

CITY OF RYE

NOTICE

There will be a regular meeting of the City Council of the City of Rye on Wednesday, September 16, 2009, at 8:00 p.m. in the Council Room of City Hall.

AGENDA

1. Pledge of Allegiance.
2. Roll Call.
3. Residents may be heard who have matters to discuss that do not appear on the agenda.
4. Public Information meeting regarding the proposed improvements to the Theodore Fremd Retaining Wall.
5. Consideration to set a public information meeting on October 7, 2009 regarding the replacement of the Central Avenue Bridge.
6. Report from the Corporation Counsel's Office regarding research on rent control legislation.
7. Consideration of a resolution to televise all public meetings of the City Council including regular meetings, special meetings, and workshops.
8. Three appointments to the Boat Basin Commission, by the Council, for two-year terms expiring January 1, 2012.
9. Designation of one member to the Boat Basin Nominating Committee.
10. Five appointments to the Rye Golf Club Commission by the Council: three appointments for three-year terms expiring January 1, 2013 and two appointments for a one-year term expiring January 1, 2011.
11. Designation of one member to the Rye Golf Club Nominating Committee.
12. Bid Award for the Brevoort Lane Pump Station Pump Retrofit (Contract #2009-05).
Roll Call.
13. Bid Award for two Diesel Generators for the Department of Public Works (Bid #3-09).
Roll Call.

14. One appointment to the Traffic & Transportation Committee to fill a term ending January 1, 2012 by the Mayor with Council approval.
15. Approval of the election of a new member to the Rye Fire Department.
16. Miscellaneous communications and reports.
17. Old Business.
18. New Business.
19. Draft unapproved minutes of the regular meeting of the City Council held August 12, 2009.
20. Adjournment.

* * * * *

The next regular meeting of the City Council will be held on Wednesday, October 7, 2009.



CITY COUNCIL AGENDA

NO. 4 DEPT.: City Manager's Office DATE: September 3, 2009
CONTACT: Francis J. Culross, City Manager

AGENDA ITEM: Public Information meeting regarding the proposed improvements to the Theodore Fremd Retaining Wall.

FOR THE MEETING OF:
September 16, 2009
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Damages were incurred at the Theodore Fremd wall during the April 15, 2007 Floods. Permanent restoration work to correct the damages will be provided under the Federal Highway Emergency Relief Program. The City of Rye, Westchester County, PIN 8701.43 is eligible for funding under Title 23 U.S. Code, as amended, for Federal emergency relief that calls for the apportionment of the costs of the Permanent Restoration to be borne at the ratio of 80% Federal funds and 20% non-federal funds.

A provision for the funding is that a Public Meeting be held to review the project.



CITY COUNCIL AGENDA

NO. 5

DEPT.: City Manager's Office

DATE: September 3, 2009

CONTACT: Francis J. Culross, City Manager

AGENDA ITEM: Consideration to set a public information meeting on October 7, 2009 regarding the replacement of the Central Avenue Bridge.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council set a public hearing date.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Damages were incurred at the Central Avenue Bridge during the April 15, 2007 floods. Due to the severe damage to the structure of the bridge, the remnants of the bridge were taken down for public safety. Permanent restoration work to correct the damages will be provided under the auspice of FEMA overseeing the project by the Federal Highway Administration and the NYS Department of Transportation.

A provision for the funding is that a Public Meeting be held to review the project.



CITY COUNCIL AGENDA

NO. 6 DEPT.: Corporation Counsel DATE: September 3, 2009
CONTACT: Kevin J. Plunkett, Esq.

AGENDA ITEM: Report from the Corporation Counsel's Office regarding research on rent control legislation.

FOR THE MEETING OF:
September 16, 2009
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION:

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: A local law for Senior Citizen Rent Increase Exemption (SCRIE) was passed at the City Council meeting held on August 12, 2009. It was questioned whether ETPA regulations should be extended to other apartments besides Highland Hall. The Corporation Counsel will present a report on rent control legislation.



CITY COUNCIL AGENDA

NO. 7

DEPT.: City Council

DATE: September 8, 2009

CONTACT: Councilman Joseph Sack

AGENDA ITEM: Consideration of a resolution to televise all public meetings of the City Council including regular meetings, special meetings, and workshops.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council review the resolution for adoption.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Current practice for the Rye City Council includes televising only regular meetings on the Rye City government access cable television channel RTV. This resolution proposes to expand this policy to also televise any special meetings and workshops of the Rye City Council.

See attached Resolution.

RESOLUTION

WHEREAS, All of the “regular” public meetings of the Rye City Council have always been televised on the Rye City government access cable television channel (“Rye TV”) since that practice was adopted, and

WHEREAS, There are frequently “special” public meetings and “workshop” public meetings of the Rye City Council, which include discussions that are just as much in the public interest as those discussions which take place at “regular” public meetings of the Rye City Council, and

WHEREAS, These “special” and “workshop” public meetings of the Rye City Council have not been televised on Rye TV, and

WHEREAS, There have recently been “special” and workshop” public meetings of the Rye City Council at which important public issues have been addressed, but these meetings have not been televised or recorded for public viewing, and

WHEREAS, the overwhelming majority of Rye City residents are unable to attend in person the live public meetings of the Rye City Council, due to the demands of busy family and professional lives, and thus rely upon either the live Rye TV broadcast or the subsequent taped Rye TV broadcasts of the public meetings of the Rye City Council, in order to obtain unfiltered information from the meetings, and

WHEREAS, the residents of the City of Rye deserve to have the opportunity to directly know and observe what is happening at all public meetings of the Rye City Council, and

WHEREAS, It is the intention of the City of Rye and the Rye City Council to take measures to promote and encourage public access to all open and public meetings of the Rye City government, therefore

BE IT RESOLVED, That henceforth all public meetings of the Rye City Council – “regular,” “special,” “workshop” or otherwise – be televised live on Rye TV and be recorded for subsequent rebroadcast on Rye TV, and for streaming on the Rye City website, and

BE IT FURTHER RESOLVED, That if in the sole determination of the Rye City Manager the necessary Rye City staff is unavailable to broadcast these public meetings on Rye TV, these public meetings will nonetheless be audiotaped by the Rye City Clerk, and the audiotape will then be played back on Rye TV and posted on the Rye City website, and will otherwise be available to the public for listening in the Rye City Clerk’s office, and

BE IT FURTHER RESOLVED, That Rye City staff will take the appropriate measures to place a microphone(s) in the City Council chambers, so as to not disrupt the “informal” setting of some public meetings that are not conducted with Council members seated on the dais.



CITY COUNCIL AGENDA

NO. 8

DEPT.: Boat Basin/

DATE: September 9, 2009

CONTACT: Peter T. Fox, Boat Basin Supervisor

ACTION: Three appointments to the Boat Basin Commission by the Council, for two-year terms expiring January 1, 2012.

FOR THE MEETING OF:
September 16, 2009
RYE CITY CODE,
CHAPTER
SECTION

RECOMMENDATION: That the Council designates the individuals elected to serve on the Boat Basin Commission.

IMPACT: Environmental Fiscal Neighborhood x Other:

BACKGROUND:

The following individuals were elected to serve on the Boat Basin Commission for two-year terms ending January 1, 2012:

Andrew Bodnar
George DeFilippo
Robert Rispoli

To City Council

CITY OF RYE

MEMORANDUM

TO: Frank J. 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, 2009

The following are the results of the Boat Basin Election:

Envelopes Received	127
Ballots Cast	127
Invalid Ballots	3

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

Candidates	# of Votes Received
Andrew Bodnar	78
George DeFilippo	82
Richard Dempsey	75
Benjamin Poole	48
Robert Rispoli	88

The election results for one member to the Nominating Committee are:

Candidates	# of Votes Received
Frank Mangiamele	24
Ford Winters	99

Dawn F. Nodarse

Dawn F. Nodarse
City Clerk

DFN/dcm



CITY COUNCIL AGENDA

NO. 9

DEPT.: Boat Basin/

DATE: September 9, 2009

CONTACT: Peter T. Fox, Boat Basin Supervisor

ACTION: Designation of one member to the Boat Basin Nominating Committee.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council designates the individual elected to serve on the Boat Basin Nominating Committee.

IMPACT: Environmental Fiscal Neighborhood x Other:

BACKGROUND:

The following individual was elected to serve on the Boat Basin Nominating Committee:
Ford Winters.



CITY COUNCIL AGENDA

NO. 10

DEPT.: Golf Club

DATE: September 8, 2009

CONTACT: Scott Yandrsevich

AGENDA ITEM: Five appointments to the Rye Golf Club Commission by the Council: three appointments for three-year terms expiring January 1, 2013 and two appointments for a one-year term expiring January 1, 2011.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the individuals elected to serve on the Rye Golf Club Commission.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

On September 3, 2009, the following individuals were elected to serve on the Rye Golf Club Commission for the terms as noted. Term begins January 1, 2010.

<u>Electee</u>	<u>Term</u>
Dan DeVito	3-year term
Patrick Dooley	3-year term
Tom Kennedy	3-year term
Frank Adimari	1-year term
Rich Verille	1-year term

CITY OF RYE

MEMORANDUM

TO: Frank Culross, City Manager
Scott Yandrasevich, Rye Golf Club Manager

FROM: Dawn F. Nodarse, City Clerk

SUBJECT: Rye Golf Club Commission & Nominating Committee Election

DATE: September 3, 2009

The following are the results of the Golf Club Election:

Envelopes Received	188
Ballots Cast	265
Invalid Ballots	4

The election results for five representatives to the Golf Club Commission are:

Candidates	# of Votes Received
Frank Adimari	173
Dan DeVito	200
Patrick Dooley	214
Tom Kennedy	207
P. Stephen Lamont	152
Richard Verille	181

The election results for one member to the Nominating Committee are:

Candidates	# of Votes Received
Tom DeMarco	117
Rob Kressler	107

Dawn F. Nodarse
Dawn F. Nodarse
City Clerk



CITY COUNCIL AGENDA

NO. 11 DEPT.: Golf Club DATE: September 8, 2009
CONTACT: Scott Yandrsevich

AGENDA ITEM: Designation of one member to the Rye Golf Club Commission Nominating Committee.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council designate the individual elected to serve on the Rye Golf Club Commission Nominating Committee for one year.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

The following individual was elected to serve on the Rye Golf Club Commission Nominating Committee for one year: Tom DeMarco.



CITY COUNCIL AGENDA

NO. 12 DEPT.: Engineering DATE: September 2, 2009
CONTACT: George Mottarella, City Engineer

ACTION: Bid Award for the Brevoort Lane Pump Station Pump Retrofit (Contract #2009-05).

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

N/A

RECOMMENDATION: That the City Council award the bid to the low bidder, Evergreen Mechanical, in the amount of \$86,790.00 as recommended by the City Engineer.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Two bids were received and tabulated. The low bidder, Evergreen Mechanical meets all the City's specifications.

DATE: September 2, 2009
TO: Frank J. Culross, City Manager
FROM: George J. Mottarella, City Engineer
RE: Bid Recommendation – Contract #2009-05, Brevoort Pump Retrofit

There were two bids received for the above mentioned bid. They are as follows:

Evergreen Mechanical	\$86,790.00
Grupusso Plumbing	\$110,000.00

I recommend that the bid be awarded to the low bidder, Evergreen Mechanical, whose bid meets out specifications for the bid amount of \$86,790.00. At this time there is \$80,000.00 in funding for this project. I propose to transfer \$6,790.00 from Project 81225, 08 Sewer Force Mains, to cover the additional funding needed.

If you would like to discuss this further, I am available at your convenience.

Attached is an Agenda Form for the Council's meeting of September 16th and a formal bid tabulation.

cc: Jean Gribbons, City Comptroller
Peter Anfuso, General Foreman
Dawn Nodarse, City Clerk

Public Works
141 Oakland Beach Avenue
Rye, NY 10580

Contract #2009-05 Brevoort Lane Pump Station Retrofit

Contractor	Contractor's Bid	Engineer's Check	Dollar Amount Above Low Bid	% Above Low Bidder	Position
Evergreen Mechanical	\$86,790.00	\$86,790.00	\$0.00	0.00%	1
Grupusso Plumbing	\$110,000.00	\$110,000.00	\$23,210.00	21.10%	2



CITY COUNCIL AGENDA

NO. 13

DEPT.: Engineering

DATE: September 2, 2009

CONTACT: George Mottarella, City Engineer

ACTION: Bid Award for two (2) Diesel Generators for the Department of Public Works (Bid #3-09).

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

N/A

RECOMMENDATION: That the City Council award the bid to the low bidder, Kinsely Power Systems, in the amount of \$63,155.00 as recommended by the City Engineer.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Three bids were received and tabulated. The low bidder, Kinsley Power, is within the budget set aside for this equipment, and meets all the City's specifications.

DATE: September 2, 2009
TO: Frank J. Culross, City Manager
FROM: George J. Mottarella, City Engineer
RE: Bid Recommendation - Bid #3-09, Two (2) Diesel Generators

There were three bids received for the above mentioned bid. They are as follows:

Kinsley Power Systems	\$63,155.00
Power Performance Ind.	\$95,200.00
K & G Power Systems	\$123,000.00

I recommend that the bid be awarded to the low bidder, Kinsley Power Systems, whose bid meets out specifications for the bid amount of \$63,155.00.

If you would like to discuss this further, I am available at your convenience.

Attached is an Agenda Form for the Council's meeting of September 16th and a formal bid tabulation.

cc: Peter Anfuso, General Foreman
Dawn Nodarse, City Clerk

Public Works
141 Oakland Beach Avenue
Rye, NY 10580

Bid #3-09, Two (2) Diesel Generators

Contractor	Contractor's Bid	Engineer's Check	Dollar Amount Above Low Bid	% Above Low Bidder	Position
Kinsley Power Systems	\$63,155.00	\$63,155.00	\$0.00	0.00%	1
Power Performances Ind.	\$95,200.00	\$95,200.00	\$32,045.00	50.74%	2
K & G Power Systems	\$123,000.00	\$123,000.00	\$59,845.00	62.86%	3



CITY COUNCIL AGENDA

NO. 14

DEPT.: City Council

DATE: September 11, 2009

CONTACT: Mayor Otis

AGENDA ITEM: One Appointment to the Traffic & Transportation Committee to fill a term ending January 1, 2012 by the Mayor with Council approval.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the appointment.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: Alfred Vitiello, the former City Deputy Engineer, has agreed to serve on the Traffic & Transportation Committee to replace John Wickham who recently passed away.



CITY COUNCIL AGENDA

NO. 15

DEPT.: Fire Department

DATE: September 11, 2009

CONTACT: Chief George Hogben

AGENDA ITEM: Approval of the election of a new member to the Rye Fire Department.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the election of Robert Orlando DelliPaoli to the Poningoe Engine and Hose Company.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND: The Board of Fire Wardens has advised that Robert Orlando DelliPaoli was elected into membership by the Poningoe Engine and Hose Company and was approved by the Fire Wardens at their August meeting.

RYE FIRE DEPARTMENT

August 31, 2009

Mayor Steve Otis
City Manager Frank Culross
Members of the Rye City Council

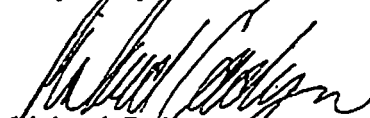
Mr. Mayor, Mr. Culross, Members of the City Council:

At the August 2009 regular meeting of the City of Rye Fire Department Board of Fire Wardens, a letter was read from the secretary of the Poningoe Hook & Ladder Company announcing the election into Ladder Company membership of Robert Orlando DelliPaoli of 110 of Glen Oaks Drive, Rye New York. The Board voted to approve the membership of Robert DelliPaoli at that meeting.

All background checks, investigations and physical have been ordered, completed, and found to be favorable. Robert attended Rye High School and is self-employed in the area as a personal trainer. We respectfully ask the City Council to approve Mr. DelliPaoli for Membership into the Rye Fire Department.

I can be reached at 212-847-3223 with any questions regarding the Rye Fire Department Membership of Robert DelliPaoli.

Very Truly Yours



Richard Cadigan
Acting Secretary, Rye Fire Department



CITY COUNCIL AGENDA

NO. 19

DEPT.: City Clerk

DATE: August 14, 2009

CONTACT: Dawn F. Nodarse

AGENDA ITEM: Draft of the unapproved minutes of the regular meeting of the City Council held on August 12, 2009, as attached.

FOR THE MEETING OF:

September 16, 2009

RYE CITY CODE,

CHAPTER

SECTION

RECOMMENDATION: That the Council approve the draft minutes.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

Approve the Unapproved Minutes of the regular meeting of the City Council held on August 12, 2009.

DRAFT UNAPPROVED MINUTES of the
Regular Meeting of the City Council of the City of
Rye held in City Hall on September 16, 2009 at 8:00
P.M.

PRESENT:

STEVEN OTIS, Mayor
ANDREW C. BALL
MACK CUNNINGHAM
PAULA J. GAMACHE
CATHERINE F. PARKER
GEORGE S. PRATT
JOSEPH A. SACK
Councilmembers

ABSENT: None

1. Pledge of Allegiance

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

2. Roll Call

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

3. Residents may be heard who have matters to discuss that do not appear on the agenda

4. Public Information meeting regarding the proposed improvements to the Theodore Fremd Retaining Wall

5. Consideration to set a public information meeting on October 7, 2009 regarding the replacement of the Central Avenue Bridge.

6. Report from the Corporation Counsel's Office regarding research on rent control legislation

7. Consideration of a resolution to televise all public meetings of the City Council including regular meetings, special meetings, and workshops

8. Three appointments to the Boat Basin Commission, by the Council, for two-year terms expiring January 1, 2012
9. Designation of one member to the Boat Basin Nominating Committee
10. Five appointments to the Rye Golf Club Commission by the Council: three appointments for three-year terms expiring January 1, 2013 and two appointments for a one-year term expiring January 1, 2011
11. Designation of one member to the Rye Golf Club Nominating Committee
12. Bid Award for the Brevoort Lane Pump Station Pump Retrofit (Contract #2009-05)
Roll Call.
13. Bid Award for two Diesel Generators for the Department of Public Works (Bid #3-09)
Roll Call.
14. One appointment to the Traffic & Transportation Committee to fill a term ending January 1, 2012 by the Mayor with Council approval
15. Approval of the election of a new member to the Rye Fire Department
16. Miscellaneous communications and reports
17. Old Business
18. New Business
19. Draft unapproved minutes of the regular meeting of the City Council held August 12, 2009
20. Adjournment

There being no further business to discuss, XXXXX made a motion, seconded by XXXXXX and unanimously carried, to adjourn the meeting at XXXXXX

Respectfully submitted,

Dawn F. Nodarse
City Clerk