

## **CITY OF RYE**

### **NOTICE**

There will be a regular meeting of the City Council of the City of Rye on Wednesday, May 6, 2015, at 7:30 p.m. at the **Square House**. *The meeting will move from the Square House to Council Chambers in City Hall at approximately 8:45 p.m.*

### **AMENDED AGENDA**

1. Pledge of Allegiance.
2. Roll Call.
3. The unveiling of Mile Marker 26.
4. General Announcements.
5. Draft unapproved minutes of the Special Meeting of the City Council held April 22, 2015, the regular meeting of the City Council held April 22, 2015 and the Special Meeting of the City Council held April 29, 2015.
6. Issues Update/Old Business.
7. Public Hearing 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.
- 7A. Home Rule Resolution supporting A7265(Otis)/S5072(Latimer) extension of the City of Rye Hotel Occupancy Tax.  
Roll Call.
8. Residents may be heard on matters for Council consideration that do not appear on the agenda.
9. One appointment to the Boat Basin Commission, by the Council, to fill a term expiring on January 1, 2016.
10. Resolution ratifying the appointment of one member to the Emergency Medical Services Committee for a three-year term expiring on June 30, 2017.
- 10A. Appeal of denial of FOIL request by Timothy Chittenden.
11. Miscellaneous communications and reports.
12. New Business.
13. Adjournment.

\* \* \* \* \*

The next regular meeting of the City Council will be held on Wednesday, May 21, 2014 at 7:30 p.m.

- \*\* City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at [www.ryeny.gov](http://www.ryeny.gov) under “RyeTV Live”.
- \* Office Hours of the Mayor by appointment by emailing [jsack@ryeny.gov](mailto:jsack@ryeny.gov) or contacting the City Manager’s Office at (914) 967-7404.



# CITY COUNCIL AGENDA

NO. 3

DEPT.: City Council

DATE: May 6, 2015

CONTACT: Mayor Joseph A. Sack

**AGENDA ITEM:** The unveiling of Mile Marker 26.

**FOR THE MEETING OF:**

May 6, 2015

**RYE CITY CODE,**

**CHAPTER**

**SECTION**

**RECOMMENDATION:** That the Council unveil Mile Marker 26 which has been restored and will be displayed in the lobby of Rye City Hall.

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

**BACKGROUND:** The Landmarks Advisory Committee has spearheaded a project to protect the historical Rye Mile Markers. On July 14, 2012 Mile Marker 26 was removed from the wall of Christ's Church due to severe deterioration. According to a report by George Wheeler, Director of Conservation, Historic Preservation Program, Columbia University: "The Rye mile marker is severely deteriorated in several including scaling, flaking and spalling traces of active and dormant biological growth. There is no legible inscription remaining on the surface and, as described above many areas where the surface is unstable and shows movement under applied pressure."

Mile Marker 26 has been restored and is ready for display indoors according to the recommendation of the conservationist. The Mile Marker will be displayed under the portrait of Mayor John Morehead who was instrumental in recognizing their importance and placement. They hold historical value in their relationship to the first Post Office, their significance in travel as they marked mileage along Boston Post Road, and their significance in the history of Rye.



# CITY COUNCIL AGENDA

NO. 5

DEPT.: City Clerk

DATE: May 6, 2015

CONTACT: Dawn Nodarse

**AGENDA ITEM** Draft unapproved minutes of the Special Meeting of the City Council held April 22, 2015, the regular meeting of the City Council held April 22, 2015 and the Special Meeting of the City Council held April 29, 2015.

**FOR THE MEETING OF:**

May 6, 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 April 22, 2015, the regular meeting of the City Council held April 22, 2015 and the Special Meeting of the City Council held April 29, 2015, as attached.

***DRAFT UNAPPROVED MINUTES*** of the  
Special Meeting of the City Council of the City of  
Rye held in City Hall on April 22, 2015 at 8:45 A.M.

PRESENT:

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

ABSENT:     KIRSTIN BUCCI  
              RICHARD MECCA  
              Councilmembers

1. The City Council will convene into Executive Session to discuss the employment of a City Manager and Interim City Manager

The Council convened at 8:55 a.m. Mayor Sack made a motion, seconded by Councilwoman Brett and unanimously carried to immediately adjourn into executive session to discuss the employment of a City Manager and Interim City Manager and not return to regular session.

Respectfully submitted,

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 April 22, 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

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 regarding various events and activities that may be of interest to residents.

4.     Consideration of the election of the Chiefs of the Rye Fire Department

Mayor Sack made a motion, seconded by Councilman Mecca and unanimously carried, to approve the election of Michael Billington as 1<sup>st</sup> Assistant Chief and Michael Taylor as 2<sup>nd</sup> Assistant Chief at the Annual Fire Department meeting held on April 9, 2015.

Mayor Sack noted that no action will be taken in connection with the position of Chief because the person elected to that position does not qualify because he does not live in the City of Rye.

4A.   Approval of the election of one new member to the Rye Fire Department

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

**RESOLVED**, that the City Council of the City of Rye hereby approves the election of Madeline Gregory to the Fire Police Patrol Company as approved by the Board of Fire Wardens at their April meeting.

5. Draft unapproved minutes of the regular meeting of the City Council held April 8, 2015 and the informal minutes of the Joint Meeting of the City Council and Board of Education held April 11, 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 April 8, 2015.

Councilwoman Brett made a motion, seconded by Councilman McCartney and unanimously carried to approve the informal minutes of the Joint Meeting of the City Council and Board of Education held on April 11, 2015.

6. Issues Update/Old Business

Councilwoman Brett reported on the following topics:

Dogs – 109 off-leash permits have been issued to date and a police officer will be a presence in the park as of April 28<sup>th</sup> to check licenses and issue summonses to those having their dogs off leash after 9:00 a.m.

Planning Commission application for rezoning 120 Old Post Road – The Planning Commission is preparing a recommendation for the Council on the request for rezoning of the site for senior housing. The Commission is still evaluating density issues.

Mile Markers – The Landmarks Committee is ready to unveil Mile Marker #26 at the next City Council meeting. The marker was removed from the wall outside Christ's Church.

Councilwoman Killian reported on the following topics:

Traffic and Pedestrian Safety Committee – The Committee discussed the intersections around the area of 120 Old Post Road and City Engineer Ryan Coyne has suggested a solution of a rotary on Playland Parkway between I95 and the overpass. They have also discussed the intersection at Sonn Drive and sidewalks on Forest Avenue.

Sustainability Committee – The Committee met with the Conservation Commission Advisory Council and they would like Rye to become a Climate Smart Community.

7. Report of the Rye Playland Advisory Committee with regard to the Westchester County proposal for Standard Amusements to take over management of Playland

Steven Vasko, Chair of the Rye Playland Advisory Committee (“the Committee”) reported on the proposed agreement between Westchester County and Standard Amusements (“Standard”) to take over management of Playland. He said there is a short timeframe of 60 days for the review period for the proposed contract, so it is important to collect comments and feedback as quickly as possible. The Parks Committee will be meeting this week and they will be speaking with Standard. He added that he has personally spoken with members of the Standard team and feels that it is important to them to have the people who live around the park and Rye in general be happy with them. Mr. Vasko said that the overriding feeling expressed by the community at the meeting of the Committee is that the proposed contract is vague with respect to many important areas:

- Fields
- Waterpark
- Utility taxes
- Safety and emergency services
- Heights of new rides
- Possible marina
- How new facilities and increased attendance will impact the neighborhood
- How maintenance services will be provided to the Edith Reed Sanctuary
- Will suggestions from the Biederman Report be included in the final plan.

Mayor Sack said that a group from the Council will probably meet with Standard next week and will be focused on the language of the agreement. He added that the City has nothing to act on until there is a tangible proposal and reiterated that the City believes it has right of approval of any projects. The Mayor said the more important tax issue is whether certain uses at Playland can be taxed.

8. Residents may be heard on the Westchester County proposal for Playland

*Ken Ball, 14 Adelaide Street*, said he is opposed to the proposed playing fields because they will extend farther into the parking lot. He suggested it would make more sense to refurbish the existing fields.

9. 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 utility poles on City property

Mayor Sack made a motion, seconded by Councilwoman Brett and unanimously carried to close the public hearing. No action was taken on the proposed local law.

10. Public Hearing 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

This Agenda item was deferred to the May 8, 2015 City Council meeting.

11. Presentation and discuss of proposed design changes for sidewalk and street improvements in the Central Business District

City Planner Christian Miller made a presentation regarding plans for the capital project improvements for the intersection of Smith Street and Purchase Street and Elm Place and Purchase Street that were approved by voter referendum in 2012. Staff is seeking consensus from the Council that they are comfortable with the proposed design. The plan is consistent with what was done at Locust Avenue and Purchase Street. Stop signs will be maintained; curb extensions will be added to make pedestrians more visible; trees will be added to improve aesthetics; and more sidewalk space will be added to improve the pedestrian environment. There will be a three way stop at Elm Place and Purchase Street. At Smith and Purchase Streets there will only be a stop sign at Smith Street but a raised intersection will be utilized at that location for traffic calming. The restriction on left turns at Elm Place will be removed. Mr. Miller said the proposed improvements should be considered “70 year improvements” and said that construction which may last for up to four months will cause disruption in the Central Business District. The design is being done “in house” in order to control the design process. Funding the project through the use of debt was approved in the bond referendum but the Council could choose to fund the project without the use of debt which is counted against the tax cap. Mr. Miller was asked to keep the Council updated as the project moves along.

12. Residents may be heard on matters for Council consideration that do not appeal on the agenda.

*Mack Cunningham* spoke about the Starwood Capital plan for redevelopment of the old United Hospital site and said it was important for the public to know the scope of the project and how it will affect areas of Rye located near the site. Mayor Sack asked for an update on the project for the next meeting. Mr. Cunningham also noted and that the US Alliance site on Midland Avenue had been sold and asked what would happen if the use changed.

13. Resolution to appoint an Interim City Manager effective May 1, 2015

Mayor Sack announced that there was no agreement yet so a special Council meeting will be held on Wednesday, April 29, 2015 at 3:15 p.m. to approve an agreement for an Interim City Manager. He noted that Thursday, April 30<sup>th</sup> would be the last day on the job for retiring City Manager Frank Culross.

Former Mayor John Carey called the hiring of Mr. Culross his greatest achievement as Mayor.

14. Consideration of proposed revision of the Rules and Regulations of the City of Rye Police Department: General Order #118.1, "Department Records"

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

**RESOLVED** that the City Council of the City of Rye hereby approves the proposed revision of the Rules and Regulations of the City of Rye Police Department: General Order #118.1, "Department 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.

15. Miscellaneous Communications and Reports

There was nothing reported under this Agenda item.

16. New Business

Corporation Counsel Wilson suggested that the Council address the alleged FOIL appeal submitted by Stephen Lamont on an amended request for screen shots in connection with a pending request for electronic communications. Ms. Wilson said that based on her conversation with the Committee on Open Government there is no legal requirement to acknowledge an amendment to an existing FOIL request and the City is still within the 20 day timeframe to respond to the request. She recommended that the Council take a formal vote to deny the appeal.

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 denies the FOIL appeal submitted by Stephen Lamont for failure to acknowledge an amendment to a pending FOIL request based on that fact that no violation of the Public Officers Law exists for failing to acknowledge the amendment.

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.

Members of the Council offered thanks to retiring City Manager Frank Culross. Mayor Sack said that it was an honor to serve with him; that he was honorable, respected, circumspect, dedicated, committed and devoted to Rye and called him the “glue that has held Rye together.” Councilwoman Killian said she was thrilled to have worked with him and referred to him as “legendary.” Councilman McCartney said that Mr. Culross exudes professionalism and called him a “stand up guy for Rye.” Councilman Slack said he has learned a tremendous amount about the role of an effective City Manager and called Mr. Culross an “asset to the community.” Councilwoman Brett said she was grateful that he came back to “steady the ship.” Mr. Culross said it was an honor to serve the community and a pleasure to work for the Council.

17. 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 9:16 p.m.

Respectfully submitted,

Dawn F. Nodarse  
City Clerk

***DRAFT UNAPPROVED MINUTES*** of the  
Special Meeting of the City Council of the City of  
Rye held in City Hall on April 29, 2015 at 3:15 P.M.

PRESENT:

JOSEPH A. SACK Mayor  
LAURA BRETT  
KIRSTIN BUCCI  
RICHARD MECCA  
Councilmembers

ABSENT: JULIE KILLIAN  
TERRENCE McCARTNEY  
RICHARD SLACK  
Councilmembers

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. Resolution to appoint an interim City Manager effective May 1, 2015

Mayor Sack said that Assistant City Manager Eleanor Militana was being appointed to serve as Interim City Manager until a new City Manager was hired in order to maintain stability and freeze the status quo. He added that he was grateful to Ms. Militana for stepping forward to serve the City. The Mayor noted language changes to the proposed agreement and said that Ms. Militana would be paid a \$1,000 per week stipend in addition to her current salary.

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 Mayor to sign an  
Employment Agreement with Eleanor M. Militana  
to serve as Interim City Manager effective May 1,  
2015 and terminating no later than the date when a  
new City Manager is hired.

ROLL CALL:

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

The Resolution was adopted by a 4-0 vote.

4. 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 3:30 p.m.

Respectfully submitted,

Dawn F. Nodarse  
City Clerk



# CITY COUNCIL AGENDA

NO. 6

DEPT.: City Council

DATE: May 6, 2015

CONTACT: Mayor Joseph A. Sack

**AGENDA ITEM:** Issues Update/Old Business

**FOR THE MEETING OF:**

May 6, 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.: Corporation Counsel

DATE: May 6, 2015

CONTACT: Kristen K. Wilson, Corporation Counsel

**AGENDA ITEM:** Public Hearing 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:**

May 6, 2015

**RYE CITY CODE,**

CHARTER

SECTION 177

**RECOMMENDATION:** That the City Council hold 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 hold 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

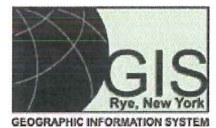


B-2 Central Business District

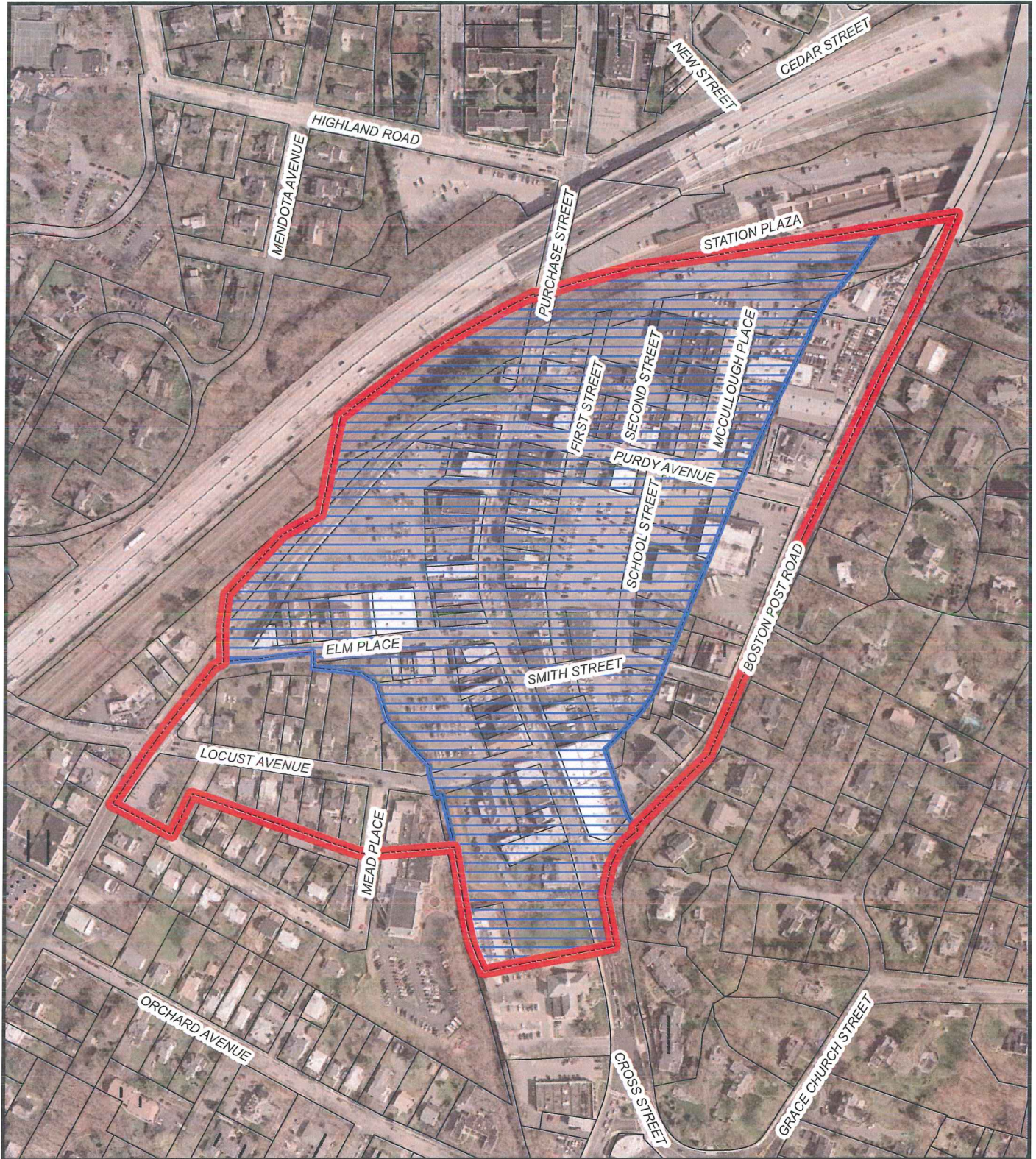


Property Boundary (Approx.)

Last Revised: 12/2/14



# City of Rye, NY Central Business District



Proposed Historic District Boundary

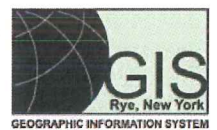


B-2 Central Business District



Property Boundary (Approx.)

Last Revised: 12/2/14



# City of Rye, NY Proposed Historic District

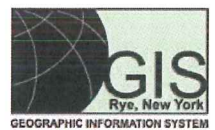


Proposed Historic District Boundary



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. 7A

DEPT.: City Manager's Office

DATE: May 6, 2015

CONTACT: Eleanor M. Militana, Interim City Manager

**ACTION:** Home Rule Resolution supporting A7265(Otis)/S5072(Latimer) extension of the City of Rye Hotel Occupancy Tax.

**FOR THE MEETING OF:**

May 6, 2015

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the City Council approve the resolution.

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

**BACKGROUND:**

The Hotel Occupancy tax expires every three years and was last extended in May, 2012. The tax expires this year and must be renewed. The legislation has been introduced; a home rule resolution is needed before the bill can advance in Albany.

See attached Home Rule legislation.

**A 7265** Otis Same as S 5072  
LATIMER  
Tax Law  
TITLE....Extends the city of Rye  
occupancy tax for three years  
05/01/15referred to ways and means

**S5072** LATIMER Same as A 7265 Otis  
ON FILE: 05/01/15 Taxation  
TITLE....Extends the city of Rye occupancy tax for three  
years  
04/29/15 REFERRED TO INVESTIGATIONS AND  
GOVERNMENT OPERATIONS

---

OTIS  
Amd S2, Chap 89 of 2009  
Extends the city of Rye occupancy tax for three years.

---

## STATE OF NEW YORK

---

---

7265

2015-2016 Regular Sessions

### IN ASSEMBLY

May 1, 2015

---

Introduced by M. of A. OTIS -- read once and referred to the Committee  
on Ways and Means

AN ACT to amend chapter 89 of the laws of 2009 amending the tax law  
relating to the imposition of an occupancy tax in the city of Rye, in relation to  
extending the effectiveness thereof

**The People of the State of New York, represented in Senate and  
Assembly, do enact as follows:**

- 1 Section 1. Section 2 of chapter 89 of the laws of 2009 amending the  
2 tax law relating to the imposition of an occupancy tax in the city of  
3 Rye, as amended by chapter 125 of the laws of 2012, is amended to read  
4 as follows:  
5 § 2. This act shall take effect immediately and shall expire and be  
6 deemed repealed September 1, [~~2015~~] 2018.  
7 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD08730-01-5

---

**NEW YORK STATE ASSEMBLY  
MEMORANDUM IN SUPPORT OF LEGISLATION  
submitted in accordance with Assembly Rule III, Sec 1(f)**

**BILL NUMBER:** A7265

**SPONSOR:** Otis

**TITLE OF BILL:** An act to amend chapter 89 of the laws of 2009 amending the tax law relating to the imposition of an occupancy tax in the city of Rye, in relation to extending the effectiveness thereof

**PURPOSE OR GENERAL IDEA OF BILL:**

To authorize the City of Rye to extend a room occupancy tax not to exceed 3%, for the three year period, ending in 2018.

**SUMMARY OF SPECIFIC PROVISIONS:**

Section 1202 of the tax law is amended to extend authority of the City of Rye to enact such a tax, for a three year period, ending on September 1, 2018.

**JUSTIFICATION:**

The City of Rye seeks to continue the authority granted in 2006 and 2009 to impose a 3% daily room tax hotel, motel, or similar place of public non-property tax revenues to support City expenses including offset impacts of rising pension costs, healthcare costs and other expenses not fully discretionary.

**PRIOR LEGISLATIVE HISTORY:**

A.8015-B/S.5387-A - Chapter 313 of the Laws of 2006  
A.289/S.1887 of 2009 - Chapter 89 of the Laws of 2009  
A.8556-C/ S5902-B - Chapter 125 of the Laws of 2012

**FISCAL IMPLICATIONS:**

The City estimates continuing revenues of \$80,000 per year minus implementation costs.

**EFFECTIVE DATE:**

This act shall take effect immediately



# CITY COUNCIL AGENDA

NO. 9

DEPT.: Boat Basin

DATE: May 6, 2015

CONTACT: Peter T. Fox, Boat Basin Supervisor

**ACTION:** One appointment to the Boat Basin Commission, by the Council, to fill a term expiring on January 1, 2016.

**FOR THE MEETING OF:**

May 6, 2015

**RYE CITY CODE,**

CHAPTER  
SECTION

**RECOMMENDATION:** That the Council appoint Brendan Hartman to fill the term of George DeFilippo on the Boat Basin Commission.

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

**BACKGROUND:**

Boat Basin Commission Chair Greg Gavlik was notified that George DeFilippo will be stepping down from the Boat Basin Commission. According to the Resolution outlining the Boat Basin Commission Nomination, Procedures, Elections and Terms: "vacancies will be filled within 45 days by appointment of the City Council and the unexpired term will be filled by the candidate elected with the least number of votes." Brendan Hartman fulfills this requirement and has indicated that he is willing to serve the remainder of the term. The City Council is asked to approve his appointment.

See attached 2014 Boat Basin Commission ballot results.

**CITY OF RYE**  
**MEMORANDUM**

TO: Frank Culross, City Manager  
Peter T. Fox, Boat Basin Supervisor

FROM: Dawn F. Nodarse, City Clerk

SUBJECT: De Pauw Municipal Boat Basin Commission  
and Nominating Committee Election

DATE: August 27, 2014

The following are the results of the Boat Basin Election:


Envelopes Received	79
Ballots Cast	78
Invalid Ballots	1

The election results for two representatives to the De Pauw Municipal Boat Basin Commission are (two open seats):

Candidates	# of Votes Received
Greg Gavlik	52
Brendan Hartman	41
Benjamin Poole	59

The election results for one member to the Nominating Committee:

Candidates	# of Votes Received
Alan Caminiti	55
Andrew Ferris	20

  
Dawn F. Nodarse  
City Clerk

**DE PAUW MUNICIPAL BOAT BASIN COMMISSION  
NOMINATION PROCEDURES, ELECTIONS AND TERMS**

**Section 1. Commission; Appointment**

(a) There will be a De Pauw Municipal Boat Basin Commission to consist of five resident members who have a permit to moor a boat at the facility. The members will be appointed by the City Council after election by the resident and non-resident permit-holders of the Boat Basin. The members of the Commission will elect a Chairman each year from their group. The Chairman may serve only three terms in succession.

(b) The term of the members will be two years, commencing on January 1. There is no limit to the number of terms a member may serve.

(c) Vacancies will be filled within 45 days by appointment of the City Council until the next election, at which time the unexpired term will be filled by the candidate elected with the least number of votes.

**Section 2. Nominating Committee**

(a) The City Council will designate a three-member nominating committee to consist of one current Commission member who is not standing for re-election at that time, one permit-holder recommended by the Commission and one person elected to the nominating committee during the previous year's election.

(b) The nominating committee will not be restricted in the maximum number of people it can name and it must name at least two more candidates than there are open seats.

(c) The Chair shall be appointed by the City Council.

(d) The nominating committee may not name any of its members as candidates.

(e) Other permit-holders who wish to serve on the Commission and who are not named by the nominating committee may secure a place on the ballot by obtaining signatures of 25 qualified voting permit-holders on a designating petition.

**Section 3. Election**

(a) Voting will take place by mail over a three-week period.

(b) One ballot will be allowed per mooring permit.

(c) Resident and non-resident permit-holders will have equal voting rights.

(d) Ballots will be tabulated by the City Clerk and the results will be prominently posted at the Boat Basin.

(e) The City Clerk will submit a list of the elected nominees to the City Council by September 10.



# CITY COUNCIL AGENDA

NO. 10

DEPT.: City Manager's Office

DATE: May 6, 2015

CONTACT: Eleanor M. Militana, Interim City Manager

**AGENDA ITEM:** Resolution ratifying the appointment of one member to the Emergency Medical Services Committee for a three-year term expiring June 30, 2018.

**FOR THE MEETING OF:**

May 6, 2015

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** Approval by Mayor and City Council of the appointment of Mr. Michael Borrelli, the Village of Rye Brook Representative, to the Emergency Medical Services Committee.

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

**BACKGROUND:**

The term of Michael Borrelli, the Community Representative to the Emergency Medical Services Committee from the Village of Rye Brook, will expire on June 30, 2015. 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. Borrelli has expressed his willingness to serve as the Village of Rye Brook's representative and the Corps recommends his appointment. The Village of Rye Brook has approved the nomination for reappointment of Mr. Borrelli and a copy of the certified resolution is attached.

See attached.



## PORT CHESTER-RYE-RYE BROOK EMERGENCY MEDICAL SERVICES

4/21/2015

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). The Term of Mr. Michael Borrelli, the Community Representative to the Committee from the Village of Rye Brook will expire on June 30<sup>th</sup> 2015. Mr. Borrelli has been an active member of the EMSC and has expressed his desire to continue as Rye Brook's representative.

Section 3A of the Inter-Municipal Agreement states that the community representative shall be "recommended by the Corps and ratified by joint resolution of the municipalities". In accordance with the agreement I respectfully submit Michael Borrelli for reappointment to the EMSC for a term of three (3) years, ending June 30, 2018. I request this matter be placed on the agenda of the next scheduled City of Rye Board meeting.

Please note that the Village of Rye Brook has approved Mr. Borrelli's nomination and a copy of the certified resolution is included.

Please don't hesitate to contact me with any questions, comments or concerns.

Sincerely,

Scott T. Moore  
EMS Administrator

On a motion made by Trustee Epstein and seconded by Trustee Heiser, the following resolution was adopted.

**RESOLUTION**

**CONSIDERING THE APPOINTMENT OF MR. MICHAEL BORELLI  
TO THE EMERGENCY MEDICAL SERVICES COMMITTEE**

**WHEREAS**, the Inter-Municipal Agreement between the Village of Rye Brook, City of Rye and Village of Port Chester for emergency medical services established the Emergency Medical Services Committee (EMSC); and

**WHEREAS**, pursuant to Section 3A of the Inter-Municipal Agreement establishes community representatives from each of the participating municipalities to be proposed by the Corps and ratified by each of the municipalities; and

**WHEREAS**, in a letter dated March 10, 2015 from Scott T. Moore, Administrator, Mr. Michael Borelli has been recommended by the Corp as the community representative of the Village of Rye Brook

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Trustees hereby approves the appointment of Mr. Michael Borelli to the Emergency Medical Services Committee as the Community Representative of the Village of Rye Brook.

<b>TRUSTEE EPSTEIN</b>	<b>AYE</b>
<b>TRUSTEE HEISER</b>	<b>AYE</b>
<b>TRUSTEE KLEIN</b>	<b>AYE</b>
<b>TRUSTEE REDNICK</b>	<b>AYE</b>
<b>MAYOR ROSENBERG</b>	<b>AYE</b>

State of New York  
County of Westchester  
Village of Rye Brook

} ss:

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on April 14, 2015

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 17<sup>th</sup> day of April, 2015

  
\_\_\_\_\_  
Village Clerk



# CITY COUNCIL AGENDA

NO. 10A      DEPT.: City Manager      DATE: May 6, 2015  
CONTACT: Eleanor M. Militana, Interim City Manager

**AGENDA ITEM:** Appeal of denial of FOIL request by Timothy Chittenden.

**FOR THE MEETING OF:**

May 6, 2015

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council make a decision on the FOIL appeal.

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

**BACKGROUND:** The following FOIL Request was appealed by the requestor:

**FOIL # 8523141404:** requested "All correspondence addressed to Police Commissioner Pease dated March 23, 2015 and all correspondence from Pease with regard to any March 23, 2015 correspondence."

**FOIL Status:** Response sent to requestor: "This FOIL request is denied under section POL 87(2)(b) - unlawful invasion of personal privacy. If you wish to appeal this denial you may do so by appealing to the City Council.

**FOIL Appeal Reason:** No reason stated by requestor.

See attached FOIL request.

# Work Order Form

## FOIL

Tracking Number: 8523141404  
Date Time Received: 4/20/2015 2:04PM  
Created By: Timothy Chittenden (Citizen)

## Contact Information

First Name: Timothy  
Last Name: Chittenden  
Business Name:  
Email: timothychittenden@me.com  
Daytime Phone: (914) 497-8469  
Fax:  
Address: 2 Hammond Road  
City: Rye  
State: NY  
Zip: 10580  
Country:

## Issue Location

Street:  
Unit:  
City: Rye  
State: NY  
Zip: 10580  
Comments:

## Request Details

Is this a request for commercial purposes?  
No

Describe records being sought - One request per submission.

All correspondence addressed to Police Commissioner Pease dated March 23, 2015 and all correspondence from Pease with regard to any March 23, 2015 correspondence.

Please indicate your preference:  
Electronic Copies

Please note, if more than two hours are spent in preparing records, the requestor will be charged for the additional time at the hourly rate of the lowest paid employee who has the skill level required to accomplish the task. You will be informed of any charges exceeding \$10.00. Any charges due must be paid within five (5) business days of the City notifying you. If you fail to pay fees from prior FOILs, any future FOIL requests will not be processed until all outstanding fees are paid. By submitting this request, I agree to pay costs related to this FOIL request up to \$10 without further notification.

## Request Activity

4/30/2015 4:16 PM -- Rye Foil - RESOLVED

-----Note to Citizen: This FOIL request is denied under section POL 87(2)(b) - unlawful invasion of personal privacy. If you

# Work Order Form

## FOIL

Tracking Number: 8523141404  
Date Time Received: 4/20/2015 2:04PM  
Created By: Timothy Chittenden (Citizen)

wish to appeal this denial you may do so by appealing to the City Council.

-----Internal Note: This FOIL is complete.

4/30/2015 6:55 AM -- Police Foil - INPROGRESS

-----Internal Note: This FOIL request is denied under section POL 87(2)(b) - unlawful invasion of personal privacy.<br />

This item has been re-assigned to Rye Foil.

4/20/2015 3:24 PM -- - INPROGRESS

4/20/2015 3:24 PM -- Timothy Chittenden - What pertinent department was it forwarded to?

Thank you.

Timothy Chittenden

Rye taxpayer

4/20/2015 2:05 PM -- Rye Foil - INPROGRESS

-----Note to Citizen: Your FOIL request has been forwarded to the pertinent department for response.

-----Internal Note: Please respond to this FOIL request.<br /> This item has been re-assigned to Police Foil.

4/20/2015 2:04PM -- Timothy Chittenden (Citizen) - SUBMITTED