

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, February 24, 2016, at 8:00 p.m. in Council Chambers at City Hall. *The Council will convene at 6:30 p.m. and it is expected they will adjourn into Executive Session at 6:31 p.m. to discuss litigation and collective bargaining. The meeting will be preceded by a Presentation beginning at 7:00 p.m. on the Central Business District Improvements at Purchase/Elm/Smith Streets.*

AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Draft unapproved minutes of the regular meeting of the City Council held February 10, 2016.
5. Issues Update/Old Business.
6. Consideration of a Memorandum of Agreement between the City of Rye and the Rye Professional Fire Fighters Association, Local 2029, IAFF, Inc. for 2010-2015.
Roll Call.
7. Resolution regarding Confidential Information to Council Members-elect.
8. Resolution to appoint the next eligible member from the Rye Golf Club election of November 13, 2015 to the Rye Golf Club Commission until the next regular election.
9. Residents may be heard on matters for Council consideration that do not appear on the agenda.
10. Appointments to Boards and Commissions, by the Mayor with Council approval.
 - A) Two appointments to the Board of Appeals for a three-year term.
 - B) Four appointments to the Flood Advisory Committee for a three-year term.
 - C) Eight appointments to the Rye Cable and Communications Committee for a three-year term.
 - D) Two appointments to the Rye Playland Advisory Committee for a three-year term.
 - E) Two appointments to the Rye Town Park Advisory Committee for a three-year term.
 - F) Four appointments to the Traffic & Pedestrian Safety Committee for a three-year term.
11. Miscellaneous communications and reports.
12. New Business.
13. Adjournment.

* * * * *

The next regular meeting of the City Council will be held on Wednesday, March 9, 2016 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 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. 4

DEPT.: City Clerk

DATE: February 24, 2016

CONTACT: Carolyn D'Andrea, City Clerk

AGENDA ITEM Draft unapproved minutes of the Regular Meeting of the City Council held February 10, 2016.

FOR THE MEETING OF:

February 24, 2016

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND: Approve the minutes of the Regular Meeting of the City Council held February 10, 2016, as attached.

DRAFT UNAPPROVED MINUTES of
the Regular Meeting of the City Council of the
City of Rye held in City Hall on February 10,
2016 at 7:30 P.M.

PRESENT:

JOSEPH A. SACK Mayor
KIRSTIN BUCCI
EMILY HURD
JULIE KILLIAN
TERRENCE McCARTNEY
Councilmembers

ABSENT: RICHARD MECCA

DANIELLE TAGGER-EPSTEIN
Councilmembers

The Council convened at 7:00 P.M. Councilman McCartney made a motion, seconded by Councilwoman Hurd and unanimously carried to immediately adjourn into Executive Session to discuss litigation and personnel matters. Councilman McCartney made a motion, seconded by Councilwoman Hurd and unanimously carried, to adjourn the Executive Session at 7:30 P.M. The regular meeting convened at 7:35 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.

Councilwoman Hurd announced that The Man on a Mission documentary was a huge success and turnout for the Sustainability Committee at the Rye Country Day School. On behalf of the Sustainability Committee, Councilwoman Hurd thanked the Rye Country Day school for their cooperation. Councilwoman Hurd also commented that she received Rye's annual report in the mail and she is looking forward to the City events of 2016.

Councilwoman Killian also commented on the great turnout of the "Idle Threat" film, dedicated to awareness concerning the City's idling legislation. She commented that the Cable committee is doing great work and the Sustainability Committee is working with them on spreading the word about idling awareness.

Councilman McCartney announced that early-bird applications for Rye Golf Club membership ends March 15, 2016. In order to receive the 35% discount formerly approved

by the Council, 2016 applications must be in by that date. To receive the discount, members must sign a release, which can be notarized at the City Clerk's office. Councilman McCartney also made announcements on behalf of the Recreation Committee. He stated that summer camp registration has started, and he was happy to report a strong response so far. During the February 2016 winter break, there will be activities for families, such as the "mad science" events, golf camp, and open gym time at Rye Country Day School. Councilman McCartney further stated that the Council is asking people driving cars throughout the City to be mindful of pedestrians. He also reminded residents that when it snows, homeowners are responsible for shoveling the sidewalk in front of their property. Without that done, it can be dangerous for pedestrians. Councilman McCartney further asked pedestrians to wear bright clothing in order to be recognized. Lastly, Councilman McCartney announced that he will be a contestant in the Rye Rotary Crazy Legs contest. The contest date is March 2, 2016 at Rye Bar and Grill, which will raise money for need-based scholarships for Rye High School seniors.

Councilwoman Killian announced that the Rye Alcohol and Drug Coalition has distributed a parent survey. She asked that all parents complete and return the survey. The survey has been set out through the School listserv and City listserv.

Councilwoman Hurd stated she attended the New York Conference of Mayor's (NYCOM) winter legislative meeting. She stated it was fascinating to hear from various representatives from the State. She further stated that Rye has many common issues with other municipalities across New York State and she looks forward to working with those municipalities.

Mayor Sack reminded the community that Boat Basin application slips are due Feb 15, 2016.

4. Draft unapproved minutes of the regular meeting of the City Council held January 27, 2016.

Councilwoman Hurd made a motion, seconded by Councilwoman Killian and unanimously carried, to approve the minutes of the regular meeting of the City Council held January 27, 2016,

5. Issues Update/Old Business.

City Manager Serrano updated the Council on the Deer Study. In 2015, the Council approved a consultant, Mr. Birdsall, to complete a count of the deer population and create a report from his findings. Mr. Birdsall's report indicates there are four concentrations of deer throughout the City, with two "major" concentrations of deer. He will be reaching out to residents and performing pellet counts in March and April 2016 to gather more detailed information and create a report from that data.

Mayor Sack added that this report corroborates the City's earlier reports that the deer population is not sustainable.

Councilman McCartney stated he helped in the effort to count the deer. He invited members of the community to count and add to the efforts. He stated residents who see deer should document them and take a photo. He announced that the counts typically take place in the morning and at dusk.

Mayor Sack asked City Manager Serrano to discuss the recent County sewer line overflow. City Manager Serrano responded and stated that the City received a report of sewage on the roadway on Park Avenue. The City of Rye DPW responded immediately and attempted to work with the County to resolve the issue. However, the responses from the County were not as quick as the City had hoped, so the City of Rye DPW crew worked in the meantime to ensure the sewage did not enter into the storm drain. City Manager Serrano reported that this is entirely the County's responsibility and the DEC is aware of it. The DEC was present and reported that the sewage would not enter the storm drain.

Councilman McCartney added that the workers he spoke with were certain that the sewage did not enter the brook.

City Manager Serrano updated the Council about the ongoing project on Purchase, Elm and Smith Streets concerning the streetscape improvement. The City will be holding a public workshop on February 18, 2016 at 9:00 AM in City Council Chambers, and again at 7:00 P.M. on February 24, 2016 at the City Council meeting.

Councilman McCartney stated that the 35% discount that has been discussed for the Rye Golf Club is an incentive, but not a refund, to encourage members to rejoin. When everyone signed their membership application in 2015, they acknowledged the 'no refund' policy.

6. Presentation on the 2015 New York State Equalization Rate.

City Manager Serrano introduced City Assessor Whitty and Acting Comptroller Fazzino.

City Assessor Whitty explained that the equalization rate is set by the State. She further explained that throughout the state, communities assess at various levels. In order to equalize values, the equalization rate is applied to the assessed value. Therefore, the total tax will vary between communities based on the growth of their assessments.

Mayor Sack confirmed that each community's taxes will vary based on this equalization rate. For example, the same type of house in two different communities could be assessed differently. The equalization rate helps balance this disparity when applied to County taxes.

City Assessor Whitty added that for County taxes, the City of Rye will face an approximate 6% increase in County tax for the current tax year. Westchester County's property tax levy has remained the same for the last five years. However, City Assessor Whitty reported that Rye has seen an increase. The reason behind this is the application of the equalization rate. Once the rate is applied to the assessed value within that community, the County portion is determined. Assessor Whitty stated that while it is good news that property values are increasing, this variable increases the tax levy. An increase in County taxes is a result of the City of Rye properties appreciating, while properties in other communities are depreciating. While the County tax levy has remained the same, with Rye's increase in property value, the levy on residents within the City has increased. To explain this more thoroughly to residents and the Council, Assessor Whitty presented a slideshow identifying the relevant tax figures. She stated that the tax increase over a five year period has been 21%. City Assessor Whitty then displayed a chart that compared Westchester municipalities. It showed that properties within the City of Rye experienced the greatest appreciation.

Mayor Sack commented that the City is a victim of its own success. While City property values are rising, its share of the county tax increases.

Councilwoman Killian inquired about a possible revaluation and mentioned that the Town/Village of Scarsdale had recently experienced a revaluation. City Assessor responded that the revaluation may have hurt Scarsdale, but it is worth a discussion. Councilwoman Killian then asked about sales and the methodology for valuation. City Assessor Whitty responded that the comparative sales help determine full market value.

Mayor Sack thanked City Assessor Whitty for her presentation. Last year the City had spoken to the Finance committee and determined there may be unintended consequences of doing a City-wide revaluation. The City should explore both sides of the argument concerning a revaluation.

7. Home Rule Resolution supporting S6334(Latimer)/A9111(Otis) to amend the public officers law in relation to qualifications for holding the office of Comptroller in the City of Rye.

City Manager Serrano stated that we would like to allow our current Acting Comptroller to become the City Comptroller while living in Connecticut. A Home Rule is required for this action. Mayor Sack stated he was grateful to our state legislators for sponsoring this endeavor. He thanked Senator Latimer and Assemblyman Otis for all that they continue to do to support the City. Councilwoman Killian added that Acting Comptroller Fazzino has been wonderful to work with and thanked him for his service to the City.

Councilwoman Killian made a motion, seconded by Councilman McCartney, and unanimously carried to adopt the following Resolutions 2016-10, and 2016-11:

RESOLVED, to support S6334(Latimer) to amend the Public Officers Law in relation to qualifications for holding the office of Comptroller in the City of Rye.

RESOLVED, to support A9111(Otis) to amend the Public Officers Law in relation to qualifications for holding the office of Comptroller in the City of Rye.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, Killian and McCartney
NAYS: None
ABSENT: Councilmembers Mecca and Tagger-Epstein

8. Discussion regarding the *Mayors Against Illegal Guns* Statement of Principles.

Mayor Sack stated that he was approached by Cynthia Howard, who introduced me to a document regarding Mayors Against Illegal Guns Statement of Principles. The principles resonated with Mayor Sack and looked like a fair approach. Mayor Sack stated he has agreed to sign the Statement of Principles. In this instance, he felt that it was important to do so. Mayor Sack continued and stated that there are at least two sides to the gun debate. He cited a recent Op Ed piece in the New York Times which indicated important statistics on the correlation between gun control and gun-related deaths by state. Mayor Sack stated that he would be signing the document in his capacity as Mayor, but he does not speak for the remainder of the Council.

14. 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 30, 2016 from 9:45 a.m. to 10:15 a.m.

This item was taken out of order.

Robin Latimer approached the Council and spoke about this request. She stated the parade lineup will be 8:45 A.M. and step off will be 9:30 A.M. The parade is anticipated to around 10:15. The main concern is that with the Purchase Street streetscape improvement project, there could be issues. City Manager Serrano confirmed that holding the parade would not be a problem, but stated the route may have to be slightly altered.

Councilwoman Killian thanked Ms. Latimer for all her work. Councilman McCartney agreed that it will be a great event.

9. Discussion regarding amending local law Chapter 117, Landmarks Preservation, of the Rye City Code by amending Section §117-5, "Designation of Preservation Districts or Protected Sites and Structures", to designate Hidden Spring Lane as an Historic District.

Councilwoman Hurd stated that she recently joined the Landmarks Committee as liaison. She stated that at a recent meeting, she learned that Jared Peck, a resident of Rye and U.S. Congressman, has been seen by the Landmarks Committee as a historic figure. Mr. Peck resided on Hidden Spring Lane when he lived in Rye. Further, she stated that the old Apawamis Golf Club was also located on Spring Lane.

Jack Zaringer, Chair of the Landmarks Committee, approached the Council. He stated that it was the intent of the Committee to designate Hidden Spring Lane as a historic district. He highlighted that a historic person, Jared Peck, once resided on Spring Lane. He further stated that Hidden Spring Lane embodies the distinctive characteristics of historic buildings, and lastly, that it ---- the growth of the City. Mr. Zaringer stated that the Committee's agenda is to keep historic Rye. Councilwoman Hurd added that there are five homes on the lane preserved in the style of the time.

Jerry Coleman, also of the Landmarks Committee, stated that on February 2, 2011 he witnessed the bulldozing of the Peck house. Since then, the surrounding properties have been maintained. He stated that it is the hope of the Committee that the passage of this legislation would have saved the Peck house.

Councilwoman Hurd added that this would be the first historic district of a residential area in Rye. The commercial district has already been approved by the Council. In order to create this district, the City Council would need to set up a public hearing to amend the lane within the code, and amend the law to change the 100 year requirement.

Corporation Counsel Wilson stated that this would simply be a historic district in which a boundary is created, where the homeowners can avail themselves of the tax incentives through historic improvements. This would set the framework for the homeowners to approach the landmarks committee with changes.

Mayor Sack inquired if there was anything historic about the current structures?

Mr. Zaringer responded that unfortunately, there was no historic significance of the current structures.

Mayor Sack acknowledged the unique situation of this neighborhood, as there are a small number of homes on the street. He then inquired into the notice requirements and possible homeowner objections, if any.

Corporation Counsel Wilson responded that the creation of this type of district would have no negative ramifications. It would provide options and incentives to homeowners to avail themselves of benefits received from maintaining their homes with historic design. She

stated that she will draft legislation and send to it to the Landmarks Committee. She recommended setting it for a public hearing if the Council wished to move forward.

Mayor Sack made a motion, seconded by Councilman McCartney and unanimously carried, to set a public hearing for March 9, 2016.

Councilwoman Killian added thanks to former Councilwoman Laura Brett for her work on this issue for many years.

10. Resolution regarding Confidential Information to Council Members-elect.

Mayor Sack reiterated that this item was on the agenda for the previous meeting, January 27, 2016.

Councilwoman Hurd commented that she is in support of this resolution and suggested to attach detail concerning timing to include the words “immediately following the election.”

Mayor Sack suggested deferring this agenda item to the next meeting to incorporate Councilwoman Hurd’s suggestions.

11. Resolution for City Council approval of the changes to the Fire Department Bi-Laws as approved by the Board of Fire Wardens.

This agenda item was withdrawn.

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

There was no discussion under this agenda item.

13. Authorize payment of the balance of the 2015/2016 Rye Neck Union Free School District taxes collected by the City to the School District.

City Manager Serrano explained that agenda item is the result of the City’s annual process in which the City is responsible for collecting school taxes. After collection, the City pays the balance of the Rye Neck Union Free School District taxes collected by the City to the school district. This allows the school district to be made whole.

Councilwoman Hurd made a motion, seconded by Councilwoman Bucci and unanimously carried, to authorize the payment of the balance of the 2015/2016 Rye Neck Union Free School District taxes collected by the City to the School District.

ROLL CALL

AYES: Mayor Sack, Councilmembers Bucci, Hurd, Killian and McCartney

NAYS: None

ABSENT: Councilmembers Mecca and Tagger-Epstein

15. Consideration of a request by the Rye Chamber of Commerce for the use of City Car Park #2 on Sundays from May 29, 2016 through December 4, 2016 from 8:30 a.m. to 2:00 p.m. for the Rye Farmers Market.

Councilman McCartney made a motion, seconded by Councilwoman Hurd and unanimously carried, to approve the request by the Rye Chamber of Commerce for the use of City Car Park #2 on Sundays from May 29, 2016 through December 4, 2016 from 8:30 a.m. to 2:00 p.m. for the Rye Farmers Market.

16. Miscellaneous communications and reports.

Councilwoman Killian discussed the impending streetscape improvement project within the downtown area of Rye and stated that valet parking may be appropriate to offset possible parking issues and help both customers and merchants within the construction period.

Joseph Murphy, 57 Franklin Avenue, inquired about the specifics of Agenda Item #10 concerning the confidential packets. Mayor Sack explained that there has been a desire among councilmembers to memorialize the practice for councilmembers-elect to receive confidential packets and be invited to executive session. Councilwoman Hurd stated that it has been the practice for 25 years and would like the Council to consider memorializing this practice going forward.

17. New Business.

There was no discussion under this agenda item.

18. Adjournment.

There being no further business to discuss within the public meeting of the City Council, Councilman McCartney made a motion at 9:05 P.M., seconded by Councilwoman Killian and unanimously carried, to adjourn the meeting.

Respectfully submitted,

Carolyn E. D'Andrea
City Clerk



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Council

DATE: February 24, 2016

CONTACT: Mayor Joseph A. Sack

AGENDA ITEM: Issues Update/Old Business

FOR THE MEETING OF:

February 24, 2016

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. 6

DEPT.: City Manager

DATE: February 24, 2016

CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Consideration of a Memorandum of Agreement between the City of Rye and the Rye Professional Fire Fighters Association, Local 2029, IAFF, Inc. for 2010-2015.

FOR THE MEETING OF:

February 24, 2016

RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council approve the Memorandum of Agreement and enter in an agreement for the contract period of 01/01/2010 – 12/31/2015.

IMPACT: ☐ Environmental ☒ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND: The City of Rye and the Rye Professional Fire Fighters Association, Local 2029, IAFF, have reached a Memorandum of Agreement. The Union ratified the proposed MOA, and the City is requesting the Council to act as follows:

WHEREAS, The City of Rye and the Rye Professional Fire Fighters Association, Local 2029, IAFF, have negotiated a new Memorandum of Agreement which will replace the agreement which expired on December 31, 2009, and:

WHEREAS, The Rye Professional Fire Fighters Association, Local 2029, IAFF, ratified the proposed terms of the MOA, now therefore be it;

RESOLVED, that the City Council approve the contract MOA between the Rye Professional Fire Fighters Association, Local 2029, IAFF, for the contract period of 01/01/2010 to 12/31/2015.

MEMORANDUM OF AGREEMENT

Memorandum of Agreement by and between the City of Rye (the “City”) and the Rye Professional Fire Fighters Association, Local 2029, IAFF (the “Association”) dated this __th day of February, 2016.

WHEREAS, the City and the Association are parties to a collective bargaining agreement which expired December 31, 2009; and

WHEREAS, the City and the Association have met in good faith to negotiate a successor agreement; and

WHEREAS, the City and the Association have reached a tentative agreement, which is subject to the ratification by the Rye City Council and the membership of the Association;

NOW, THEREFORE, it is stipulated and agreed as follows:

1. All proposals not addressed by this memorandum of agreement are withdrawn.
2. All provisions of the collective bargaining agreement which expired on December 31, 2009 shall be incorporated into a successor agreement except as modified by this memorandum of agreement.

3. Article V, Salaries and Wages (p. 3.)

Modify Article V, Section A, Pay Plan, to provide that the pay plan shall be increased as follows:

- a. 1.25% effective January 1, 2010.
- b. 1.25% effective July 1, 2010.

- c. 2.25% effective January 1, 2011.
- d. 2.25% effective January 1, 2012.
- e. 2.25% effective January 1, 2013.
- f. 2.25% effective January 1, 2014.
- g. 1.25% effective July 1, 2015.
- h. 1.25% effective December 31, 2015.

4. Article XVI, Health Plan (p. 12-13)

a. Amend Article XVI, Section A, Health Plan as follows: Effective December 31, 2015, all members of the bargaining unit shall contribute twenty-five percent (25%) of the cost of the premium for their individual or family health coverage. For members of the bargaining unit hired before December 31, 2015, the member's contributions shall not exceed four percent (4%) of the member's base annual salary, provided that for firefighters hired before January 1, 1986, the City shall waive collection of the member's contributions for the period from December 31, 2015 through February 29, 2016. For all members hired on or after December 31, 2015, the member's contributions shall not exceed 9.5% of the employee's base salary.

b. Amend Article XVI, Section A, Health Plan, as follows: In the event that the City exercises its right to provide health coverage for members of the bargaining unit through the New York State Health Insurance Plan ("NYSHIP"), the Association shall not challenge the City's decision or right to do so, and shall not demand bargaining, including impact bargaining, over such change in plans.

c. Amend Article XVI, Health Plan, by adding the following new section: Effective December 31, 2015, in case of a line of duty death of a member, the Employer shall continue to provide full health insurance premium payments for the deceased member's spouse until the spouse is eligible for continuing coverage under Medicare or obtains coverage from another source, such as an employer or spousal coverage. The deceased member's covered dependents are also eligible for continued participation at the Employer's expense for premium payments in the health insurance plan until emancipation, the attainment of the maximum age for dependent eligibility, or until coverage is obtained from another source.

5. Term of Agreement (p. 23).

Modify to provide that this Agreement shall commence on January 1, 2010 and shall terminate on December 31, 2015.

6. This Memorandum of Agreement is subject to ratification by the Rye City Council and the membership of the Association.

FOR THE CITY,

FOR THE ASSOCIATION,



CITY COUNCIL AGENDA

NO. 7

DEPT.: City Council

DATE: February 24, 2016

CONTACT: Mayor Joseph A. Sack

AGENDA ITEM: Resolution regarding Confidential Information to Council Members-elect.

FOR THE MEETING OF:

February 24, 2016

RYE CITY CODE,

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RECOMMENDATION: That the Council consider a Resolution regarding providing Confidential Information to Council Members-elect.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

BACKGROUND:

See attached Resolution.

**RESOLUTION OF THE CITY OF RYE
REGARDING CONFIDENTIAL INFORMATION
TO COUNCIL MEMBERS-ELECT**

WHEREAS, individuals who are elected to the City Council in November by law do not take the oath of office and do not become fiduciaries of the City until the commencement of their terms in January; and

WHEREAS, new Council members-elect have much information, both publicly available and privileged, to learn and digest both before and after actually being sworn in; and

WHEREAS, duly-sworn Council members often receive confidential material, including from the City Manager and Corporation Counsel, in the performance of their fiduciary duties; and

WHEREAS, to encourage optimum performance in their new roles after they take office, it may be beneficial for Council members-elect to also become privy to such confidential material before they take office; and

WHEREAS, the City Council sometimes conducts discussions in Executive Session pursuant to the Public Officers Law; and

WHEREAS, the City Council sometimes, depending on the circumstances, invites certain individuals, including City staff members and members of the public, to attend portions of Executive Sessions; thereby

BE IT RESOLVED, that it is the desire of the City Council to have such confidential information be made available to Council members-elect, provided that these recipients execute a document indicating that they agree to assume such fiduciary responsibilities, to disclose any conflicts of interest, to maintain and produce any personal e-mails regarding City-related issues, and to be subject to any other similar requirements of a full-fledged Council member; and

BE IT FURTHER RESOLVED, that the City Council may at its discretion continue to invite certain individuals, including Council members-elect, into Executive Sessions as the Council may deem helpful and appropriate.



CITY COUNCIL AGENDA

NO. 8 DEPT.: Golf Club DATE: February 24, 2016
CONTACT: Marcus Serrano, City Manager

AGENDA ITEM: Resolution to appoint the next eligible member from the Rye Golf Club election of November 13, 2015 to the Rye Golf Club Commission until the next regular election.

FOR THE MEETING OF:

February 24, 2016

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the appointment to the Rye Golf Club Commission.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND: As per the Nominations, Elections and Voting Eligibility procedures of the Rye Golf Club Commission: "in the event the Commission falls below nine members, the person(s) with the next number of highest votes from the previous election shall, if such person is otherwise eligible and willing to fill such vacancy, be appointed to the Commission to maintain nine Commission members until the next regular election." Due to the current vacancy, the Commission has requested the appointment of the next eligible member from the Rye Golf Club election of November 13, 2015.

The following individual was the next eligible member from the last Rye Golf Club Election and is appointed to serve until the next regular election in 2016: Robert Munsie

See attached RGC procedures and 2015 Election results.

Rye Golf Club
Nominations, Elections and Voting Eligibility

1) Commission

- a) The Rye Golf Club Commission will consist of nine adult Club members in good standing elected by the eligible voting Club members. The Commission shall at no time have more than one non-resident member.
- b) The term of each Commission member shall be three years, commencing January 1 of the year following a regular election year. There is no limit to the number of terms a Commission member may serve.
- c) The Commission members will select a chairperson from their group for a one-year term (the "Chairperson") at the first regular Commission meeting in an applicable calendar year. A Chairperson may serve as Chairperson for an unlimited number of terms. The Chairperson will appoint a Vice Chairperson who will act as Chairperson in his/her absence.
- d) Commission vacancies shall be filled at the next regular election following the vacancy for the remainder of the vacant term. In the event the Commission falls below nine members, the person(s) with the next number of highest votes from the previous election shall, if such person is otherwise eligible and willing to fill such vacancy, be appointed to the Commission to maintain nine Commission members until the next regular election. In the event there is no one to fill the vacancy a special election will be held to fill the vacancy and maintain nine Commission members until the next regular election.

2) Nominating Committee and Nominations

- a) For each election, a Nominating Committee shall be formed and comprised of three adult Club members in good standing, comprised as follows:
 - i) One club member appointed by the Commission (this member shall not be a current Commission member); and
 - ii) One current Commission member who is not standing for re-election shall be appointed by the Commission Chairperson. This member will serve as chairperson of the Nominating Committee; and
 - iii) One club member elected by the membership in the previous regular election.
- b) The Nominating Committee will review all submissions for Commission candidacy and Nominating Committee candidacy as described in Paragraph 2(e). The Nominating Committee shall provide a ballot with at least one more candidate than the number of members being elected. If the Nominating Committee receives fewer submissions by the submission deadline date than the number of members that will be elected, the

Nominating Committee shall provide a ballot with at least as many candidates as the number of Commission members to be elected.

- c) No member of the Nominating Committee shall be eligible for election as a candidate for the Commission for the regular election for which the Nominating Committee member is providing nominations.
- d) The term of each Nominating Committee member shall be for one year, commencing January 1 of the year following the regular election. There is no limit to the number of terms a Nominating Committee member may serve.
- e) Nominations
 - i) The Nominating Committee shall not be required to include more than the minimum number of candidates as provided in Paragraph 2(b);
 - ii) A proposed candidate for election to the Commission or Nominating Committee shall be an adult member in good standing. The Golf Club Member Handbook shall indicate membership categories and members entitled to be considered for candidacy.
 - iii) A Club member may request to be considered as a candidate for election to the Commission or the Nominating Committee in the next regular election by submitting a written request to the Nominating Committee chairperson on or after January 1 and prior to May 15 of such year. Any such request must be submitted by email to nomination@ryegolfclub.com or in person to the membership office during regular business hours in a sealed envelope addressed to the "Nominating Committee Chairperson" indicating whether such person wishes to be considered as a candidate for the Commission or the Nominating Committee and such other information as a member may wish to provide the Nominating Committee for its consideration. The Nominating Committee may in its sole discretion select or reject any such submissions or select one or more other eligible Club members, subject to the minimum candidate requirements set forth in Paragraph 2(b). The proposed slate of candidates shall be posted on the Club website by July 1.
 - iv) Any eligible member submitting a valid request for consideration as a candidate that is not selected by the Nominating Committee may be included as a candidate on the ballot by fulfilling each of the following requirements:
 - (1) Completing a petition for candidacy form available from the Club Manager for the period July 1 to July 20 of such year;
 - (2) Receiving and submitting signatures of fifty (50) eligible voting members in support of the petition for candidacy (see Golf Club Member Handbook for eligible voting members).

- (3) Submitting a complete petition form in accordance with the instructions supplied therewith to the Club Manager prior to July 21.

The Club Manager shall verify the status of members signing in support of such petition. Any submitted petition form not complying with the foregoing requirements shall not be considered and such member shall not be included on the ballot.

- v) The final ballot form will be posted on the Club website at least one week prior to the start of the annual election.

3) Election

- a) Voting will take place over a two-week period online through a secure online service approved by the Nominating Committee and/or Commission that suits our needs.
- b) An invitation email will be sent to all eligible voters with instructions on how to cast your vote online.
- c) For those members wishing to cast their vote onsite, a computer kiosk will be available at the club during normal business hours throughout the voting time period.
- d) Votes will be tallied in accordance with the instructions provided therewith and will not be counted as a result of any of the following:
 - i) Vote is not cast within the specified time period; or
 - ii) Vote is not cast in accordance with specified instructions; or
 - iii) Vote is rejected for any reason by the online service being used.
- e) Valid ballots shall be tallied for each Commission candidate and Nominating Committee candidate by the online service. The results will be forwarded to the City Clerk who shall submit a list of election results to the City Council for approval no later than November.

4) Voting eligibility

- a) An invitation email shall be sent (to the email on file) to each eligible voting member. The Golf Club Member Handbook shall indicate the membership categories and members entitled to voting privileges.
- b) To receive an invitation email and vote in an election, the voting member must have an email on file and have a member logon account established prior to the election.
- c) No Club member shall be entitled to vote more than once in an election.

Rye Golf Club
Commission Responsibilities

1) The Commission.

- a) *Role.* The Commission shall serve in an advisory capacity on behalf of the members of the Golf Club and shall have the responsibilities set forth in Section 1(c) below. Neither the Commission, any Committee of the Commission nor any member of the Commission or member of any Committee thereof, shall have any direct authority or responsibility for execution, implementation or management of any activity, program, employment matter, or contract involving the Golf Club. The Golf Club Manager (who reports to the City Manager) shall be responsible for the execution, implementation and management of the authorized operation of the Golf Club.
- b) *Advisory Recommendations.* The Commission shall make such recommendations as it deems proper in respect of the current and proposed activities, programs, policies and other matters related to the Golf Club, the Commission shall also make recommendations concerning the duties and responsibilities of independent contractors (e.g., Golf Professional), including recommendations concerning employment of prospective individuals to fill those positions, and any other areas the Commission deems appropriate; such recommendations shall be made directly to the Golf Club Manager. The Commission shall also make recommendations concerning the duties and responsibilities of the Golf Club Manager, including recommendations concerning employment of prospective individuals to fill the position, and any other areas the Commission deems appropriate; such recommendations shall be made directly to the Rye City Manager.
- c) *Responsibilities.* The Commission shall:
 - i) Adopt, interpret, apply and enforce such rules and regulations relating to the use of the Golf Club as it deems appropriate, which rules and regulations shall not be inconsistent or conflict with any agreement of the City of Rye or any published policy of the Rye City Council;
 - ii) review, advise on and approve an annual budget for the Golf Club provided and prepared by Golf Club staff and finance committee. Annual budgets shall include proposed annual membership categories and fees and proposed charges for other services provided by the Golf Club, prior to timely submission of such annual budget to the Rye City Manager;
 - iii) select a Commission Chairperson; and
 - iv) decide such matters as may be properly brought before the Commission for a decision.

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

- i) to appoint a chairperson to each Standing Committee of the Commission;
- ii) to organize limited duration Ad Hoc Committees of the Commission as may be necessary from time to time for the purpose of making recommendations to the Commission in respect of matters not properly within the scope of the usual and customary advisory role of a Standing Committee of the Commission;
- iii) to appoint a chairperson to each Ad Hoc Committee of the Commission;
- iv) to serve as an ex-officio member on each Committee of the Commission;
- v) to appoint a Vice-Chairperson of the Commission who shall serve as Chairperson during the absence of the Chairperson; and
- vi) to direct such matters as the Chairperson deems necessary and appropriate to a Committee of the Commission for the advice and recommendation of such Committee.

2) Committees of the Commission.

- a) *Standing Committees.* The Commission shall have Standing Committees to advise and make recommendations to the Commission on such matters that properly come before a Standing Committee or as may be directed to such Committee by the Commission or the Commission Chairperson. The Standing Committees of the Commission initially shall include Committees relating to Golf, Pool, House and Finance.
- b) *Ad Hoc Committees.* The Commission shall have such Ad Hoc Committees as may be constituted from time to time pursuant to Section 1(d)(ii) above.
- c) *Nominating Committee.* The Nominating Committee shall not be considered a Standing Committee or Ad Hoc Committee and shall be subject solely to the rules set forth in the **Rye Golf Club Nominations, Elections and Voting Eligibility** Section 2 concerning Nominating Committee and Nominations.
- d) *Committee Members and Chairpersons.*
 - i) Each Standing Committee and Ad Hoc Committee of the Commission shall be constituted with no fewer than three members and no more than seven members; provided that a Committee may be constituted with two members and up to nine members in appropriate circumstances with the approval, by majority vote, of the Commission.
 - ii) A Committee member shall be a member of the Golf Club holding a valid current membership entitling such member to voting privileges.

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

November 13, 2015

Rye Golf Club
330 Boston Post Road
Rye, NY
10580 United States

To Whom It May Concern:

The following election results are certified by Simply Voting to have been securely processed and accurately tabulated by our independently managed service.

Respectfully yours,



Brian Lack
President
Simply Voting Inc.

2016 Rye Golf Club Commission Election

Start: 2015-10-26 09:00:00 US/Eastern

End: 2015-11-13 17:00:00 US/Eastern

Turnout: 315 (14.7%) of 2140 electors voted in this ballot.

2016 Rye Golf Club Commission Election

Option	Votes
Peter Marshall	210 (25.8%)
Angela Sposato	140 (17.2%)
Laura-Michelle Horgan	136 (16.7%)
Rob Munsie	126 (15.5%)
Art Tiedemann	118 (14.5%)
Joslyn Smith	43 (5.3%)
Neal Golding-Ochsner	40 (4.9%)

VOTER SUMMARY

Total	315
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CITY COUNCIL AGENDA

NO. 10

DEPT.: City Council

DATE: February 24, 2016

CONTACT: Mayor Joseph A. Sack

ACTION: Appointments to Boards and Commissions, by the Mayor with Council approval.

FOR THE MEETING OF:

February 24, 2016

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: that the City Council approve the appointments.

IMPACT: ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

BACKGROUND:

- A) Two appointments to the Board of Appeals for a three-year term.
- B) Four appointments to the Flood Advisory Committee for a three-year term.
- C) Eight appointments to the Rye Cable and Communications Committee for a three-year term.
- D) Two appointments to the Rye Playland Advisory Committee for a three-year term.
- E) Two appointments to the Rye Town Park Advisory Committee for a three-year term.
- F) Four appointments to the Traffic & Pedestrian Safety Committee for a three-year term.