

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, March 25, 2015, at 7:30 p.m. in Council Chambers at City Hall.

AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. Recognition of the Rye Recreation Girls All Star Basketball Team.
4. General Announcements.
5. Draft unapproved minutes of the special meeting of the City Council held March 9, 2015 and the regular meeting of the City Council held March 11, 2015.
6. Issues Update/Old Business.
7. Continuation of Public Hearing to amend local law Chapter 165 , “Signs”, of the Rye City Code by adding Section §165-10, “Regulation of banners”, to establish regulations for banners on City owned ball field fences and utility poles on City property.
8. Consideration to set a Public Hearing for April 8, 2015 to amend local law Chapter 177, “Taxation”, Article XII, “Exemption for Historic Districts” by adding Section §177-82, “Historic Districts”, to designate portions of downtown Rye as one historic district to allow property owners to apply for the real property tax exemption.
9. Presentation by Sustainable Westchester, Inc. regarding the City of Rye participating in the program Community Choice Aggregation to procure electric and/or gas supply services on behalf of participating residents, businesses and municipal customers within municipal jurisdictional boundaries.
10. Residents may be heard on matters for Council consideration that do not appear on the agenda.
11. Resolution authorizing the Corporation Counsel to seek settlement in the litigation *American Leisure Activities of New York City Inc. v. City of Rye*.
Roll Call.
12. Adoption of the 2015 County property tax rates.
Roll Call.
13. Appointment of one member to the Emergency Medical Services Committee to fill a term expiring on June 30, 2016.

14. Miscellaneous communications and reports.
15. New Business.
16. Adjournment.

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The next regular meeting of the City Council will be held on Wednesday, April 8, 2015 at 7:30 p.m. A Joint Meeting of the City Council of the City of Rye and the Rye City School District Board of Education will be held on Saturday, April 11, 2015 at 9:00 a.m. in Rye City Hall.

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

* Office Hours of the Mayor by appointment by emailing jsack@ryeny.gov or contacting the City Manager's Office at (914) 967-7404.



CITY COUNCIL AGENDA

NO. 3

DEPT.: City Manager

DATE: March 25, 2015

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Recognition of the Rye Recreation Girls All Star Basketball Team.

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,

CHAPTER
SECTION

RECOMMENDATION: That the Council recognize the achievements of the Rye Recreation Girls All Star Basketball Team.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:

The City Council congratulates the Rye Recreation's Girls Basketball team on their success.

Rye Recreation's Girls Basketball All-star team, comprised of 2 Rye Middle School students, 1 Midland School Student, 2 Resurrection School Students and 1 Rye Country Day School Student were victorious in the Westchester County Basketball Tournament Cubs Division (Ages 12 & Under). It is the second year in a row that Rye Recreation has brought home the trophy!

2015 Westchester County Girls Basketball Champions: Rye Recreation All Star Team

Mara Ball
Sofia Coppola
Elizabeth Fink
Ava Greto
Jillian Guasco
Vanessa Lahrkamp

Coaches: Caroline Feeley & Kelsey Hanley
Program Supervisor: Jennifer Giusti



Top - left to right:
Coach Caroline Feeley, Jillian Guasco, Ava Greto, Mara Ball, Coach Kelsey Hanley

Bottom - left to right:
Vanessa Lahrkamp, Elizabeth Fink, Sophie Coppola



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Clerk

DATE: March 25, 2015

CONTACT: Dawn Nodarse

AGENDA ITEM Draft unapproved minutes of the special meeting of the City Council held March 9, 2015 and the regular Meeting of the City Council held March 11, 2015, as attached.

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND: Approve the minutes of the special meeting of the City Council held March 9, 2015 and the regular Meeting of the City Council held March 11, 2015, as attached.

DRAFT UNAPPROVED MINUTES of the
Special Meeting of the City Council of the City of
Rye held in City Hall on March 9, 2015 at 7:30 A.M.

PRESENT:

JOSEPH A. SACK Mayor
LAURA BRETT
JULIE KILLIAN
TERRENCE McCARTNEY
RICHARD MECCA
RICHARD SLACK (arrived at 7:35 A.M.)
Councilmembers

ABSENT: KIRSTIN BUCCI, Councilmember

1. Pledge of Allegiance

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

2. Roll Call

Mayor Sack asked that the roll be called; a quorum was present to conduct official city business.

3. Consideration of settlement in the litigation *Caspi v. City of Rye*

Councilman Mecca made a motion, seconded by Councilman McCartney and unanimously carried to adjourn into executive session at 7:31 a.m. to discuss litigation related to the matter *Caspi v. City of Rye*.

Councilman Mecca made a motion, seconded by Councilman McCartney and unanimously carried, to adjourn the executive session at 8:35 a.m. No action was taken.

4. Adjournment

There being no further business to discuss Councilman Mecca made a motion, seconded by Councilwoman Killian and unanimously carried, to adjourn the meeting at 8:36 a.m.

Respectfully submitted
in absentia,

Dawn F. Nodarse
City Clerk

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on March 11, 2015 at 7:30 P.M.

PRESENT:

JOSEPH A. SACK Mayor
LAURA BRETT
KIRSTIN BUCCI
JULIE KILLIAN
TERRENCE McCARTNEY
RICHARD MECCA
RICHARD SLACK
Councilmembers

ABSENT: None

The Council convened at 7:00 p.m. Councilman McCartney made a motion, seconded by Councilwoman Brett and unanimously carried to immediately move into executive session to discuss litigation. Councilman Slack was not present. Councilman Mecca made a motion, seconded by Councilwoman Brett and unanimously carried, to adjourn the executive session at 7:26 p.m. The regular meeting began at 7:30 p.m.

1. Pledge of Allegiance

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

2. Roll Call

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

3. General Announcements by the Council

Announcements were made by members of the Council regarding events, meetings and issues that may be of interest to residents. Mayor Sack noted the deaths of Carmen Vecchiola, and Nancy Stampleman and called for a moment of silence in their honor.

4. Draft unapproved minutes of the regular meeting of the City Council held February 11, 2015 and special meeting of the City Council held March 2, 2015

Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to approve the minutes of the regular meeting of the City Council held on February 11, 2015 and the minutes of the special meeting of the City Council held on March 2, 2015.

5. Issues Update/Old Business.

Reports were made on the following topics:

Coyotes – Mayor Sack said that several years ago, when humans were attacked by coyotes in Rye the City was able to obtain permits from the Department of Environmental Conservation (DEC) to trap coyotes. Recently there have been more sightings of coyotes in Rye. However, the DEC will not issue a permit to trap or kill a coyote unless a pattern of violence toward people can be demonstrated. Residents are asked to call the police and report when they see coyotes and to contact the DEC. Police Commissioner Pease said that State law does not allow police to shoot a coyote unless it is being aggressive or is hurt or sick. He advised homeowners to keep shrubs trimmed, not to leave food out, and to allow small dogs or cats in their yards. The Commissioner also explained the requirements for bow hunting coyotes during hunting season.

Deer – Commissioner Pease also explained the regulations for bow hunting of deer on private property. It can only be done during hunting season with a DEC-issued permit and on property that is 150 feet or more from a neighboring property.

Bank Robbery at TD Bank and Bomb Threats at the Middle School - Commissioner Pease said that the Police Department is making progress on both matters. Mayor Sack said he had reached out to the District Attorney's office and indicated that the bomb threats are a priority for the City.

Lights at Playland Access Road – Mayor Sack reported that the County has been asked to replace the lights that are out on the Playland Access Road but they have not shown a willingness to accept responsibility saying that more is involved than just replacing the bulbs. *Mack Cunningham* suggested that the County should be put on notice regarding any accidents that may occur on the road because it is a County road.

Councilwoman Brett reported on the following items before the Planning Commission:

Affordable Housing Project (North Street and Theodore Fremd Avenue) – the applicant has presented his plans for the project to the Planning Commission. The Commission has asked for more detail.

Request for zoning change at 120 Old Post Road - A market analysis and tax analysis on the property and information on density in connection with the proposal for senior housing have been provided to the Planning Commission. The Commission has asked for more information on density and traffic issues. It was suggested that the traffic issues should be reviewed by the Traffic and Pedestrian Safety Committee.

6. Authorization for the City Manager to enter into a management agreement with Lessings, Inc. to operate the Pool Snack Bar, Golf Snack Bar, and Golf Half Way House at the Rye Golf Club
Roll Call.

Councilman McCartney reported that three bids were received for the contract and after evaluating the strengths and weaknesses of each potential operator, the recommendation is to go with the proposal submitted by Lessings, Inc. Councilwoman Bucci praised the members of the Golf Commission for their work in reviewing the proposals. Mayor Sack said that Jack Gordon, the attorney who assisted in negotiating the original contract with Lessings, is reviewing this agreement which will be an addendum to the original contract.

Councilman McCartney made a motion, seconded by Councilwoman Bucci, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the City Manager to enter into a Management Agreement with Lessings, Inc. to operate the Pool Snack Bar, Golf Snack Bar, and Golf Half Way House at the Rye Golf Club.

ROLL CALL:

AYES: Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney,
Mecca and Slack
NAYS: None
ABSENT: None

The Resolution was adopted by a 7-0 vote.

7. Consideration of Bid for the Rye Golf Club Pool Rehabilitation contract (Contract #2015-01)
Roll Call

City Manager Culross said that the single bid that was received came in above the estimate for the project and will be re-bid.

Councilman McCartney made a motion, seconded by Councilwoman Bucci, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye, hereby rejects the bid received for the Rye Golf Club Pool Rehabilitation contract (Contract #2015-01).

ROLL CALL:

AYES: Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney,
Mecca and Slack
NAYS: None
ABSENT: None

The Resolution was adopted by a 7-0 vote.

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

Mack Cunningham, 502 Forest Avenue, said that the State legislature is considering stripping the pension contributions made by taxpayers for elected officials convicted of a felony. He suggested that this should also be considered for employees and appointees of local municipalities and counties who are vested in the New York State pension program. Mr. Cunningham also said that contracts with temp agencies should not be considered professional service contracts. Councilman Slack suggested that the City look at how other communities deal with professional services contracts in their purchasing policies. Mr. Cunningham also suggested that since petroleum prices are lower this year the City should spend more money on paving projects for 2015 by utilizing money allocated for studies.

8A. Consideration of settlement in the litigation *Caspi v. City of Rye*

Mayor Sack gave a brief summary of the litigation which stemmed from an incident in December 2004 where the plaintiff suffered injuries incident to his arrest. A lawsuit was commenced in 2007 naming three individual police officers, the City of Rye, the Police Commissioner and a Police lieutenant. In 2014 the City, the Police Commissioner and the lieutenant were dismissed from the case as a result of a Summary Judgment motion. The Mayor said that two elements precipitated the settlement being considered at this time: (1) the City learned that a ten-year old police report not favorable to the City was recently discovered, and, as a result, the summary judgment motion was vacated by the Judge; and, (2) the City learned that its excess insurance carrier, who is responsible for anything in excess of \$1 million, has disclaimed coverage on the case saying that they had not received timely notice of the claim. The City will either contest the disclaimer or seek recovery from parties who may have been responsible for the alleged failure of timely notice. If these actions are unsuccessful the City will be responsible for anything above \$1 million. The Council has deemed it appropriate to vote on the settlement of the matter in order to manage the risk of uncertainty at trial. The settlement has been agreed to and executed by the plaintiff and calls for a settlement amount of \$475,000, payable \$350,000 to the plaintiff's attorney and \$125,000 to the plaintiff. There are other costs related to the defense of the case including attorneys' fees for each of the defendants' lawyers, which amount to about \$645,000. At this point, the City's risk is \$125,000.

Mayor Sack said the Council is requesting that the City Manager direct the Police Commissioner to review all policies and procedures with regard to proper filing and retention of police reports and to determine whether they were followed in this case and, if not, to take

appropriate action. Additionally, the City Manager is asked to direct the Police Commissioner to reinforce the need to follow procedures and policies going forward and recommend ways to strengthen them. Also, the City Manager is asked to direct the Police Commissioner to reinforce the policies and procedures regarding internal investigations.

Councilman McCartney expressed his support for the settlement, saying that it is very expensive for attorneys to prepare for and conduct a trial and there is always uncertainty in jury trials. Councilman Slack said an investigation should have been conducted in this matter, and going forward, it should be mandatory not discretionary to conduct investigations so the City never finds itself in a similar situation.

Councilwoman Brett made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the settlement of litigation in the matter of *Caspi v. City of Rye, et al* in accordance with the terms of the Stipulation of Settlement.

ROLL CALL:

AYES:	Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney, Mecca and Slack
NAYS:	None
ABSENT:	None

The Resolution was adopted by a 7-0 vote.

9. Authorization for Jaffe & Asher, LLP to represent the City of Rye in the City's employee theft claim against Travelers Casualty and Surety Company of America
Roll Call.

Mayor Sack said that the Council believes it is wise to retain the assistance of outside counsel with experience in insurance claims coverage to assist in the handling of the City's employee theft claim relating to the Golf Club. Councilman McCartney disclosed that he recommended to Corporation Counsel Wilson that the Jaffe & Asher firm be considered because one of the associates at the firm used to work for him. Mr. McCartney says that he has no business relationship with the firm. Mayor Sack reiterated that the firm was chosen from several other firms interviewed because of their expertise. There was a discussion among members of the Council and Leon Sculti, Chair of the Golf Commission, regarding whether retaining Jaffe & Asher was an indication that the City would be commencing legal action against Travelers and the consequences of providing confidential documents to Travelers.

Mayor Sack made a motion, seconded by Councilwoman Brett, to adopt the following Resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the firm of Jaffe & Asher, LLP to assist the City of Rye in the City's employee theft claim with Travelers Casualty and Surety Company of America at a rate of \$400 per hour for a partner and \$300 per hour for associates.

ROLL CALL:

AYES: Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney, Mecca and Slack
NAYS: None
ABSENT: None

The Resolution was adopted by a 7-0 vote.

10. Consideration of a request by the American Legion Post 128 and the Ladies Auxiliary of Post 128 to approve a parade to commemorate Memorial Day to be held on Monday, May 25, 2015 from 9:45 a.m. to 10:15 a.m.

Councilman McCartney made a motion, seconded by Councilwoman Brett and unanimously carried, to approve the following Resolution:

RESOLVED, that the request by the American Legion Post 128 and the Ladies Auxiliary of Post 128 for use of City streets on the morning of Monday, May 25, 2015 for a parade prior to ceremonies on the Village Green to commemorate Memorial Day is hereby approved.

11. Consideration of a request by Milton Elementary School PTO to approve a parade to precede the Milton Elementary School Fair on Saturday, March 14, 2015 from 9:00 a.m. to 10:15 a.m.

Councilwoman Brett made a motion, seconded by Councilman Slack and unanimously carried, to adopt the following Resolution:

RESOLVED, that the request by Milton Elementary School PTO for use of City streets on Saturday, March 14, 2015 from 9:00 a.m. to 10:15 a.m. for a parade to precede the Milton Elementary School Fair is hereby approved.

12. Resolution to declare certain City of Rye equipment as surplus
Roll Call.

Councilwoman Brett made a motion, seconded by Councilman Mecca, to adopt the following Resolution:

WHEREAS, the City has been provided with a list of City equipment identified as being obsolete or will become obsolete during 2015, and

WHEREAS, the Police Department has recommended that said equipment be declared surplus, now, therefore, be it

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

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

ROLL CALL:

AYES: Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney, Mecca and Slack

NAYS: None

ABSENT: None

The Resolution was adopted by a 7-0 vote.

List of Surplus Equipment:

PHONE SYSTEM PROCESSOR/CABINET

Avaya Merlin Magix Double Cabinet Phone and Voice Mail System

CONSOLES AND EXTENTION

<u>Brand</u>	<u>MODEL #</u>	<u>QUANTITY</u>
AVAYA	MLX – 20L	2
LUCENT	MLX – 10DP	14
AVAYA	2500YMGP-003	2
AVAYA	2554YMGP-003	2
AVAYA	MLX-16DP	2
LUCENT	2500YMGP-003	5
GE	2202 MC	1
AVAYA	DSS	1
ATT	982	1
ATT	993	2
ATT	MLX – 10D	1

13. Miscellaneous Communications and Reports

Mayor Sack noted that the bronze lions in front of the home of the Kennedys on Cowles Avenue have been stolen and a \$1,000 reward has been offered. He urged anyone with information to contact the Police Department.

14. New Business

Councilman Mecca said the Department of Public Works has done a great job of plowing this winter.

14A. FOIL Appeal submitted by Stephen Lamont

Corporation Counsel Wilson reported that a FOIL appeal has been submitted by Stephen Lamont for email records between her and Kevin Plunkett regarding Mr. Lamont's Golf Club membership. He was informed that there are no responsive records.

Mayor Sack made a motion, seconded by Councilwoman Brett, to adopt the following Resolution:

RESOLVED, that the Appeal of a response to a FOIL request submitted by Stephen Lamont seeking email records between Kristen Wilson and Kevin Plunkett regarding the requestor's Golf Club membership is hereby denied because there are no responsive records.

ROLL CALL:

AYES:	Mayor Sack, Councilmembers Brett, Bucci, Killian, McCartney, Mecca and Slack
NAYS:	None
ABSENT:	None

The Resolution was adopted by a 7-0 vote.

14B. Appointment to Cable TV Studio Joint Task Force

Mayor sack appointed Steve Fairchild, Chair of the Rye Cable & Communications Committee, to the Cable TV Studio Joint Task Force.

15. Adjournment

There being no further business to discuss Councilwoman Brett made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 6

DEPT.: City Council

DATE: March 25, 2015

CONTACT: Mayor Joseph A. Sack

AGENDA ITEM: Issues Update/Old Business

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That an update be provided on outstanding issues or Old Business.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:



CITY COUNCIL AGENDA

NO. 7

DEPT.: City Manager's Office

DATE: March 25, 2015

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Continuation of Public Hearing to amend local law Chapter 165 , "Signs", of the Rye City Code by adding Section §165-10,"Regulation of banners", to establish regulations for banners on City owned ball field fences and utility poles on City property.

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,

CHAPTER	165
SECTION	10

RECOMMENDATION: That the City Council hold a Public Hearing to amend Chapter 165, "Signs".

IMPACT: ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

BACKGROUND: Council is asked to consider amendments to Chapter 165, "Signs" of the Rye City Code to allow for the display of banners at City of Rye ball fields and utility poles on City property.

See attached Draft Local Law.

**CITY OF RYE
LOCAL LAW NO. 2014**

A local law to amend Chapter 165 “Signs” of the Code of the City of Rye by adding a new §165-10 to establish regulations for banners on City owned field fences and utility poles located on City property and to renumber the remaining section of the Chapter as follows:

Section 1: Chapter 165, Signs.

§ 165-10. Banners on City owned field fences and utility poles.

- A. Banners are permitted on City owned field fences upon approval from the Board of Architectural Review. All permits will be issued by the City Clerk’s office and are seasonal and will be approved for the spring, summer and/or fall season. No banners shall be displayed during the winter season.**
- (1) When reviewing applications for the display of banners on field fences, the Board of Architectural Review shall take into consideration the size of the banner, the design, and the colors to ensure that such are in harmony are appropriate for the placement on the field fences.**
 - (2) In no event shall banners on field fences be larger than 32 square feet.**
 - (3) The Board of Architectural Review will consider applications for banners on a first come/first serve basis and has the authority to limit the number of banners at any given time depending on the availability of fence space.**
 - (4) The Board of Architectural Review may consult with the Recreation Commission to determine whether a particular banner is consistent with the type of activities performed on a given field area.**
 - (5) Applications for the spring season must be received on or before February 1, for the summer season by May 1, and the fall season by August 1.**
 - (6) The City reserves discretion as to the exact placement of the banners on the field fences.**
 - (7) All banners shall be hung with the advertisement facing inside the playing field area.**
- B. Banners are permitted on City utility poles in the Central Business District upon receipt of a permit from the Board of Architectural Review.**
- (1) All banners to be placed on the utility poles shall be approximately 30” by 60”.**
 - (2) Only banners supporting or advertising not-for-profit organizations shall be considered by the Board of Architectural Review.**
 - (3) When reviewing applications, the Board of Architectural Review shall take into consideration the design and colors of the banners to ensure that such are appropriate for display in the Central Business District.**

- (4) The Board of Architectural Review will consider applications for banners on a first come/first serve basis.
- (5) The maximum permitted time for display is twenty-one (21) days.
- C. Once a permit is issued, the permittee is required to provide the banner(s) to the Department of Public Works for display. The City shall display and remove all banners.
- D. If an application for a banner is disapproved, the applicant may appeal the decision pursuant to Chapter 53, § 53-10 as set forth in § 165-2(D) of this Chapter.
- E. The permit fees shall be set annually by resolution of the City Council.

§ 165-101. Severability.

If any phrase, sentence, part, section, subsection, or other portion of this chapter or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, then such word, phrase, sentence, part, section, subsection or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this chapter, an all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect.

Section 2: This local law will take effect immediately on filing in the office of the Secretary of State.



CITY COUNCIL AGENDA

NO. 8

DEPT.: Corporation Counsel

DATE: March 25, 2015

CONTACT: Kristen K. Wilson, Corporation Counsel

AGENDA ITEM: Consideration to set a Public Hearing for April 8, 2015 to amend local law Chapter 177, "Taxation", Article XII, "Exemption for Historic Districts" by adding Section §177-82, "Historic Districts", to designate portions of downtown Rye as one historic district to allow property owners to apply for the real property tax exemption.

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,

CHARTER

SECTION 177

RECOMMENDATION: That the City Council set a Public Hearing to amend Chapter 177, "Taxation".

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: The City Council amended Chapter 177, "Taxation" of the City of Rye Code at their December 18, 2013 City Council meeting by adding, Article XII "Exemption for Historic Districts" to provide tax exemptions for improvements to historic properties. To qualify for the tax exemption a property must lie within a historic district. The Landmarks Advisory Committee requests approval to designate portions of downtown Rye (B-2 zone plus portions of contiguous B-1 zones) as one historic district. The Council is asked to set a Public Hearing to amend the Chapter 177 to include this change.

See attached request from the Landmarks Advisory Committee and draft Local Law.

CITY OF RYE
LOCAL LAW NO. 2015

A local law to amend Chapter 177 “Taxation” Article XII “Exemption for Historic Districts” of the Code of the City of Rye by adding a new Section 177-82 “Designation of Historic Districts” as follows:

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

Section 1: Chapter 177 Taxation; Article XII Exemption for “Historic Districts”

§ 177-82. Designation of Historic Districts.

A. The designated Historic District shall be set forth in this section by block and lot number, street designation, and if appropriate, by local designation.

(1) Central Business District: portions of downtown Rye located in the B-2 zone and portions of contiguous B-1 zones as designated on the accompanying map as one historic district.

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.



**Proposed Historic District
for the City of Rye
Central Business Area**

Prepared by the
Landmarks Advisory Committee

November, 2014

Background

In December 18 , 2013 the Rye City Council enacted local law 4-2013, a real property tax exemption for historic property, the terms of which are described in Article 177 XII of the City Code. The legislative intent of the law is to provide owners of properties with historical significance a concrete incentive to restore or improve those properties while maintaining the character of the original construction.

In order to qualify for the tax exemption, a property must lie within a historic district. The Landmarks Advisory Committee requests approval to designate portions of downtown Rye (B-2 zone plus portions of contiguous B-1 zones as designated on the accompanying map) as one historic district.

Chapter 177. TAXATION

Article XII. Exemption for Historic Districts

[Adopted 12-18-2013 by L.L. No. 4-2013]

§ 177-78. Legislative intent; review process; historic determination; rights of property owner.

- A. This real property tax exemption for historic property is being enacted in order to achieve the following goals: to increase incentives for property owners in historic districts to invest in the upkeep and rehabilitation of properties; to provide an incentive for the restoration and rehabilitation of commercial structures which qualify as landmarks in order to provide financial advantages, not available elsewhere in the country at this time, which may help to attract and retain businesses in the City of Rye; to assist homeowners who are interested in restoring their own properties but may not be able to afford to do so when faced with potential increases in taxation as the result of alterations which would qualify for this exemption; and to provide a concrete benefit for restoring or improving historically or architecturally significant properties which are subject to the regulations of Chapter 117, Landmarks Preservation.
- B. The City of Rye real property tax exemption is intended to apply to alterations or rehabilitations of historic property as authorized pursuant to §§ 96-a and 119-aa through 119-dd of the General Municipal Law and § 444-a of the Real Property Tax Law and all other powers granted to the City of Rye to provide such exemptions.
- C. This article is intended to create a real property tax exemption that preserves or increases the historic character of real property located within the City of Rye.

§ 177-79. Definitions.

For the purposes of this article, the following words and phrases shall have the following meanings.

ALTERATION

Only exterior work on a building that requires a building permit or demolition permit.

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Board of Architectural Review authorizing a material change of appearance of a Protected Site or Structure or within a district, subject to other applicable permit requirements.

DEMOLITION

The destruction of the exterior of a building, in whole or in part, whether or not the foundation is also destroyed pursuant to the requirements of a duly issued demolition permit.

HISTORIC BUILDING

Any building that the Landmarks Advisory Committee has determined to be of a historic nature consistent with the criteria outlined in Chapter **117** of the Rye City Code and is located within an historic district. A historic building does not have to be designated as a Protected Site or Structure.

LANDMARK

Any parcel or building or structure designated as a Protected Site or Structure not located in a Preservation District, which nonetheless meets one or more of the criteria enumerated in § **117-5** and is designated as a Protected Site or Structure pursuant to § **117-5E**.

§ 177-80. Amount of exemption granted; qualifying criteria.

Real property within the City of Rye altered or rehabilitated subsequent to the effective date of this article shall be exempt from City real property and special ad valorem levies, subject to and in accordance with the schedule set forth in § 177-8A and conditions outlined in § **177-80B** and **C**.

- A. Historic property which shall be defined hereafter shall be exempt from taxation to the extent of any increase in value attributable to such alteration or rehabilitation pursuant to the following schedule:

Year of Exemption	Percentage of Exemption
1	100%
2	100%
3	100%
4	100%
5	100%
6	80%

7	60%
8	40%
9	20%
10	0%

B. No such exemption shall be granted for such alterations or rehabilitation unless all of the following criteria are met.

(1) Such property must be "historic," which means that:

(a) The property has been designated as a landmark pursuant to Chapter 117 of the Rye City Code; or

(b) The structure has been found to meet the criteria of being an historic building by the Landmarks Advisory Committee and is part of a historic district.

(2) Alterations or rehabilitation are consistent with the character of the historic building.

(3) Such alterations or rehabilitation or reconstruction of the historic building are approved by the Landmarks Advisory Committee and the Board of Architectural Review prior to the commencement of work and a certificate of appropriateness issued.

(4) The alterations or rehabilitation or reconstruction must otherwise result in an increase in the assessed valuation of the real property.

(5) Alterations or rehabilitation or reconstruction are commenced subsequent to the effective date of this article.

C. In the event a historic building is substantially demolished due to fire or other act of nature not caused by the property owner, the reconstruction of such building consistent with its historic character as reviewed and approved by the Board of Architectural Review shall qualify for the partial tax exemption, but in no event shall the assessment for the taxes to be paid be less than the assessment that existed prior to the substantial demolition.

§ 177-81. Application for exemption; approval.

A. The exemption may be granted only upon application of the owner or owners of such historic building on a form prescribed by the New York State Office of Real Property Services, or any successor agency.

B. The application must be filed with the Assessor on or before the appropriate taxable

status date.

- C. The exemption shall be granted where the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this section.
- D. All of the terms, conditions and exceptions as set forth in § 444-a of the Real Property Tax Law of the State of New York, as amended, are adopted herein unless otherwise specified, as though fully set forth within this article.

City of Rye, NY Central Business District

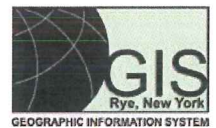


B-2 Central Business District

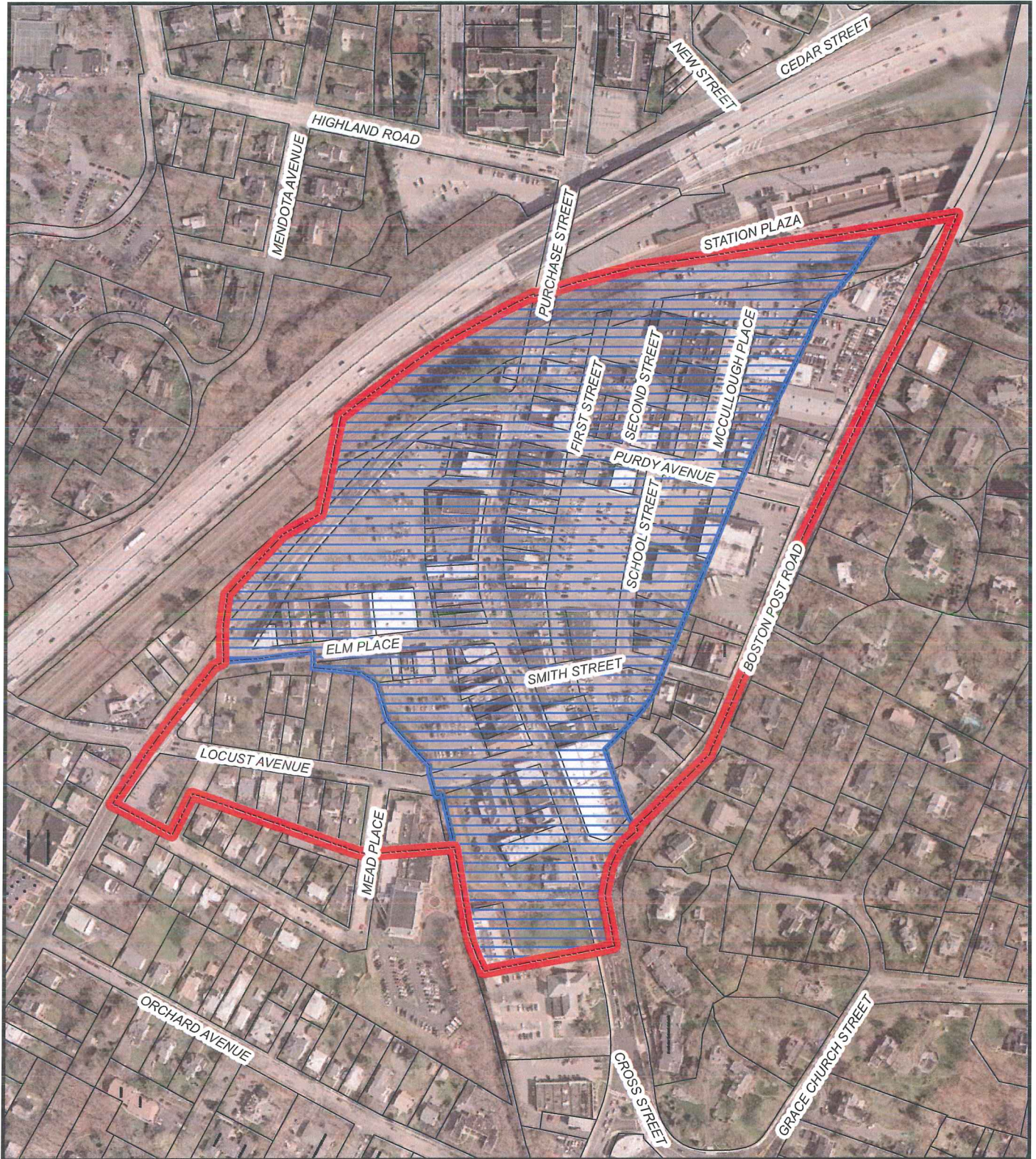


Property Boundary (Approx.)

Last Revised: 12/2/14



City of Rye, NY Central Business District



Proposed Historic District Boundary

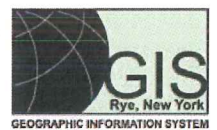


B-2 Central Business District



Property Boundary (Approx.)

Last Revised: 12/2/14



City of Rye, NY Proposed Historic District

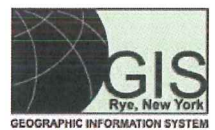


Proposed Historic District Boundary



Property Boundary (Approx.)

Last Revised: 12/2/14



ALL BUILDINGS IN THE PROPOSED RYE HISTORIC DISTRICT

Summary:

115 Total Properties

11 City Owned Properties

51 Properties Over 100 Years Old

Section/Lot/Block	Address	Date Built/Renovated
146-7-1-15 City	Purchase & First St.	
146-7-1-16	100 Purchase Street	1962
146-7-1-17	1 Depot Plaza	(1860) 2008
146-7-1-18 City	First & Second Sts.	
146-7-1-19	2 Second Street	1915/1923
146-7-1-20	28 Second Street	2001
146-7-1-21	13 McCullough Place	1937
146-7-1-22	21 McCullough Place	1936
146-7-1-23 City	End of Third Street	
146-7-1-24	1175 Boston Post Rd	2006
146-7-1-31	1151 Boston Post Rd	1927
146-7-1-32	1141 Boston Post Rd	1952
146-7-1-33	Purdy Ave Post Office	1935
146-7-1-34	25 Purdy Avenue	1923/1980
146-7-1-35	21-23 Purdy Avenue	1923
146-7-1-36	17 Purdy Avenue	1870/1987
146-7-1-37	15 Purdy Avenue	1850/1981
146-7-1-38	11-13 Purdy Avenue	1915
146-7-1-39 City	Purdy Ave and First St	
146-7-1-40	96 Purchase Street	2014
146-7-1-41	88 Purchase Street	1800/1810/1900
146-7-1-42	83 Purchase Street	No Date
146-7-1-43	81 Purchase Street	1952
146-7-1-44	77 Purchase Street	1905/1929
146-7-1-45	73 Purchase Street	1921
146-7-1-46	67 Purchase Street	1919/1977 Reno
146-7-1-47	61 Purchase Street	1874
146-7-1-48	59 Purchase Street	1989
146-7-1-49	57 Purchase Street	1900
146-7-1-50	55 Purchase Street	1904
146-7-1-51	53 Purchase Street	1870/1922
146-7-1-52 City	Theodore Fremd Ave	
146-7-1-53	14-16 Elm Place	1974
146-7-1-54	18-22 Elm Place	1947
146-7-1-56	32 Elm Place	No Date
146-7-1-57	37-43 Theodore Fremd	1960/1981 Reno
146-7-1-58	38 Elm Place	1875/1975
146-7-1-65 City	Theodore Fremd	
146-7-1-66	99 Purchase Street	1926/1963
146-7-2-1	69 Theodore Fremd	1928
146-7-2-2	56 Locust	1890
146-7-2-3	41 Elm Place	1900
146-7-2-4	46 Locust Avenue	1900/2002 Reno

Section/Lot/Block	Address	Date Built/Renovated
146-7-2-5	37 Elm Place	1895
146-7-2-6	44 Locust Avenue	No Date
146-7-2-7	40 Locust Avenue	1900
146-7-2-8	34 Locust Avenue	1923 +/-
146-7-2-9	30 Locust Avenue	1895
146-7-2-10	22 Locust Avenue	1905 +/-
146-7-2-11 City	Elm and Locust	
146-7-2-12	19-21 Elm Place	1900 +/-
146-7-2-13	17 Elm Place	1900
146-7-2-14	15 Elm Place	1900
146-7-2-15	11 Elm Place	1969
146-7-2-16	7 Elm Place	1920/2005
146-7-2-17	3 Elm Place	1920
146-7-2-18	51 Purchase Street	1880/1994 Reno
146-7-2-19	49 Purchase Street	1890
146-7-2-20	45 Purchase Street	1939
146-7-2-21	43 Purchase Street	1929
146-7-2-22.1	41 Purchase Street	1905
146-7-2-22.2	39 Purchase Street	1905
146-7-2-23	37 Purchase Street	1919/1991
146-7-2-24	31-33 Purchase Street	1880/1988 Reno
146-7-2-25	27-29 Purchase Street	1882
146-7-2-26	23-25 Purchase Street	No Date
146-7-2-27	19-21 Purchase Street	1895
146-7-2-28	15-17 Purchase Street	1908
146-7-2-29 City	1 Purchase Street	1903
146-7-2-30 Library	1061 Boston Post Rd	1900
146-7-2-32 YMCA	21 Locust Avenue	1954-57
146-7-2-34	29 Locust Avenue	1904 +/-
146-7-2-35	35 Locust Avenue	No Date
146-7-2-36	41 Locust Avenue	1909
146-7-2-37	43 Locust Avenue	1919
146-7-2-38	47 Locust Avenue	1925
146-7-2-39	51 Locust Avenue	No Date
146-7-2-40	55 Locust Avenue	1920
146-7-2-41	75 Theodore Fremd	1952
146-7-3-1	84-86 Purchase Street	Various (no date)
146-7-3-2	12 Purdy Avenue	1962/1975
146-7-3-3	18 Purdy Avenue	1959
146-7-3-4	22 Purdy Avenue	1900 +/-
146-7-3-5 City	9 School Street	
146-7-3-6	80-82 Purchase Street	1895/1974
146-7-3-7	78 Purchase Street	1895
146-7-3-8	74-76 Purchase Street	1890/1993 Reno
146-7-3-9.1	72 Purchase Street	1900
146-7-3-9.2	70 Purchase Street	2002
146-7-3-10	66-68 Purchase Street	1903/1981 Reno
146-7-3-11	64 Purchase Street	2006
146-7-3-12	62 Purchase Street	1880/1900/1980 Reno
146-7-3-14	58 Purchase Street	1880
146-7-3-15	7 Smith Street	1926

Section/Lot/Block	Address	Date Built/Renovated
146-7-3-16	54 Purchase Street	1922
146-7-3-17	44-46 Purchase Street	1904
146-7-3-18	42 Purchase Street	2006
146-7-3-19	32-36 Purchase Street	1890
146-7-3-20	28-30 Purchase Street	No Date
146-7-3-21	2-22 Purchase Street	1928
146-7-3-22.1	1085 Boston Post Rd	1930
146-7-3-23	1091 Boston Post Rd	1850
146-7-3-24	1095 Boston Post Rd	1875
146-7-3-25	1097 Boston Post Rd	1870
146-7-3-26	24 Smith Street	1890
146-7-3-27.1 City	10 Smith Street	
146-7-3-28	2 School Street	1890/1981 Reno
146-7-3-29	6 School Street	1885
146-7-3-30	10 School Street	2007
146-7-3-31	16 School Street	1910
146-7-3-32 City	30 School Street	
146-7-3-33	1121 Boston Post Rd	1957
146-7-3-34	1111 Boston Post Rd	2008
146-7-3-35	25 Smith Street	1880
146-7-3-36	1101 Boston Post Rd	1890



CITY COUNCIL AGENDA

NO. 9

DEPT.: City Manager

DATE: March 25, 2015

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Presentation by Sustainable Westchester, Inc. regarding the City of Rye participating in the program Community Choice Aggregation to procure electric and/or gas supply services on behalf of participating residents, businesses and municipal customers within municipal jurisdictional boundaries.

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION:

IMPACT: ☒ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: A presentation will be made by members of Sustainable Westchester, Inc. regarding Community Choice Aggregation (CCA). In a CCA system, municipalities collectively purchase energy directly from electricity providers on the open market on behalf of local residents and businesses. Working either as singular localities or a unified combination of municipalities, municipalities operating under CCA replace Investor Owned Utilities (IOU) as the provider of energy by purchasing the electricity to be used in their communities directly from the market. The IOUs remain responsible for the generation of power from the CCA-purchased energy as well as the transmission and distribution of power to customers. With this division of labor, communities utilizing CCA are able to utilize local control of purchasing energy in order to reduce electricity costs, increase use of renewable energy sources, and create economic opportunity by ensuring the use of locally-sourced power. By leaving the tasks of generating, transmitting, and distributing power to IOU, who are also responsible for maintaining their own infrastructure and customer service operations, the benefits to local governments are not off-set by the costs and burden associated with Municipally Owned Utilities.

Sustainable Westchester petitioned the Public Service Commission in December, 2014 to allow them to implement a CCA program in Westchester County, which is served by Con Edison. The Public Service Commission approved the CCA on February 26, 2015.

States that have passed CCA laws include California (2002), Illinois (2009), Massachusetts (1997), New Jersey (2003), Ohio (1999), and Rhode Island (1997) and New York (2014)

See attached information.



For Immediate Release: 02/26/15

Audrey Zibelman, Chair

Contact:

James Denn | James.Denn@dps.ny.gov | (518) 474-7080

<http://www.dps.ny.gov>

<http://twitter.com/NYS DPS>

15020/14-M-0564

**PSC OK's State's First Community Choice Aggregation Pilot Program
— Energy Demonstration Project in Westchester County Designed to Help Customers
Lower Energy Bills —**

ALBANY —The New York State Public Service Commission (Commission) today approved implementation of the very first community choice aggregation (CCA) pilot program in New York, a cutting-edge initiative that allows municipalities to put out for bid the total amount of natural gas or electricity being purchased by local residents or small businesses effectively giving them more control to lower their overall energy costs. The Commission's approval of this pilot program builds upon Governor Andrew M. Cuomo's strategic Reforming the Energy Vision (REV) plan to spur clean energy innovation and investment, improve customer choice and value, and protect the environment.

"The innovative community aggregation pilot program approved today furthers the Governor's strategic REV plan by supporting communities that desire to find ways to negotiate with third-party energy providers to meet their community's energy supply needs and to get the best price possible," said PSC Chair Audrey Zibelman.

On December 23, 2014, Sustainable Westchester, Inc., a not-for-profit organization comprised of several municipalities in Westchester County, sought approval of a demonstration CCA program in Westchester County. CCA involves local governments procuring energy supply from energy service companies (ESCOs) for their residents.

The potential benefits of CCA programs include price stability for a fixed contract term, the potential for lower prices and more favorable terms, and the ability to design a program that reflects local preferences and needs, including a preference for cleaner power sources. CCA programs also have the potential to enable ESCOs to secure a large number of customers at relatively low marketing costs.

The Westchester County pilot project is intended to include residential and small non-residential customers and to permit aggregation of both electric and natural gas purchases. Sustainable Westchester has been working toward achieving CCA for its members for over two years, and several of its member municipalities have adopted resolutions in support of CCA.

As municipalities agree to participate in the CCA pilot and conduct public outreach campaigns to inform their residents, they will be permitted to request aggregated customer information by fuel type and service classification from the distribution utilities on a rolling basis. As part of the pilot program, the Sustainable Westchester will issue a request for proposals to suppliers to provide energy to participants, and then award a contract. Sustainable Westchester, or the municipality, will then request individual customer data from the utility. The Sustainable Westchester or the municipality and

the selected supplier will then notify bundled customers of the contract terms and their opportunity to opt-out of the program within 20 days.

The approval of the Westchester County project is directly related to the Commission's ongoing proceeding to examine implementation of CCA in New York. The Sustainable Westchester pilot is expected to provide valuable experience on CCA design and outcomes that, in addition to the many comments in that proceeding, will assist the Commission in making a determination on statewide implementation of CCA.

Under the Sustainable Westchester program, Consolidated Edison Company of New York, Inc. and New York State Electric & Gas Corporation will provide to Sustainable Westchester aggregate and customer-specific data (including usage data, capacity tag obligations, account numbers, and service addresses) of all residential and small non-residential customers not currently enrolled with an ESCO. Sustainable Westchester and its municipal members will be required to protect customer information. In addition, Sustainable Westchester is required to file a report annually with the Commission on the status of its demonstration program.

Today's decision may be obtained by going to the Commission Documents section of the Commission's Web site at www.dps.ny.gov and entering Case Number 14-M-0564 in the input box labeled "Search for Case/Matter Number". Many libraries offer free Internet access. Commission documents may also be obtained from the Commission's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500). If you have difficulty understanding English, please call us at 1-800-342-3377 for free language assistance services regarding this press release.



CITY COUNCIL AGENDA

NO. 11 DEPT.: Corporation Counsel DATE: March 25, 2015
CONTACT: Kristen K. Wilson, Corporation Counsel

AGENDA ITEM: Resolution authorizing the Corporation Counsel to seek settlement in the litigation *American Leisure Activities of New York City Inc. v. City of Rye*.

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council authorize the Corporation Counsel to settle the litigation *American Leisure Activities of New York City Inc. v. City of Rye*.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: In 2013 the City was served with a notice of claim by American Leisure Activities of New York City Inc. for a breach of contract by the City. American Leisure subsequently commenced a lawsuit. The Council is asked to authorize the Corporation Counsel to seek settlement in the litigation on behalf of the City.



CITY COUNCIL AGENDA

NO. 12 DEPT.: FINANCE

DATE: March 25, 2015

CONTACT: JOSEPH S. FAZZINO, Deputy City Comptroller

AGENDA ITEM: Adoption of the 2015 County property tax rates.

FOR THE MEETING OF:

March 25, 2015

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the City Council adopt the 2015 County tax rates.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other

BACKGROUND:

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

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

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

For the 2015 Tax Year, the combined county tax rate for the Blind Brook Sanitary Sewer District increased by 1.19% and the combined county tax rate for the Mamaroneck Valley Sanitary Sewer District decreased by 1.75%.

RESOLVED, that the tax rates for the amounts of Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District charges for the fiscal year beginning January 1, 2015, shall be as follows:

Westchester County

Levy	\$25,595,478
Taxable Assessed Value	138,453,025
Taxable Rate per \$1,000 Assessed Value	184.868

Blind Brook Sewer District

Levy	\$5,051,447
Taxable Assessed Value	141,032,369
Taxable Rate per \$1,000 Assessed Value	35.818

Mamaroneck Valley Sewer District

Levy	\$558,045
Taxable Assessed Value	19,217,154
Taxable Rate per \$1,000 Assessed Value	29.039

Refuse Disposal District No. 1

Levy	\$2,439,365
Taxable Assessed Value	140,795,573
Taxable Rate per \$1,000 Assessed Value	17.326

And be it further

RESOLVED, that the Council does hereby certify to the City Comptroller the above stated levies and tax rates for Westchester County, Blind Brook Sewer District, Mamaroneck Valley Sewer District and Refuse Disposal District No. 1 charges, and the City Comptroller is hereby directed to apportion and extend against each taxable property listed upon the assessment roll of the City of Rye for 2015 at the rates specified, the amount of taxes required to produce the total sums certified and to render tax notices for, and receive and collect, the several sums computed and determined, and, it is further

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



CITY COUNCIL AGENDA

NO. 13

DEPT.: City Manager's Office

DATE: March 25, 2015

CONTACT: Frank J. Culross, City Manager

AGENDA ITEM: Appointment of one member to the Emergency Medical Services Committee to fill a term expiring on June 30, 2016.

FOR THE MEETING OF:

March 25, 2015

**RYE CITY CODE,
CHAPTER
SECTION**

RECOMMENDATION: Approval by Mayor and City Council of the appointment of Mr. John B. Colangelo, the Village of Port Chester Community Representative, to the Emergency Medical Services Committee.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

Scott T. Moore, EMS Administrator recommends that John B. Colangelo, Esq. fill the balance of the unexpired term of David Byrnes, as the Community Representative to the Emergency Medical Services Committee from the Village of Port Chester. The term will expire on June 30, 2016. Section 3A of the Inter-Municipal Agreement states that the community representatives shall be "recommended by the Corps and ratified by joint resolution of the municipalities." The City of Rye and the Villages of Port Chester and Rye Brook have joined in this inter-municipal cooperative.

Mr. Colangelo has expressed his willingness to serve as Port Chester's representative and the Corps recommends his appointment. The Village of Port Chester has approved the nomination for appointment of Mr. Colangelo and a copy of the certified resolution is attached.



PORT CHESTER-RYE-RYE BROOK EMERGENCY MEDICAL SERVICES

March 9, 2015

Mr. Frank Culross
Manager – The City of Rye
1051 Boston Post Road
Rye, N.Y. 10580

Dear Mr. Culross:

The Inter-Municipal Agreement for Emergency Medical Services established the Emergency Medical Services Committee (EMSC). Section 3A of the Inter-Municipal Agreement states that *“there shall be community residents (one from each community) recommended by the Corps and ratified by joint resolution of the municipalities. The slate shall be proposed by the Corps and must be either accepted or rejected without substitution.*

In accordance with the agreement the corps has submitted and garnered approval from the Village of Port Chester for the nomination of Mr. John B. Colangelo of 60 Priscilla Lane Port Chester, N.Y. Mr. Colangelo has been a very active member of the Port Chester and Town of Rye communities and has a long history of public service. He is currently serving as Town Justice for the Town of Rye. I respectfully submit Mr. Colangelo for appointment to the EMSC for a term to end June 30, 2016. I request that the nomination of Mr. Colangelo be placed on the next scheduled City of Rye board meeting for consideration. Please see the attached nomination approval from the Village of Port Chester.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott Moore", with a long, sweeping horizontal line extending to the right.

Scott Moore
EMS Administrator

**RATIFICATION OF APPOINTMENT TO
EMERGENCY MEDICAL SERVICES COMMITTEE**

On motion of TRUSTEE BRAKEWOOD, seconded by TRUSTEE KENNER, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the inter-municipal agreement, between the Village of Rye Brook, City of Rye and Village of Port Chester for emergency medical services provides for an Emergency Medical Services Committee; and

WHEREAS, the position of the Port Chester Community Representative on the Committee is vacant; and

WHEREAS, pursuant to Section 3A of the inter-municipal agreement, the community representatives shall be recommended by the contracted emergency services provider, the Port Chester-Rye-Rye Brook Volunteer Ambulance Corps ("Corps") and thereafter ratified by joint resolution of the municipalities; and

WHEREAS, by letter dated February 9, 2015 from Scott T. Moore, Administrator, the Corps has recommended John B. Colangelo, Esq. to fill the vacancy. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby ratifies the recommendation of John B. Colangelo, Esq. Port Chester, New York to be appointed to the Emergency Medical Services Committee to fill the balance of the unexpired term of David Byrnes to expire on June 30, 2016.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES: Trustees Adams, Terenzi, Brakewood, Kenner, Ceccarelli and Mayor Pagano

NOES: None.

ABSENT: Trustee Marino.

DATE: March 2, 2015