of such Committee. The Committee Chairperson will then make recommendations to the Commission of any such qualified members it believes should serve on such Committee. Such nominees shall serve as Committee members upon approval by majority vote of the Commission. Such nominees will serve as Committee members upon approval by majority vote of the Commission. Such nominees will serve as Committee members at the convenience of the Commission and can be removed from such Committee service at any time and for any reason at the sole discretion of the Commission. A Committee member shall serve until the earlier of the end of the Golf Club year for which he or she serves as a member or the date a Commission terminates, or the date on which such member is removed by the Commission.

## **SCHEDULE B – Municipal Golf Course Financial Statements**

### **STAMFORD GOLF AUTHORITY - STERLING FARMS - FINANCIAL STATEMENT SUMMARY**

	2011	2010	2009
Greens		\$1,426,921	\$1,428,074
Driving Range		\$785,409	\$854,037
Cart Rental		\$434,302	\$401,409
Permits		\$85,723	\$88,006
Rent – restaurant and grill		\$91,164	\$72,634
Rent – pro shop		\$50,580	\$46,980
Rent – tennis shop		\$14,420	\$14,000
Other		\$17,027	\$16,200
Total Operating Revenues	\$2,984,000	\$2,905,626	\$2,921,340
Total Operating Expenses	\$2,945,606	\$	\$
Net Operating (Loss)/Income	(\$11,726)	\$159,860	(\$171,586)

### **CITY OF NORWALK - OAK HILLS GOLF AUTHORITY - FINANCIAL STATEMENT SUMMARY**

### **WESTCHESTER COUNTY GOLF COURSES - FINANCIAL STATEMENT SUMMARY**

### **VILLAGE OF SANDS POINT - FINANCIAL STATEMENT SUMMARY**



## **SCHEDULE C – Fee Assessment**

### **Rye Golf Club – Membership Rate History**

#### **RESIDENT**

	2006	2007	2008	2009	2010	2011	2012	2013
Comprehensive Family	\$3,585	\$3,693	\$3,841	\$3,994	\$3,994	\$4,112	\$4,500	\$4,500
Individual Daily Golf	\$2,440	\$2,513	\$2,614	\$2,718	\$2,718	\$2,798	\$3,100	\$3,100
Individual Weekday Golf	\$1,642	\$1,690	\$1,758	\$1,646	\$1,646	\$1,694	\$1,900	\$1,900
Family Pool	\$1,150	\$1,185	\$1,232	\$1,281	\$1,281	\$1,319	\$1,450	\$1,450
Individual Pool	\$589	\$606	\$630	\$655	\$655	\$674	\$750	\$750
House	-	\$400	\$75	\$78	\$78	\$80	\$250	\$250

#### **NON RESIDENT**

	2006	2007	2008	2009	2010	2011	2012	2013
Comprehensive Family	\$7,169	\$7,313	\$7,605	\$7,908	\$7,908	\$8,141	\$8,000	\$8,000
Individual Daily Golf	\$4,879	\$4,978	\$5,177	\$5,384	\$5,384	\$5,542	\$5,600	\$5,600
Individual Weekday Golf	\$3,283	\$3,349	\$3,483	\$3,260	\$3,260	\$3,356	\$3,400	\$3,400
Family Pool	\$2,300	\$2,351	\$2,445	\$2,543	\$2,543	\$2,618	\$2,500	\$2,500
Individual Pool	\$1,177	\$1,910	\$1,986	\$2,065	\$2,065	\$2,126	\$2,200	\$2,200
House	-	\$400	\$250	\$260	\$260	\$267	\$250	\$250



## MUNICIPAL GOLF COURSES

### SEASONAL USE

Rye Golf Club, Rye NY - Enrollment Before March 1/After March 1

Resident Comprehensive Family \$4,500/\$5,175

Resident Golf Individual \$3,100/\$3,565; Resident Golf Weekday \$1900/\$2185

Resident Pool Family \$1,450; Pool-For-Two \$1,180, Individual \$750

Non-Resident Comprehensive Family \$8,000

Non-Resident Golf Individual \$5,600

Non-Resident Pool Family \$2,500; Non Resident Pool Individual \$1,200

Hudson Hills, Ossining NY

Resident Unlimited \$3,350; Non-Resident Unlimited \$3,950

Senior Resident Unlimited \$1,950; Senior Non Resident Unlimited \$2,350

Resident Unlimited Weekday \$2,250; Non-Resident Unlimited Weekday \$2,950

Lake Isle, Eastchester NY

Resident Comprehensive Family \$2,415; Individual \$1,880

Resident Golf Individual \$1,720; Resident Golf Weekday \$1,420

Resident Pool Family \$690; Individual \$480

Non-Resident Comprehensive Family \$4,830; Individual \$3,575

Non-Resident Golf Individual \$3,365; Non Resident Golf Weekday \$2,565

Non-Resident Pool Family \$1,600; Non Resident Pool Individual \$1,115

Village of Sands Point, NY

Resident TBD

Non Resident TBD



### PRIVATE COUNTRY CLUBS (Sampling)

Anglebrook Golf Club	Apawamis Country Club	Bonnie Briar Country Club
Brae Burn Country Club	Blind Brook Club	Century Country Club
Country Club of Purchase	Country Club of New Canaan	Fenway Golf Club
Hampshire Country Club	Innis Arden Golf Club	Knollwood Country Club
Metropolis Country Club	Mount Kisco Country Club	Old Oaks Country Club
Pelham Country Club	Quaker Ridge Country Club	Ridgeway Country Club
Rockrimmon Country Club	Saint Andrews Golf Club	
Scarsdale Golf Club	Sleepy Hollow Country Club	Sunningdale Country Club
Tamarac Country Club	Westchester Country Club	Whippoorwill Country Club
Willow Ridge Country Club	Winged Foot Club	Wykagyl Country Club

### DAILY FEE GOLF(Municipal)

#### Rates - Weekday/Weekend

Westchester County Courses	Resident \$31/\$35,;Non-Resident\$41/\$45
Hudson Hills, Ossining NY	Resident \$45/\$65; Non-Resident \$65/\$85
Spook Rock, Ramapo NY	Resident \$26, Non-Resident \$65
Bethpage, Long Island (NYS)	Resident \$38/\$43, Non-Resident \$86-\$130/\$96-\$150
Pelham Bay/Split Rock Golf Course (NYC)	NYC Resident \$39/\$48, Non-Resident +\$8 pm times
Van Cortlandt Park GC (NYC)	NYC Resident \$39/\$48, Non-Resident +\$8 pm times
Sterling Farms, Stamford CT	Resident \$20; Non-Resident \$45
E. Gaynor Brennan, Stamford CT	Resident \$23/\$27, Non-Resident \$42/\$48
Richter Park, Danbury CT	Resident \$36/\$42, Non-Resident \$72/\$82
Ridgefield Golf Course, Ridgefield CT	Daily Fee \$45/\$50



### DAILY FEE GOLF COURSES – (Non Municipal)

Centennial Golf Club (Carmel, NY)	\$100/\$135
Pound Ridge Golf Club (Pound Ridge, NY)	\$165/\$195
The Links at Union Vale (LaGrangeville, NY)	\$49/\$65

### SWIMMING POOLS (Municipal)

Westchester County – Saxon Woods, Playland Pool & Beach	\$5/\$15 per use
Rocky Ledge , White Plains	Bond \$1,000 then Single \$751.63, Spouse \$107.38, Junior \$80.53 Family Monthly - \$429.50, Individual \$322.13
Briarcliff Manor Pool	Family \$465, Sr. Citizen \$115, Child \$115
Village of Scarsdale Pool	Residents Only
Briarcliff Swim Club, Avon CT	Family \$550, Individual \$300





# CITY COUNCIL AGENDA

NO. 9

DEPT.: City Council

DATE: May 22, 2013

CONTACT: Mayor Douglas French

**AGENDA ITEM:** Discussion and Update on a Conflict of Interest Form.

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the Council review the proposed Conflict of Interest Form.

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

**BACKGROUND:** The City has been reviewing a Conflict of Interest policy with respect to public officials and select City employees. The Corporation Counsel has drafted a proposed Conflict of Interest Form which would be filed yearly by the Mayor, City Council, Department Heads and Assistant Department Heads. Members of the City Boards, Committees and Commissions would not be required to sign the Conflict of Interest form but the Oath of Office card has been updated to note their responsibilities under the City Code of Ethics. Additionally, a new Conflict of Interest form will be added to the City bid packet to be included by all vendors submitting bids for City work as well as a Non-Collusion Statement for any Bid Specification prepared by the City or provided by an outside Vendor.

See attached:

- Draft Conflict of Interest form for Public Officials and select City employees
- Updated Oath of Office card
- Draft Bid Packet Conflict of Interest form for vendors
- Draft Non-Collusion Statement for Bid Packet



Proposed Conflict of Interest Form  
required by the following:

- Mayor and Council
- City Staff positions:

City Manager  
Corporation Counsel  
Assessor  
Deputy Assessor  
Building Inspector  
City Clerk  
Deputy City Clerk  
Comptroller  
Deputy City Comptroller  
Fire Lieutenant  
Boat Basin Supervisor  
Rye Golf Club Manager  
Coordinator of Computer Services  
City Planner  
Police Commissioner  
Police Lieutenant, Detective Division Commander  
Police Lieutenant, Patrol Commander  
Police Lieutenant, Executive Officer  
City Engineer  
DPW General Foreman  
DPW Assistant General Foreman  
Recreation Superintendent  
Rye TV Access Coordinator



## **CONFLICT OF INTEREST FORM FOR THE CITY OF RYE – 2013**

**Instructions:** Please answer each question legibly and with blue or black ink only. “Not Applicable” is not an acceptable answer for any question. “No” or “None” may be used to answer a question. This form shall be filled out annually and returned to the City Clerk in a sealed envelope.

**Applicability:** The following classes of officers or employees of the City of Rye shall be deemed “reporting officials” and shall be required to file this Conflict of Interest Form as provided under this section:

- (1) All elected officials;
- (2) All commissioners and deputy commissioners;
- (3) All department heads and assistant department heads.

**\*\*** No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or auxiliary police officer.

### **DEFINITIONS:**

**Relative** - a spouse, domestic partner, child, step-child, sibling, half-brother, half-sister, parent, step-father, step-mother and shall also include any person claimed as a dependent on the New York State individual tax return of the disclosing City officer or employee.

**Household Member** – any person residing with you in your primary residence.

**Financial Benefit** - any pecuniary or material benefit including, but not limited to any money, stock, security, service, license, permit, contract, authorization, loan, travel, entertainment, discount not available to general public, real or personal property, or anything of value.

**Outside Employer** - (1) any person from whom or from which a City officer or employee receives a financial benefit for services rendered or goods sold or produced; (2) any business in which the City officer or employee has an ownership interest of five percent (5%) or more; or (3) any business corporation for which the City officer or employee is an uncompensated member of the board of directors or is an uncompensated corporate officer.

**Interest** – A financial benefit accruing to a municipal officer or employee, or a pecuniary or material benefit accruing to: (1) the municipal officer’s or employee’s spouse, minor children and dependents; (2) a firm, partnership or association of which such officer or employee is a member or employee; (3) a corporation of which such officer or employee is an officer, director or employee; and (4) a corporation, any stock of which is accrued or controlled directly or indirectly by such officer or employee.



## I. GENERAL INFORMATION

Name: (Last Name, First Name, M.I.): \_\_\_\_\_

Spouse: (Last Name, First Name, M.I.): \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Telephone No.: \_\_\_\_\_

Title of Position: \_\_\_\_\_ Salaried: Yes \_\_\_\_\_ No \_\_\_\_\_

Council, Department, Board, or Commission: \_\_\_\_\_: Term Ending: \_\_\_\_\_

## II. REAL ESTATE OWNERSHIP

List the address of each piece of property in the City of Rye that you or your spouse own or have an interest in, including your primary residence, and the nature of that interest.

ADDRESS	INTEREST
_____	_____
_____	_____

## III. FINANCIAL BENEFITS

To the best of your knowledge, have you or any Relative received or solicited a **Financial Benefit** from the City of Rye or appeared before the City of Rye on behalf of another person. Attach additional paper if necessary (only list those gifts/benefits received within the past year).

_____
_____
_____
_____

## IV. GIFTS

While in your position with the City of Rye, have you received a gift from anyone with whom you have official dealings valued in excess of twenty five dollars (**\$25.00**) within the last year?

Yes \_\_\_\_\_ No \_\_\_\_\_



Identify any **interest** in any contract involving the City of Rye held by you, your Spouse, or a Relative Household Member(s), or Children. Attach additional paper if necessary.

**Vendor**

**Nature of Contract**

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**V. OUTSIDE EMPLOYER/CONSULTING/OTHER BUSINESS**

Do you have an **Outside Employer** or business that conducts transactions/business or is affiliated with the City of Rye? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, state the name, address, and telephone number of your **Outside Employer** or business and nature of the business. Attach additional paper if necessary.

NAME

ADDRESS

NATURE OF WORK

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During the past year, has your **Outside Employer** or business solicited a **financial benefit** or appeared before the City of Rye on behalf of another person?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, state the nature of such activities or matters. Attach additional paper if necessary.

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## **VI. POLITICAL INVOLVEMENT**

During the past year, have you been an officer of any political party or political subcommittee?

Yes \_\_\_\_ No \_\_\_\_

If yes, please describe. Attach additional paper if necessary.

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## **AMENDMENTS/MODIFICATIONS**

If, at any time subsequent to filing this form, I become aware that any of the above information is inaccurate, incomplete or otherwise no longer applicable, I will notify the City Clerk of same immediately by filing an amended form.

## **CODE OF ETHICS**

I HAVE RECEIVED, READ AND UNDERSTAND THE CITY OF RYE CODE OF ETHICS AND WILL ABIDE BY SUCH REQUIREMENTS (attached)

Yes \_\_\_\_ No \_\_\_\_

I \_\_\_\_\_ (print name) HEREBY CERTIFY UNDER THE PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

---

Signature of Reporting Individual

---

Name of Reporting Individual

Sworn before me this  
\_\_\_\_ day of \_\_\_\_, 201\_\_

---

NOTARY PUBLIC



**FRONT OF CARD**

**STATE OF NEW YORK  
COUNTY OF WESTCHESTER  
CITY OF RYE**



I, \_\_\_\_\_ do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of New York, and that I will faithfully discharge the duties of the office of \_\_\_\_\_ or any other office of the City of Rye according to the best of my ability.

Sworn to before me this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

City Clerk

**OVER**

• **BACK OF CARD**

You have been given a copy of the City of Rye Code to provide guidance to you in your service to the community. Please focus special attention on Chapter 15, Code of Ethics. The administration of our public service obligations requires that we do our best to prevent potential for conflicts or the appearance of a conflict. If at any time you have any questions, the Board of Ethics can render an advisory opinion on whether a conflict of interest exists or whether an appearance of one exists. Requests can be forwarded through the City Manager's office.

Signature

\_\_\_\_\_





## **CITY OF RYE**

### **CONFLICT OF INTEREST QUESTIONNAIRE instructions:**

**Question 1: Enter your name and the name of your business.**

**Question 2: If you are updating an existing form for a bid or proposal check box 2.**

**Question 3: Enter the name of the government official or City employee you know where a conflict of interest might exist on the line. If there's none, leave the name of officer blank.**

**Check "Yes" or "No" in Box A, B, and C**

☐ **Box A: does the government official or City employee named receive income or money from the company filing the form?**

☐ **Box B: does the company (person filing) receive income or money from the government official or City employee, not from the government?**

☐ **Box C: is the filer employed by a company or corporation in which the government official or City employee is an officer, or director, or part owner?**

☐ **Box D: Describe your employment or business relationship with the government official or City employee. If there's none, write "none" in space D.**

**Question 4: Sign and date the Conflict of Interest form**





## CONFLICT OF INTEREST QUESTIONNAIRE

### For vendor or other person doing business with the City of Rye

This questionnaire is being filed in accordance with New York State General Municipal Law § 103 by a person who has a business relationship with the City of Rye.

By request of the City of Rye this questionnaire must be filed by a vendor that wishes to conduct business or be considered for business with the City. They must declare any business affiliation with a government official or City employee.

The form is a mandatory requirement of a submission of any bid, proposal or contract to the City of Rye. Any bid, proposal, or contract submitted without a signed copy of the Conflict of Interest form shall be considered incomplete and will be rejected by the City.

#### OFFICE USE ONLY

Date Received

**1** Name of person who has a business relationship with local governmental entity.

**2** ☐ Check this box if you are filing an update to a previously filed questionnaire.

**3** Name of local government officer/City employee with whom filer has employment or business relationship.

\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer/City employee with whom the filer has an employment or other business relationship. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer/City employee named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐ Yes ☐ No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer/City employee named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer/City employee serves as an officer or director, or holds an ownership of 10 percent or more?

☐ Yes ☐ No

D. Describe each employment or business relationship with the local government officer/City employee named in this section.

**4**

\_\_\_\_\_  
Signature of person doing business with the City of Rye

\_\_\_\_\_  
Date





**NON-COLLUSIVE AFFADAVIT  
COMPLIANCE WITH SECTION 103D GENERAL MUNICIPAL LAW  
(TO BE SUBMITTED WITH BID PROPOSAL)**

**PART 1 STATE OF \_\_\_\_\_)**

**PART 1 COUNTY OF \_\_\_\_\_) ss:**

\_\_\_\_\_,  
*(Here insert full name of owner, partner, officer, representative, or agent of Contractor)*

Being first duly sworn, deposes and says that:

1. He is (Owner, partner, officer, representative or agent) of

\_\_\_\_\_  
*(Here insert full name and address or legal title of Contractor)*  
the Bidder that has submitted the attached Bid;

2. He further states and affirms:

(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any bidder or with any competitor;
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.



(b) A bid shall not be considered for award nor shall any award be made where (a) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (a) (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the City Council, for its designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder has published price lists, rates or tariffs covering items being procured, has informed prospective customers of proposed or pending publication of new or revised prices lists for such items, or has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of subparagraph 2(a) hereof.

3. Any bid hereafter made hereunder by a corporate bidder for work or services performed or to be performed by, goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subparagraph (a) hereof, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

PART 1 \_\_\_\_\_  
(Signed)

PART 1 \_\_\_\_\_  
(Title)

Subscribed and sworn to before me this

\_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_ Title  
(Notary)





# CITY COUNCIL AGENDA

NO. 10

DEPT.: Corporation Counsel

DATE: May 22, 2013

CONTACT: Kristen K. Wilson, Corporation Counsel

**ACTION:** Consideration to set a Public Hearing for June 12, 2013 to amend local law Chapter 15, "Code of Ethics", to reflect the addition of the Conflict of Interest form.

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE,**

CHAPTER 15  
SECTION

**RECOMMENDATION:** That the City Council set the Public Hearing for June 12, 2013.

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

**BACKGROUND:** The City has proposed instituting a Conflict of Interest form which would be filed yearly by public officials and select employees within the City. Rye City Code, local law Chapter 15, "Code of Ethics" must be updated to reflect the addition of the Conflict of Interest form.

See attached draft Local Law.



**CITY OF RYE**  
**LOCAL LAW NO. \_\_\_\_ 2013**

**A Local Law to amend Chapter 15 “Ethics, Code of” §§ 15-2  
“Conflicts of Interest”, 15-4 “Disclosure of interest” and to  
add § 15-16 “Waiver procedure” of the Rye City Code**

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

**Section 1: Chapter 15 Ethics, Code of**

**§ 15-2. Conflicts of interest.**

- A.** No officer or employee of the city shall have any interest, financial or otherwise, direct or indirect or engage in any business or transaction or professional activity or incur any obligation of any nature which is in conflict with or might reasonably tend to conflict with the proper discharge of his duties in the public interest.
- B.** **No member of the Rye Golf Commission or Boat Basin Commission shall be permitted to engage in any business or transaction with the city for pay.**
- C.** **No officer, employee, department head or assistant department head (or any spouse of any person holding one of the aforementioned positions) shall be a subcontractor, agent, representative, or hold any other position with a vendor of the city.**

**§ 15-4. Disclosure of interest.**

A member of the Council who has a direct or indirect financial or other private interest in any matter before the Council, or any officer, ~~or~~ employee, **department head, or board or commission member** who has a direct or indirect financial or other private interest in any matter before the Council and who participates in the discussion before or makes a recommendation to or gives an opinion to the Council on that matter, shall publicly disclose on the official record of the Council the nature and extent of such interest.

**§ 15-16. Waiver procedure.**

**Any officer, employee, department head, or board or commission member may appeal to the Board of Ethics for a waiver of the prohibitions set forth in this Chapter. Such appeal shall be in writing and sent to the Chair of the Board for a waiver. All such waivers must be approved by the City Manager or, in the case of the City Manager or Corporation Counsel asking for a waiver, the City Council.**



**Section 2: Severability.**

If any clause, sentence, paragraph, section or part of any section of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered.

**Section 3: Effective date.**

This local law will take effect immediately on filing in the office of the Secretary of State.

DRAFT





# CITY COUNCIL AGENDA

NO. 11

DEPT.: City Council

DATE: May 22, 2013

CONTACT: Mayor Douglas French

**AGENDA ITEM:** Resolution for the City Council adoption of a community-wide Civility Statement.

**FOR THE MEETING OF:**

May 22, 2013

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the Council adopt the resolution approved by the Rye Youth Council.

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

**BACKGROUND:** The Rye Youth Council engaged various civic organizations in a *Community Conversation* regarding an initiative to promote civility in the City of Rye. The goal is to build community-wide support for the civility statement and the broader initiative of embracing civility in Rye. All Rye Boards and organizations are asked to support the civility statement. Next steps include:

1. Publish the statement in media outlets, with a listing of ALL organizations and community members who are in support.
2. Arrange a ceremonial signing with the Rye organizations and citizens that have put their support behind civility in Rye.
3. The formation of a larger steering committee comprised of many different community members (with the Rye Youth Council continuing as the lead organization).
4. Promote the initiative with a multi-faceted approach including marketing, developing a website, creating visuals, follow up meetings, and creating community wide symposiums.

See attached Civility Statement.



## RYE CIVILITY STATEMENT

***We strive*** to promote a culture of civility and caring in all aspects of our community life and beyond.

***We recognize***, without judgment, the inherent dignity and worth of each person, group, family and organization.

***We believe*** that all interpersonal exchanges, even adversarial ones, can be conducted with mutual respect.

***We aspire*** to be part of a community that is rooted in acceptance, inclusion and compassion.

***We accept*** the need for honest self-reflection and the obligation to hold each other accountable for our words and actions.

***We commit*** to acting with integrity and living as observable models of positive civic behavior.